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THE LAW-ESTABLISHED CHURCH.

The Irish Church, its History and Statistics, with Notes explanatory of the Laws relating to its Temporalities, and Suggestions for their future Appropriation. By William Shue, Sergeant-at-Law, M.P.

(From the Dublin Telegraph.)

This book affords a valuable addition to the information which of late years particularly is sought, throughout the civilised world, about the anomaly—why a country so long nominally a portion of rich England, and naturally so fertile and fitted for trade, has been reduced to the lowest stage of poverty?—why its people suffer and complain?—whether Ireland contains the elements of regeneration?—and if, indeed, it be true, what is now generally suspected, that great errors and gross misgovernment have characterised those who have ruled the country? And out of all this naturally comes the inquiry, whether even now we have arrived at a period or are governed by a country with statesmen capable or willing to learn the truth, or, knowing, honest enough to act upon the knowledge when acquired?

To all these queries, now generally mooted in the New World as well as the old, the book of Sergeant Shue affords ample and authentic information. It contains a luminous digest of the "Returns of the Prelates, Dignitaries, and beneficed Clergy to Questions addressed to them, together with the Annual Reports of the Commissioners." The main source from which the learned author draws his facts must, therefore, be unquestioned, even by whatever virus of bigotry or prejudice it may be sought to disparage them. If, too, a logical and temperate commentary could, by any possibility, be supposed to disarm rancor and awaken sentiments of candor and truth, in managing and legislating for Irish concerns, this work would be calculated to accomplish the miracle.

In the first portion of the work the author, very properly, begins at the beginning, and relates clearly and consecutively the means by which the Church of England was planted in Ireland—how it proved an exotic in the soil, until it, like the fabled upas tree, breathing pestilential vapors, and expelling joy, utility, and verdure everywhere within its baneful atmosphere.

Few are more conversant than the readers of the *Telegraph* with the motives, character, and deeds of its chief apostle and founder, Henry VIII. But it had subsequently godfathers and wet-nurses in abundance, to cherish its growth, by violations of all the laws of God and nature, under whose precious care this prolific engine mischief was, by a subtle and canting system of perverted policy, rendered the pretence for an insidious and devastating code of laws, unequalled in injustice by any age and country on earth. Though their letter is obliterated their spirit lives, of which Ireland justly complains, because it suffers by it to this very hour. We now hasten to the evidences of this in the book itself:—

"In Ireland the Reformation was forced upon a reluctant people. The use of the 'Translation of the Church Service into the Mother Tongue,' which the proclamation of King Edward enjoined, made little progress during the reign of that prince, and was wholly discontinued in his successors'. But, in the second year of the reign of Queen Elizabeth, it was enacted by the Parliament of Ireland, that all the acts of her sister Mary, by which the civil establishment of the Roman Catholic religion had been restored, should be repealed—that all officers or ministers, ecclesiastical or lay, should, on pain of forfeiture and total incapacity, take the oath of supremacy—that every person who should maintain the spiritual supremacy of the Bishop of Rome should forfeit all estates, real and personal, for the first offence, incur a punishment for the second, and be guilty of high treason for the third; and that all and singular ministers in any cathedral or parish church within the realm, should, from and after the feast of St. John the Baptist next ensuing, be bounden to say the matins, evening-song, and celebration of the Lord's Supper, and administration of each of the Sacraments, and all their common and open prayer, as was mentioned in the Book of Common Prayer and administration of Sacraments, and other rites and ceremonies in the Church of England, authorized by the Parliament of England, of the fifth and sixth years of the reign of King Edward VI., under pain, in case of their refusal, or of their using any other rite or ceremony, of forfeiture, for the first offence, of one year's profits of their benefices, and six months' imprisonment—for the second offence, of one year's imprisonment, and deprivation of their benefices at the pleasure of the patron; and for the third offence, of absolute deprivation of their benefices, and imprisonment for life."

