

(Second Enclosure.)

Translation of a Letter from Don Josef de Ayuso, to Sir W. Beresford; Salamanca, 20th July 1812.

Most Excellent Sir,

I HAVE the honour to transmit your Excellency a Copy of the Dictamen, which the University of Salamanca gave, upon the Affair (consulta) of the Roman Catholics of Ireland, by order of the King of Spain, on the 3d of March 1789. It's then Rector, Don Diego Muñoz Ferrero, now a deputy of the Cortes for Estremadura, is well known, and is now President of the Commission of the Constitution.

I have seen few *Claustros* (so are called the Meetings of the Doctors and Masters to deliberate on matters belonging to the University) that have been so fully attended by the Members of the University, and few in which there has existed so much unanimity of opinion.

Three things were consulted on: First, If the Pope, the Cardinals, or any other Ecclesiastical Authority, hold any Civil or Political Power over the Supreme Civil Power of the King of Great Britain?

Secondly: If any Ecclesiastical Power could absolve his Subjects from their Oath of Fidelity?

Thirdly: If any Ecclesiastical Authority can break the Agreements and Contracts made with persons who profess a Religion different from the Catholic?

The University did not hesitate to declare, that it ought to answer in the Negative to those three Questions; and named six Commissioners of the Theologians, and four of Jurisprudence, to draw up their opinion.

These held a Meeting, and appointed two of themselves, the fourth and fifth of those who sign the Paper, to form the Answer. In a very short time and at another Session, it was presented, and unanimously approved of, and thence presented to the general Meeting (*Claustro*) where it was confirmed without hesitation. The University was so immediately convinced of the justness of this opinion, that it required but little time to consider, and in fact, no one can prove that it is a principle of the Roman Catholic Religion, or a dogma of the Romish Church, to give any political power to its Prelates over the temporal sovereignty, over the fidelity that is due to it from its subjects, or over the contracts or pacts made by Catholics with persons of a different Religion.

It is certain that there have been individual writers who have held different opinions (*sum opiniones*, their opinions) upon this point: but the Catholic Church has never received them as Doctrine or Articles of Faith, nor have those writers ever presumed to give them such authority.

On the contrary, many learned and pious Authors have supported the opposite doctrine, founded on that most solid foundation of not being able to discover this political power, which the former wish to attribute to the ecclesiastical Prelates, in any of the books of Holy Writ, and it being totally unknown to the first ages.

The Romish Church acknowledges two Supreme Powers, but of different kinds, and in all things distinct. The political, temporal and civil, and the spiritual; between which may reign great harmony, but no dependency. The Civil can do nothing which respects Articles of Faith; nor has the Spiritual any right to interfere in what is temporal.

The political power can decide nothing upon the essential points of Religion; it cannot determine upon an Article of Faith, nor administer the Sacraments, nor determine any thing upon what belongs to the worship of the Divinity; nor has the spiritual any right over civil Society, over the State, or over the Chiefs in the civil or political.

The Christian princes preserve all their authority entire and full, without subjection to the Church, in the same manner as the infidels; and similarly as individuals are masters of their own houses and privileges, without any dependence upon priests, so the monarch enjoys this power entire, without the least diminution, and without acknowledging over it that of the priesthood. Jesus Christ neither exercised, or transmitted to the Apostles, or their successors, any temporal power whatever; on the contrary, he subjected himself with the greatest submission to the established authorities, ordering to be given to Cæsar that which was Cæsar's, paying tribute, and acknowledging the authority of Pilate himself. St. Peter and St. Paul taught, that all, of whatever class or condition, ought to be subject and obedient to the King, and to all other legal authorities, and to abstain from a desire to govern, and declaring that whoever resisted the legal authorities resisted the order of God; and Paul himself appealed to, and sought redress, at the tribunal of Cæsar.

In the first and most flourishing ages of the Church, the most submissive subjects were the Christians; and their priests and the Roman pontiffs have testified themselves, in a thousand manners, their respect for the Emperors in what was political: so far were they from arrogating to themselves in that point any pre-eminence. Such are the principles of religion. Nor does the King of Great Britain stand on any other footing than all other kings; consequently it is most clear that no ecclesiastical prelate can assume any