DARK PAGES OF ENGLISH HISTORY

J. B. WILLINGTON

BLESSED SIR THOMAS MORE,

Chancellor of England.

Beheaded at Tower Hill for refusing the King's Spiritual Supremacy.

Frontispiece.

Dark Pages of English History

Being a Short Account of the Penal Laws against Catholics from Henry the Eighth to George the Fourth

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London

ART AND BOOK COMPANY

22 Paternoster Row, E.C.

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1902

Imprimatur:

✠ EDWARD,

Bishop of Birmingham.

April 10, 1902.

PREFACE

THE following little book has been chiefly suggested by certain letters which recently appeared in the public press on the subject of the King's Coronation Oath. In the course of that correspondence some virulent attacks were made on the Catholic Church, which one writer described as "the savage and persecuting Church of Rome."

There is no better reply to such a charge of religious persecution, when brought by ignorant and calumnious writers against Catholics, than a statement of the Penal Laws. The compiler of the ensuing pages, therefore, not without considerable diffidence, set himself the task of collecting some illustrations

to show how these laws were enacted and enforced in the attempt to extirpate the ancient faith of England. He takes little credit to himself for the work. His information has been mostly drawn from various non-Catholic works, such as Hallam's "Constitutional History"; Froude's "History of England"; the Rev. S. Baring Gould's writings, and others. Lingard's "History of England," Father Amherst's "History of Catholic Emancipation," Mr Lilly's "Manual of Laws affecting Catholics" and the "Clifton Tracts" have also been consulted.

The author's treatment of the subject makes no claim to being exhaustive; he merely seeks to give an outline of these terrible laws. Yet, imperfect though it be, it is hoped that it may help to show on which side the onus of persecution really lies.

The compiler will be amply rewarded for his labour if any reader of this little

work be led to study for himself the true history of the Reformation, as well as of the penal code which enforced and finally established its principles in this country.

J. R. W.

Leamington,
Easter, 1902.

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* In the third year of James I (1606) such informers had been entitled only to a third of the fine or forfeited property, not exceeding £50.

XXVI. Act enacting that if a Catholic soldier enlisted without declaring his religion, he was to be corporally whipped or punished in any manner short of death. [1718; 4 George 1.)

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DARK PAGES OF ENGLISH HISTORY

CHAPTER I

Introductory

THE Penal Laws! What a contrast to the freedom and religious liberty of the twentieth century do the words suggest! Most people, when they hear them, revert in imagination to the days of Queen Mary, and to what in their childhood they were taught to believe concerning the intolerance and cruelties of Roman Catholicism. They think perhaps that the rack, the thumbscrew, the gibbet and the stake were instruments of torture employed solely by Roman Catholics in the reign of Mary Tudor against their Protestant brethren, simply because they differed

in their belief. They say to themselves: "The Catholics persecuted in Queen Mary's time; and so would they do again, if they got the upper hand and had but the power." Not a few still think thus; and they honestly take it for granted that it is to the Reformation we are indebted for that civil and religious liberty which will no longer allow any man to be persecuted or put to death for any opinions which he may hold in matters of religion.

It is proposed in the following pages to set forth a few facts concerning the Penal Laws in this country, from which it clearly appears that they were enacted, for the most part, not for the persecution of Protestants by Catholics but for the persecution of Catholics by Protestants.

It will hardly be denied that England was once Catholic; and that now, speaking generally, it is Protestant. By what means has this change been brought

about? Some of us have been told, perhaps, that England was a Catholic country until God raised up certain good and holy men to reform the Church, and to preach those simple truths of the Gospel which for ages have been overlaid with error; and that no sooner was the pure light of the Gospel set before them than the people were so captivated by its beauty that they gladly forsook the false and idolatrous doctrines in which they had been brought up—excepting only a few bigoted priests, whose interest it was to keep people in ignorance and superstition.

Something of this kind is—or, at all events, was—the popular idea concerning the religious changes at the Reformation. This idea is, however, a very mistaken one.

In the ensuing chapters a few plain statements of facts will be laid before the reader, from which it will be seen that what destroyed the Catholic religion in

this country, so far as it was possible to destroy it, and what caused it to be abandoned by so many at first, and kept back many from embracing it ever since during the centuries which followed the Reformation, was neither more nor less than religious persecution under the form of the Penal Laws.

It sounds strange, but it is the exact truth, that Protestantism became the established religion of this country, not because men were drawn to it by its attractiveness and beauty, not because of the quiet workings of God's grace within their souls, but because they were driven into it by force and violence, against their wills and against their consciences, through fear of the axe, the halter, the rack and the ripping knife.

One has only to study the history of the Penal Statutes to be convinced of this and to judge of the true state of the case.

CHAPTER II

Henry VIII (A.D. 1509-1547)

It will not be denied that, from the conversion of England to Christianity to the reign of Henry VIII, there existed in this country only one Church and one religion. During the whole of that period England was part of the great Christian family throughout the world, knit with all the other nations of Europe in the bonds of a common faith and a common obedience to the head of the Church, the successor of St Peter.

If an Englishman went abroad as a stranger to a foreign land, he had but to go to the House of God, and he would be at home. The same appearance and the same sounds that he had been accustomed to in his own English village

church would greet him there; he would assist at the same holy Sacrifice, he would hear the same Latin tongue—the common language of the Church in all lands—the very notes of the music, the lights on the altar, the sweet breath of the incense, all would be familiar to him. And just as we were one in faith with other nations, so we were also at unity amongst ourselves.

There was no questioning then whether children were or were not regenerated in baptism, no disputings about faith and works, no controversies about our Lord's presence in the Holy Eucharist: on these and all other points of doctrine people were of one heart and of one mind. When and how was it that Catholic England became Protestant?

Henry VIII determined to put away his lawful wife, Queen Katharine of Arragon, and marry one of her maids of honour, Anne Boleyn.

Blinded by his evil lusts and passions, and because the pope refused to grant him the divorce he desired, the king resolved to throw off the authority of the see of Rome, and constitute himself the supreme head of the Church of England.

Henry being the wicked man that he was, it is clear that it was not the love of God, nor zeal for His truth and glory that were actuating him; but in order to gratify his carnal desires, he severed the kingdom from the see of Rome with which for so many centuries it had been in communion.

In the year 1535 he caused an Act to be passed whereby all the ecclesiastical authority and spiritual jurisdiction which had hitherto been exercised in this country by the supreme pontiff was transferred to the king. The immediate result of this transfer was that the Church of England, which had always

existed not only as the religious organization of the nation, but had been an integral part of the far larger and divine organization that was throughout the world, was severed from the rest of Christendom, and became henceforth national, English and human.

Henry well knew that there was nothing in the Bible nor in the history of the Church which would bear him out in his sacrilegious claim of spiritual authority and headship. He therefore had recourse to the enactment of a course of Penal Laws, which should press with the most cruel severity on all who should deny his royal supremacy in spiritual and sacred matters. It was by means of these Penal Laws that the "new learning" was gradually enforced, till it supplanted the old.

But not all at once were the religious changes effected. It required many successive acts of tyranny before the royal

supremacy in spiritual affairs was fully established; and it was only by degrees that the penalties and persecuting statutes against those who continued to be Catholic attained their full growth.

As early as the year 1532, that is just after the king's petition for a divorce had been refused by the pope, it was enacted that the *firstfruits* of all benefices, offices and spiritual dignities, as well as the *tenths* of the annual income of all livings, should no longer be paid to the pope, but should be annexed for ever to the English crown.

In the following year, 1533, it was enacted that any person who should procure from Rome any process or judgement concerning marriage should incur the penalty of *præmunire*.*

* The statute of *præmunire* was passed in 1393, and rendered liable to arrest and to the forfeiture of goods, chattels and lands, any

It was still further enacted in 1534 that if any person should sue at the court or see of Rome for any licence, faculty or dispensation, or should put any of these in execution, he should incur *præmunire*, the punishment of which was the forfeiture of goods and chattels, and imprisonment during the king's pleasure.

Under this law the king at once proceeded to sue the clergy in Convocation, for acknowledging the legatine authority of Cardinal Wolsey and acting under him. The clergy of the province of Canterbury only escaped being condemned under the Act of *Præmunire* by offering the sum of £100,000 for a free pardon. This enormous fine was accepted only on the condition that they would henceforth own the king as their sole protector and supreme

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person who should obtain from the court of Rome any excommunication, bull or other act, directed against the king's person or prerogative.

head. This, after considerable hesitation, the clergy consented to do, salving their consciences by the saving clause, "as far as the law of Christ permits." The Convocation of the province of York adopted similar language, and purchased the royal pardon by a grant of £18,840. The clause "as far as the law of Christ permits" was silently dropped a year later by the Parliament which legalized the king's title as supreme head of the Church.

All these measures gradually prepared the way for what was so soon to follow.

In 1535 the great step was taken by which the Church of England was severed, as a branch lopped off, from the rest of the Christian world. In that year an act of Parliament was passed declaring that "the king shall be taken as the only supreme head on earth of the Church of England, and shall have, annexed to the crown of this realm, all honours, juris-

dictions, privileges, authorities, immunities, ... and shall have power to visit, redress, reform, order, correct, restrain and amend all such errors, heresies, abuses, offences and enormities, which by any *spiritual* authority may lawfully be reformed or repressed: any usage, foreign laws, foreign authority, prescription, or anything to the contrary notwithstanding."

Thus became annexed to the crown the jurisdiction and supremacy which were henceforth to be denied to the pope. Under the direction of Cranmer, who was at this time Henry's chief adviser, this claim of spiritual authority by the king was even placed on the same footing with the temporal rights of the sovereign. To deny that the king was head of the Church was made the same kind of capital offence as to deny that he was head of the state. To refuse to take the oath which abjured the pope's authority,

or to deny the supremacy of the king, was to become guilty of high treason, and suffer at the hands of the public executioner as a traitor. Henry the Eighth had now in fact become the pope of the English Church; and whatever power the pope formerly possessed to administer discipline, or correct abuses, or censure heresies, was now given over to the crown of this realm by Act of Parliament in the twenty-sixth year of Henry VIII.

It is true the king did not claim to administer the sacraments or to ordain priests; but it is not unlikely that if anyone had challenged his power to do so he would have incurred the penalty of high treason. In common with many of the reformers, Cranmer regarded all spiritual functions as absolutely dependent on the will of the king. "A bishop," says Cranmer, "may make a priest, by the Scripture; and so many princes or governors

also, and that by the authority of God committed to them." *

The Carthusians of the London Charterhouse were the first victims of the tyrant's laws. The story of their fidelity even unto death is beautifully told by Chauncy, one of their number.

After the passing of the Act of Supremacy, in February, 1535, the prior, John Houghton, calling the religious together in the chapter-house, addressed them on their impending fate, and exhorted them rather to die than to renounce their faith. Preaching to them on the fifty-ninth Psalm, "O God, Thou hast cast us off and destroyed us," Prior Houghton concluded with the words, "It is better that we should suffer a short penance here for our sins than be reserved for the eternal pains of hell here-

* Burnet's *History of the Reformation*, vol. II, book III, p. 330.

after." Then, rising from his place, he said, "Dear fathers and brethren, I beg you to do as I do." Going straightway to each of the assembled brethren, he knelt and begged forgiveness for any offence which, in heart, word or deed, he might have committed against him. All the monks followed, saying as he did, each from each imploring pardon.

"On the third day after," says the chronicler, "the prior celebrated the mass of the Holy Ghost; and God made known His presence amongst them. For when the Host was lifted up there came as it were a whisper of air, which some perceived with their bodily senses, and all felt in their hearts. Then followed a sweet, soft sound of music, at which the celebrant was so moved that he sank down in tears, and for some moments could not continue the service. The community remained stupefied, hearing the melody but not knowing whence it came.

Only their hearts rejoiced in the assurance that God was indeed amongst them." *

Comforted and resolute, the brethren awaited the approach of the commissioners, and with unobtrusive nobleness prepared themselves for their fate, "not less beautiful in their resolution, nor less deserving the everlasting remembrance of mankind, than those three hundred who in the summer morning sat combing their golden hair in the passes of Thermopylæ." †

On April 15, 1535, Prior Houghton and others of the community were charged with high treason. Whilst in prison they were horribly tortured, being fastened to an upright post by means of iron chains drawn tight round their necks and thighs, without being once loosened

* See *The London Charterhouse*, by Dom Lawrence Hendriks, p. 134.