It may here be observed, in passing, that this Church service, framed and enacted under Edward, is still in most of its regulations that of the Church of England to this day, and the following strictly of which by the Puseyite section of that Babel of doctrinal confusion and discordance, that section has been denounced in Billingsgate terms by the High Church Protestant minister of the crown, and classed

as bad or worse than the vilified Papists. But were the Irish Catholic clergy seduced or terrified by these threats? We can judge this from the further examination of the historical memoir of our author.—He writes—

"Deprivation, poverty, and dependence were preferred by them to submission. Their people went out with them to the hill-sides to hear the word of God from the lips of men, whose sincerity was above suspicion, and assist at the celebration of the sacred mysteries of their religion, by confessors too happy to have become martyrs in its cause."

Thus was this unparalleled persecution met by the Catholic Church. When every device of terror and seduction was held out—promotion, security, court favor, wealth—the price of apostacy; want, persecution, life itself—the penalty of fidelity; had there been one rotten branch at the period in the Church in such a storm, that branch must have fallen; but there was no rotten branch—no Achilli—no not one! Let us now see the figure the new Church cut at this period:—

"It was long before reformed ministers could be found to supply the places of the clergy who abandoned their cures. In vain did Sir Henry Sidney, the Lord Deputy, represent to her Majesty, A.D. 1576, 'that on the face of the earth, where Christ was professed, there was not a Church in so miserable a case as the Church of Ireland,' imploring her 'to search her own universities, and to write to the Regent of Scotland, for godly men who could speak Irish, well affected in religion, and well conditioned besides, to be preferred to livings in remote districts where the English tongue was not understood.' The Queen, who had other uses for the money, kept the benefices of her own donation in her own hands.—Her example, as we learn from Spenser, was followed by the bishops of the remote dioceses. The churches fell to ruin, the laws lately made were evaded or neglected with impunity, and but for the zeal of the Bishops ordained by authority of the Pope, of whom, at the accession of James I., there was one in every diocese, the people had been left without any observance of public worship or means of religious instruction."

But, as time rolled on—Trinity College being recently established, then as now the manufacturer of the raw material of parsons, and with the aid of fresh accessions of property from confiscations, being a greater bonus—the temporal condition of this Protestant property so improved, that the bishops and clergy were emboldened to meet in 1634, in Dublin, and congratulate themselves and the English Government upon their rescue, in some degree, "from a state of abject misery and contempt;" and then, for further encouragement, the archbishops and bishops were granted many fee-farms, confiscated for Catholicity, which they hold to this hour. Still, never satisfied, and never thinking themselves secure, while any possible wrong to the Catholic Church or people was omitted, they got the following enacted:—

"That, from and after the 29th of September, 1667, no person, who was then incumbent and in possession of any parsonage, vicarage, or benefice, and who was not already in holy orders by episcopal ordination, or should not, before the said 29th day of September, be ordained priest or deacon according to the form of episcopal ordination, should have, hold, or enjoy the said parsonage, vicarage, benefice with cure, or other ecclesiastical promotion within the kingdom of Ireland, but should be utterly disabled and *ipso facto* deprived of the same, and all his ecclesiastical promotion should be void, as if he were naturally dead."

"Without this clause, all that had been done in the three last reigns, for the setting up of the Protestant Episcopal Church, under the safe guard of the royal supremacy, would probably have come to naught."

But the Puritans and Scotch settlers, from the time of James I., had still to be conciliated, and the only means to come at them was adopted, to make them the loyal subjects, and monarchy lovers they for the most part now are. The following were some of the means:—

"On the King's landing an address was presented from them, praying his Majesty to give order for the establishing of their model of Church government.—A petition for the settlement of other 'godly ministers' was also promoted by the adventurers, soldiers and sutlers of Cromwell's army, who were as yet only half reconciled to monarchy, by the promise of having the allotments of forfeited lands set out to them under the commonwealth, confirmed, and who held prelatry in utter abomination. Of such men the next Parliament was sure to be in great part composed.—It was necessary to chain their republican spirit, and incline it to a prudential tolerance of the crozier and the crown, by binding up the titles of their new possessions with the same statute, which secured to the Episcopal State Church a share of the current spoil, and a monopoly of Church lands and Church revenues. This policy was well conceived, and proved, as respects all the Nonconformists, except the Quakers and Presbyterians, eminently successful. Charles, under the advice of Ormonde, lost no time in filling the four archbishoprics, and twelve episcopal sees which had become vacant during the interregnum, with clerks, on whose hatred of the League and Covenant, and obedience to the Act of Uniformity, reliance might be surely placed; and the grandchildren of a motley

crew of new religionists, among whom 7,800,000 acres in Leinster, Munster, and Connaught, had been parcelled out during the civil war, and the protectors, were, at the accession of George III., the principal men of the kingdom in power and opulence, and the staunchest and least tolerant adherents of the Church of England in Ireland."

