

AN
ARGUMENT
AGAINST
EXTERMINATION:
OCCASIONED BY
DR. DUIGENAN'S
Representation
OF THE PRESENT
POLITICAL STATE OF IRELAND.

BY A FRIEND TO THE UNITED KINGDOM.

In the groves of their academy, at the end of every
vista, you see nothing but the gallows!

BURKE'S REFLECTIONS.

— Are ye not ashamed,
With this immodest clamorous outrage
To trouble and disturb the King and us?
And you, my Lords,—Methinks you do not well
To bear with their perverse objections.
Let me persuade you, take a better course.

HENRY VI.

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1801.

AGREEMENT
EXPLANATION
STATUTE
REPEAL
UNION
ACTS
OF
PARLIAMENT
IN
THE
FIRST
SESSION
OF
THE
SEVENTH
PARLIAMENT
OF
THE
UNITED
KINGDOM
IN
THE
YEAR
1841

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ARGUMENT, &c. &c.

THOSE who are conversant with Dr. Duigenan's literary labours, will learn without surprise, that his work, a crowded volume of 253 pages, has lain by me for some weeks unopened. There is nothing inviting in a studied misrepresentation of facts, and an habitual coarseness of manner. Such has been the character of this gentleman's former performances, and the present proves his habits to be too inveterate for amendment. With distaste and reluctance I changed my accustomed studies for this book. At length this toilsome journey is accomplished, over a dull, dreary, and barren waste, where no ray enlightens the gloom, except a transient and occasional glare, when my author aspires to the praise of jocular malignity.

Curiosity, unmixed indeed with any sentiment of reverence, has impelled me to examine this book, as it probably has many others, equally removed beyond the attractions of Doctor Duigenan's reputation. One is solicitous to know by what means a man, who might have declined in years with respect, or at least with decency, should press forward unbidden, to court the hatred of his fellow-citizens; why he, on whom fortune smiles, should look around him with malignity; of what materials the soul is formed, which a long course of prosperity has not warmed into benevolence. Perhaps Dr. Duigenan's work is celebrated amidst the sanguinary orgies of the diminutive faction among whom he aspires, with miserable vanity, to be esteemed a leader. He is hated or

despised by every other man in Ireland ; by the Catholics, whom he asperges and reviles ; by the Protestants, whose favour he courts by working on their apprehensions. Hatred may appear a sentiment too elevated to express the abhorrence entertained for a man who has described the measure of his acquirements, and sought the level of his talents, when he ministers to the worst propensities of the meanest faction in the universe.

From a disgusting perusal, I pass to an indignant controversy. Shall a people be slandered, and the calumniator pass without rebuke ? Shall the vilest policy that ever disgraced civilized society be justified ? Shall the cessation of that rule be lamented, and an impious hope be expressed for the revival of it, without disguise or ambiguity ? In a solemn appeal to that people, whose good repute it ought to be the pride of all mankind to cultivate, shall facts be falsified and distorted ? Shall brutality be softened and palliated, and rendered plausible, and however clumsy the disguise, put forward in the garb of wisdom ? Shall the hallowed dust of Burke be irreverently moved, and shall not every man, however humble his rank, however limited his powers, fly from his repose to chase the obscene profaner ? Not so : in retorting the obloquies of Dr. Duigenan, there is no laurel to be gained.—His learning is what no man of sense would wish to retain.—His facts, both ancient and modern, are detailed with a profligate disregard to truth.—His inferences are the feeble operations of a mind, either naturally narrow, or pretending blindness from dissimulation.—Where he aims at sarcasm, his wit, like the playfulness of a sea-monster, even to persons beyond its gripe, creates an impression of horror.—His wisdom is the wasteful cunning of a savage, or the jealous precaution of a tyrant. Is greatness to be criticised ? In the true spirit of obsequiousness, he cringes with awkward apologies for dissenting ; whilst

he struts forward against lesser men with arrogant intemperance. Such is the adversary, with whom I am impelled to grapple, in vindication of a people, "more sinned against than sinning," in whose ranks nature and education have assigned to me an humble station. I cannot challenge merit in the conflict, or praise in the victory; and if, in the fervour of debate, I imitate my antagonist, by a harshness of expression, from which, on any other occasion, my sense of decorum would recoil, let it be recollected, that when a savage beast breaks in on social life, you are not bound by the sportsman's ordinary rules, in driving him back to his fastness.

————— *Et si nullum memorabile nomen.*

————— *In pœna est, nec habet victoria laudem*

Extinxisse nefastamen, et sumsisse merentis

Laudabor pœnas: animumque expleffe juvabit

Ultricis flammæ, et cineres fatiassè meorum.

And certainly, it is not therefore unnecessary to detect the fallacies of a work, because the talents of the author are mean, and the execution disingenuous and contemptible. Even the malignant diligence of Sir Richard Musgrave has been adequate to the end proposed. He has perpetuated discontent in minds subsiding into harmony, and excited alarm, where every rational cause of anxiety had been removed. Most people delight in the research of marvellous anecdotes, and many who read, will admit, in indolence, the bias of their author. As a rational and authentic writer, the author of *Valentine and Orson* is superior to Sir R. Musgrave; in the scale of usefulness, I should be sorry to compare them. Yet such is the effect of bold assumption at a little distance, that I have seen this person, in a London periodical publication, encouraged to persevere, and complimented with the epithet respectable. What, it was exclaimed, can be the Priest, when a monkey is the God!—What

is the party, when Musgrave and Duigenan are its oracles?

When the Knight sallied forth in this adventure, armed with affidavits, spurious confessions of faith, and forgotten legends, no person thought his work of importance enough to deserve a reply; the greater part of his statements were such, as to be presumed to carry with them their antidote and refutation. It was allowable to despise him. Here another writer engages in the same career. Contemplate the due meed of his deserts; nevertheless, experience proves, that it is right to frustrate the design of these publications, by exposing the fallacy of them in fact and argument. I attribute without hesitation to the assiduous circulation of Sir Richard Musgrave's book, the protraction of disturbances in those parts where the rebellion raged, and the heart-burnings and jealousies, that appeared where that misery never existed. Yet who could have supposed the appetite for nonsense to be so voracious, as to require the pen of detection to explain, what obviously appeared upon the face of it to be the crudities of a weak, or the reveries of a crazed imagination?—That you should make the council of Lateran your index, to discover the character of men with whom you have habitually associated. That in this science of observation, in which almost every man is versed, and which is purely a matter of personal experience, you are to trust implicitly to theory, and reject the evidence of your senses. I have mixed with this brother soldier in the ranks. I know him brave, and he has betrayed no symptoms of faithlessness. With this friend I have long interchanged kind offices; I have joined him at the festive board—I have seen his heart unguarded—I found him trust-worthy and confiding. Tut, reply these luminaries, it is all a vision; we can prove, by a book written seven hundred years back, and, for at least five centuries forgotten, that he is under an irre-

sensible necessity to detest, and to destroy you. But my neighbour never heard of this book. No matter; the spirit of it passes, like electricity, by contact; in spite of all appearance he is your foe. The authors of this doctrine feel that their prediction tends strongly to realize itself; for if men begin by distrust and coldness, they will probably end in open enmity.

When Virgil wished to paint the merciless horrors of a tempestuous ocean, he takes the fury of an un-governed rabble as an appropriate object of comparison; yet according to these persons, in the atrocious phrenzy of an Irish mob, there enters no ingredient but popery. In the hideous ebullition of a rabble they see nothing less than the settled policy of a people. Doctor Duigenan asserts that home is to the Irish peasant that place of cheerless wretchedness, that the wastes of America, and the service of many states, are crowded by emigrants from this order: now which is the more probable conjecture, that penury and ignorance debased the religion of a great portion of the polished world; or that beggary was instigated by religion, and disciplined to insurrection. The conspirators were perfectly innocent. Ordinary men conceived that those persons, sensible that the transition from beggary to turbulence was not difficult, cajoled, and set every passion into motion. But this was the mere delusion of a vulgar mind; the business was done to their hands in the twelfth century by the council of Lateran. O miserable condition of this devoted land, in which the rudiments of common sense are the subject of investigation and dispute, and the simple intercourse of kindness an effort and testimonial of philosophy!

*Nunquamne reponam, vexatus toties!** Will this perturbed spirit never be at rest? We may determine when we shall know what has vexed him into this

* The motto of Dr. D.'s work.

controversy. Who constituted Doctor Duigenan the watchman of the holy City? Must the zealous grave-digger press into the parochial charge before the Rector? In the eyes of the Primate* is the Church secure, whilst pious zealot Duigenan frets in sleepless anxiety for its safety? Have so many reverend prelates, the honour of the age and nation, eloquent and accomplished men, all shrunk into inglorious repose, and left a goose to cackle on the capitol †. Fervent and zealous, like Peter the Hermit, his prototype, but not alike persuasive, Doctor Duigenan preaches a crusade against the Catholics of Ireland. He invokes against them a combination of all the energies of the state. He charges crimes so foul, that if his allegations are founded, the justice of the country sleeps over the guilty race. He offers eternal motives for strife, eternal arguments against peace, reconciliation, and forgiveness. Did any adversary, could any adversary call down that awful interdict?