† Froude's *History of England*, vol. II, cap. ix.

BLESSED JOHN HOUGHTON AND COMPANIONS.

Carthusians.

Martyred at Tyburn, May 4, 1535, for refusing the King's Supremacy.

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during the whole fortnight of their imprisonment.

On May 4 they were drawn on hurdles to Tyburn, still wearing their monastic habits. Their hearts were filled with holy joy, for they knew that theirs was the surest way to heaven. Their cheerful bearing attracted the attention of their fellow-prisoner, Sir Thomas More, who saw them through the bars of his dungeon. "Lo," he said to his daughter Margaret, who was near, "dost thou not see that these blessed Fathers be now as cheerfully going to their death as bridegrooms to their marriage?" *

The bodies of the martyrs, after being hanged, drawn and quartered, were placed in various parts of the city, the arm of Prior Houghton being fixed over the gate of the Charterhouse in the hope that the remem-

* Roper's *Life of More*, p. 76.

brance of their prior's fate might induce the monks to yield.

Thus fell the first victims of the Reformation, and thus "were shed the first drops of that rivulet of blood which separates the old Church of England from the new."* If all had been as resolute as the London Carthusians, the Reformation must have proved a failure; England would have retained her ancient faith.

Henry's next victims were Bishop Fisher, of Rochester, and Sir Thomas More, the Chancellor of England, men worthy to be held in everlasting remembrance.

Fisher was nearly eighty years old, and Henry in earlier years used to say that not in his kingdom was any bishop his equal in saintliness and learning.

More also was a most devoted servant of the king; but whilst true and

* See *The London Charterhouse*, p. 150.

loyal to their sovereign as citizens and subjects, they were true to the successor of St Peter in spiritual matters, knowing that it was to the apostle, and not to a layman or an earthly king, that the divine commission had been given to feed the flock and govern the Church. For their fidelity to their conscience they were thrown into prison and brought to trial.

On being convicted* by the jury under the threats of Cromwell, the king's vicar-general, they were brought to the block as traitors, the one on June 22, the other on July 6, 1535.

The proceedings of the aged prelate's trial are briefly summed up in the official record: "Thursday after the feast of St Barnabas John Fisher was brought to the bar. Verdict, guilty; judgement as usual in cases of treason." When the last morning came, June 22, he dressed

* Fuller ii, 49.

himself carefully as, he said, for his marriage-day. The distance to Tower Hill was short, and he was able to walk. Carrying in his hand a closed volume of the New Testament he was heard to pray that as this book had been his comfort and companion in life, so in that hour it might give him some special strength, and speak to him as from his Lord. Then opening it at a venture, his eye lighted on a verse, "This is life eternal, to know Thee, the only true God, and Jesus Christ whom Thou hast sent." It was the answer to his prayer and comfort for a life-time, he said.

Arrived at the scaffold, the summer sun streamed into his face, and he repeated the verse, "They had an eye unto Him and were enlightened, and their faces were not ashamed."*

At the block he recited the *Te Deum*,

* Ps. xxxiv (xxxv), 5.

BLESSED JOHN FISHER,

Cardinal Bishop of Rochester.

Born at Beverley. Beheaded on Tower Hill for refusing the Oath of Supremacy, June 22, 1535.

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and after a few prayers laid his head upon the pillow where, after one sharp pang, rest and peace would be his for evermore.

A fortnight later Sir Thomas More followed him, his lot in death as in life being not divided from that of his friend. Death to such men was but the passing from one country to a better, even as the prison-house in their anticipation had been the ante-chamber to the scaffold.

The substance of the indictment was that Sir Thomas More had traitorously imagined and attempted to deprive the king of his title as Supreme Head of the Church.

"On July 6," says his biographer, "with alacrity and spiritual joy he received the fatal axe, which no sooner severed the head from the body, but his soul was carried by angels into everlasting glory, where a crown of martyrdom was placed upon him, which can never decay or fade away."

On the scaffold he contented himself with asking the people to pray for him and bear witness that he died in the faith of the holy Catholic Church, and a faithful servant of God and the king. Then, having repeated the *Miserere* psalm, he moved aside his beard, saying, "Pity that should be cut that has not committed treason," with which characteristic words at such a moment his lips closed for ever.

Nor were these the only persons who were called to suffer for the Catholic faith in 1535. During that year, in addition to Sir Thomas More, Bishop Fisher and the Carthusian monks, there suffered for the same cause a priest of Sion house, seven secular priests and a layman. And between 1537 and 1544 more than fifty abbots and monks and secular priests suffered in a similar manner for the same alleged crime—amongst others, the venerable Countess of Salisbury, the mother of Cardinal Pole, a lady seventy years of

age, and a near relative of the king; making a total of eighty-three whose names are recorded as having been put to death for their religion in this reign. About sixty others died in prison of their sufferings in the same cause.

Under the sanguinary statute of the "Six Articles" which Henry enacted against those who should deny certain Catholic doctrines, both Protestants and Catholics were burnt at the stake—the former for denying the ancient faith concerning the sacraments and the celibacy of the clergy; and the latter for denying the royal supremacy in spiritual matters.

So much for the penal code in the reign of Henry VIII.

CHAPTER III

Edward the Sixth (1547-1553)

In the year 1547 the tyrant died, and was succeeded by his son Edward, a sickly child, nine years old. Had it not been for Cranmer and a few reforming agitators under whose evil influence the youthful king fell, and who were actuated by the desire to share in the ecclesiastical pillage, Catholics might not have fared so badly in this reign. As it was, all who clung to the ancient faith found it an evil time.

The new Book of Common Prayer was compiled by Cranmer and a committee of reforming divines for the use of the English church; the adoption of which by the authority of Parliament—the only

sanction the book ever received—would, it was hoped, consummate the separation of the kingdom from the communion of Rome. It was enacted that on and from the feast of Pentecost 1549, all ministers of the Church of England should be bound to use this book and no other throughout the realm. Any parson, vicar or spiritual person refusing to use it, or speaking in derogation of it, or using any other form instead of it, for the first offence should forfeit a year's profit of his benefice with six months' imprisonment, and for the second offence lose all his preferments with a whole year's imprisonment, and for the third be imprisoned for life. In like manner, if any layman should ridicule the new form of worship, or menace the minister for using it, or prevail on him to use any other, he should on the first conviction pay a fine of ten pounds, on the second of twenty, and on the third forfeit all

his goods and chattels, and be imprisoned for life.*

The same enactment which enjoined the use of the new Prayer Book, and the penalties for its non-acceptance, repealed the statute of the Six Articles passed in the previous reign, and allowed the marriage of the clergy and other innovations.

The magnitude of these changes to the hearts of the people, accustomed from their childhood to the old familiar Latin services, can hardly be appreciated. And not the least startling of the changes was that the official opinion of Convocation was not even in form consulted. It was the Parliament which now discussed the faith of Englishmen; and laymen decided what doctrines the clergy should be compelled to teach.

Meanwhile all Catholic books hitherto

* *The King's Journal*, quoted by Dr Lingard, vol. V, p. 267.

used in the services of the Church, such as missals and breviaries, crosses, images, pictures and other religious memorials were ordered to be "utterly abolished and forbidden to be used or kept within the realm." Any person in whose possession such should be found, "for the first offence should forfeit to the king twenty shillings; for the second four pounds; and for the third should suffer imprisonment during the king's pleasure."

The spoliation of the churches and the seizure of the ecclesiastical wealth and property was being ruthlessly carried forward at the same time. It would be impossible to count the number of colleges, chantries, altars and tombs that were rifled and pillaged for the sake of their treasures during this reign. The costly ornaments of the altars, the rich vestments of the clergy, the jewelled chalices and crucifixes were made away with, and the proceeds bestowed on the guides and

guardians of the youthful monarch. In Gloucestershire alone seventy manors that were the property of Westminster Abbey were given as a present to Lord Thomas Seymour. And this is only one instance of the way in which Church property of all kinds was dealt with throughout the country.*

Was it to be expected that the Catholics of England, seeing themselves thus robbed of their birthright and of all that they held dear and sacred, should quietly acquiesce in what was going on?

In the counties of Norfolk and Oxford threatening insurrections occurred; but by far the most formidable popular opposition to the Reformation took place in the West of England. The occasion of the outbreak was the abolition of the Mass and the substitution of the Prayer-

* See Collier's *Ecclesiastical History*, vol. V, p. 505.

book service. In Devonshire the new liturgy had been read for the first time on Whit-Sunday in the church of Sampford Courtenay, a village on the confines of Dartmoor. The following day the parishioners compelled the priest to resume his vestments and say Mass as usual—the people around clapping their hands for joy. It was the signal for a general insurrection. From Sampford Courtenay the rising soon spread into the adjoining parishes. A Flemish Protestant named Hellions, settled at Sampford, was thrown from some steps and killed. Somersetshire and Cornwall joined in the movement. Humphrey Arundel, the governor of St Michael's Mount, put himself at the head, and in a few days numbered under his standard ten thousand men.

To oppose the insurgents Lord Russell was sent with a body of troops, attended by three preachers, of whom Coverdale was one. It was demanded by the men

of Devon that the Six Articles should be observed, as in the days of Henry VIII, that Catholic worship should be restored in all its details. "We will have the Mass in Latin," they said, "as it was before. We will not receive the new service, for it is but like a Christmas game." They demanded the introduction of Cardinal Pole into the king's council, and the re-establishment of two abbeys at the least in every county. Cranmer composed a long reply to the demands, and a royal proclamation was made refusing every request in a tone of contempt and superiority.

Only half-armed as they were with pikes and bows, the Devonshire peasants were no match for the hired German soldiers that were sent under Lord Russell to crush them. Never before had English rulers used the arms of foreigners against English subjects. Perhaps it was not unmeet that the Reformation principles

which were "made in Germany" should now be enforced by German soldiery. Their swords slew four thousand of the Catholic peasantry on the Devonshire meadows.

For miles around, martial law was meted out, and the rope of the executioner was introduced to give force to the arguments of the German reformers; and far and wide throughout the villages the bodies of the parish priests were dangled from the towers of their churches to awe the parishioners into obedience to the new religion. Welch, the stalwart vicar of St Thomas's church, Exeter, who had been active in the cause of the old religion, was hung in his vestments on his own church tower, while a complaisant vicar below read the new service; and there his body remained until the accession of Mary turned the rebel into a martyr.

Happily for England the reign of

Edward was short; and after six years of religious anarchy and general pillage, the young king breathed his last, and Queen Mary succeeded to the throne.

Froude thus sums up the state of things under Edward VI: "The deliverers of England from the bondage of the papacy had led the people out into a wilderness, where the manna had been stolen by the leaders, and there were no tokens of a promised land. To the universities the Reformation had brought with it desolation. To the people of England it had brought misery and want. The once open hand was closed; the once open heart was hardened; the ancient loyalty of man to man was exchanged for the scuffling of selfishness; the change of faith had brought with it no increase of freedom and less of charity. The prisons were crowded with sufferers for opinion, and the creed of a thousand years was made a crime by a

doctrine of yesterday; monks and nuns wandered by hedge and highway, as missionaries of discontent, and pointed with bitter effect to the fruits of the new belief which had been crimsoned in the blood of thousands of English peasants. . . . . In the tyranny under which the nation was groaning, the moderate men of all creeds looked to the accession of Mary as to the rolling away of some bad, black nightmare."*

* *History of England*, vol. V, p. 202.

CHAPTER IV

Queen Mary (1553-1558)

We know the sort of picture which was engraved in our youthful imaginations of the history of this reign. A dull, heavy gloom overspreading the nation, enlivened by the lurid fires of Smithfield; the shrieks of tortured victims; priests looking on with fiendish pleasure; good men trembling with fear, and the bad exulting over the innoffensive. The queen herself a morose and merciless tyrant, a bigoted Romanist, who put her Protestant subjects to death—peaceable, pious Protestants—whose only desire was quietly to serve God according to the dictates of their consciences.