In this manner the Church of England settled its affairs, as they thought, with a prospect of an almost eternal durability, helped, however, with occasional huntings down, executions, butcheries, and by more stringent penal laws;—but a new era arrived, and that within the last century, when there came the struggle for Catholic Emancipation!

As this struggle was matured—particularly within the present half-century, and chiefly by O'Connell—the mist of prejudice, engendered by ages of calumny, of crushing laws, unmeaning and blind bigotry, began to be dispelled, Ireland, roused under her leader, assumed a formidable attitude, which, together with the reform of the House of Commons in England, strongly agitated, soon rendered it evident Ireland would not much longer brook, nor England's Parliament endure, the absurd and exasperating penal code on the Catholics of the empire. The repeal of all laws affecting the Catholics was therefore effaced from the statute book. But it has been, and is still, too clear that its spirit still lives unabated with Government—that this spirit renders the law of relief in many respects a dead letter—and there is every indication that English rulers only watch the opportunity to repeal it, as far as the age will permit, and at least to render every seeming concession or boon a cheat, and only a fresh and covert means of greater privation and injustice to Catholicity. On this subject let us again consult our author. After detailing many commissions, &c., of inquiry on the state of the Church of England in Ireland—none manifestly really intended to lay bare its real abuses, never to be efficiently acted on, and only in fact intended to amuse, delude, and postpone—our author thus recites:—

"Notwithstanding the omission of one most important matter of inquiry, viz., How many of the King's subjects in every bishopric, how many in every benefice, were obedient to the Act of Uniformity, and accepted the spiritual services of the Establishment?—it is obvious that faithful returns to these voluminous queries, must furnish to a Government, sincerely intent upon a beneficial change, great assistance in effecting it. The returns of the prelates dignitaries, and beneficed clergy were, with exceptions so trifling as hardly to justify the remembrance of them, full and faithful as became their character and station; and had the ruling spirit in the King's councils honestly desired the spread of religious instruction, and the relief of the great body of the Irish people, from the burthen of supplying the material means necessary for the discharge of the first duty of a Christian nation, the public worship of Almighty God—Church reform, complete and final, on principles just to all parties, must have been the speedy result.

"But no such purpose was entertained. 'The Report on the Revenues and Patronage of Archbishops and Bishops, was in the hands of the King's printer, and light enough was reflected from the returns of the deans and chapter, dignitaries, and beneficed clergy, still in course of preparation, to foreshadow the sort of figure the Church Establishment would present, if exposed without veil or covering in the full glare of English daylight; when Lord Alford, on the 11th March, A.D. 1833, in the name of the Cabinet, submitted to the House of Commons a bill, which, in the same session, became the 3 and 4 William IV., c. 37, 'An act to alter and amend the laws relating to the temporalities of the Church of Ireland.'"

"Were the thing not in the Statute Book, to be read and wondered at, it would stagger credulity to believe, that in the thirty-third year after the Irish nation had entrusted all its chances of reparation for past injustice, all its hope of happiness and good government for the future, to the honor and magnanimity of the people of England, such a measure could have passed the Imperial Parliament. It is manifestly the creation of one mind, perversely bent upon constructing a scheme, not for effecting Church reform in the interest of the great body of the Irish people, but for rendering abuses, now about to become notorious, somewhat less unendurable by them, and less unsightly to their fellow-subjects. So viciously perfect is its machinery, that, while it appears to humble, nay, even to affront the Church in the public eye, all the substantial benefits which had been secured to it during three centuries of anti-national and anti-Catholic legislation, are carefully husbanded and preserved. The renewal fines and rents to be reserved on the leases of one archiepiscopal and ten episcopal palaces, with their mensal and demesne lands—the proceeds of the annual revenues of twelve sees to be annexed to others on the fall of the lives of their incumbent prelates—of the revenues, at the death of their incumbents, of all dignities without cure of souls, and benefices in which divine service had not been performed during three years previous to the year 1838—of a graduated tax, to be levied after the death of the then incumbents on all spiritual preferments of the annual value of £300, and of the sale of perpetuities at a spendthrift price to the lessees of

church land—were by this act vested in a commission, composed chiefly of Bishops of the Established Church, to be by them applied to the purposes theretofore provided for by the levy of church-rates and parish cesses."

