CONSIDERATIONS
ON THE LATE
DISTURBANCES,
BY A
CONSISTENT WHIG.

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CONSIDERATIONS

ON THE LATE

DISTURBANCES.

In enquiring into the cause of the horrid excesses, to which the presenting of the Petition from the Protestant Association, has so unhappily given rise, most of the warm advocates of the several parties content themselves with throwing censure each on his adversary, while they neglect to consider the question in its true light, or to prevent the increase of the disorder, by endeavouring to do away the prejudices from which it has originated.
Does it amount to a repeal of the penal laws? Does it tend to the establishment of that sect? Have they increased to an alarming degree since the time of its being passed?

Fourth, Should justice, or the principles of sound policy induce the legislature to repeal that act.

The first question, I should imagine, is easily answered. Philip of France, in the famous battle of Bovines, took a fanatic clergyman who fought in the emperor's army, and kept him close prisoner. He was speedily reclaimed by the Pope as a member of the church, whom to detain would be sacrilege, and an offence against religion. But that liberal minded prince presenting to the messenger the prisoner's mace all covered with brains and his armour stained with blood, returned for answer, “Take these, shew them to our holy father, and ask him if this be the coat of his son Joseph.”

I would put a similar question to our Protestant Popes. I would ask them if it is from the horrors of last week, that the Protestant religion is in future to be known by the nations abroad? Are excesses, at which the most unenlightened and bigotted Papists would have shuddered, its genuine fruits? Are murderers, and street robbers, and ruffians of every stamp, whom their crimes had excluded
excluded from society, the associators it delights to call in to support its cause? Are firebrands and faggots kindled in the property of industrious tradesmen, to the ruin of their unoffending families, the instruments it employs to encrease its converts? Have we then changed creeds with the sectaries we so much detest? Are we Protestants in name, but worse than Papists in sentiments? Have we taken up the doctrines of which they are at length ashamed, and which they now reprobrates as calumnies incompatible with their profession? Is the reformed church in this enlightened age, and under the reign of George III. as intolerant, as persecuting, and as fanguinary as ever the Papists were in the days of the bigot Mary?

I will go further. I will ask them if the very principle of the petition itself is not repugnant to the very first principles of Protestantism? If it does not owe its rise, progress, and complemenent to a spirit of persecution? That foul spirit, which brooding over daggers, flames and penal restrictions, raised universal horror and delation in the breasts of men, and first severed from the see of Rome, where it had established its tyranny, the countries happily visited by the reformation. To the horrid cruelties of that foul spirit, we owe the downfall of Popery
in these kingdoms. Protestantism raised its beautiful fabric amidst the ruins. It laid its foundations on liberty of conscience, and the principles of universal toleration, and invoked to its temples that mild and charitable spirit which first dictated the Christian religion.

It this the spirit of the petitioners? Can those amiable characteristics, which its primitive teachers apply to our holy religion, be ascribed to those modern apostles? Those new reformers, who go about the country with bitter envying and strife in their hearts; creeping into houses, and lying in wait for the simple and credulous, and by false representations, and rumours of imaginary dangers, imposing on the ignorant, and leading captive silly women and children, many of whom have been induced by such arts to sign a petition with the purport of which they are utterly unacquainted.

2. What is this petition? It prays that fresh penalties may be laid on a set of men, reduced at present to very inconsiderable numbers, and

*This must be the object of the petitioners. The mere repeal of the act of the eighteenth of this reign will not revive the several statutes it was designed to annul. We must therefore add new stains to our statute books, and entail fresh disgrace on our Legislature, by enacting additional penal laws.
whose peaceable deportment, whose obedience to the government, and whose perfect reconciliation to the House of Hanover, and to the present constitution of the state, demonstrated by conduct, and avowed in public declarations, so lately united the whole legislature in their favour.

It complains against what it calls the *absolute repeal* of the *most essential* clauses of a statute, which at the very time of its being enacted, while the Papists formed a party in the kingdom formidable by their numbers, and while the people were yet insecure against their apprehensions of a Popish Sovereign, was contrary to the sense of the nation; was never meant to pass even by the men who prosecuted the measure; was originally designed as a cause of quarrel with the great founder of our liberties, who was known to be the enemy of intolerance and persecution.*

The petition affects the greatest tenderness for the conscience of those whom it represents as the pest of the community. It wishes to exterminate them, in order to preserve them from the guilt of perjury.