How far this picture is true or false we will now proceed to consider. Was

Queen Mary cruel and revengeful? And if so, was it the Catholic religion that made her so? As a matter of fact it can be shewn from non-Catholic historians, that Mary was a favourite with her people; and that the Catholic religion, far from being forced upon the nation, was joyfully welcomed. Here is a non-Catholic description of the manner in which the proclamation of Mary as queen was received by the people:

"The glad news spread like lightning through London, and the pent-up hearts of the citizens poured themselves out in a torrent of exultation. Above the human cries, the long-silent church-bells clashed again into life; first began St Paul's, where happy chance had saved them from destruction; then, one by one, every peal which had been spared caught up the sound, and through the summer evening, and the summer night, and all the next day, the metal tongues from tower and

steeple gave voice to England's gladness. The lords, surrounded by the shouting multitude, walked in state to St Paul's, where the choir again sang a *Te Deum*, and the unused organ rolled out once more its mighty volume of music. As they came out again at the close of the service, the apprentices were heaping piles of wood for bonfires at the cross-ways. The citizens were spreading tables in the streets, which their wives were loading with fattest capons and choicest wines; there was free feasting for all comers, and social jealousies and religious hatreds were forgotten for the moment in the ecstasy of the common delight." *

Nor can the burnings of heretics which took place in Mary's reign, be charged against the Catholic Church. As far back as the reign of Henry IV, an Act for burning heretics *(de hæretico comburendo)*

* Froude's *History*, vol. V, p. 207.

had been passed by the parliament without any solicitation either from the pope or the clergy; the occasion which called it forth was the mischievous teaching of Wycliffe and the Lollards. Not content to be Protestants in religion, these agitators went about the country disseminating heresy and sedition by tumultuous methods amongst the people.

Amongst the doctrines which they preached was that magistrates as well as bishops, and even princes, might be deposed and punished by the people when convicted of any fault.

They also taught that no one need pay taxes or tithes, or even observe the laws unless the justice of them could be shewn from Scripture; again, that the clergy who possessed any temporal property ought to be despoiled of it by the populace; neither need any one pray in churches, or keep holy the Lord's day.

By means of inflammatory language the Lollards raised tumult against the laws in many parts of the country; and it was with the object of checking disorder and anarchy, and punishing seditious agitators, that the Act *de hæretico comburendo* was enacted by Parliament.

The Lollards were in England what a century later the Huguenots were in France; and the reprisals they there incurred were equally cruel. The massacre of the Huguenots in Paris on St Bartholomew's Day, 1572, was an act of political vengeance, not so much for their Protestantism as for their sedition. It was alleged that they were on the point of executing a plot to seize the king and the queen of France and overturn the Government, with the avowed purpose of setting up a king of their own religion, and establishing Protestantism in France. Suddenly they were surprised and slaughtered; and a one-sided version

of the affair was sent off in official despatches to Rome and other courts of Europe.

A *Te Deum* was accordingly ordered by the pope in thanksgiving for the preservation of the king's life; and a commemorative medal was struck, representing, not a massacre, but a conspiracy put down by force of arms. When, afterwards, the real facts became fully known to the pope, he expressed both in speech and writing, his horror of the crime.

The history of the Lollards was a somewhat parallel case. They were a danger to the state; and the cruel statute was enacted to put them down.

This statute was revived in the reign of Henry VIII after he had broken with the See of Rome; and Catholics as well as Protestants were brought by the king and Cranmer to suffer under it.

The Protestant Latimer himself preached a sermon whilst a Catholic

friar, Dr Forrest, was burning at the stake for his religion.

No Penal Laws were enacted during the whole of Queen Mary's reign.

Let us consider how matters stood when Mary came to the throne.

Whilst Edward the Sixth was on his death-bed, a plot was formed for setting aside his father's will, and for excluding both Mary and Elizabeth from the crown. At the instance of the Duke of Northumberland, the then Protector, the dying youth was induced to transfer the crown from his sisters, Mary and Elizabeth, to his cousin, the Lady Jane Grey, who had married the Duke of Northumberland's son. The duke's pretended motive was zeal for the Protestant religion; his real object was to secure the crown for his own family. His hypocrisy is worth noting. He besought the dying prince to provide for the preservation of what he called the "true religion," and warned

BLESSED JOHN FOREST,

Confessor to Queen Katharine.

Burnt at Smithfield for denying the Spiritual Supremacy of Henry VIII, 1538. Latimer preached during the burning.

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him against the bigotry of his sister Mary, who had remained faithful to her religion in spite of threats and promises; or, as Northumberland put it, had "resisted all persuasion and authority." A little later on we shall see what all this cant was worth

Foremost amongst the aiders and abettors of the plot in favour of Lady Jane Grey was Cranmer. Ridley, the intruded bishop of London, preached at St Paul's before the civic authorities, vehemently exhorting his hearers as they prized the pure doctrines of the Reformation to side with Lady Jane Grey against her "idolatrous" rival, Mary. Most of the other Protestant preachers did the same, thus identifying themselves with the cause of treason and sedition.

In this perilous state of affairs Mary, with much courage and prudence, fixed her headquarters at Framlingham in Suffolk. Northumberland led an army to London to attack her, but it was to no

purpose. The people were all for Queen Mary, and were attached to the old religion. In a few days the queen was surrounded by an army of thirty thousand, all volunteers in her service, refusing to receive any pay and serving from the spirit of loyalty alone.

Northumberland, deserted by his adherents, was forced to abandon his plot. In a few hours he was arrested, and conveyed to the Tower, whither others of the chief conspirators were also sent. It required a strong guard to protect them the fury of the populace.

What was to be done now with the rebels who had taken part in the conspiracy?

They had been guilty of high treason against their lawful sovereign, and had done their utmost to bring the kingdom into a state of rebellion and anarchy.

Mary, however, sought to blend mercy with justice. Of the sixty who had been

sent to the Tower, eleven on trial were condemned to die, though only three of these were selected for execution. Never before nor since has an attempt at usurpation been so leniently dealt with.

It was with considerable difficulty that the queen was induced to sign the warrant even for Northumberland's execution. He had been friendly towards her in former years, and she liked him in spite of his treason. But justice and the public safety alike demanded that he should die.

He was insincere in his religion. To King Edward, on his death-bed, he had professed great zeal and concern for the Protestant cause; in the Tower he declared to Bishop Gardiner that he "was never such a fool as to believe any of the religion that was set up in King Edward's time"; and on the scaffold he exhorted the spectators not to be led away by seditious and lewd preachers, but hold on to the true religion, the Catholic faith,

as it had been taught them from the beginning.

The duke was a specimen of the nobles of the time, who had conformed to the "new learning." They acted against their real convictions and consciences, for the sake of a share in the plunder of church property.

Mary resolved to restore Catholic worship; but she desired to do nothing hastily or violently. She issued a proclamation bidding her subjects—whether Catholic or Protestant—live together in quietness and Christian charity, and refrain from reviling one another.

In a few days the ancient rites were restored in most of the churches; the people naturally, without any compulsion by penal laws—for none were enacted in this reign—falling back to the old services which in their hearts they had never ceased to love.

But it may still be asked, "What

about the fires of Smithfield?" Very cruel and revolting they were; but they cannot be charged against the Catholic Church, neither were they due to the cruel bigotry of the bishops, nor yet to the sanguinary temper of the queen.

The Act by which they were enkindled was, as we have seen, an Act of Parliament of the time of Henry the Fourth, which was set in motion by Henry the Eighth against Catholics who opposed his spiritual supremacy as well as against Protestants who rejected the doctrines set forth in the Six Articles.

Cranmer and his party, who were burnt themselves in Mary's time, had burnt both Catholics and Protestants in the reigns preceding. We have already seen how Latimer preached a sermon whilst a friar, Dr Forrest, was burning at the stake.

No doubt there were as tender hearts in the sixteenth century as there are in

twentieth. The times, however, were far sterner and more harsh than is the case in our days. The explanation, though not the justification, is this: we fix our attention on the acuteness of human suffering; and whilst we hang for murder, we perhaps lose sight of some of the gravity of the crime. In the sixteenth century it was the reverse. Our forefathers realized less the throbbings of pain in the criminal, whilst they realized more the outrage of his guilt, and sought by their severities to hinder its recurrence.

Heretics were regarded as the murderers of men's souls; and when convicted of this spiritual murder they were handed over to the secular arm to be dealt with according to the law of the land. A hard and repulsive law no doubt it was. But, in the days in which we write, we must bear in mind that it was the law of the nation rather than the law of the Church.

We can little imagine the seditious and aggravating spirit of most of those who were prominent in promoting the progress of the Reformation; the political treasons they disseminated, and the rebellious language in which they indulged—both against the queen and against the religion of the country. The ale-houses rang with profane ballads and blasphemous disputes. Scandalous handbills were scattered about the streets defaming the queen and her religion, the holiest mysteries of the faith being treated with ribaldry and ridicule.* The clergy were assaulted at the very altars by a lewd, ungodly and profane rabble, who were incited, by those who knew better, to bring about anarchy, irreligion and rebellion.

In such a state of affairs, what was the

* See Hallam's *Constitutional Hist.*, vol. I, cap. ii, p. 93. See also Lingard's *Hist.*, vol. V, cap. vi.

queen's government to do? To tolerate such disorders would have been to let society and religion fall to pieces. Something was necessary in self-preservation; so the old statute was put in motion against the seditious brawlers and heretics.

Mary herself was not desirous of shedding blood; but she was over-persuaded by her counsellors to allow the law to be put in force.

Cardinal Pole, the Pope's Legate and Archbishop of Canterbury, was opposed to the punishment of death; but other influences and other counsels prevailed.

So it came to pass that more than two hundred persons were burnt in this reign.

An Anglican writer truly observes: "Mary's conscientiousness, kindness of heart, love to the poor — whom she used to take pleasure in relieving under a disguise—and her restitution to the

Church of the property her father had taken from it for his own use, deserve much praise. Her court was a model of purity: in short, her goodness was her own, her faults those of her advisers."*

* Dr Neale's *English History*, p. 167.

CHAPTER V

Queen Elizabeth's Reign (1558-1603)

QUEEN MARY died November 17, 1558, at St James's, and a few hours later there died also her relative and faithful adviser, Reginald Pole, Cardinal Archbishop of Canterbury. The English Church was now without a head.

At this date, moreover, five of the English sees were vacant by the recent deaths of their occupants, and before the end of the year four more dioceses became vacant from the same cause. At the beginning of the year 1559 only sixteen bishops survived of the ancient hierarchy.

Elizabeth had already made up her mind for a change of religion. Shrewd woman as she was, she was fully aware

that if the Catholics and the pope were right her claim of succession to the throne was wrong.

As the daughter of Anne Boleyn, she had been born during the life-time of the king's lawful wife, Catharine of Arragon. Consequently, in the eye of the Church, Elizabeth was illegitimate. She had also been pronounced illegitimate by the law of the land; for by a solemn decree, under the seal of Archbishop Cranmer, Henry's marriage with Anne Boleyn had been pronounced, "for good and valid reasons, null and void." The sentence had been ratified by Convocation as well as by Act of Parliament. Elizabeth and her advisers determined, therefore, to cast off their allegiance to the Holy See.

Fearing what was coming, the bishops refused to perform the ceremony of the coronation, although ultimately Oglethorpe, Bishop of Carlisle, was prevailed upon to undertake it.

The coronation took place in Westminster Abbey on Sunday, January 15, 1559; and on this occasion the queen found it easy to take the required oaths for the maintenance of the laws of holy Church, and to conform to all the Catholic ceremonial, which included the Unction, the High Mass and holy Communion. Ten days later Parliament met, and at once a bill was brought in for the restoration and annexation of first-fruits to the crown.

The Act of Uniformity, abolishing the Mass and bringing back the second prayer-book of Edward VI, was re-enacted. The royal supremacy in matters ecclesiastical was again set up, and the supremacy of the pope abolished. All these changes at once received the royal sanction, in spite of the coronation oaths so recently taken.

In opposing these Bills in their passage through the House of Lords the words of

Dr Heath, Archbishop of York, are noteworthy. He said :

"By relinquishing and forsaking the See of Rome we must forsake and flee from (1) all general councils; (2) all canonical and ecclesiastical laws of the Church of Christ; (3) the judgement of all Christian princes; (4) that we must forsake and flee the unity of the Christian Church, and by leaping out of St Peter's ship, hazard ourselves to be overwhelmed and drowned in the waters of schism, sects and divisions."