*Stirpem invisam, et fatis contraria nostris,
Fata Phrygum.——*

*——Medias acies, mediosque per ignes
Invenere viam; at credo mea numina tandem
Fessa jacent, odiis aut exfaturata quievi.*

And engaging in this hopeful enterprize, he represents himself provoked. Indeed, Sir, you might have chosen a more appropriate motto. I will suggest one to you, in case you should think of returning to these hopeful lucubrations: “And Haman said to King Asuerus, there is a certain people scattered abroad and dispersed among all the provinces of

* See the sentiments of this excellent Prelate, Dr. Newcomen, in the debate on the Union in the last session of Parliament.

† The reader is requested to compare with Dr. Duigenan's notions, the eloquent and christian sermon preached by the Bishop of Killaloe before his Excellency the Lord Lieutenant, on the thanksgiving for Lord Nelson's victory.

“ thy kingdom ; and their laws are diverse from the
 “ people, neither keep they the King’s laws ; there-
 “ fore it is not for the King’s profit to suffer them.
 “ If it please the King, let it be written that they
 “ may be destroyed : and the King took his ring
 “ from his hand, and he gave it to Haman, the Aga-
 “ gite, the Jew’s enemy. And the King said, the
 “ people are given unto thee, to do with them, as it
 “ seemeth good to thee !” It will be recollected
 that the King changed his purpose, and Haman, the
 Duigenan of that time and circumstance, was hanged
 for his proposal. Whatever may be my opinion of
 my adversary’s desert, I have more charity than to
 wish his career to terminate by that catastrophe. Let
 him hear daggers, but not feel them ; let the repro-
 bation of all who love their country, the scorn and
 ridicule of those he has peculiarly offended, avenge
 his criminality.

The partisans of the person whom I thus present to
 the public censure, will not be wanting in the at-
 tempt to make common cause between the establish-
 ment and its officious votary. I am not a member of
 the Protestant Church ; I affect no zeal for its exclu-
 sive institutions ; but I understand its relation to the
 Irish state, and I estimate its utility. I shall have oc-
 casion in the course of this undertaking to express
 more at large my sentiments on this subject. The
 Protestantism of Dr. Duigenan, and of men like Dr.
 Duigenan, is not piety, but faction. He does not
 think he exists, unless he feels himself to be oppres-
 sive. God forbid I should blame any man for an
 honest adherence, even to the temporal welfare of
 that valuable portion of the christian commonwealth,
 the Protestantism of these islands. Nothing is more
 common than that the best intentioned men, fixing
 their eyes upon the same object, shall receive totally
 different impressions of it ; and I would preserve to
 every man the discipline in which his habits of life

have been fashioned. But if I was to form my judgment by his writings, I might say, that in my opinion they have a tendency to draw an eternal and an unnecessary line of separation between the two leading denominations of this country; and moreover, that they seem to manifest an atrocious purpose to promote strife, feud, and civil discord, instead of innocent rivalship. Treating of the calamities of this country, he gives the effect for the cause, and seeks to immortalize the evil, by perpetuating the promoting principle. That surely is not Protestantism. I respect the Protestant Religion; I wish it secure in its honours and property; in the actual circumstances of the class of Christians, to whom by preference I join myself, I feel that the endowments of an affluent establishment in this kingdom would be misplaced by being bestowed upon them; but I am not the less sensible to the propriety of reserving a station amidst the great and eminent of the world, for professed servants and ministers of the Gospel. My objection lies to the government of Ireland on party principles.

I am sure the favourers of this party government are, generally speaking, among the most loose men in Ireland in religious observances. They are indifferent to religion, as a sanction of morals, as an emanation from God, or even as an instrument of policy. In their eyes the establishment is but a corporation, of which to be a member is a preferable title to the patronage of the Crown in the distribution of offices, or confers at least a plausible pretension to dominion. Hence the Union and the repeal of the Popery laws are alike the objects of their abhorrence. The latter as it may tend to throw open competition; the former as it rescues the government from their combination, and terminates of course, whatever in their superiority is forced, unjust, and unnatural. A constitution of abuses would suit them best, for it

would occasionally irritate the people into acts of partial and defultory intemperance, which the powers of Government are fully adequate to repress. Then comes their harvest. In the application of its powers, Government may call in their aid, and in the interval of such commotions, if they can keep the Government in a state of alarm, they are sure to increase their consequence. Of this knot or cabal Dr. Duigenan has long been the tool, and presumes himself to be a leader. Of this faction, not of the interest of British Protestantism, he is the champion. But in this late instance he takes a middle course. Administration, tired of the impracticable enterprise of conducting a feeble state to any degree of order, or comfort or prosperity, proposes an Union. The cabal wishes to protract its golden harvest of misgovernment. Our sapient patriot will gratify both. Let there be an Union, he says, on the wretched provincial system that has depressed and enfeebled Ireland. One cannot smile; folly, which is wicked in its craft and combination, excites other sensations.

Doctor Duigenan did not always hold these sentiments. In a book, which was noticed in England, not, surely, from its merit, but from the assiduity of the Doctor's party, and from the unfortunate intemperance of a man of genius, which occasioned the publication, he recommends an Union, as the means of reconciling the interest of the establishment, with a liberal treatment of the popular religion. At that time, no man looked to the union of legislatures, otherwise than as to a measure of remote and uncertain speculation. The Doctor was liberal, on the event of an improbable contingency. But a concurrence of circumstances has opened the eyes of most dispassionate and well judging persons to the true interests of the country. We are like to be relieved, by an incorporation of Parliaments, from the mischiefs of an inconvenient and ill assorted constitution. The pe-

riod of retribution approaches, which he fondly hoped he had with great display of prudence and of justice postponed to the Greek calends; and lo, he comes to stultify his own act with a contradictory averment!

Was Dr. D. two years back that raw youth, that he hastily determined what he now feels it expedient to retract? Nearly all the facts upon which he grounds his actual doctrines, were made use of by him on that occasion. And this Council of Lateran, in which by the way he is more versed than any Catholic I know, had, with all its accompaniments of oaths and decrees, formed the materials of a controversy in which he was engaged about twelve years since with Mr. O'Leary. And every circumstance he now relies on, was at that period satisfactorily explained by that respectable divine, and by the late pious and eminent Dr. Butler.

Thus, if his opinion at any time deserved notice, we may to the Duigenan of 1799 oppose the Duigenan of 1797. Upon that occasion he ranted, as he does now, about Romanists, and Conventions, and Francis street. I use his words as the admission of an adversary, in the same cause, and between the same parties. After some loose recommendation of an Union, he says, "If we were one
 " people with the British nation, the preponderance of the Protestant body in the whole empire
 " would be so great, that all rivalships and jealousies
 " between Protestants and Romanists would cease for
 " ever; and it would not be necessary, for the
 " safety of the empire at large, to curb Romanists
 " by any exclusive laws whatsoever." (Dr. Duigenan's Letter to Mr. Grattan, p. 57.) My adversary will not refuse to me the benefit of this testimony. On two or three occasions, he quotes his book himself with a ridiculous solemnity, as if it were a Canon of the Constitution, of undisputed authority, and ac-

knowledgeed wisdom. I recollect one of our countrymen, who imagined his family affairs of so much notoriety at the post-office, as to expect that his letter superscribed, "To my son, the Doctor in Paris," would reach its destination. Dr. Duigenan's pompous reference to himself appeared to me not dissimilar.

The books, which he alleges as immediate provocation of his attack, fell into my hands, as into those of every other person who suffered his mind to enter into the great constitutional question that now engages us. To speak of these, as overt-acts of a conspiracy against the Church of Ireland, hatched and matured by the Catholics, and to make them the pretence of a war-hoop against that people, is refining on absurdity. Dr. Duigenan knows, and so does every man who has read the book, that "The Considerations on the State of Ireland," were written neither by a Catholic nor an Irishman, nor by any one in the habits of intercourse with any individual of the Catholic people. With great spirit and eloquence, but not always accurately instructed as to the state of this country, this writer reproves the Protestants (among whom unquestionably exists the opposition to the Union) for lukewarmness to the cause of the empire; and for the extravagant hope, not general, but somewhat prevalent, that they are to be upheld by the power of Britain in these arrogant pretensions that Dr. Duigenan urges. "The Case of Ireland re-considered," Dr. D. must equally have known to be the work of a gentleman, who, although of Catholic connection and descent, had taken no part whatsoever in their politics. If Dr. D. was unacquainted with these facts, he might have learned them from those with whom he every day associates. The gentleman in question has two desperate blots in Dr. D.'s mind—he can think, and he is a Catholic. His book, as well as I can recollect it, was the work

of an acute and intelligent mind, much improved by reading, and by observation. At the time, it occurred to me, that he understood every country in Europe better than his own. He argued the condition of the Catholics, as a case of ultimate oppression, which it has not been for many years back, but of very considerable inconvenience;* and he argues the matter as it stood before the year 1793, without giving credit to the superior government for the great reduction of grievance upon that occasion. Others have fallen into the same error, always with injury to the cause they have espoused; and on this occasion, his adversary has not failed to profit by his blemishes. However, this author, as he was well warranted to do, used the privilege of a free subject, in expressing his sentiments upon a public question; and if his doctrines even were reprehensible, which in the gross they are not, but praise-worthy, it would still furnish no ground of accusation against a people.—At this rate we might be attaint of treason, because on the surface of Dr. Duigenan's gall there floated one drop of the milk of lenity.