* See Burnet's account of the act.
It takes upon itself to express a jealousy on the part of England at the preference that has been shewn to the fanaticism of Scotland, with which we are so happily united; and it claims for this kingdom a participation in the shame and guilt of intolerance, which in its banishment from the rest of Europe seems resolved to print its last footsteps on the extreme verge of that favourite island.

It directs its complaint against the very spirit that dictates its own prayer, and the dangerous designs which its own supporters have so fatally realized, but which it applies to the English Catholics of this day. It lays to their charge persecution, intolerance, sedition, a disposition to subvert the state, and to repeat those rebellious and bloody scenes, which Popery, under pretence of promoting the interest of the church, has exhibited in these kingdoms *.

To

*A circular letter has appeared in the public papers, signed by the chairman of the Protestant Association, where in the committee disclaims all connections, direct or indirect, with the rioters; and afferts that the military power was not called in to reftift the associators, whom the secretary takes upon him to distinguish by the general appellation of the protestants of London. What then was that riotous assembly, that on the first day of presenting the petition, met in George
To these it sets in contrast the peaceable deport-ment of its own subscribers, and on their merit in this point it rests all its hopes of success.

Such St. George's Fields; that marched in military parade through the principal streets of the city, with banners flying and practising every inflammatory act of sedition; that surrounded both Houses of Parliament, that seized on the members as they were going down to the discharge of their duty, and attempted their lives; that proceeded from thence to the houses of the foreign ambassadors, trampled on the law of nations, and destroyed their property? Were not these Protestant Associators? Had they not been convened by a public advertisement, signed by the chairman, and countersigned by the secretary? Were they not headed by the chairman? Did not the chairman publicly call on the Association to attend him on that day in such numbers, and to come prepared to go all lengths with him? Did he not address them as associators while they were committing those excesses, and thundering their menaces in the ears of the commoners? Were they not inflamed to perseverance, or prevailed on to disperse, at his word?

What was that tumultuous assembly that on the subsequent evening gutted the house of Sir G. Savile, and, but for the intervention of the military, would have set it in flames? Were not these Associators?

On Tuesday, when the petition was to be taken into consideration, what was that tumultuous assembly whose riotous proceedings the guards, both horse and foot, were called out to oppose on their second attack on the Houses of Parliament? Were not these Associators? Did not the chairman acknowledge them for Associators when he suffered them to draw himself and another respectable member of
Such is the Petition itself, founded upon imaginary terrors, resting its proofs on falsehood, and condemning in the strongest terms its own principles, and the conduct of its supporters.

But such as it is, who have signed it? Are they men, who by their character or their property

the house of commons, who applied to his Lordship for protection, to the house of Alderman Bull in the city? Was it not immediately after they had given this proof of their zeal and respect to their chairman that they proceeded to pull down Newgate, for the avowed purpose of releasing from confinement three of their brethren, whom the military, that had been called in to quell their riots on Saturday evening, had taken into custody?

Do they draw the line of separation from that daring and flagitious attempt? Or does the secretary not know that there are authentic proofs before the Council of protections given to particular houses on the following night, signed by the chairman? Are not the men known who applied to him on the spot, to know if such protections had been really granted to the houses described?

Let the Secretary point out to us the moment when that unruly and tumultuous mob, who, under pretence of opposing Popery, were guilty of so many heinous offences, first took up the business of plundering, burning, and threatening the lives of individuals of all parties, from those who had been assembled under the avowed authority of himself and the chairman, and then we may give some credit to his assertions, notwithstanding his not having thought proper to make them till after his Majesty's ministers had released him from confinement.

are
are entitled to advise the legislature? Intelligent, grave, sober, considerate personages? Do we find on their list the names of the independent peers of the realm, of the great landed commoners, of the gentlemen of the monied interest, of the yeomanry, or of a considerable number of respectable freeholders? Have the prelates and clergy of the established church set their hands to it? Do they join in its complaint? Do they participate in its fears and apprehensions? Do they enforce its prayer.