He further insisted that such a supremacy as this neither belonged to Parliament to give, nor could a king—much less a queen—receive it.*

The speech of Dr Scott, Bishop of Chester, has also been preserved. To the objection that the Convocation in 1534 had accepted the royal supremacy

* See Strype's *Annals*, vol. I, part II, p. 399.

and had abolished and disallowed that of the pope, he replied that "No particular or provincial council can make any decree contrary to the universal Church of Christ." And again, "Of the learned men that so decreed in 1534, so many as be dead, before they died were penitent and cried God mercy for their acts; and those who still live, as all your lordships know, have openly revoked the same, acknowledging their error." *

If we turn from Parliament to Convocation, we find that five articles were drawn up by the Lower House and presented to the bishops on February 17, 1559. These articles express the belief of the clergy in the ancient doctrines of the Catholic Church, and relate to the sacrifice of the Mass; and to the exclusive right of the pastors of the Church to determine matters of faith and ecclesiastical discipline. "The supreme power of

* Strype's *Annals*, vol. I, part II, p. 399.

feeding and governing the militant Church of Christ and of confirming His brethren was given to St Peter, and to his legitimate successors in the Apostolic See, as vicars of Christ."

Such was the unanimity and energy with which the bishops—both in Parliament and in Convocation — opposed the threatened changes. The universities also subscribed their protest.

Elizabeth, however, carried matters with a high hand. The Act of Uniformity and of the Supremacy became law. And to enforce them it was enacted that every bishop or other ecclesiastical officer, every temporal judge or justice, and every other person receiving wages from the crown should take an oath prescribed for this purpose; and any person refusing such oath should forfeit all promotion, benefit and office. This enactment at once excluded every Catholic from holding any appointment either in Church or State.

The Act further decreed that if any person should in writing, word or deed affirm or defend the authority or jurisdiction of the See of Rome, he should for his first ofience forfeit all his goods and chattels; for the second offence he should incur the dangers and penalties of *præmunire;* and for the third offence should be judged guilty of high treason and suffer a traitor's death.

The bishops, on being ordered to take the oath, to their eternal honour all refused excepting one—namely, Kitchen of Llandaff—and were deprived of their see. Thus the ancient hierarchy came to an end.

The penalty for speaking any word against the new book of Common Prayer was for the first offence imprisonment for six months; for the second imprisonment for a year, and lastly imprisonment for life.

Any one refusing to attend his parish

church on Sundays and holy days, or not taking part in the new liturgy had to pay a fine of a shilling—a sum now equivalent to about fifteen shillings. But numbers went to prison rather than pay.

How deeply enshrined the ancient faith was in the hearts of the poor, and how strong their repugnance to the new religion, is shown by the fact that they were content to see their household furniture distrained upon, and their cottages all but stripped, sooner than conform.

On one occasion, out of two thousand recusants refusing to go to church, only fifty ranked as gentry. The sight of the altar-stones broken, defaced and put to some common use, according to the episcopal injunctions of the day; the systematic profanation and destruction of the sacred vessels and vestments, and the hatred of the reformers of all that was con-

nected with the great central act of worship to which they had been accustomed, horrified the deepest religious instincts of the Catholic poor, and bred in their hearts a hatred of the newly-established Church.

Their simple, outspoken answers before their judges show their feelings. For example, in depositions taken at York a few years later, a Mrs Taylor "sayeth that she cometh not to the Church because there is not a priest as there ought to be, and also that there is not the sacrament of the altar." A locksmith's wife, deposes that her "conscience will not serve her because there is not the sacrament hung up, nor other things as hath been aforetime." *

Intolerant as were the acts and penalties of the first year of Elizabeth, the

* F. G. Lee. *Church under Queen Elizabeth*, Vol. II, pp. 25, 26.

Parliament of 1563, in the fifth year of her reign, thought well to sharpen their severity.

The penalties were increased, as well as the classes of persons to whom the oaths were to be administered. The oaths for the royal supremacy and for the repudiation of the authority of the Bishop of Rome were to be administered now to all who had held ecclesiastical office in the reigns of Henry, Edward, or Mary; and to those who disapproved of the established worship or who continued to assist at or celebrate Mass. The first refusal of the oath was now punished with the penalties of *Præmunire;* the second was deemed high treason, and met with a traitor's death. Hence the lives of the entire Catholic population lay at the mercy of the queen.

The deprived bishops, Heath, Bonner, Thirlby and the others at once prepared to die. Nor is there any doubt what their

fate would have been had it rested with the Protestant bishops. The propriety of putting to death the "caged wolves," as they were called, was frequently under discussion. The hated Bonner was marked out for the first victim. Horne, the intruded bishop of Winchester, in which diocese Bonner's prison-house, the Marshalsea, was situated, prepared to tender him the oath. It was certain that he would refuse; and he would then be in the power of the enemies who thirsted for his blood.

Another law, however, stepped in between the Elizabethan prelates and their prey. By the Act of Parliament only a bishop might tender the oath; and Bonner fearlessly challenged his questioner's title to the name. When Horne was appointed to the See of Winchester, the canonical bishop, his predecessor, was still alive. The new hierarchy, moreover, had been so irregularly consecrated that their autho-

rity, until confirmed by Parliament, was of very doubtful legality. So the judges of the Court of Queen's Bench upheld Bonner's plea; and Horne gained nothing by his eagerness except a stigma upon himself and his brethren.*

It was this incident that led to an act of Parliament being passed in the eighth year of Elizabeth (1565), "declaring the making and consecrating of the archbishops and bishops of the realm to be good, lawful and perfect," reciting further that "Her Highness, by her supreme power and authority, hath dispensed with all causes and doubts of any imperfection or disability that may be objected against the said elections, confirmations or consecrations."

With such treatment of her Catholic subjects by Elizabeth, with such exercise of spiritual authority prescribing to them

* See Froude's *History*, vol. VII, cap. xli.

what they should believe, what pastors they should recognize, and what worship they should frequent, it can hardly be wondered at that at length, after long and fruitlessly trying to induce her to return to the Catholic faith, Pope Pius V published his bull of excommunication against the schismatical queen.

It must be remembered that up to the period of the Reformation it was the accepted law of Europe and of this realm—there being then but one religion, of which the pope was the head—that the prince who broke the unity of the faith, or who failed to protect his people in the exercises of their religion, was considered, *ipso facto*, to have forfeited his right to his crown.*

Elizabeth had sworn at her coronation to maintain the honour, peace, rights and

* See *Catholic Dictionary*, art. "Deposing Power of the Pope."

privileges of the Church, as guaranteed by the laws of Edward the Confessor. But she had violated her engagement. She had abolished the ancient rites; she had brought in new religious practices, which the consciences of her people forbade them to take part in; and she was seeking by cruel penal statutes to force priests and people to abjure the authority of the Father of the faithful and to acknowledge her supreme authority alone, in spiritual as well as in temporal concerns. The Catholic bishops she had deposed and cast into prison; and her guest and relative, the fugitive Queen of Scots, the remaining hope of her Catholic subjects, she was keeping a prisoner.

In the bull that was prepared, after the enumeration of these offences, the pope pronounced her to have forfeited her right to the throne, and absolved her subjects from their allegiance to her.

No doubt the measure was a strong

one; but, be it remembered, this claim to depose princes and absolve their subjects from their allegiance was no exclusively popish doctrine.

Protestants also believed in the right of deposing princes. King Charles the First was not only deprived, but judicially executed by the Puritans—an extreme penalty no pope was ever found to sanction or assert. The act of insurrection by which, a few years later, James the Second was driven from his throne in 1688, was called "the glorious revolution," and the line of succession was changed—by Protestants—and the oath of allegiance transferred from one royal family to another, on the plea that the original contract with the nation had been violated.

If Protestants were justified, for the sake of what they considered their civil and religious liberties in driving the Stuarts from the throne, and transferring

their allegiance to Oliver Cromwell or William of Orange, why should we condemn the bull of Pope Pius the Fifth?

With far more justice on his side, and at a time when the laws of Christendom upheld and invoked his rights, the pope declared that it was the duty of Catholics, as they valued their religion and their liberties which were being so grossly outraged, to transfer their allegiance from Elizabeth, who had broken her coronation vows, and to acknowledge only a Catholic for their sovereign.

The bull was promulgated on February 25, 1569; and in the ensuing May a copy of it was found affixed to the palace gates of the Bishop of London.

If the pontiff hoped that the Catholic cause would be benefited by the measure, the result must have been disappointing. The times, in fact, had passed away in which the thunders of the

Vatican could shake the thrones of Princes.*

No foreign power made any attempt to enforce the Bull. Amongst English Catholics it served only to breed doubt, dissensions and dismay, and to their enemies it afforded a pretext to brand them as traitors, and to bring false accusations against them of disloyalty in temporal matters.

When Gregory XIII succeeded Pius V in the papacy he formally relieved Catholics from its operation, and the Bull was never afterwards renewed. The English people being no longer in communion with the Holy See, the pope's intervention in temporal concerns was no longer invited, as it had frequently been in Catholic times.

The practical result of the pope's action was the enactment of fresh Penal

* See Lingard, vol. VI, p. 224.

Laws even more severe than those already passed, not only against any one who should attempt to execute the papal Bull, but against all who should persevere in the exercise of the Catholic religion. It was not enough that a man should acknowledge the queen's authority in temporal affairs; he must abjure the spiritual authority of the Apostolic See, whilst his faith taught him the necessity of being in communion with it.

Accordingly, in the year 1571,* a statute was passed forbidding the recognition of any Bull or other instrument obtained from the Bishop of Rome. Any persons claiming to act under his authority were to be deemed guilty of high treason and suffer death as traitors, and all their possessions became forfeited to the queen.

Any one returning to the Catholic fold,

* 13th of Elizabeth.

and also any priest who should reconcile such an one, incurred the penalty for high treason. Thus to "turn Catholic," as it was called in the days of Queen Elizabeth, was to render the convert liable to the penalty of death at the hands of the common hangman, with all the attendant and horrible atrocities.

Any person on whom was found a cross, a picture or rosary beads that had been blessed by the pope, or by a priest deriving his authority from the pope, or any one found in possession of the little devotional object in wax, called an *Agnus Dei* from the impression stamped on it, was doomed to the loss of liberty, and his possessions were confiscated.

It was further enacted that any Catholic who should leave the realm should after six months' absence forfeit all his goods, and the profits of his lands should go to the crown. Thus, Catholics who remained quietly at home must violate

their consciences by professing the state religion or become liable to the cruel penalties of recusancy; on the other hand, Catholics who went abroad must sacrifice their lands and fortunes to the queen's use.

Dr Lingard* draws a dismal picture of the condition of Catholics at this period. They lay at the mercy of their neighbours and of their enemies. They were liable at any hour to have their houses broken into by the pursuivants and their rooms ransacked, and to be themselves hurried before the court of high commission and condemned as recusants to fines, imprisonment, and eventually even to death.

One of the most implacable persecutors in this reign was a man named Topcliffe. His daily occupation was to hunt out priests and men suspected of popery. Nor were the Elizabethan prelates them-

* Vol. VI, pp. 328-330.

selves free from this persecuting spirit. We read in Strype's *Life of Whitgift* that, whilst bishop of Worcester, on information received of certain ladies having heard Mass in a private house, he was directed by the council to inquire into the facts, and, if necessary, employ *torture* to force them to conform.*

Aylmer, bishop of London, is also said to have sent a young lady to be whipped at Bridewell for refusing to conform,† and Sandys, archbishop of York, wrote to Lord Burleigh that he deemed it needful for the safety of the realm that forthwith should be cut off the head of the Scottish queen.‡

Up to the year 1573, though it would not be true to say that no Catholic had died for their religion—for many had

* Strype's *Whitgift*, book II, chap. 1.

† Hallam's *Constitutional History*, v. I, p. 143.

‡ Ellis, *Original Letters*, iii, 25.

succumbed to hardships and disease contracted in the dens of filth, such as the gaols at that time were—yet no one had actually been put to death.