These gentlemen are competent to their own vindication, my business is with general principles.

With some of Dr. Duigenan's facts I am not disposed to quarrel, but indeed the number is small.—For instance, when he says that his friend Mr. Smith wrote two able pamphlets on the Union, I readily admit the fact. I admire the gravity of the historic muse, when the Doctor formally relates, that Lord Minto, “before his advancement to the peerage, was known by the name and title of Sir Gilbert Elliot,

* I must be understood to refer to the actual state of the laws against Catholics, not the manners that arise out of the principle of exclusion; these never were more severe than at present. But the persons I allude to, by resting on the letter of the law, and omitting to notice the spirit, appear to exaggerate the grievance, and obviously weaken the argument.

of population be far outweighed, by the dependent situation of the greater part of them.

But Dr. Duigenan, who every where opposes theory to experiment and fact, has an hypothesis ready to answer this objection. He speculates upon a rapid change of property. Wherefore it is to be presumed, that, in the shifting of property, the course of transfer must be peculiarly favourable to the Catholics. They have the same provocations to alienation with other men, and their means of acquiring are rather inferior. They are, it is true, a majority, but not of persons in the direct high road to accumulation. Such have been the advantages, enjoyed by the members of the favoured religion during the late century, that in some parts of Ireland there is no such thing known, as a Protestant below the middle class of competency. Add to this the habits that are formed in the North, so peculiarly favourable to commercial prosperity. I rely on it, that of those descriptions who are likely to emerge, either by trade or husbandry, into superior stations, the Catholics have not above an equal share, if indeed they have so much; the two lucrative professions of the law will continue to be very much Protestant, because they are the usual resort of the younger children of the landed interest; the patronage of the Crown will follow political influence; and the church is Protestant exclusively. Property in fact is power, and here is an ample security for preponderance, if such preponderance be necessary. Although it matters little what is admitted, merely to form the basis of argument, yet Dr. Duigenan's estimate is so grossly erroneous that I cannot receive it. I suppose upon a rough sketch, that between Protestant and Catholic the proportion of actually beneficially interest in * land, may be in favour of the former

* Dr. D. makes no allowance for derivative interests in land, but takes the proprietor in chief, as the sole usufructuary.

as seven to one; but then, when you rise above 500l. income in land, the proportion diminishes in favour of the Protestant, and as you ascend it narrows entirely. By consequence, the Protestants having all the large estates, and the superior tenures, and the Catholics, either as tenants or otherwise, standing in need of those obligations which the higher can confer on the middle class of property, and the great Catholic properties being mostly collected together in three or four counties, whilst that of the Protestants is diffusive, the relation between the respective parties in point of political influence, accruing from land, may be as twenty to one in favour of the Protestants. Great estates are better protected from alienation by family settlements than diminutive interests. That again is in favour of the Protestant preponderance. It has a further and final protection in the ordinary prudence by which men guard their acquisitions. And if elder brothers at any time are prodigal, younger sons will offer to supply their place, enriched in the ordinary course of things by so many signal opportunities of emolument.

In the present state of property, the balance in favour of Protestantism is great, by the progress of alienation it must continue so for centuries. But this is not sufficient; the preponderance arising from property gives no offence; it does not irritate; it furnishes no opportunity to glut the greedy appetite of confiscators. I could name here some of the Doctor's friends, who are deeply disappointed indeed, that the rebellion did not extend among the opulent Catholics; who sigh bitterly to see that the Escheatorships of Leinster, and Munster, and Conaught continue nominal offices.

It would seem indeed, that Dr. Duigenan fears the indifference of the Protestants more than the aversion of the Catholics. If this libel issued from what he terms the *Monastery at Maynooth*, well might

he exclaim. But no, it is the* unplaced Judge of the High Court of Prerogative; the independent Civilian whose name occurs in the Court calendar, as filling about a dozen offices under the ecclesiastical establishment of Ireland, he it is who tells you, that naked zeal is a better rampart to the Church of Rome, than education, interest and conviction to the Church of Ireland. It is he who repeatedly asserts, that the Church of Rome suffers no desertion by free-thinkers, but that the other classes of religionists are subject to that mental calamity. Instruct us, Doctor, what is the wonder-working charm, which in this age of tottering piety, fascinates men to their religious obligations beyond all power of resistance. O it is the Council of Lateran, which tumbles on us, like fetters on the god Proteus; priests and potentates go search for the talisman.

But unfortunately it happens that Abbé Sieyes and M. de Perigord, as well as our own valuable Dr. Troy and Moylan, were once under the influence of this planet of Lateran; perhaps they are not out of it yet; and if Mr. Pitt, instead of subsidising Russians, would dispatch Dr. Duigenan and Sir Richard Mufgrave to the consulate, with half a dozen copies of the acts of this renowned council, the entire French Republic might happen to be moon-struck.

The principle of Dr. Duigenan's book is, that the Catholics are incorrigible,—are irreclaimable; if his arguments prove any thing, they go to inculcate the propriety of reducing the entire race to predial slavery. Make Helots of them, and then, you may have the additional advantage of imitating a classic spot by occasionally abridging the superfluous crowd; and the Doctor, or if his patriot cares do not permit

* This Gentleman, whose appointments exceed £ 2000 per ann. to gain more credit where he is not known, asserts (page 233) that he is neither placed nor pensioned.

him, some chosen friend might, as superintendant general of Helots, preside at the Spartan festival. To proceed in this course boldly and at once, would be more equitable and more judicious, than to suffer an obnoxious people to acquire property, and then pursue them with penalties and verbal outrage, because forsooth property may give power, and they are not so unfortunate as you would wish them.* The proposal is not without precedent. Andrew Fletcher, the celebrated anti-unionist of the last age, proposed to reduce the poor of Scotland to house-slavery; for the anti-unionists of that day, like those of the present, when they talked of liberty, never meant any thing beyond their own privileges.

Dr. Duigenan felt, that if his pretended jealousy of the power of the Catholics, bore any semblance of reason, the alarm must be at an end, when we incorporate with Great-Britain. This prolific people cannot overshadow the empire. But determined to allow no escape from his *furcæ caudinæ*, he has written a book to close to us that avenue. It must be perfectly natural to say, if you desire to have a popular constitution, frame it so as to admit the people without material exception; and by an union you can effectually attain that end. The Protestantism of Great-Britain is so unequivocal, that you have no occasion to resort to a rivalship of rights or protective penalties. This is security beyond the fears of the most timid alarmist. It is a principle upon which a benevolent and patriotic mind may proceed, in surrendering even the baubles of national importance; and several of the wisest and most honourable men in Ireland, have been actuated by this principle. They consider that our narrow sphere of politics,

* *Vixque tenet lacrymas, quia nil lacrymabile cernit.* See for an accurate description of these persons, the entire progress and picture of Envy by Ovid.

circumscribed to mere domestic regulation, was not capacious of two parties, so prone, and so easily moved, to factious antipathies; unwilling to exclude any, they propose in favour of all, to change the scene to a more ample theatre, where local provocations do not arise, and where the animosities are made to subside by the mixture of new men and extended interests. But far from such minds as those we examine, is a sentiment of virtuous and patriotic sensibility. We are drawn into a critical conflict of adverse passions. "Throw overboard the Parliament," say compassionate and unambitious men. "* Throw overboard the people," say the confiscating Anti-unionists." "Away with both," exclaims this judicious and humane statesman. "Let my name be transmitted the founder of a faction, although it reign over a waste, and mankind regard its principles with horror." The object of this gentleman's work is to induce the people of England to adopt his hatred of the Catholics. Where he presses his remonstrance most earnestly, I did expect that he would have addressed some argument of policy to that wise nation; (see page 194, 56, &c.) that he would have pointed out some inconvenience in admitting the object of his hatred to the privileges from which he wishes them to be excluded. Is he apprehensive that if the Earl of Fingal, or the Viscount Gormanston, or the Viscount Kenmare should rise to address the Peers at Westminster, the ancient Irish oak, which has for centuries upheld the Abbey roof, animated by the kindred voice, would desert its station, and the edifice fall in upon the noble auditory? Our statesman is content to enumerate certain statutes, which stand in the way of the admission of Catholics into the British legislature; but he

* I mean to apply this epithet, to a part only, but certainly the most considerable part of the opposers of the Union.

Every dispassionate person will admit that terror to be groundless which ~~Dr. Duigan~~ endeavours to excite, that the Catholics may ascend to any superior or exclusive power in the State by the abolition of the excluding statutes. The objection is without weight, even upon the separate establishment of Ireland; but in the contemplation of an Union, such an apprehension is to the last degree preposterous. Individual Catholics might be advanced, but they would not bring their party with them. The Kirk is not nearer to the throne, although the test laws have been abrogated against all but Catholics; and although in consequence, some of the first situations in this country are occupied by persons who were educated among the dissenters, and have never disavowed their tenets or renounced their communion.—The minds of some men are so perverted by the corporation spirit, that if one argues against a faction in possession, they suppose he cannot raise his mind beyond a faction in reversion.