Among forty thousand, who are said to have subscribed it, do we find more than one archdeacon, reprobated in this by all his brethren, and a few, very few of the inferior clergy, notorious for methodism, with Westley at their head? The rest are taken from the very dregs of the people, from the frequenters of tabernacles, and nightly conventicles, from the fanatic followers of Westley and others like him, and from the scum of the Scotch fanatics, whom that nation has thrown out in such numbers upon this country. Nay, the very women and children have been called in to swell the number, and we find among them a vast number of deluded wretches, who could not even write their names, and who, consequently, must have been ignorant of the purport or meaning of the instrument they were prevailed on to sign with their marks.
Can it be said that such a petition meets with universal concurrence? Shall it be placed on a footing with those petitions that should command the attention and compliance of the representatives of the people? Shall the insidious friends, and the avowed enemies to the liberties of this country unite in confounding the two causes together? Shall arguments be drawn from the rejection of the one, that can possibly be supposed to militate against the success of the other? Shall the meetings of the several counties constitutionally assembled either by their sheriffs, or by the gentlemen of the greatest property and influence in their country, be insulted by a comparison with the congregations of some obscure nurseries of sedition, and the fanatic clubs at Coach-maker's Hall? Shall petitions signed by the wealthiest and most independent peers of the realm, by a majority of the commons, of the clergy, of the yeomanry and freeholders of England. Petitions presented to parliament in a peaceable, orderly, and constitutional manner, and confining themselves to the decent, the manly language that becomes a people addressing that branch of the legislature that represents their own body, and that is invested with their own majesty.—Shall such petitions be degraded to a level with an instrument originating from methodist preachers, signed by the lowest and most con-
contemptible classes of the populace, not presented, but forced on parliament, at the head of thirty thousand of the scum of the city, such as we all have seen them possessing the avenues to both houses, attempting to burst open the doors, insulting the members, and threatening their lives, and then turning the overboiling rage of their fanaticism on the foreign ambassadors, who reside among us under the faith of nations, and on industrious and harmless individuals, who claimed in security the protection of the laws, till at length they wrought themselves up to that pitch of frenzy, that they broke open the prisons, destroyed the residence of the magistrates, pulled down the houses of the most virtuous and distinguished characters of all parties, attempted the bank, fired the city in all its quarters, and threatened the inhabitants with general indiscriminate destruction.

Can we for an instant admit the two cases to be similar? Is there no difference between the gloomy suggestions of religious enthusiasts and visionaries, and the solemn deliberations of the freeholders of England on the most important concerns that can respect our peace, our happiness, our very existence as a people? Are we to make no distinction between the claims of men, complaining of grievances which they feel in their
their own persons, and the demands of those who call upon the legislature to inflict new penalties and grievances on others? Shall we confound the claims of men who pray for the redress of abuses, the effects of which they feel in the diminution of their property as individuals, and in the daily loss of their possessions as a nation, with the demands of those who would compel parliament to invade the property of an unoffending class of the community, in order to guard against evils, which only exist in their own imagination, and which it never can be in the power of the party they hold in such affected dread to accomplish.—That the enemies to the privileges of the people should hold such language, and confound the two cases, is not surprising; but that any set of men, who call themselves our friends should join in the cry, and second them in their purposes, is one of those paradoxes, which we must leave to themselves to explain.

3. We come now to enquire whether the late act in favour of the papists has been properly represented to the people? If it amounts to a repeal of the penal laws? If it leads to the establishment of that sect? If they have increased
increased to an alarming degree since the time of its being passed?

To form a proper judgment on most of these questions, we have only to consider what indulgencies have been granted by that Act, and what penalties may be inflicted on Papists, in virtue of other statutes, which it has left remaining in force.

The only penalties removed by the Act are,

1st. The punishment of Popish Clergy, officiating in their functions; which, by the statute of King William, was punishable by perpetual imprisonment.

2dly. The punishment of Papists convicted of keeping schools, or taking upon themselves the education, or government, or boarding of youth, also punishable by perpetual imprisonment.