In the June of that year, however, Thomas Woodhouse, a priest, was executed at Tyburn for daring to exercise his sacred ministry. He was followed in 1577 by Cuthbert Mayne, also a priest, who was hanged, drawn and quartered at Launceston, "without any charge against him," says Hallam,* "except his religion." He was arrested in the house of a Mr Tregian, a gentleman of fortune, whose chaplain he was. Mr Tregian himself and fifteen of his servants and neighbours, for aiding and abetting in what was called high treason, were condemned to perpetual imprisonment.

In 1578 another seminary priest, together with a youth, after torture and

* *Constitutional History*, vol. I, chap. iii, p. 145.

imprisonment in a dark and filthy hole, were executed in the same barbarous fashion, being hanged, cut down while still alive, ripped open and dismembered. The names of twelve hundred sufferers, previous to the year 1588, have been collected by Dr Bridgwater.* Of these the greater part died of their sufferings in prison under sentence of death.

The Catholic prisoner was scarcely lodged in his cell before he was placed on the rack in order to compel him to answer as to having heard Mass, or to elicit the names of others who had done so.

The following were some of the instruments of torture commonly employed in the Tower of London against Catholics :†

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* See *Yorkshire Oddities*, by the Rev. S. Baring-Gould, vol. II, p. 229.

† See *Bartoli*, 250, quoted by Dr Lingard, vol. VI, p. 688.

1. THE RACK. This was a large, open frame of oak, raised three feet above the ground. The prisoner was laid on it, and his wrists and ankles attached by cords to two rollers at opposite ends of the frame. These were moved by levers whilst the sufferer was questioned. If the answers were not considered full and satisfactory, the body was stretched more and more till the bones started from their sockets.

2. THE SCAVENGER'S DAUGHTER, an instrument of torture on which the sufferer was tightly compressed in a sort of iron hoop. It sometimes happened, from excess of compression, that the blood started from the nostrils or from the nails of the hands or feet.

3. THE IRON GAUNTLETS, which could be contracted by the aid of a screw. They served to compress the wrists, whilst the prisoner was suspended by his hands from a beam. Father Gerard was kept

hanging for the space of five hours, during which time he fainted eight or nine times.

4. The Little Ease was a cell of such small dimensions that the prisoner could neither stand nor sit nor lie. He was compelled to remain in a cramped posture, in which he was sometimes kept for days.

5. The Needles, which were thrust under the nails of the accused.

6. The Dungeon of Rats, a cell below high-water mark and totally dark. As the tide flowed, innumerable rats infesting the muddy banks of the Thames were driven through the crevices into the dungeon, and in their hunger gnawed the flesh from the arms and legs of the prisoner.

Did ever the inventive genius of the heathen emperors of ancient Rome find

more cruel tortures against the early Christians than did the malice of sixteenth-century Protestantism in the endeavour to crush out Catholicism?

These instruments of torture were in constant use: as Hallam says, "the rack seldom stood idle for all the latter part of Elizabeth's reign." *

A few lines from Rishton's diary of the months of December and January, 1580-1, will help us to realize what the state of things was. December 10, 1580: "Thomas Cotton and Luke Kirby, priests, suffered compression in the *Scavenger's Daughter* for more than an hour; Cotton bled profusely from the nose." December 15: "Ralph Sherwin and Robert Johnson, priests, were severely tortured on *the rack*." December 31: "John Hart, after being chained for five days to the floor, was led to *the rack;* also Henry Orton, a

* *Constitutional History*, vol. I. p. 148.

lay gentleman." January 3: "Christopher Thompson, an aged priest, was brought to the Tower, and racked the same day." January 14: "Nicholas Roscarre, a lay gentleman, was racked."*

Such is the record of only a few days accidently preserved! Father Campion, previous to his execution at Tyburn, was stretched on the rack four different times, and kept on that bed of torture until it was thought he had expired. Apart from his religious belief nothing treasonable could be proved against him. He acknowledged Elizabeth for his rightful sovereign, though declining to give an opinion about the pope's right to depose her. At the place of execution he was offered his life if he would deny the papal claims, or even hear a Protestant sermon. He refused; but his prayer was that the queen might

* Rishton's *Diary*, quoted by Dr Lingard, vol. VI, p. 689.

BLESSED EDMUND CAMPION, S.J., AND HIS COMPANIONS.

Executed at Tyburn, December 1, 1581.

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have a quiet reign and all prosperity. The cart was then drawn away, and as he was allowed to hang until dead, contrary to the usual practice, this blessed martyr's agony was quickly over.

In the year 1581 the religious persecution may be said to have reached its height. It was made high treason, not only to convert any person from Protestantism to Catholicism, but even to aid and help any one who did so. The punishment for hearing Mass was increased to a year's imprisonment; and any one absenting himself from the state services had now to pay, not as at first a shilling, but no less than £20 a month, an enormous sum when account is taken of the value of money in those days. Those of the Catholic gentry who had not very large fortunes speedily became impoverished. Yet the provisions of the enactments of 1581 make no mention of treasonable designs either against the queen's person or

government. It was the Catholic religion itself that Elizabeth was determined to root out, and the persecutions of her reign can only be characterized as religious persecutions.

In her capacity as supreme governor of the Church of England Elizabeth had set up a Court of High Commission that was armed with extensive powers for the extinction of every religion—whether popish or puritan—other than that which was established by law.

This court consisted of the Anglican archbishop and twelve bishops, with about thirty others, both lay and clerical. It had power to deal with all heresies and all acts and opinions that were offensive to the ruling powers; and its sentences were enforced by fines, imprisonment, tortures and the rack. It was in fact a kind of English Inquisition, such as Protestants have imagined as belonging exclusively to Italy or

Spain.* There was, however, one difference: the Spanish Inquisition was for the purpose of seeking out and punishing those who denied truths that were sacred to Christendom; the English Inquisition sought out and punished those whose sole crime was their fidelity to those truths.

With the Elizabethan Court of High Commission in full action, it was impossible for the Penal Laws to remain a dead letter. Indeed, scarcely a month passed in which the scaffolds did not stream with the blood of victims; and in some counties the prisons were not large enough to contain the multitudes of recusants.

Yorkshire especially was distinguished for the number of staunch and steadfast supporters of the old religion, crowds of

* It is also to be observed that several Catholic countries, dreading the miseries which such a tribunal would produce, persevered in refusing to admit it.—Milner's *Letters*, IV.

whom in those evil times found themselves lodged in York Castle, and in the other prisons of the city.

"During the reigns of Elizabeth and James I," says Canon Raine, "a great number of Yorkshire Roman Catholics were in prison for their faith. Many of these died in gaol. Others were dragged to the service at the Minster, where Archbishop Sandys preached at them, or his chaplain Mr Bunny aspersed them from the pulpit with . . . . his 'divinity squirt.' When they cried out in indignation, they were actually gagged."*

Amongst the Yorkshire victims who suffered about this time may be mentioned the Rev. William Hart. His charity towards the unfortunate recusants who crowded York prison was unbounded.

* *Records of York Castle*, by Twyford and Griffiths, p. 198.

These poor creatures were dying in great numbers, being ill-fed and often barbarously treated by their gaolers. Every day he visited them, encouraging them to suffer with patience, and administering to them in secret the Holy Communion. His gentleness, winning manners and glowing faith made him a general favourite. Before long he was arrested, lodged in one of the dungeons of York Castle, and loaded with double irons. During his confinement there, he was visited by the Dean of York and other clergy of the Establishment who urged him to conform to the state religion. He gently yet firmly refused. He was tried on the charge of having been ordained beyond the seas, and of having administered the sacraments to Roman Catholics within her Majesty's realm. Replying to the charge of high treason he said that he owed allegiance to the queen in temporal matters, and that obedience to the

pope in spirituals was not inconsistent with loyalty in other matters not involving religion. His sentence was carried out on March 15, 1583. The rope was put round his neck, and he was thrown from the ladder on which he stood, and whilst still alive he was cut down, his body was ripped open, and his heart torn while yet beating from his bleedng body.

In 1584, on Parliament re-assembling, more penal laws were framed. It was enacted :

1. That all Jesuits and seminary priests, born in the queen's dominions and ordained by the authority of the See of Rome, should be adjudged guilty of high treason.

2. That all persons harbouring or sheltering such priests should be forthwith punished as felons.

3. That those who did not betray the hiding places of priests should be hanged, drawn and quartered.

4. That parents sending their children abroad without a license, should forfeit for every such offence one hundred pounds; and that children so sent were disqualified from inheriting the property of their parents.

The Earl of Arundel, for having written to two Catholic priests to say that he thought of leaving England because he could not exercise his religion, was fined ten thousand pounds and was imprisoned for life.*

In the following year, namely, 1585, eighteen Catholics were put to death. Of these thirteen were priests, four were laymen, and one was a lady of good family named Margaret Clitheroe. Her crime was that of relieving and harbouring priests. Unwilling to be a party to her own murder or that of the priests who were arraigned with her, she refused to

* Lingard's *History*, vol. VI, p. 390.

plead to the indictment; and for this refusal she was barbarously pressed to death.

Near the Ouse bridge in York she was stripped and laid on the ground, a sharp stone being placed under her back and a door loaded with heavy weights laid upon her, the pressure of which broke her ribs and forced them through the skin. After three hours of this terrible agony she expired. Her husband fled and escaped; but her little children, who wept and lamented for their mother, were severely whipped, and the eldest—a child of ten years old—was cast into prison. In the Convent in York is still preserved the hand of the martyr, as a precious relic. Margaret Chitheroe was far from being the only female victim of the penal laws.

There is neither time nor space here to dwell on the condemnation and death of Mary Queen of Scots. That is a his-

THE VENERABLE MARGARET CLITHEROE.

She was arrested on the charge of harbouring priests, and, refusing to plead, was pressed to death at York, March 26, 1586.

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tory of itself. It is sufficient to note that it was her attachment to the Catholic faith which rendered her life incompatible with the security of the reformed worship. The Earl of Kent told her the night before her execution "that it had been decided that she could not live without endangering the state, the life of Elizabeth and the religion. Your life," said he, "would be the death of our religion; your death will be its life." *

We must pass on to the year 1588, when the Spanish Armada attempted the invasion of England, professedly to avenge the tragedy of Fotheringay. What did the Catholics of this country do then?

As we have remarked, when Protestants a century later had a grievance against the Catholic king, James II, they did not hesitate to bring in William of Orange with his foreign troops and to aid

* *Chantalauze*, p. 575.

him in usurping the throne. Yet can any one say that Protestants had as good reasons for leaguing with Dutch William as Catholics might have had for joining forces with Philip of Spain, or that James II was as great a tyrant as Elizabeth? He never treated his Protestant subjects as Elizabeth did Catholics; nor did he sully his statute book with a series of laws such as make humanity shudder. Nevertheless, while Protestants have always prided themselves on transferring their allegiance from James II to the Prince of Orange, the oppressed Catholics in the reign of Elizabeth would have nothing to do with the Spanish king. On the contrary, they sided with the English queen against the foreign invader.

"Some," says Hume, "equipped ships at their own charges; others were active in animating their tenants and vassals and neighbours to the defence of their country, and burying for the present all party dis-

tinctions, seemed to prepare themselves with order as well as vigour to resist the violence of these invaders." *

And when the danger was over what was the reward of their loyalty? From the dispersion of the Armada till the death of the queen, a period of fourteen years, Catholics continued to groan under incessant persecution. "Sixty-one priests, forty-seven laymen, and two gentlewomen suffered capital punishment for one or other of the spiritual felonies or treasons which had been created." † To harbour a priest; to have been ordained abroad; to acknowledge the ecclesiastical supremacy of the pope and deny that of the queen—any one of these spiritual treasons was sufficient to consign a man to the rack, the scaffold, the halter and the ripping knife.

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* See Hume's *History of England*, vol. V, xii.

† Lingard, VI, 525.

In 1593 a fresh statute was passed "for the restraining of popish recusants" to some fixed abode. They were forbidden to go more than five miles from their dwellings under pain of forfeiting their goods, chattels and lands.

Who shall describe the constant alarms, the torturing suspense, the mental anxieties which were the lot of every Catholic family from day to day? The pursuivants, or priest-catchers, might force their way into their houses at any hour of the day or night on the merest pretext or suspicion—often for wanton insult and annoyance, generally for plunder, or in the hope of gaining the reward which was offered for the apprehension of a priest.