My principle is to extinguish both. To preserve to the established Church its rank and its endowments. I wish to see "Religion rear its mitred front in Courts and Parliaments." The Pastors of every other Church, with which it is found necessary to accommodate the subjects of this land, are, in my opinion, entitled to such respectability of situation, as, without placing them beyond their flock, will uphold their function. I wish to withdraw the minds of all men, from politico-religious faction, and not dis-

turbing any in the religion of his preference or education, to indulge to each individual the full advantage of his birth, his fortune, and his talents, in the true spirit of our admirable constitution. Whether uniformity in worship be more desirable than a diversity of opinion, is a question that we are not practically to determine. With us uniformity is not to be procured, and the basis of our settlement must be forbearance. We are to act upon the materials that are before us. Where those are not strictly the same as in Great-Britain, it would seem to me, who am ~~a~~ ~~Doctor of civil law,~~ but a plain man, that our arrangements ought to be adapted to our peculiar circumstances.

The appointment, exclaims ~~Dr. Duigenon~~, of "a Romish Viceroy, a Romish Lord Chancellor, of Romish Judges, of a Romish Commander in Chief, &c. (page 193) must all tend to the subversion of the Protestant establishment." But he puts an extreme case, which in fact admits of a medium. No candidate may ever present himself; and the matter for which we contend is, not that such an appointment should actually take place, but that, if ever a man should arise in whom other qualities countervail the difference of Religion, the Crown should not be prohibited to employ him.—Will you refuse this discretion to his Majesty?

If the Roman Catholics of this country were discontented, because certain great officers were not chosen from their body, then indeed would they be turbulent and absurd, and then indeed would Dr. D.'s allegations be verified. But the principle of exclusion is that which furnishes a rational ground of discontent. If this principle extended no further than to close the door to certain situations, it would be *bellum de laná capriná*, to contend with vehemence against it. But the branches of the principle widely extend through life. There is a superiority asserted between men of

the same rank.—There is a jealousy which occurs in daily practice.—There is the power of such men as Dr. Duigenan to assert, and to quote the law of the land as their authority, that to them the state more peculiarly belongs, and that they are better entitled to its confidence. Among other justifications of the system, the popery laws in England have been resorted to. The injustice may be equally great in England, but not so the inconvenience. Whatever restrictions are imposed upon the Catholics of England apply to a small society; those in Ireland embracing a people, affect all the manners and institutions of a country. The Catholics of England are actually entitled to fewer franchises than their brethren of Ireland, still their condition, as between individual and individual, is preferable, because there is no temper cultivated to their disadvantage. And it is to this point, that the Union of legislatures particularly applies. I do not hesitate to pronounce, that although it should not immediately tend to increase the franchises of the Catholics, yet if the Union establishment leaves the middle rank of people more at ease, and provides for the poor a more efficient government, it is a form of constitution preferable to an unqualified repeal, with the exclusive spirit and the antipathies subsisting. That such consequence must result from the translation of our jealous aristocracy, has, I apprehend, been elsewhere proved, and I will not detain my reader by a repetition, that would necessarily lead me beyond the limits I prescribe to myself.

It may be demonstrated with very great ease, that from that day on which the rights of property were communicated to the Catholics, the subsisting popery laws were effectual only for the purposes of irritation. The right of franchise could be of no use without the previous possession of land; and whatever was the qualification of Electors, the Catholics possessing land must

Now Sir John Davies expressly states, that the rebellion of the Earl of Desmond, originated in a claim, set up by that family, and disputed by the government, of exemption from attendance on Parliament; but that the immediate cause of the rising, was an attempt by the Earl to levy certain Irish duties in the county of Waterford, contrary to the statute of Kilkenny, in which attempt he was successfully opposed by the Earl of Ormond.

I should have little difficulty in convincing any man, who will take the trouble to read Lee's Memorial to Queen Elizabeth, that religion had no influence in Tyrone's rebellion. Indeed that officer states, that he was more docile to the Reformation than most other nobles, even of English birth in Ireland. "True," says my author, "he is affected to popery, but less than some of the greatest in the English pale: for when he is with the state, he will accompany the Lord Deputy to the church, and will stay, and hear service and return." We can collect from the statement of that officer, which amounts in fact to articles of impeachment against the Hastings of those days, the Lord Deputy Fitzwilliams, that the state of Ireland in his time, resembled what India was before the modern corrections in its administration. Adventurers equipped themselves, as for a desperate enterprise, to seek fortune in Ireland. In the prosecution of their purpose it will readily be believed, that rapacity and violence were not unfrequent. The public faith was shamefully disregarded. Men of peaceable and inoffensive life, were imprisoned without cause, and executed without the pretence or the form of justice. He adverts to particular instances, which when he prepared his Memorial, must have been familiar, of persons put to death by the contrivance of the government, whose only crime was the wealth, which their enemies divided. Lee offers to sub-

stantiate his charge by evidence, and stakes his life and credit on the event. Of Tyrone he speaks as an oppressed and injured man, harrassed by unmerited suspicion*. He names him with the kindness of a friend, but in such a manner as to prove, that in his breast the duty of public service prevailed above private sentiments. Lee's detail of facts explains and strengthens the opinions of Davies; see "A brief declaration of the government of Ireland, opening many corruptions in the same, discovering the discontents of the Irishry, &c. addressed to the Queen's most excellent Majesty, by Captain Thomas Lee, 1594."—Captain Lee, I answer for it, was a Burkist.—

Our annals retain no panegyric of a routed cause and fallen greatness; but it is easy to collect, that the Irish chief of whom we treat, was no ordinary person. O'Neil, for in the pride of superior station, he spurned the title of Earl, inherited from an illustrious line the command of one of the bravest, the most numerous, and most powerful sects among the ancient Irish. His jurisdiction was absolute, over a wide extent of territory and a numerous host of martial followers. Supreme within his own limits, he acknowledged in the British Sovereign an external superior, to whom he owed, as a vassal to his paramount, homage, reverence, and tribute. From this condition the ascent is easy, a single step, to actual independence; and when the provocations received

* To this Earl of Tyrone, may be applied, what the Scotch poet, Pitcairn, says of Lord Dundee—

Te moriente novas accepit Scotia leges,
 Accepitque novos, te moriente Deos.*
 Illa tibi supereffe nequit, nec tu potes illi,
 Ergo, Caledonia, nomen inane, vale.
 Tuque vale, gentis quondam fortissime ductor,
 Ultime Scotorum, atque ultime Græme, vale.

* Alluding to the abolition of episcopacy at the Revolution.

by himself, and by his race, impelled O'Neil to fly to arms, I should have been much surpris'd, if he had not endeavoured to associate the public service with his immediate and natural ambition. He aspired to what he considered the deliverance of his country from a foreign yoke. For, although it is vain and preposterous in the present state of mixed races, to treat any portion of our Empire, as foreign to its fellow-subjects of another district, yet the difference of all those things, that discriminate race from race, and nation from nation, laws, manners, customs, blood and language, was, at the period we review, both prevalent and obvious. Wallace, two centuries before, had achieved the like enterprise on a contiguous theatre with glory, but not with ultimate advantage to his country. As the triumph of Wallace postponed the Union of the British crowns, it retarded the perfection of civil arts, and the cultivation of the entire island.

O'Neil, when his discontents were at the height, found a ready co-operation in a great proportion of the Irish chiefs, estranged, like him, from the English crown, by the impolitic system of government, and the profligate severity of particular governors. I do not find that he derived from the religious opinions of the people any eminent assistance. The pale, which as Lee testifies, was more Catholic than himself, never afforded any countenance to his enterprise*. In fact, the subjects of this land, had not as yet experienced any inconvenience on this account; for although the state adopted for its own use, the practice of the reformed religion, the second of Elizabeth, the great grievance of the next age, had not as yet been put in execution. This war of O'Neil was the last and most vigorous stand made by

* On the contrary, the army which Lord Mountjoy led against O'Neil, and which compelled his submission, was almost totally composed of Catholics.

the ancient Irish for their independence. That it desolated the country I admit; but in this, as in the subsequent conflicts, the balance of severity was with the victors. The commander himself had been polished at the court, and had followed arms in the camps of England: his sense of dignity, was far superior to that of the officers* who often opposed him. In the service of England, he had been a faithful and valiant auxiliary. He became a formidable, but a generous enemy. He submitted to Lord Mountjoy; but having reason to apprehend, that new designs against his safety were formed by a subsequent Viceroy, he fled to Spain, where his family hold to the present day a high rank among the most eminent and honoured of the nobility. The popular traditions of Ireland long remembered the fame, and deplored the fortunes, of this its last and favourite leader.

The catastrophe of O'Neil, and the discomfiture of his adherents, removed every obstacle to the reduction of Ireland: our history no longer presents any other relation, but those of sovereign and subject. We are next to examine by what means this favourable appearance of a settlement was frustrated. Two circumstances present themselves to the curious in Irish history. The great insecurity of landed property, and the restless and malignant puritanism of the government.

“It was an age,” says Mr. Carte, “of adventurers and projectors. The general taste of the world ran in favour of new discoveries and plantings of countries; and such, as were not hardy enough to venture into the remote parts of the earth, fancied they

* He was indeed opposed by the Earl of Essex, who seems to have treated him with considerable attention. The terms which he procured from Lord Mountjoy, on his submission, prove, that he was considered by that nobleman, as an able and powerful adversary.

might make a fortune nearer home by settling and planting in Ireland. The improvement of the King's revenue in a country, where it was far less than the charge of the government, was the colour made use of by such projectors to obtain commissions of enquiry into defective titles, and grants of concealed land and rents belonging to the crown; the great benefit of which was generally to accrue to the projector or discoverer, whilst the King was content with an inconsiderable proportion of the concealment, or a small advance of the reserved rent. Every body was at work in finding out flaws in people's titles to their estates; the old pipe rolls were searched to find out the old rents reserved, and charged upon them; the patent rolls in the Tower of London (where they are preserved in much greater numbers than in Ireland) were looked over for the ancient grants, and no means left untried to force gentlemen to a new composition." (Life of Ormond, vol. i. page 27.)