From these vestries the Catholics were excluded, though they are made to pay their imposts. But who do our readers think was the man thus perversely bent on gilding the bitterest pill which the Catholics have been made to swallow since the Emancipation Bill. Who should it be but Stanley the present Premier, Lord Derby, still the scorpion Stanley we once knew to our cost, and who never did, and never will, present to us a sweet that will not be doubly drugged with poison. We all remember the hope of real reform that pruning the state bishops engendered in the popular mind, and the smothered rage and dismay of the Orange Protestants. Now, hear our author again:—

"The Bishops, although dreadfully shocked, in the first instance, at the indignity put upon them by declaring twelve of their number to be superannuated, were pacified when brought to understand that their own life-interests were secured, together with a vast increase of patronage, and some increase of income, to the survivor."

It soon became evident to all, that it was a settled rule of policy with all English Governments, Liberal or Tory, whether the measure assumed a liberal or coercive front, to consider in framing only the interests of the Protestant Church and people, that the Irish nation was only considered to consist of the 700,000, or so, who have usurped its soil and monopolised its property, and that all the rest are creatures, without bodies to feel, or souls to save.

We conclude with this caution. Let the real Irish nation still watch this Stanley with great suspicion and vigilance, and know that, above all, when he professes concession, to be sure he means most mischief.

As for the author of the book, which has elicited these observations, and from which we have so largely quoted, he deserves thanks for the zeal and ability which he has devoted to this work, and the labor and knowledge he has brought to his task. No one can read it without perceiving that he has made good use of those forensic habits of accuracy and reasoning, with which he is well known to be largely gifted.

HOW CATHOLIC TRUST FUNDS ARE ADMINISTERED BY PROTESTANT PARSONS.

A correspondent of the *Times* has given an instructive account of the emoluments and preferments of the Revs. George and Richard Pretymann, two sons of a former Anglican Bishop of Lincoln. We quote his statement chiefly as an instance to show how the trust funds given by Catholics for the poor, or for religious uses, have been preyed upon by those ravenous "wolves in sheep's clothing":—

"First of all," he says, "I will take Richard Pretymann, as Chaplain-Warden of the Mere Hospital, in Lincolnshire, and defendant in 'The Attorney-General v. Pretymann,' a suit before the late Master of the Rolls in 1841. The 'Law Report' (Beavan 4, p. 462,) states that in 1244 Simon de Roppel gave, and by charter confirmed, to the hospital erected by him in Mere, for the perpetual support of thirteen poor persons in bed, and food, and clothing, and of the Chaplain therein ministering and his household, all his lands in the Mere (874 acres,) and granted to the Bishops of Lincoln the appointment of a fit Chaplain-Warden, there to perform Divine Service; and he willed that once in the year this Chaplain should account to the Bishop of Lincoln, and, with his consent, appoint the poor persons.

"Such was the trust, and in 1817, thirty-five years ago, the then Bishop appointed, as Chaplain, his son Richard, who, two years after, granted a lease of the hospital land, reserving the old rent of £32, but taking a fine of more than £9,000. In 1826, and 1835, he again renewed the lease for fines of £2,200 and £1742 10s., all of which, like his predecessors, he kept himself, besides £750 for timber. The report adds, that out of the £32 he kept £8 himself, and applied the rest to the use of six poor persons—that the buildings of the hospital had ceased to exist—that no duties were performed by him, and that the annual value of the Mere lands was more than £1,200. The suit was commenced at the instance of the Chancery Commissioners, to whom the Dean and Chapter of Lincoln (consisting of a Dean and Sub-Dean, and the two Canons Pretymann) refused to produce their copy of the charter without the consent of Pretymann the Chaplain, which he refused to give, on the plea that the contents were well known from other sources. Accordingly, the Master of the Rolls, 'pursuing the more lenient course proposed by the Attorney-General,' ordered Pretymann to be charged with the rack-rent, after deducting the £32, until the expiration of the lease; but as the