It is recorded that no less than fifty gentlemen's houses were raided on the same night, and the owners dragged off to prison; so impossible was it for any English Catholic to live at home in peace, and if he went abroad he forfeited his

estates. Only men of ample fortune could afford for long to pay £20 a month, to which the fine for non-attendance at the parish church had been increased; and many were obliged to sell large portions of their property in order to meet the continual demand. It all depended on the particular statute under which they were indicted, whether they were mulcted in their goods, imprisoned for life, or hanged as traitors.

In the year 1595, amongst many others who suffered on the charge of treason, two priests are worthy of special mention. One was Robert Southwell, the other Henry Walpole. Both were members of gentle and ancient Norfolk families. Southwell, after labouring for six years in his Master's service with great piety and zeal, was arrested by the before-mentioned notorious Topcliffe. In the private cell of this infamous informer he was tortured no less than ten times, or, as Lord Bur-

leigh admitted, thirteen times; and this with such pitiless severity that, as he afterwards declared to his judges, death would have been preferable. On February 21, 1595, he was dragged on a hurdle through the rain and mud of a winter morning to Tyburn; and there at the hands of the executioner yielded up his soul to God.

Of Henry Walpole it is on record that he was "an English gentleman of birth and fortune, a man of exceptionally high culture and great intellectual gifts." He came to England from abroad in 1593, and within a very short time was apprehended and lodged in the Tower. Here he was kept for a year in the greatest misery and suffering, without bedding and without clothes to cover him during a season when the cold was intense and sharp. When brought before his judges he declared that he had been tortured fourteen times.

THE VENERABLE ROBERT SOUTHWELL, S.J.

A native of Norfolk. Ordained in Rome, 1584. Sent on the English Mission, 1586. Imprisoned three years and tortured thirteen times, and finally martyred at Tyburn, 1595, at the age of 34.

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The charges of his indictment were the customary ones: first, that he was a priest ordained by the authority of the See of Rome; secondly, that he was a member of the Society of Jesus; and, thirdly, that he had returned to England to exercise the ordinary acts of these two callings. The verdict was "guilty"; and he suffered death on April 7, 1595.

It is interesting to note that in his earlier years he had grown up in the "new learning"; but witnessing the religious and social disorders which had come in with the change of religion, he embraced the faith of his forefathers.

Froude relates that at the martyrdom of Blessed Edmund Campion in 1581, "a drop of blood spurted on to the clothes of a youth named Henry Walpole, to whom it came as a divine command." Walpole, converted on the spot, went abroad to study for the priesthood, became a Jesuit, and soon after his return

on the English mission met the same fate at the same spot.*

In such manner fared men of property. Poorer Catholics were thrown into prison; and so crowded did the gaols become that complaints were made of the cost of their maintenance. The recusants were increasingly numerous; and at one sessions in Hampshire four hundred persons were presented, and at the assizes in Lancashire six hundred.

As a proof of the numbers of imprisoned recusants, we read that in the year 1622, under James I, the gaols were opened, when the king was inclined to be lenient, and four thousand Catholics were released.†

Altogether two hundred and four died the horrible death of hanging, drawing

* Froude's *History*, vol. XI, p. 106.

† Wilson's *History*, quoted by Rev. Baring-Gould on *Yorkshire Recusants*, p. 233.

and quartering in this reign: fifteen of these for denying that the queen was the supreme head of the Church; one hundred and twenty-six for exercising their ministry as priests; and the rest for having left Protestantism to become Catholics. It would be impossible to give the number of those who died of their hardships in prison.

To say, as certain writers have ventured to do, that Elizabeth's victims suffered for treason and not for religion is untrue. It was their religion which by the penal statues was made treason; and for that they suffered. Toleration for the Catholic there was none; nor is there a vestige of any recognition of freedom of thought or liberty of conscience by the reformers.

Dean Hook says in his *Lives of the Archbishops of Canterbury*:* "No mis-

* Vol. VII, 227.

take can be greater than that which would represent the Reformation as a struggle for freedom. The notion of religious liberty, or even of toleration, never entered the mind of any reformer of the sixteenth century." Hallam writes: "Persecution is the deadly original sin of the reformed churches; that which cools every honest man's zeal for their cause, in proportion as his reading becomes more extensive." *

On March 24, 1603, Elizabeth's own end came. She died as only those can die who believe in nothing. She had no faith in the religion which she had herself established; and her own prelates she insulted by calling them "hedge-priests." A blank despair gradually settled on her soul. Frightful visions haunted her. She felt herself in the grasp of some evil thing from which there was no escape. Almost

* Hallam's *Constitutional History*, vol. I, 95.

her last words were, "I am tied with an iron collar round my neck. I am forsaken by all and left alone. I have no hope." *

* Lee's *Church under Elizabeth*, vol. II, 339.

CHAPTER VI

James I (1603-1625)

After the death of Elizabeth, James of Scotland succeeded to the throne. Though the son of so true a Catholic as Mary Queen of Scots, who herself had suffered on the scaffold for her religion, James had been brought up in Protestant principles. So wearied however had he become of the Calvinism and dreary Puritanism of John Knox and the school with which he had been associated in Scotland that, when he first came to England he did not exhibit any strong prejudices against Catholics, and even promised toleration.

Nevertheless, in the first year of his reign he allowed a law to be passed confirming all the penal statutes of Elizabeth. In 1604 a proclamation was published en-

joining the banishment of all missionary priests; regulations were adopted for the discovery and presentment of recusants, and orders were sent to the magistrates to put the Penal Laws into immediate execution.

In the summer of this year John Sugar, a seminary priest, was condemned and executed at Warwick. He had been noted for his peculiar love for the poor, and had travelled on foot through a great part of Warwickshire, Worcestershire and Staffordshire on his missionary journeys. A young man of the name of Grissold was in his company at the time of his arrest, and was detained, tried and executed with him. Their prison is still to be seen in Warwick Castle, and a picture of their martyrdom is preserved in the British Museum.

Two months later a layman suffered at Lancaster for refusing to attend the reformed services; likewise two laymen

in Yorkshire and one in Northamptonshire.

The fines which Elizabeth had enforced on all who would not come to the established worship began now to be so strictly levied, together with all arrears, that many Catholic families were wholly impoverished.

In the county of Hereford alone, where these fines for recusancy were exacted rigorously by the Bishops of Hereford and Llandaff, four hundred and nine families suddenly found themselves reduced to beggary.*

The moneys thus extorted from the sufferers formed a fund, out of which James could pacify the claims and clamours of the needy Scotchmen who had followed the court from their own country. This appropriation of English moneys to satisfy the rapacity of the

* Lingard, vol. VII, 51.

Scottish harpies was no small grievance at a time when the relation between the two nations was none of the friendliest.

Foremost amongst the sufferers was Robert Catesby, a descendant of an ancient and wealthy family which had been settled for generations at Ashby St Legers in Northamptonshire. The sense of these injustices and sufferings and impoverishments worked like madness in the mind of Catesby and of the few whom he took into his confidence, and led before long to the event which has ever since been known as the Gunpowder Plot.

Forgetful of the divine command not to do evil that good may come, and yielding to human passion under the sufferings and ruin that were being heaped on them by the King and Parliament, a few, in despair of remedy, conceived the idea of swiftly and suddenly destroying the destroyers. And who can say that the crime of the sufferers exceeded the sin of

the oppressors who provoked it? If extenuating circumstances can ever be pleaded for a great crime, surely the Gunpowder Plot might claim this benefit.

However this may be, Catesby and his fellow conspirators sinned, and they suffered; and although it was a Catholic—Lord Mounteagle—who gave the warning which saved the Parliament House, all the Catholics of the country were made to endure redoubled persecution in consequence of the guilty act of the few.

The immediate result of the Gunpowder Plot was to give to James and his government an excuse to renew with greater rigour the persecution of the unfortunate English Catholics. An Oath of Allegiance was framed and passed by both Houses, in which oath, recusant or suspected Catholics were required not merely to disclaim the deposing power of the pope, but to denounce it as "impious, heretical and damnable," thus repu-

diating in terms of contumely the right which had been conceded to the sovereign pontiffs by the voice of Christendom for many centuries previous to the Reformation.

Up to this time the penal statutes had been for the most part directed against the *religious* liberty of Catholics; henceforth they were to be deprived of their *civil* rights as well, and freeborn Englishmen were treated as outlaws and aliens in their own country.

Fresh enactments were passed respecing the disabilities and *forfeitures* of popish recusants. (1) They were forbidden, under pain of arrest, to appear at court, or to dwell within ten miles of the city of London. (2) They were disqualified from practising in surgery or physic, or in the common or civil law; from acting as judges, clerks or officers in any court or corporation; from presenting to any livings, schools or hospitals in their gift; or

from becoming administrators, executors or guardians. (3) Husbands and wives, unless they had been married by a minister of the Established Church, forfeited every benefit to which he or she might otherwise have been entitled from the property of the other. If they failed to have their children baptized by a Protestant clergyman, they were fined £100 for each such child. (4) Every child sent for education beyond the seas was from that moment debarred from inheriting the property of his parents, unless he should return and conform to the Established Church; otherwise his inheritance was assigned by law to the next of kin, being a Protestant.

The very fact of possessing a Catholic prayer-book was punished with a fine of forty shillings; and the book itself was to be burnt. Justices of the peace, mayors, and other local authorities might search for altars, books, pictures, "or such-like

popish relics." If a crucifix was found, it was to be defaced at the general Quarter Sessions, "and the same so defaced to be restored to the owner again."

In Japan, at this very time, it was a pagan's triumph if he could so terrify a Christian as to make him trample on a crucifix. In England it was the triumph, not of a pagan individual, but of the law and legislature of a professing Christian country, not merely to trample upon, but publicly to deface that very image of our Redemption! Such were some of the atrocious laws passed in the year 1606 by Protestants against the Catholic religion.

Every recusant, moreover, was to be regarded as an excommunicate person, to whom the rites of Christian burial were denied;* and if he had any arms or ammuni-

* The registers of our old parish churches abundantly testify how this law was carried out.

tion or horses, they were to be taken from him by order of the nearest magistrate. Every householder, of whatever religion, receiving Catholic visitors or keeping Catholic servants was liable, in each case, to a fine of £10 a month; and the existing fines for absence from church were increased. These fines were to go to the king, or in lieu of them, if His Majesty pleased, all the personal and two-thirds of the real estate of every offender. According to his own account, King James received a net income of £36,000 a year from the fines of popish recusants alone.*

Here is an extract from the register at Tamworth:

"1606. Sep. 5. was buried in a ditche William Tomlinson, papist."

"1613. Aug. 13. was interred by night Thomas Orton of Ami'gton, recusant."

"1614. Mar. 7. The same night before was interred Ellen Aucott, recusant."

"1624. Mar. 20. was interred Robert Freman, a recusant."

"1644. Mar. 24. Cast into the ground, the body of Ellen wife of Richard Ensor, a popeling."

* *Hardwicke Papers*, vol. I, 446.

A graphic picture of the times is preserved in a letter of Father Edward Coffin, dated May 28, 1611. "The king meditates the extermination of all the Catholics," he writes; "the prisons are everywhere crammed; the Catholics hide themselves in caves and holes of the earth, and others fly before the face of the persecutors abroad. An infinite number of pursuivants riotously passes through every county of England, and it is incredible to tell how they harass and afflict the most innocent men; for, entering the houses, they carry off everything—beds, tables, covers, clothes, chests, trunks, and especially money. If they find the master of the house they thrust the infamous oath of supremacy or allegiance upon him, and if he refuses to take it they hurry him off to the nearest gaol, there, in poverty and chains, in darkness and squalor, in hunger and nakedness, to end his days. The times

of Elizabeth, although most cruel, were mild and happy, in comparison with these of James." *

Challoner gives the names of nineteen priests and six laymen who suffered the extreme penalty of the law during this reign, and sixty priests who were banished.

It may be mentioned that the year 1609 in this reign was remarkable for being the first since 1580 in which no Catholic blood was shed for religion. The next year (1610) saw the death of the last surviving monk of Westminster Abbey, Sigebert Buckley. He was in his ninety-third year, and had suffered forty years' imprisonment for the faith.†

* Taunton's *History of the Jesuits*, p. 360.