Hear upon these subjects the confederates themselves. In their remonstrance delivered to the King's Commissioners, they have left to posterity an exposition of their motives, and grievances, so full and satisfactory, that I cannot expect to add to the force of them in the circumscribed limits of a pamphlet.

"The Catholics of this Kingdom, whom no reward could invite, no persecution enforce to forsake that religion professed by them and their ancestors for thirteen hundred years, or thereabouts, are since the second year of the reign of Queen Elizabeth, made incapable of places of honour or trust, in church or commonwealth; their nobles become contemptible, their gentry debarred from learning in universities, or public schools within this kingdom;—their younger brothers put by all manner of employment in their native country, and necessitated either to live in ignorance and contempt at home, or (to their

great discomfort, and impoverishment of the land) to seek education and fortune abroad, misfortune made incident to the said Catholiques of Ireland only, their numbers, qualitie and loyaltie considered, of all the nations of Christendome. Secondly, that by this incapacitie, which in respect of their religion was imposed upon the said Catholiques, men of meane condition and quality for the most part, were in this Kingdome, employed in places of greatest honour and trust, who being to begin a fortune, built it on the ruine of the Catholique natives, at all tymes lying open to be discountenanced and wrought upon ; and these persons, because they would seeme to be carefull of the government, did from time to time suggest false and malicious matter against them, to render them suspected and odious in England, from which ungrounded informations and their many other ill offices these mischiefs have befallen the Catholiques of Ireland, first, the oppositions given to all the graces and favours that your Majestie or your late royall father promised, or intended to the natives of this Kingdom. Secondly, the procuring of false inquisition upon feigned titles of their estates against many hundred years possession, and no travers or petition of right admitted thereunto ; and jurors denying to find such offices were censured even to publique infamy and ruine of their estates, the finding thereof being against their consciences and their evidences, and nothing must stand against such offices taken of great and considerable parts of the Kingdome, but letters patents under the great seale; and if letters patents were produced, as in most cases they were, none must be allowed valid, nor yet sought to be legally avoided ; soe that of late tymes, by the underhand working of Sir William Parsons, Knight, now one of the Lords Justices here, and the arbitrary illegal power of the two impeached Judges in Parliament, and others drawn by their advice and counsel,

one hundred and fifty letters patents were avoyded in one morning, which course continued untill all the patents of the kingdome, to a few, were by them and their associates declared void; such was the care those ministers had of your Majesties greate seale, being the publique faith of the kingdom; this way of service, in shew only pretended for your Majestie, proved to your differvice, and the immoderate and too tymely advancement of the said ministers of state and their adherents; and too near the utter ruine of the said Catholiques. That, whereas your Majesty's late royall father, King James, having a princely and atherly care of this kingdom, was gratiouly pleased to graunt severall large and beneficial commissions, under the great seale of England, and severall instructions and letters under his private signett, for the passing and securing of the estates of his subjects here, by letters patents under the great seale, and letters patents accordingly were thereof passed, fynes payed, old rents increased, and new rents reserved to the Crown; and the said late King was further gratiouly pleased, at severall tymes, to send divers honourable persons of integritie, knowledge, and experience, to examine the grievances of this kingdome, and to settle and establish a course for redrefs thereof; and whereas your Majestie was gratiouly pleased in the fourth year of your raigne, to vouchsafe a favourable heareing to the grievances presented unto you by agents from this kingdome, and thereupon did graunt many graces and favours unto your subjects thereof, for securitie of their estates, and redrefs for remove of those heavy pressures under which they have long groaned, which acts of justice and grace extended to this people by your Majesty, and your said royall father, did afford them great content; yet such was, and is yet the immortal hatred of some of the said ministers of state, and especially of the said Sir William Parsons, the said impeached Judges and their adherents, to any

welfare and happiness of this nation, and their ambition to make themselves still greater and richer, by the total ruine and extirpation of this people, that under pretence of your Majesties service, the publique faith involved in those grants was violated, and the grace and goodness intended by two glorious Kings successively, to a faithful people, made unprofitable. Fourthly, the illegal, arbitrary, and unlawful proceedings of the said Sir William Parsons, and one of the said impeached Judges, and their adherents, and instruments, in the Court of Wards, and the many wilfully erroneous decrees and judgements of the Court, by which the heirs of Catholique noblemen and other Catholiques were most cruelly and tyrannically dealt withall, destroyed in their estates, and bred in dissolution and ignorance; their parents debts unsatisfied, their sisters and younger brothers left wholly unprovided for, the ancient and appearing tenures of mesne Lords unregarded, estates valid in law, and made for valuable consideration, avoyded against law, and the whole land filled with the frequent swarms of Escheators, Feodaryes, Pursuivants, and others by authority of that Court. Fifthly, the said Catholiques, notwithstanding the heavy pressures before mentioned, and other grievances in part represented to your Majesty, by the late Committees of both Houses of Parliament of this kingdom, (whereunto they humbly desire that relation may be had, and redress obtained therein,) did readily, and without reluctance or repining, contribute to all the subsidies, loanes, and other extraordinary graunts, made to your Majesty in this kingdom, since the beginning of your raigne, amounting unto well near one million of pounds, over and above your Majesty's revenue, both certain and casuall, and although the said Catholiques were in parliament, and otherwise, the most forward in graunting the said summes, and did beare nyne parts

of ten in the payments thereof, yett such was the power of their adverfaries, and the advantage they gained by the opportunitie of their continuale addrefs to your Majeftie, to increafe their reputation in getting in of thofe moneys, and their authority in the diftribution thereof, to your Majefty's great difference, that they affumed to themfelves to be procurers thereof, and represented the faid Catholiques as obftinate and refractory. Sixthly, The army rayfed for your Majefty's fervice here, at the great charge of the kingdom, was difbanded by the preffing importunitie of the malignant partie in England, not giving way that your Majeftie fhould take advice therein with the Parliament here, alledging the faid army was popifh, and therefore not to be trusted; and although the world could witnefs the unwarrantable and unexampled invafion made by the malignant partie of the Parliament in England, upon your Majefties rights, prerogatives, and principall flowes of your crown, and that the faid Sir William Parfons, Sir Adam Loftus, Knight, your Majefty's Vice-Treasurer of this kingdom, and others their adherants, did declare that an army of ten thoufand Scotts was to arrive in this kingdom, to force the faid Catholiques to change their religion, and that Ireland could never doe well without a rebellion, to the end the remain of the natives thereof might be extirpated, and wagers were laid at general affizes and publique meetings, by fome of them, then, and now employed in places of great profit and trust in this kingdom, that within one year no Catholique fhould be left in Ireland."—Extracted from the Remonftrance of the Irish Confederates, delivered to the Lords Ormond, Clanricarde, Moore, and the other Royal Commiffioners at Trim, 17th March, 1642.

It may be objected, that this is the affertion of a party interefted; but there is abundant collateral evidence to fupport the allegations. The purfuit

after doubtful titles, by which every proprietor in the land was made to tremble for his inheritance, is ascertained by the records of Parliament, by Mr. Carte's Collection from the Ormond Papers; and could scarcely be alledged in so solemn a manner, to persons who must have been themselves conversant with the transactions of the times. Every word of the charges contained in the Remonstrance is further confirmed by the papers which have been left by the Lords Castlehaven and Clanricarde, two noblemen who served the Crown with uncommon zeal and fidelity.

It is not to be denied, that from the causes set forth in these extracts, a very general discontent pervaded Ireland; and the dissatisfaction had arisen to the highest point, by the threat of extirpation assiduously circulated by persons in high authority, and their dependants. What degree of ease was enjoyed upon the subject of religion, may be collected from this circumstance. The fines levied for non-attendance upon the form of worship sanctioned by Parliament, amounted to a sum sufficiently considerable to form a regular and principal resource for the support of government.

The year 1641 was a period of general ferment throughout the British kingdoms. Matters had proceeded very nearly to extremities between Charles and his Parliament, and the Scotch, without any substantial cause of discontent, had been repeatedly in arms against their sovereign. Lord Maguire, Sir P. O'Neile, and a few others, the children of those who had been dispossessed of considerable estates, deemed the occasion favourable to rise. They were instigated to this enterprize by the example of turbulence in the adjacent kingdoms; and they were influenced by a hope that the uneasiness of the nation under its oppressive governors might procure them adherents. (See Lord Maguire's dying declaration.)

I cannot on these grounds acquit the government of misconduct, and confine the impeachment to the people.