3dly. The forfeiture of Popish heirs, and the power given to the next of kin, being a Protestant, of inheriting in preference to the next heir, or even to the son, or other nearest relation, to take possession of the Papists' estates during his life.

4thly. The excluding Papists from acquiring any property by purchase.

We must observe, that not one of the immunities granted by this Act can be claimed by the persons in whose favour they have been granted, till
till first they have taken an oath, and subscribed a declaration of allegiance to his Majesty, of their willingness to support the Protestant succession in the House of Hanover, against all persons whatever, and at every risk, and of their abhorrence of the several tenets destructive of civil government, and incompatible with civil liberty, at any time imputed to them. Till they have complied with this condition, they are excluded from all the benefits of the Act, and are to all intents and purposes, as liable to the ancient penalties, as if it did not exist.

The next thing we are to consider is the several statutes that yet remain in force against the Papists.

The only indulgence granted to Priests and School-masters of that profession, is an exemption from perpetual imprisonment—a punishment horrible in its nature, and to an Englishman infinitely more dreadful than all the racks and tortures of the Inquisition, or than even the most painful and ignominious death.

By a statute of Queen Elizabeth, they are still liable to a year's imprisonment, and a forfeiture of two hundred marks. Let the liberal and the candid judge, if under the pressure of that statute, their clergymen and teachers may be said to be established to the great danger of the rising generation,
ration, as the people have been taught to con-
ceive.

By a statute of King James, confirmed by se-
veral subsequent statutes, they are excluded from
the exercise of any public office or charge in the
Commonwealth; from the practice of the com-
mon law, as a Counsellor, Clerk, Solicitor, or
Attorney; from the practice of the civil law, as
Advocate or Proctor; from the practice of physic;
from every office in Courts, Corporations, and
Garrisons; and every commission, even to the
lowest in the army. By the same statute they are
forbid to go five miles from home, to appear at
Court, or to approach the presence of the King
or of the Heir apparent, to keep arms, or to
come within ten miles of London.

By a statute of Charles the Second, they are
excluded for ever from seats in Parliament, and
from holding any places under the Crown, or
about the King's person.

By the 1st Will. and Mary, they are forbidden
to live within ten miles of London; and if they
are possessed of a horse above the value of five
pounds, it is in the power of any two Justices of
the Peace to seize him for the King's use.

By the 3d. James the First, the buying or sell-
ing of Popish books is strictly prohibited, under
a penalty of forty shillings for every book, &c.
and the books to be burnt; and by the same statute provision is made for disabling Papists from presenting to livings.

All these laws are to be considered as penal, and like all other penal laws are to be construed strictly, and literally. It lies in the breast of every informer to present the offenders, and all Magistrates and Judges are bound to enforce the several penalties.

Is this Act then a repeal of the penal laws? Are these our tender mercies? These the indulgencies that give such encouragement to that dangerous sect, as to threaten the subversion of the State, the dethroning of the King, and the setting aside the succession of the House of Hanover!

Pudet haec opprobria nobis,

Aut dici potuisse aut non potuisse refelli.

The last thing we are to consider under the present head is, whether the Roman Catholics have increased to an alarming degree since the passing of the late Act in their favour.

The very reverse is the fact. It is within the knowledge of every man, that since the mitigation of the penal laws the number of converts to the established Church, both in this kingdom and in Ireland, has increased in a tenfold proportion. With us the very heads of the Catholic party are coming over every day.
And these are the natural consequences of religious indulgence. Persecution is very properly said to be the soil of the Martyrs. The supposed merit of suffering for our religious tenets, and the rewards that we flatter ourselves await us in another world, confirm us in our adherence to the most absurd doctrines. Obstinacy, founded in ignorance, the natural and unconquerable disposition of the human mind, that will ever render it averse and unyielding to all restraint in matters of opinion, joined to the insinuations of their clergy, in whom, also from ignorance, they place implicit confidence, form the great ties on the lower classes. The pride of being at the head of a party, rendered important by being set up as an object of the collected indignation of the State, the vanity of exclusive patronage and protection, the seeming illiberality and want of generosity in deserting those dependants that look up to them in their sufferings and distresses, against which they have no legal redress, these are the strong motives that influence the wealthy and the great.