† See Flanagan's *History*, vol. II, p. 302.

CHAPTER VII

Charles I (1625-1649)

CHARLES I, who came to the throne in 1625, was married to a Catholic princess. Personally, therefore, he was inclined to lighten the burdens under which his Catholic subjects groaned. But in this reign there were two opposite parties that had to be reckoned with.

On the one hand there were the high churchmen headed by Archbishop Laud, whose rallying cry was "Church and King"; and who considered that the royal supremacy and the English Church must stand or fall together.

On the other side were the Puritans, a body of men who took their standard of doctrine and practice from Knox and Calvin. These men were furious against

forms and ceremonies of every kind, and thirsted for the extinction of the high church party almost as keenly as for that of the Papists. Differing as these two parties did from one another, the Catholics were obnoxious to both.

It was not long before a remonstrance came from the Parliament complaining to the king of the growth of popery and of the many pardons which had been granted to priests and recusants. It is on record that the number pardoned during the first sixteen years of King Charles's reign, in twenty-nine counties alone, amounted to no fewer than 11,970 recusants who had been previously convicted.*

Amongst those who were taken at York, and suffered as traitors in this reign may be mentioned old Mr Lockwood, of a good Yorkshire family. He had re-

* Hallam's *Constitutional History*, vol. II, p. 59.

linquished his succession to his father's estates, and resigned the comfort of the position of a country gentleman, in order that he might serve God as a Roman Catholic priest, braving the many risks and dangers of that sacred calling. More than once cast into prison for exercising the duties of his mission, he nevertheless had attained the advanced age of eighty-seven before he was finally captured and sent to his death. He was at work in his little garden when the priest-catchers rushed upon him. They set him on horseback, but through age and weakness he was unable to ride. They then laid him across the horse, and in that position, after many a halt, and many a fit of sickness and fainting away, the aged priest was conveyed to York amidst the indignation of the citizens as they saw the venerable man's white hair draggling about the stirrup, and his legs hanging down on the other side of the saddle.

He was hanged, drawn and quartered in 1642.

Challoner gives a list of thirty-eight priests and several lay gentlemen who suffered in this way between the years 1635 and 1649. But whenever Charles signed the death warrants of any priests, he did so, not from cruelty, but from his want of firmness in resisting the demands of his Puritan Parliament.

After the King's barbarous and unjust execution, when the Puritan faction gained the complete mastery, the persecution of Catholics was pursued with renewed vigour. Indeed the putting down of popery, as well as the purging of the English Church from superstition and corruption, was ever held out by the Rump Parliament as its grand and chiefest object. Under the false assertion that the war between the Roundheads and the Royalists was caused by the Papists, they quickened the prejudices and inflamed the

passions of their followers against the unfortunate Catholics.

In the year 1643 sequestrators or commissioners were appointed to make search for Catholic clergymen; and rewards were offered for their apprehension.

While not appearing to delight unnecessarily in bloodshed, the Puritans occasionally gratified the zealots with the spectacle of an execution. The priests who suffered death under the Commonwealth averaged, as a rule, three in each year—a comparatively small number.

It was the *property* of the lay-Catholics which the Puritans most desired; pretending that as the war—so they alleged—had been caused by Papists, it was fair and just that the expenses of the war should be defrayed by their forfeitures.

Accordingly it was ordained that two-thirds of the whole estate, both real and personal, of every Papist should be seized

and sold for the benefit of the Commonwealth.

By the name of Papist was understood any person who, during the previous twelve months, had harboured any priest, or had been convicted of recusancy, or had attended Mass, or had suffered their children to be educated in the Catholic worship, or had refused to take the oath of abjuration, which had been recently devised for renouncing specifically all the distinguishing tenets of the Catholic religion.*

And for the more speedy and effectual seizure of the estates of "Papists" and "malignants," the commissioners or sequestrators were armed with power to break open all locks, bolts, bars, doors, where moneys or goods were suspected to be concealed, and seize the same in their possession.

* See Dr Lingard's *History*, vol. VIII, p. 72.

Armed with such powers, and backed by full legal authority, the commissioners eagerly set about their work, and seized, sold or let whatever estates of Catholics they could discover.

Puritans were a hungry crew, and in a few years they had plundered the papists to their bare walls, "taking away not only all the instruments of their religion, but money, plate, watches and other such popish idols—especially if they were found in the same room with any pictures, and so infected with a relative superstition." *

In the year 1650 the annual rents of Catholics seized by the sequestrators were returned at £62,048 17s. 3d., and thirteen counties were not included in this return.† And in proof of the unrelenting manner

* See *Christian Moderator*, by Mr Austin, part I, p. 9, quoted by Challoner.

† See Lingard, vol. VIII, chap. V, p. 396.

in which they went to work, may be mentioned the instance of a Catholic servant-maid who, after being in service for seventeen years, had saved £20. The sequestrators, hearing of this, took two-thirds, £13 6s. 8d., for the use of the Commonwealth, leaving her the remainder, £6 13s. 4d.*

Such were the interested motives and actions of the men who gloried in their zeal against popery, and who professed themselves the champions of religious liberty.

The "liberty," however, was to be all on their own side. They repealed the statutes which imposed penalties on Nonconformists for absence from church; but they passed a new law in 1655, depriving Catholics of even the little shadow of civil liberty which remained to them, for it enacted that "persons professing the Roman

* Lingard, vol. VIII, chap. v, p. 397.

Catholic religion shall be disabled for ever to be elected or to give any vote in the election of any member to serve in parliament."

Under the Commonwealth, even members of the Established Church found no toleration. The clergy were called "malignants," and were ejected from their benefices; but it was the Catholics—named "recusants"—who were pre-eminently the victims of the bitterest hatred and intolerance.

CHAPTER VIII

Charles II (1660-1685)

WHEN in 1651 Charles II was unsuccessfully fighting for his father's crown at Worcester, he was staunchly supported by Catholics.

The story of his flight from the battlefield and his concealment in the houses of Catholic families in Staffordshire is full of interest. A ride of five-and-twenty miles under cover of the darkness, and under the guidance of Charles Gifford, a cavalier, and his servant Yates, brought him to a place called Whiteladies, not far distant from Boscobel. Here in the early morning the king disguised himself as a woodman; and he had scarcely resumed his journey when a troop of Parliament horse arrived at Whiteladies in search of him.

Four brothers of the name of Penderell, together with Yates, Charles's guide from the field of Worcester, placed themselves at his service. They were men of tried fidelity, true to the principles of loyalty and Catholicism, and had long been successfully employed in screening priests and cavaliers from the searches of civil magistrates and Puritan officers. After hiding a whole day in the thickest parts of a neighbouring wood, they found their way in the evening to a place called Madeley, where they obtained shelter in the house of a Mr Wolf, a Catholic recusant. On the second night they went to Boscobel, where they were rejoined by Colonel Careless, who had aided Charles in his escape from Worcester. By his persuasion the king was prevailed on to pass the next day with him amidst the branches of a large and lofty oak. Here, hidden from view by the leafy boughs, they caught occasional glimpses of the soldiers who

were in quest of them. The night was spent in Boscobel House; and on the following evening they set out for the house of Mr Whitgreave, a recusant, at Moseley. Under the hospitable roof of this Catholic gentleman, whose chaplain was the Rev. Father Huddleston, the king recovered his spirits, and a plan of escape was drawn up.

The daughter of Colonel Lane of Bentley, also a recusant, had obtained a pass from the governor of Stafford to go to visit a relative near Bristol. It was decided that Charles should assume the character of her servant. He departed on horseback disguised in the travelling cloak of Father Huddleston, with his supposed mistress mounted on a pillion behind him, and they succeeded in reaching their destination without interruption or danger; and from Bristol, shortly afterwards, the king embarked for France. During the stay at Moseley a company of troopers one

day surrounded the house. Charles was immediately hurried off by Father Huddleston into the priest's hiding-place; and the soldiers, after some parleying with Mr Whitgreave, rode away without making further search. Thus it was that to the devotedness of the Huddlestons, the Giffords, the Whitgreaves, the Penderells and other Staffordshire recusants, Charles owed his life.

Notwithstanding all this, on his restoration there came no relief for his Catholic subjects. The moment that the king shewed any inclination to relax the severity of the existing laws, both Houses of Parliament became clamorous for their enforcement. A royal proclamation was accordingly issued by the weak and ungrateful king, ordering all Catholic priests to quit the kingdom under pain of death.

In the year 1664 a law was passed entitled the *Conventicle Act*, which made

all meetings of more than five individuals besides those of the family unlawful assemblies. For the third offence against this act the penalty was a fine of £100, or transportation for seven years.

In 1673 was enacted the *Corporation* or *Test Act.* This obliged all persons holding any office, whether civil, military or naval, to take the oaths of allegiance and supremacy at the next quarter sessions, and to receive the sacrament according to the rites of the Church of England on some Sunday after their appointment. Any one refusing or neglecting to fulfil these conditions, was to be fined £500 and disqualified from holding office. What a horrible desecration does this seem! A sacred ordinance degraded into a test and qualification for secular appointment, and men driven to holy Communion, not out of devotion, not after penitential preparation, but in order to qualify for some worldly gain! The bill

further enjoined not only that the oaths should be taken and the sacrament received, but that a declaration against transubstantiation and the invocation of saints should also be subscribed by all persons holding state appointments.

In the year 1678 Titus Oates, a man of notorious character, came forward and swore to the existence of a popish conspiracy, compared with which even the Gunpowder Plot would pale. The Jesuits, he said, were everywhere at work; they were in every variety of disguise, and were on the eve of setting fire to the shipping on the Thames, of burning the Houses of Parliament, and shooting the king, in order to place upon the throne a person nominated by the pope. By these dreadful perjuries, Oates and his wicked associates swore away the lives of numbers of innocent persons. The passions of the populace taught to believe everything evil of Catholics, were stirred up to

frenzy. Just at the moment when the popular delirium was at its height, Charles met his Parliament after the prorogation. A proclamation was extorted from him that all Catholics should at once quit London. A bill also was brought in for the exclusion of all Catholics both from Parliament and from the presence of the sovereign. It was also enacted that all armour or ammunition that any popish recusant should have in his house should be taken from him by warrant of four justices; also that any popish books or relics, beads or pictures, should be seized and defaced at the Quarter Sessions of the county.

Meanwhile, committees were appointed to pursue the pretended conspiracy through all its secret and numerous ramifications.

Multitudes of victims, both priests and laymen, were hurried off to prison and the scaffold. Between twenty and thirty were

put to death within a single year, the victims of Oates's perjury and imposture. Everywhere informers and pursuivants were clamouring at the doors and rifling houses, and during the rest of this reign priests and people suffered and were executed in a most barbarous manner.

Pre-eminent amongst such was the Venerable Father Nicholas Postgate. Born at the end of the sixteenth century in the parish of Egton near Whitby, of Catholic parents, Nicholas Postgate after completing his studies at Douay was ordained priest; and returning to his native village in Yorkshire in the year 1630, he there ministered the consolations of religion to the faithful villagers. Nature has spread her beauties with a lavish hand at Egton Bridge. The river Esk, which bounds along beneath, winding in and out and filling the air with its gurgling music, makes it the merry home of the salmon and the trout. It is not, however,

for its natural beauties that Egton Bridge is chiefly famous. It has a supernatural beauty which cannot fail to bring home to the hearts of devout visitors the power of the faith, nor to attract towards the peace of the Church those who are seeking rest from the weariness of the world and the strife of tongues.

There is ample proof that the Catholic faith was never uprooted from this picturesque village of Egton bridge. Amongst the sturdy and faithful Yorkshiremen of that happy valley, the so-called Reformation never established itself. Egton Bridge affords an object lesson of the historical continuity of belief. A few yards away from the station of the North Eastern Railway, the noble church of St Hedda stands out as the most prominent feature of the valley of the Esk, and as a silent witness to the faith which has defied persecution. The inhabitants suffered much however during the penal times. They

were ministered to during that period by a succession of missionary priests who kept the faith alive. A complete list of their names has been preserved from the time of Father Postgate in 1677 until now.