But a partial insurrection did not correspond with the views of the Irish Government. Parsons and his colleagues, who there held the supreme power, were intent on a project of enriching themselves, by a general confiscation. To effect this purpose, they were willing to foment and extend the rebellion, confiding in their means for the subsequent reduction of the kingdom. Remissness in taking precautions, on the first tendency to disturbance, had been with great truth imputed to them; but no sooner was the mischief complete, than, with equal impropriety, they affected suddenly to doubt the fidelity of the entire nation. They compelled the Catholic nobility and gentry to take the field, by leaving them no other means or prospect of security. In the accounts of this transaction, which many historians, and all the writers of the rancorous party have followed, the memory of those, who were driven to insurrection by the practices of Government, is artfully blended with the other rising, which was connected with Lord Maguire's conspiracy, and which broke out in the North of Ireland, with outrages upon the persons and properties of the English, who had been recently planted on the forfeited estates. These outrages were undoubtedly very severe and very horrid, but they have been the subject of infinite exaggeration.

It appears by the concurrent testimony of all who have treated of the state of Ireland, about the period of the Reformation, that no means whatever were employed to render the new form of Church discipline acceptable to the Irish. The few Protestant ecclesiastics, who ventured into a country remote and little known, were persons of no edifying conduct; they rather appeared by their remissness and exactions to be ministers of revenue than of religion. It is a

fact beyond controversy, that the English liturgy was more unintelligible in Ireland, at the æra of the Reformation, than the Latin, which it supplanted; and there is not the slightest trace of instruction, in the common language, having been offered to the inhabitants of this island. They of course continued Roman Catholics. I am at a loss to ascertain what meaning is attached to the word bigotry by the author we review. To me it appears perfectly natural, that a people should persevere in the only religion with which they were conversant. Whatever may be the merits of the reformed doctrines, no circumstance occurred to render them popular in Ireland. Indeed, had the introduction of the Protestant discipline been sanctioned by miracles, the intemperance and oppressions of its first patrons must have excited a disinclination to that religion, and contributed to render it equally odious with the ungracious government by which it was recommended.

The adherence of our ancestors to the ancient religion, was in truth nothing more than the usual tendency of the human mind to approach the Deity with reverence, and to testify its feelings of respect according to that form which had been habitual and familiar; but this adherence was a standing cause of difference between the people and the inconsiderate Puritans, who possessed the power and authority of Government. The difference of religion seemed to sanction, during a period of very great intolerance, every unfavourable representation which malice or avarice suggested. The adventurers who flocked into Ireland from the latter years of Elizabeth, but more especially those who resorted hither under James and Charles, were deeply infected with the doctrines and manners of Calvinism. The small Church preferments fell for the most part into the hands of lay intruders; the superior dignities attracted few but Scotch divines. We know sufficient of the disciples of John Knox,

to believe, without much difficulty, that they were not gentle or conciliatory * to an adverse mode of faith. With these persons, the Puritans in Church and State, the Irish did not readily coalesce; and the temper and views of the great men of that day prompted them rather to dragoon than to persuade the public into acquiescence. There was, I admit, bigotry among the occasions of the rebellion of 1641; but it was the bigotry of the Lords Justices and their adherents. These men, as Carte relates of them, owed their preferment to the violent party in Parliament; they attended solely to the views of that party, and felt no concern for the welfare of a people, whom they were determined to sacrifice, and for a Prince, whose interests they abjured, whilst they pretended to act under his authority. Can I feel at this day a sentiment of respect for the virtuous tenacity of a considerable part of France, and must I give up to censure the memory of the confederate Irish goaded by similar oppressions, and insulted like that country in its ancient usages, its national and favourite religion? Or is there in treachery and regicide an atonement for all iniquities? The Scotch and English triumphed over their Monarch, and concluded by his murder. The Irish adopted the cause of their prince, and of his scattered family, and adhered to them with zeal under all the circumstances of their scattered fortunes. But the rebels of the two sister countries were successful, they obtained not only impunity, but applause; whilst the Irish, who were crushed under the ruins of the throne, are from age to age consigned to obloquy. This assuredly is not justice; but the sufferings of the Irish account for the persecution of their characters. The men, who sought in the cabinet the ruin of this people, did not hesitate

* It is said of Primate Usher, that he lived in constant apprehension of being constrained to bow at the name of Jesus.

to add calumny to their other injuries. Those, who seized on large estates, felt it incumbent to vilify the proprietors, whom they had plundered. This is very much the real state of the case with respect to the imputations upon the Irish of the 17th century. Attachment to the religion of their ancestors has been arraigned as superstition. The greatest hardships experienced by any people, the inhabitants of Mexico and Peru alone excepted, have been extenuated as acts of necessary justice. Whilst the principle of resistance was avowed in Scotland, whilst it was taught and justified in England, the Irish still continued to convey their grievances in the humble language of petition. "Give us," said they, and they held arms in their hands, "a security for the peaceable possession of our properties; remove the odious distinctions that divide our people." The natural justice of Charles's disposition inclined him to treat with candour the remonstrances of a people, whose demeanour might have endeared them to any sovereign; but the party views and personal interests of his ministers as constantly intercepted his benevolent intentions. In these circumstances, and at a period when a general ferment in the minds of men had interrupted the harmony of Europe, with that encouragement to resist, which the prosperous rebellion of their fellow-subjects might naturally have inspired, it is not in the religious tenets of a people that we are to search for the principle, which called them to arms. Indeed it seems rather astonishing, that, after such a train of cruelty and oppression, the more eminent, among the Roman Catholics, should have persevered in a tame submission, so inconsistent with the national temper; and that the avaricious Justices should be compelled to have recourse to low cunning, and degrading indignities, in order to force them upon the precipice which was prepared for their destruction.

The disputed title to the Crown at the Revolution opened a new scene of desolation to Ireland. The cause of dethroning King James was not indeed calculated to render that Prince unpopular in this country; but we have no reason to suppose that religion, more than the principle of hereditary right, drew the Irish to his standard. Their exertions for Charles the Second during his exile, were not superior to those now made for his unhappy brother. But if religion had some influence on their minds and on their conduct, this appears to me as legitimate a motive for supporting a throne, as for subverting it. I do not feel it necessary to enter minutely into the causes and circumstances of this contention. Lord Lucan, the Falkland or Montrose of Ireland, led his countrymen, under the guidance of the same principle which actuated those noble persons. If this was religious bigotry, what becomes of Dundee and his brave adherents? The nobility of England were bigots, for with few exceptions they intrigued for the restoration of the exiled family; the people of England were bigots, for they, early in King William's reign, repented of the change; and furious indeed was the bigotry of Scotland, which produced two rebellions, even when the cause was more obsolete and desperate. Here ended the unequal contest between rapacity and property, between the oppressors and the oppressed, between the powerful and the discontented, which had so long desolated the face of Ireland. The system that succeeded was not calculated for better purposes: if we look attentively upon the modern transactions of this country, we shall find that England, by this great profusion of blood, by these tremendous changes of religion and property, acquired very little. In the hands of the new proprietary body, the dependance of Ireland became more insecure than ever. This is matter voluminous and extensive, and which deserves a separate in-

vestigation. The noble Irish wolf-dog had been injured; he complained; and they flew him for his melancholy tone. But the party-coloured animal that seized upon his skin, fancied itself invested with the same high pretensions, and no less incessantly growled against Great Britain. Although the modern possessors of Ireland owe, to the sister nation, a debt of gratitude, with which the former were not burthened, yet these, whether of Irish race, or of the pale, never demanded more than the protection of their properties, and indulgence to the religion in which they were educated. The posterity of those, who were planted in Ireland, by William, James, Elizabeth and Cromwell, have repeatedly brought into debate, the very terms and essence of the connexion.



APPENDIX.

No. I.

I SHALL here, in testimony of Dr. Duigenan's marked disingenuousness, insert the test oath, which the Catholics take, and also that, which he inserts as rejected by them. The Catholics refuse to renounce the Pope's spiritual supremacy, from whence Dr. Duigenan infers, *contrary to what he knows to be fact*, that they equally refuse to abjure the temporal supremacy of the Pope, his deposing and dispensing power, and the murderous doctrine charged in the oath of supremacy.

Dr. Duigenan, (p. 12,) says, " It will be necessary to insert here, *the oath of supremacy, which all Romanists refuse absolutely to take, and have done so since the first framing of it.*

" The oath of supremacy is as follows :

" I — do swear, that I do from my heart abhor, detest, and abjure, as impious and heretical, that damnable doctrine and position, that Princes excommunicated or deprived by the Pope, or any authority of the See of Rome, may be deposed or murdered by their subjects, or by any other person whatsoever : and I do declare, that no foreign Prince, Prelate, State, or Potentate, hath or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm. So help me God."

The following oath is taken by the Catholics since the 14th year of the present reign.