These once withdrawn, the same liberal sentiments that influenced them to adhere to their suffering brethren, are suffered to operate to other purposes. Accustomed, from the philosophical genius and temper of the age, to attend to the great
great and leading principles of our religion, in preference to the miserable distinctions into which it has been split by bigotted sectaries, and enthusiasts of warm fancies and weak understandings; they have no longer any inducement to forfeit the privileges of their fellow-subjects. They aspire to those consequential and active situations in the State to which their birth and their fortune entitle them. The example operates powerfully on those who have acquired fortunes by their industry. They also are ambitious of aiming at those honours, which, under a Government like this, are open to the abilities of men of every class. Deprived of the support and countenance of their leaders, the dependants of the party dwindle away by degrees; and thus a body, which persecution would have bound and connected together by the most indissoluble bonds, crumbles and falls to pieces the moment that persecution is withdrawn.

From the several considerations that have already passed under our review, the justice or policy of repealing the Act can scarce admit of an argument.

Supposing the allegations set forth in the petition to be true, and that the Popish schools, through the zeal of individuals, have multiplied to an improper degree, is this a just reason why a general persecution should be let loose on the whole
whole party? Should it not have been the business of Government to interfere, and restrain the abuse, as they should all other abuses against the law, and not to consent to punish the unoffending part of that sect, who enjoyed the indulgencies allowed them, peaceably, and according to the spirit of the Legislature that granted them?

Are parents to be punished for giving their children the only education they can, consistent with the scruples of their conscience? Whether those scruples be just or unjust is the height of tyranny to determine for them; and to persecute them in consequence of that determination is still a more iniquitous violation of all justice and humanity. It is depriving the parent of a right that is given him by Nature, and by Nature's God.

It is wounding him in his tenderest feelings, as it debars him the privilege of educating his beloved offspring in the manner he thinks best for their temporal and eternal happiness.

But this privilege is abused. Protestants subscribe to those schools—arts are practised by Catholics to induce the poorer sort of Protestants to send their children there for instruction.

These assertions want proof. But supposing them true, I see no crime or danger in the humanity that induces a Protestant to subscribe for instructing the ignorant, and if any arts are practised
practised by Catholics to pervert Protestants to their opinions; they may be prosecuted for the offence, and, on proof, condemned to the penalties of high treason, in virtue of * Statutes that still are in force. 3 J. 1. 25. c. 2.

It only remains to examine into the policy of repealing the Act.

With this view, we must consider the several indulgencies that have been granted by it: Papists, instead of sending their children abroad, are, by this Act, empowered to give them an education at home, and to train them up in the society to which they are connected by so many ties. Can it be maintained, that this policy is not infinitely preferable to that of compelling them to be sent into foreign countries, from their earliest days?

* Upon the strictest examination, those allegations are found to be false. The persons who have been charged with them are found, upon proof, to confine their charities to those of their own persuasion; except in the instance of one Protestant Clergyman, whose circumstances have recommended him to the charity of a Lady, who is no less an ornament to her nation, than an honour to humanity. But the luxury of doing good is her only motive. Her only view is to relieve the wants of a fellow creature. She has nothing to do with his conscience. Protestant! "go, and do likewise."

At
At home, whatever prejudices they contract, they must be the prejudices of Englishmen. If they differ from us in the religious principles they are taught to adopt, it is not possible but they must imbibe the spirit of our free Constitution, which the example of other countries proves not to be incompatible with the profession of the Catholic faith. They must contract that love of their country, which is natural to every Englishman that has been a witness, from his infancy, to the peculiar blessings of the Government under which he first drew his breath. They get connected with Protestants of their own age and rank, and form those early intimacies with them, which are known to influence our minds so strongly in all the business of life.

But by compelling them to be sent abroad, we expose them to a depravity of principles, as well civil as religious; we suffer them to imbibe the prejudices of arbitrary States, and to contract an attachment to their forms of Government. They connect themselves in the strictest bonds of friendship, and, by a reciprocation of kindnesses, with the natural enemies of their country. These they ever after consider as the dear companions of their youth—to promote their interests, they feel themselves impelled, by
the pleasing recollection of the days of innocence, and undisturbed enjoyment they passed together, while they look upon us as aliens and persecutors, who cast them out in their infancy, like so many polluted things, and who receive them among us again only on sufferance.