" I — do take Almighty God, and his only Son Jesus Christ, my Redeemer, to witness, that I

“ will be faithful and bear true allegiance to our most
 “ gracious Sovereign Lord King George the Third, and
 “ him will defend to the utmost of my power against all
 “ conspiracies and attempts whatever, that shall be
 “ made against his person, crown, and dignity ; and
 “ I will do my utmost endeavour to disclose and
 “ make known to his Majesty and his heirs, all trea-
 “ sons and traiterous conspiracies, which may be
 “ formed against him or them ; and I do faithfully
 “ promise to maintain, support, and defend, to the
 “ utmost of my power, the succession of the crown
 “ in his Majesty’s family against any person or per-
 “ sons whatsoever ; hereby utterly renouncing and
 “ abjuring any obedience or allegiance unto the
 “ person taking upon himself the style and title of
 “ Prince of Wales in the life-time of his father, and
 “ who since his death is said to have assumed the
 “ style and title of King of Great-Britain and Ireland,
 “ by the name of Charles the Third, and to any
 “ other person claiming or pretending a right to the
 “ crown of these realms ; and I do swear, that I do
 “ reject and detest, as unchristian and impious to
 “ believe, that it is lawful to murder or destroy any
 “ person or persons whatsoever, for or under pre-
 “ tence of their being heretics ; and also that un-
 “ christian and impious principle, that no faith is
 “ to be kept with heretics : I further declare, that it
 “ is no article of my faith, and that I do renounce,
 “ reject, and abjure the opinion, that princes ex-
 “ communicated by the Pope and Council, or by
 “ any authority of the See of Rome, or by any au-
 “ thority whatsoever, may be deposed or murdered
 “ by their subjects, or by any person whatsoever ;
 “ and I do promise, that I will not hold, maintain,
 “ or abet, any such opinion, or any other opinion,
 “ contrary to what is expressed in this declaration ;
 “ and I 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; and I do solemnly, in the presence of God
 “ and of his only Son Jesus Christ, my Redeemer,
 “ profess, testify, and declare, that I do make this
 “ declaration, and every part thereof, in the plain
 “ and ordinary sense of the words of this oath, with-
 “ out any evasion, equivocation, or mental reserva-
 “ tion whatever, and without any dispensation al-
 “ ready granted by the Pope, or any authority of
 “ the See of Rome, or any person whatever; and
 “ without thinking that I am or can be acquitted
 “ before God or man, or absolved of this declara-
 “ tion, or any part thereof, although the Pope, or
 “ any other person or persons, or authority what-
 “ soever, shall dispense with or annul the same, or
 “ declare that it was null and void from the be-
 “ ginning. So help me God.”

The oath prescribed by the stat. 33d of the King,
 to be taken by the Catholics, is as follows:—(Dr.
 Duigenan proposed this test in Parliament, the Ca-
 tholic clergy sanctioned it with their approbation,
 and the laity adopted it.)

“ I *A. B.* do hereby declare, that I do profess the
 “ Roman Catholic Religion. I *A. B.* do swear, that
 “ I do abjure, condemn and detest as unchristian and
 “ impious, the principle that it is lawful to murder
 “ and destroy, or any ways injure any person what-
 “ soever, for, or under the pretence of being a
 “ heretic; and I do declare solemnly before God,
 “ that I believe no act in itself unjust, immoral, or
 “ wicked, can ever be justified, or excused by, or
 “ under pretence or colour, that it was done either
 “ for the good of the Church, or in obedience to any
 “ ecclesiastical power whatsoever. I also declare, that
 “ it is not an article of the Catholic faith, neither am
 “ I thereby required to believe or profess that the

“ Pope is infallible, or that I am bound to obey any
“ order in its own nature immoral, though the Pope
“ or any ecclesiastical power should issue or direct
“ such order ; but on the contrary, I hold, that it
“ would be sinful in me to pay any respect or obedi-
“ ence thereto : I further declare, that I do not be-
“ lieve that any sin whatsoever, committed by me,
“ can be forgiven at the mere will of any Pope, or
“ of any Priest, or of any person or persons what-
“ soever, but that sincere sorrow for past sins, a
“ firm and sincere resolution to avoid future guilt,
“ and to atone to God, are previous and indispensable
“ requisites to establish a well-founded expectation
“ of forgiveness ; and that any person who expects
“ absolution without these previous requisites, so far
“ from obtaining thereby any remission of sins, in-
“ curs the additional guilt of violating a sacrament ;
“ and I do swear that I will defend to the utmost of
“ my power the settlement and arrangement of pro-
“ perty in this country, as established by the laws now
“ in being ; I do hereby disclaim, disavow, and so-
“ lemnly abjure any intention to subvert the present
“ Church establishment, for the purpose of substituting
“ a Catholic establishment in its stead ; and I do so-
“ lemnly swear, that I will not exercise any privi-
“ lege, to which I am or may become entitled, to
“ disturb and weaken the Protestant religion and
“ Protestant government in this kingdom. So help
“ me God.”

APPENDIX.

No. II.

THE following instance will serve to illustrate the very great provocations which the Irish received from their rulers. The passage is extracted from Mr. Carte's Life of the Duke of Ormond, vol. i.—

“One case was in truth very extraordinary, and contains in it such a scene of iniquity and cruelty, that considered in all its circumstances, it is scarce to be paralleled in the history of any age or any country. Pheagh Mack Hugh Byrne, lord of the Byrne's territory, now called the Renelagh, in the country of Wicklow, being killed in arms towards the end of the reign of Queen Elizabeth, she by her letters to Loftus and Gardiner, then Lords Justices, directed letters patent to be made out for Phelim Mac Pheagh, his eldest son, to have to him and his heirs the country and lands of which his father Pheagh Mac Hugh died seized. King James coming to the crown not long after, did in the beginning of his reign give the like directions for passing the said inheritance to Phelim. This Sir Richard Graham, an old officer in the army, endeavoured to obstruct; and in order thereto, sued out a commission, directed to Sir William Parsons and others, to enquire into the said lands; and upon the inquisition it was found that they were the inheritance of Pheagh Mac Hugh Byrne, father to Phelim, and were then in Phelim Mac Hugh's possession. King James thereupon, by a second letter, directed that Renelagh and all the lands whereof Phelim Mac Pheagh and Bryan his son were

then seized, should be passed to them and their heirs by letters patent, in consequence whereof another office was taken, in which the lands were found as in the former. The first office, however, was not yet filed, Sir Richard Graham having opposed it, and by his interest and the credit of a general book which he produced, got possession of part of Phelim's lands, in virtue of a warrant from the Lord Deputy. Sir James Fitzpiers Fitzgerald attempted likewise to get another part of them passed to him upon the like authority; but Bryan the son, in whose possession they were, complaining of it at the council-table, Sir James' patent was stayed. Encouraged by this success, Bryan applied himself next to the King for redress against Sir Richard Graham, complaining that contrary to his Majesty's letters, part of his land had been passed to the said Sir Richard. King James directed the cause to be heard at the council-board in Ireland, and certificate to be made of the truth. At the hearing, Sir Richard alledged that the lands were the inheritance of certain freeholders, and not of Phelim and his ancestors; and a commission was ordered for examining witnesses upon the fact. The council certified the King of their proceedings, and Sir Richard Graham, or an agent duly authorized by him, were required to repair into England. Sir Richard sent his son William, who thought to get Bryan's appeal dismissed by the help of the Duke of Buckingham, and profered a petition to the King, which the Duke seconded. But the Duke of Richmond being present, and knowing the case, acquainted his Majesty with the true state of the matter. The King thereupon referred the hearing and determining of it to the two Dukes, who appointed Sir Dudley Norton, Sir Francis Annesley, Sir Henry Bourchier, and Mr. Richard Hadfor, one of the King's learned counsel for the affairs of Ireland, to hear the matter and certify the fact. When the cause was heard before

these commissioners, Sir William Parsons produced before them a book of his own writing, calculated to prove the lands in question to be the inheritance of freeholders, contrary to the office which had been found before Sir William himself, and the other which had been taken, as it said above, in virtue of King James the Second's letter. But the commissioners giving more credit to these offices than to his book, Sir William and Mr. Graham, seeing that matters were likely to go in favour of Phelim, started an objection, which effectually prevented a final determination of the dispute. It was a fetch, indeed, that could not fail of success; for they undertook, with the assistance of Lord Esmond and Redmond Mac Pheagh, to entitle the King to the lands, or the greatest part of them, and to prove that they were really vested in the crown. This immediately stopped the proceedings of the commissioners, who would give no sentence in a case where the crown was concerned, the right whereof they had no authority to determine. Propositions for the benefit and service of the prince are always favourably received, and a commission was easily obtained, empowering Sir William Parsons and others to enquire of the said lands. Bryan acquainted the Duke of Richmond with this; his Grace wrote himself to the Lord Deputy, and engaged the King and Council of England to send directions to stay the commission. Notwithstanding which, the commissioners went on with it, and an office was found, that all the said lands were the inheritance of Pheagh Mac Hugh, Phelim's father, who died in rebellion. But as Queen Elizabeth had afterwards granted them to Phelim and his heirs, and the King had confirmed the same by his letters, this office needed not have hindered the passing them to Phelim and Bryan, who were by those letters entitled to Pheagh's whole inheritance.

"This however could not be obtained, the lands being intended to pass into other hands. Bryan acquainted the King with these proceedings and intentions, and got his Majesty's letter to the Lord Deputy and Lord Chancellor of Ireland, directing, that none of the said lands should pass by letters patents, lease, or otherwise, till the matter was heard at the council-table in England. It happened unluckily for Bryan, that the Duke of Buckingham went for Spain before Sir Dudley Norton and the other commissioners had made their report, and was so taken up after his return, that he could not meet the Duke of Richmond to settle and decide the affair; but he had a much greater misfortune in the sudden death of the latter, which happened soon after, and left Phelim and Bryan without a patron in the Court of England. Their enemies soon made an advantage of it; and Sir William Parsons got the Lord Deputy's warrant to the Sheriff of Wicklow, to put him in possession of part of their lands. The Sheriff accordingly gave Sir William possession of that part which Phelim enjoyed; but Bryan still kept the other part which was in his own hands. Lord Esmond thereupon sent for him, and would have persuaded him to refer the matter to his decision, which Bryan declined, knowing that his Lordship was a confederate with his adversary, as appeared afterwards, when this Lord and Sir William Parsons shared his lands between them. This refusal Lord Esmond resented; and Sir William Parsons afterwards sued Bryan in the Exchequer for the lands of which he still retained the possession, but the bill was dismissed. Lord Esmond however persisted in troubling him for those very lands; but Bryan maintaining his right, he and his brother Turlogh were by their adversaries practices committed close prisoners to Dublin Castle on March 13, 1625, upon the information of Thomas Archer and Dermot Mac Grif-

fin, Cahir Mac Edmond, Mac Art, and Turlogh Duffe, all three of the name of Cavenagh. This last had formerly plundered one of Phelim's tenants houses, and carried off the man's wife and cows. Phelim, being a Justice of the Peace and of the quorum, upon his tenant's complaint, issued a warrant to apprehend Turlogh Duffe, who fled first into the country of Catherlogh, and from thence into that of Kilkenny, where he was apprehended; and then by way of revenge and to save his life, accused Bryan and his brother Turlogh. Archer did not so readily submit to be an evidence; he was first miserably tortured, put naked on a burning gridiron, then on a brandiron, and burnt with gunpowder under his buttocks and flanks, and at last suffered the strapado till he was forced to accuse the two brothers, and then he obtained his pardon. Dermot Mac Griffin and Cahir Mac Art, were afterwards executed at Kilkenny, declaring, at the hour of death, that they had accused Bryan and Turlogh Bryan falsely. Such were the witnesses that deposed against them; yet on their information two bills were preferred against them, and two several grand juries, at Catherlogh, not finding the bills, were prosecuted in the star-chamber and fined. The two brothers, however, were still kept close prisoners, till the 20th of August following, when Turlogh was enlarged upon bail to appear on ten days warning, and Bryan was allowed the liberty of the house. This still disabling him from taking care of his affairs, he petitioned the council, who referring the matter to Lord Aungier and the Lord Chief Justice, Bryan was set at liberty on Christmas-eve, but bound to appear in court the first day in the next term. He appeared accordingly, and nothing was alledged against him; yet the Lord Chief Justice was for binding him over to the term following. Bryan opposed this, urging that it was the motion of his adversaries, and intended only to

keep him from following his business, and desired he might be bound over to appear in Michaelmas term, which would allow him time enough to go to England and prosecute his affair there. So much time was not thought proper to be allowed him, and he was bound to appear upon ten days notice. This was still thought too much liberty for a man to enjoy, who was supported in his cause by two letters which King Charles, by the advice of his privy council, and the committee for Irish affairs, had sent over to the Lord Deputy for passing the lands to Phelim and his son, though the great person who had got possession of them, still found means to prevent the effect of those letters; and therefore a new prosecution was set on foot, and Bryan and Turlogh appearing, upon summons, were again on November 2, 1627, committed close prisoners to the Castle of Dublin loaded with irons, without any diet from his Majesty, or leave for any friend to visit or relieve them, though in the presence of the Constable and his son. This was done upon the information of Art Mac Cahir Cavenagh, who being condemned at Catherlogh assizes was prevailed with to accuse the two brothers; but being afterwards executed there, pursuant to his sentence, declared, at his execution, to the Sheriff, Mr. Patrick Esmond, a brother of Lord Esmond, that he had accused them falsely, and desired him to certify the Lord Deputy of it. Their adversaries however resolved to go on, and to involve the three other brothers, and their father Phelim, in the same common accusation of relieving and keeping company with one Morrogh Baccogh Cavenagh, who had for his crimes been banished for seven years, and returning before the term expired, was killed in making resistance against those that attempted to apprehend him. Morrogh was guilty of a contempt in returning, but yet was under the King's protection, so that it was neither felony nor

treason to converse with him; neither had Phelim or his son ever known or seen the man; yet this indefect of another was to serve for the matter of their accusation, probably because it best suited the witnesses who were to be suborned, and being of a private nature, was the less liable to be refuted. Phelim and his sons had been zealous in apprehending Bryan Cavenagh, Morrogh's brother, and two others concerned with him in the murder of Mr. Ponte, for which they were executed, which rendered it not very likely that Phelim should correspond familiarly or criminally with Morrogh, but naturally enough led people to think that the latter's relations might, out of a spirit of revenge, be the more easily drawn to swear any thing that would do mischief to the former, especially when it would be the means of saving their lives. Lord Esmond had then in prison one of Morrogh's nephews, who was with him when he was killed, and had been in rebellion. He sent this man to Dublin to accuse Phelim and his sons, which the threats of being-hanged, and the promise of life and pardon, prevailed with him to do. James Mac Clife, brother-in-law to Morrogh and Bryan Cavenagh, was made use of for the same purpose. One Nicholas Notter, a notorious thief, had been prosecuted so hard by Phelim for stealing seven cows and five garrons* from his tenants, that he was forced to fly the country of Wicklow, where two indictments for those thefts were found against him; but being afterwards condemned for a robbery in the north, he was sent back to Dublin to purchase his life by accusing Phelim and his sons, for which he was likewise rewarded with apparel and other necessaries. Gerald Mac Fordorogh, brother-in-law to Shane Bane, who being in rebellion, was apprehended by Phelim's son, Hugh, and executed, had been at last Lent assizes prosecuted by Phelim for rob-

* Horses.

bing his house, and being put in irons in the Castle of Dublin for another crime which he confessed, was got to join in the accusation. Edmund Duffe had been prosecuted by Mrs. Wolverston, Phelim's daughter, and condemned for burglary; he was afterwards carried to the gallows, and being ready to be turned off, promised to accuse Phelim, and was saved from execution. Lifagh Duff Mac Laughlin, a common thief, had at the last Wicklow assizes, upon the prosecution of Luke Byrne, Phelim's nephew, for stealing a horse, been condemned, but on his accusing Phelim set at liberty. Such were the witnesses made use of in this affair, none of which were produced in person; and yet it was resolved to find a bill against Phelim and his five sons at Wicklow assizes, upon the bare reading of these, or some of these fellows examinations, which as the men could speak only Irish, were most of them taken by Sir Henry Belling's and Mr. Graham's interpretations. The Lord Chief Justice, upon sight of the evidence, expressed a doubt, whether the jury would credit it; upon which Sir Henry Belling pressed him to sign the bill, and said, he would undertake the jury should find it. Proper measures indeed were taken for it; and Lord Esmond had got Piers Sexton, who had married his niece, and was a tenant to Sir William Parsons, to be made high Sheriff for the job, though he had no such freehold as would by statute qualify him for serving that office. A grand jury was impannelled; Sir James Fitz-Piers Fitz-Gerald, a mortal enemy of Phelim and his family, and who had a promise of a part of Phelim's estate, or an equivalent in lieu thereof, was the foreman, though he had no land in the country. Sir Henry Belling, who had actually got possession of part of the said estate, was the second; most of the rest were not freeholders, and all of them allied to, or dependants on Lord Esmond, Sir William Parsons, and others who had interest in Phelim's estate. It is no wonder that such

a jury found the bill, which was followed, two days after, by the death of Phelim's wife, who expired of grief to see her husband and children's lives and fortunes put into such hands, and exposed to such imminent danger. She was buried at Wicklow, and her body dug up three weeks afterwards. Though the grand jury had thus found the bill, yet other witnesses were necessary for the trial of the parties; Sir Henry Belling, who never stuck at any practice, however execrable, to carry his point, and Mr. William, son of Sir Richard Graham, who had got into possession of part of Phelim's estate, of Cosha, undertook the finding of them; they were both of them Provosts Marshal, and exerted all the power of their posts for that purpose. It is almost incredible what a number of persons they took up, and detained in close prison for weeks and months together, soliciting them all the while with promises of reward, and threats of hardships, even of death itself, to accuse the Gentlemen whose inheritance they wanted to seize. Some they put to the rack, others they tried and condemned by martial law, at a time when the courts of justice were sitting. Some of the latter, who were executed at Dublin, as Shane O'Toole, Laughlin O'Clune, Cahir Glasse and his brother, declared at their death, in the hearing of thousands, that they were executed because they could not accuse Phelim and his sons; and the like declarations were made by others who suffered in the country."

THE END.

ADVERTISEMENT.

That the impartial Public may not become the dupes of those malignant writers, who endeavour to perpetuate rancour, animosity and *disunion* amongst his Majesty's subjects of the *united* kingdom, (see pages 3 and 4 of this pamphlet) we here subjoin the following copy of a letter written by order of his Excellency the Marquis of Cornwallis.

Dublin Castle, March 24, 1801.

“ SIR,

“ I am directed by his Excellency the Lord Lieutenant to express to you his concern at its appearing that your late publication of the *History of the Rebellions in Ireland*, has been dedicated to him by *permission*.

“ Had his Excellency been apprised of the nature and contents of the work, he would never have lent the sanction of his name to a book, which tends so strongly to revive the dreadful animosities which have so long distracted this country, and which it is the duty of every good subject to endeavour to compose.

“ His Excellency, therefore, desires me to request, that in any future edition of the book, the permission to dedicate it to him may be omitted.

“ I have the honour to be, &c.

(Signed) E. B. LITTLEHALES.”

“ Sir R. MUSGRAVE, Bart.”