These observations are only applicable to the higher ranks. Among the lower classes, the policy of the indulgence is still more evident.

Ignorance is the mother of Superstition. Is there a Protestant who will not confess, that he cannot assist their clergy more effectually in promoting that slavery of the mind in which they hold their votaries, than by depriving the sect of every opportunity of enlarging their minds, and improving their understandings? This was the great inducement to repeal that absurd clause in the statute of King William, and he must be a bad politician, and a worse Christian, who condemns it.

The next indulgence, granted by the Act, is that which prevents the next of kin, who is a Protestant, to inherit the fortune of the Popish heir, or to seize the estate, during the life of the Papist.

I will not insult the feelings of my readers, by proposing any argument on this subject. An Act of the Legislature that tempts the child to rob his
his parent, or supplant his brother, and reduce him to beggary, is equally a disgrace to our statutes, and an outrage on humanity.

A State may be said to have sunk to the last stage of moral as well as political depravity (in my opinion, one supposes the other) when it encourages its subjects, by views of interest, to transgress the laws of Nature, and to trample on the ties of filial and brotherly affection. The advocates for such a state may be any thing but men.

The last indulgence granted by the Act, is the power of making purchases of land, and securing, or transferring their property.

By this indulgence, Catholics, who have acquired fortunes by their industry, are prevented from laying out their money in foreign purchases, or lodging it in foreign funds. They are suffered to acquire a permanent interest in their State. They give us a stronger security for their fidelity and attachment, as they gain a solid and lasting property in the country, which they can transmit to their children sacred and uncontroverted.

But under the pressure of former statutes, what hopes could we entertain of their attachment to the established Government? Could it be expected or that they should run any risque in its defence, when the consequences of a change would
would, most probably, be a better title to their possessions, a security to their property, and a restoration to all the privileges and immunities of citizens*.

This security, and the free disposal of their property is all the Act allows them. It neither gives them a vote in the choice of representatives, nor does it indulge them with the right of representing the property of others. How then can the petitioners affect to dread that they can so far influence our elections, as to threaten the destruction of our happy Constitution? Such an assertion might have been of infinite service in imposing on the ignorant, and deluding the simple and uninformed; but that it should be seriously offered to Par-

* After all, what vast purchases have been made since the Act? I declare, I have never heard even of one, of any consequence. On the contrary, I have reason to believe, that forty times more Popish landed property has been sold, or mortgaged, or passed into Protestant hands, by conversion, in the two last years since this Act, than is likely to be acquired and purchased by them in a hundred years. It is known that they cannot be members of any corporation, or qualified to vote in any place whatsoever. It is known too, that the Knights of the Shire, in the election of whom alone they can have even a remote influence by Freeholds, are not above eighty, and how the scattered pittances of property to be acquired here and there in dribblets are likely to affect the choice of less than a fifth part of the Legislature, so as to overturn the Constitution, every man of common sense must be left to judge.
liamant, as an inducement to inflict new penalties on the Catholics, is the most convincing proof we can have, that the whole petition is no less the production of fraud and the lowest cunning, than of weakness, ignorance, and folly in the extreme.

Upon the whole, I am of opinion, that a little cool reflection, and a serious and unprejudiced consideration of the subject will lead every sensible and rational man to adopt the following conclusions:

1st. That the Protestant religion had nothing to do in the late disturbances.

2dly. That the prayer of the petition by no means meets with general approbation; and that neither from the numbers or character of the subscribers, the object of their petition, or the manner of their proceeding, is it to be raised to a level with those petitions that have been presented in a constitutional manner, by the representatives of several of the counties from their constituents praying for a redress of their grievances.

3dly. That the late Act, in favour of the Papists, has not been properly represented to the people; that nothing can be further from the truth than, that it amounts to an absolute repeal of the penal laws, or the establishment of the Popish religion; that so far from their numbers having
having increased in consequence of the mitigation of the penal laws, they have decreased considerably, both in this kingdom and Ireland. And, 

Lastly—that neither justice, nor sound policy can justify the repeal.

FINIS.