This holy martyr for close upon fifty years laboured quietly in this his native villiage and neighbourhood, converting hundreds by word and example, contentedly dwelling in poverty-stricken huts on Egton Moor. The cottage is still standing, in one of whose rooms Father Postgate and his successors were accustomed to celebrate mass.

The success of his labours in gaining souls for Christ encouraged his followers to persevere in the great work which he had begun; and the people of that favoured district have tenaciously held to the faith which too many of their countrymen in other parts shamefully betrayed.

After nearly fifty years of labour for souls, Father Postgate was apprehended by a priest-catcher named Reeves at a spot called Little Beck near Whitby, and committed to York gaol. The witness deposed at the trial that he had seen him baptize a child and exercise priestly functions. He was found guilty and condemned for high treason on August 7, 1679, in the eighty-third year of his age. He was hanged, drawn and quartered. At the gallows he spoke but little. The substance of his words was, "I die in the Catholic religion, out of which is no salvation. Mr Sheriff, you know that I die not for the plot (the invention of Titus Oates), but for my religion. I pray God to bless the King and the Royal Family, and to give him His grace and the light of truth."

The wretched man who apprehended him never received the £100 reward that he looked for. After suffering remorse for

his action, he was found drowned in a small stream near Little Beck; and to this day the place in which he was drowned is called the *Devil's Hole.*

Thomas Ward, who lived in that neighbourhood at the time and knew the martyr, thus wrote of him in his second canto:

"Nor spared they Father Postgate's blood,
A reverend priest, devout and good,
Whose spotless life in length was spun
To eighty years, and three times one.
Sweet his behaviour, grave his speech,
He did by good example teach.
His sanctity to that degree,
As angels lived, so did he."

It is a pious opinion that the conversion of St Paul was the result of St Stephen's prayer for his murderers. Perhaps, in like manner, the prayer of the venerable martyr Nicholas Postgate for the king effected what took place when Charles II

was on his deathbed. He was received into the Catholic Church by Father Huddleston, the same who years before had helped to conceal him in Mr Whitgreave's house at Moseley. He was ushered into the royal presence by the Duke of York the King's brother, with these remarkable words: "Sir, this worthy man once saved your life; he now comes to save your soul."

CHAPTER IX

James II (1685–1688)

When in 1685 James II succeeded his brother Charles, one hundred and twenty years of more or less suffering and oppression for Catholics had passed away. All that human power and craft could do had been done to annihilate Catholicism, or at least to crush its professors into the lowest depth of poverty, contempt and misery. On the accession of James there was a brief respite. James was a Catholic when he came to the throne; and now, with less prudence than zeal, he began to do what he could to alleviate the lot of his Catholic subjects. No penal laws were passed during his short reign; but the ruling powers had become Protestant to the last degree. Within three years

they forced the King to quit the country; and in their hatred of Catholicism, solemnly setting aside their lawful sovereign, chose the usurper William of Orange to reign in his stead.

This betrayal of their faith by Englishmen who little more than a century earlier had been Catholic almost to a man, is melancholy reading. The many causes for this change have been well summed up by Dr Oliver.* He says: "The bloody laws enacted against the very profession of the religion of their forefathers, and . . . . strictly enforced against individuals of influence or property . . . . the intermarriage of Catholics and Protestants under such circumstances . . . . and last, not least, the doctrines of the Reformation, so very accommodating to the feelings of flesh and blood and so flattering to the pride of the human heart—all these

* Collections, Cap. I, p. 1.

causes and motives concurred to terrify some, and decoy others into the gradual indifference and abandonment of their religious principles."

On the other hand it is worthy of remark that the Irish people never became Protestant. They clung to their faith with an unconquerable fidelity, notwithstanding that the penal laws were more severe in Ireland than in England, and vigorously enforced. We English Catholics may justly envy their heroic endurance and undying faith, which shall surely merit an eternal and exceeding great reward.

CHAPTER X

William of Orange (1688-1701)

WILLIAM, the Dutch invader, landed in Torbay, November 5, 1688. He had been brought up in the narrowest of the reformed principles according to the school of Calvin and Knox.

Seven of the Anglican bishops, including Dr Sancroft, archbishop of Canterbury, and Dr Ken, bishop of Bath and Wells, refused to take the oath of allegiance to him. They were called *non-jurors* in consequence of this refusal, and deprived of their Sees. The Dutchman king, we may be sure, did not like the bishops or the prayer-book of the Church of England much better than he liked the Catholics. He desired to break down as much as possible the division between the

Church of England and the dissenters. But he was keen enough to see that the Protestant Establishment was a national concern, and that, as long as he was its supreme head, he could mould and fashion it much as he pleased.

At his coronation he took an oath "to the utmost of his power to maintain . . . . the true Protestant profession of the Gospel and the Protestant Reformed Religion established by law." And he kept his word. One of his first acts was to accomplish the repeal of the laws affecting dissenters; and by the enactment of the *Toleration Act* to rescue them from various penalties.

Catholics by no means shared these favours. On the contrary, they were again ordered to remove ten miles from Westminster, and had to endure fresh inflictions of the penal code. They were also mulcted in a double land tax.

Exposed though the houses of the

Catholics always were to attack, they were now forbidden to possess either arms or ammunition; nor were they allowed even to possess a horse of more than £5 in value. Any Protestant might stop a Catholic on the road, and compel him to accept that amount for the animal on which he rode, however valuable it might be.

By the so-called *Bill of Rights* passed in the first year of William's reign, viz., 1689, it was enacted that Papists and persons marrying Papists, should for ever be shut out from the throne of England, and the crown should pass to the next Protestant heir. The Declaration against transubstantiation and the invocation of saints, imposed in the reign of Charles II on all taking any office in the state, was now required to be made by the monarch. The bill further decreed that all sergeants and counsellors-at-law, barristers, advocates, attorneys, solicitors, proctors or

clerks, practising in the courts without having taken the oaths of allegiance and supremacy should suffer the penalties of *præmunire*. Lieutenants of English counties were empowered to quarter on the estates of Catholics such horse and foot-soldiers as they might choose to appoint.

In the eleventh and twelfth years of this reign, "for the further remedy against the growth of popery, over and above the laws already made," the penalty of imprisonment for life was imposed upon any popish bishop, priest or Jesuit saying Mass or exercising any other part of a popish bishop's or priest's office within these realms, "unless he be an alien."

In the same year it was also enacted that any Papist who should keep school, or assume the education, government or boarding of youth, should be sentenced to perpetual imprisonment. And it was further provided that no person educated in the popish religion should inherit land or

property unless they first take the oaths of allegiance and supremacy and sign the Declaration; until these oaths should be taken, the next of kin, being a Protestant, should have and enjoy the said lands. Also, after April 10, 1700, every Papist should be disabled from purchasing any lands, tenements or hereditaments.

The Penal Laws during this reign left to Catholic parents nothing to bequeath to their children but personal property; and this mostly melted away in fines for recusancy. They rent asunder the bonds of affection between children and parents, and sowed distrust and discord in every Catholic household; for the son of every Catholic parent was enabled by law, on turning Protestant and giving the information, to dispossess his father and succeed to his estate. Such was the condition of Catholics under the usurper William of Orange, the so-called champion of "civil and religious liberty."

CHAPTER XI

Queen Anne (1701-1714)

UNDER Queen Anne, who reigned from 1701 to 1714, Catholics obtained no relief. The Penal Laws were still enforced; and two more disqualifying measures were added to the statute book. By the first no Catholic was to be allowed to purchase land in Ireland; by the second the authorities in Scotland were empowered to punish Jesuits and other "trafficking Papists."

CHAPTER XII

George I (1714-1727)

QUEEN Anne was succeeded in the year 1714 by the Elector of Hanover, George I. The lawful heir to the throne was of course the son of James II, called the Pretender. Many of the Catholics were favourable to this claim, and were tenaciously loyal to the Jacobite cause. The knowledge of this fact afforded Walpole, who was a member of the ministry under George I, a pretext for levying a tax of £100,000 upon the estates of the already impoverished Catholics.

To penalize men not proved to be guilty, however unpopular those people might be, was beginning to be a less easy task than it had been. The outrageous falsehoods and pretended discoveries, for

which Titus Oates had been convicted and punished as a perjurer, had produced in people's minds some signs of reaction. Many persons began to suspect that other charges against Catholics might be equally without foundation.

When, therefore, Walpole proposed the new levy of £100,000 in addition to the double land tax with which Catholics were already burdened, some remonstrance—feeble indeed, and heard for the first time—was made in favour of those whom hitherto all classes had united in persecuting. This remonstrance was overcome by Walpole; but the fact of any remonstrance having been made at all, as well as of the cessation of martyrdoms and tortures, marked the dawn of a new era in this reign.

CHAPTER XIII

George II (1727-1760)

UNDER George II, who succeeded to his father's throne in 1727, further progress was observable. Hazardous though the attempt was, some of the Catholics began to take courage, and to seek in small schools in this country for that religious education which up to those days had only been attainable in continental seminaries.

One of the earliest of these institutions, under the form at first of a proprietary school, sprang into existence at Sedgley Park in Staffordshire. This was towards the end of George II's reign; Dr Challoner was patron and promoter of it. His literary works, especially his book of "Meditations" and his "Memoirs of

Missionary Priests," are to be found in almost every Catholic library. One of his first students at Sedgley Park was the famous Dr Milner, afterwards a learned and celebrated writer on controversy. Thus, the first attempt to restore Catholic education in England may be dated from the reign of George II.

CHAPTER XIV

George III (1760-1820)

GEORGE III came to the throne in 1760. Personally he was of a kind and gentle nature; nevertheless the earlier portion of his reign was disgraced by many persecutions of Catholics. No one indeed who was not alive in those days can imagine the sufferings and humiliations under which they laboured; nor can any one picture to himself the harsh and contemptuous treatment to which they were subjected previous to the passing of the first Relief Act in 1778.

A story is told of a young Catholic country-gentleman, who had been educated in France, and had been received at the court of Louis XVI and mixed with the best French Society. He came to

England about this time little realizing the social proscription or the penal legislation that so practically affected the lives of his coreligionists in his own country. The first time he attended Quarter Sessions as a country gentleman, he was startled to hear the officer announce that he had "made diligent search for Papists." At a dinner party the lord lieutenant of the county, a bigoted Protestant, had nearly left the company on finding a Papist amongst the guests, and the host in a low voice apologized for his presence at table.

The iniquitous law of William III forbidding any Catholic to possess a horse of more than £5 in value was still in force. On a certain occasion in the hunting field, after a quarrel, a man was base enough to remind a Catholic gentleman that the splendid animal on which he rode was only his on sufferance, as the law still obliged any Catholic to give up his horse to any one who offered £5 in exchange.

And it ended in the man insisting on proving his rights, and, to the great disgust of the hunting field, taking away the horse. The grandfather of the late Lord Arundell of Wardour had four valuable horses taken out of his carriage by a Protestant who offered £5 for each of them. An Irish gentleman about this time, on being offered £5 for each of his carriage horses, went up to them as they were being harnessed and shot them all.

So lately as the year 1782 two very poor Catholic labourers and their wives were summoned before the justices for the peace, in the county of York, and fined each a shilling for not repairing to church. The constable raised the money by distraining in the house of one of the parties an oak table and plate-shelf; in the house of the other, some pewter dishes, table and armchair. Such was the law and the state of things in the beginning of the reign of George III.

But the heaviest burden under which Catholics groaned was the law of William III, which awarded £100 to every successful informer.

In the year 1765 an illiterate man of the name of Payne, ambitious for the informer's reward of £100, commenced a series of vexatious prosecutions of some of the leading Catholics, including Dr Challoner and his coadjutor Dr Talbot. Dr Talbot was the great-uncle of the Earl of Shrewsbury, whose name is inseparably connected, within living memory, with the building of the beautiful Catholic churches at Cheadle and Alton Towers.

No doubt his collateral descendant was justly proud that, so recently as the year 1769, Bishop Talbot was the last ecclesiastic who was tried under the Penal Laws for exercising his priestly office and for saying Mass. He was acquitted solely for want of evidence.

The Lord Mayor of London, on being

applied to, refused to assist the informer Payne in these proceedings at the Old Bailey; and the Bishop of London did the same. Payne, however, having secured £100 reward, was not disposed to discontinue his exertions, and went on, redoubling his efforts to obtain convictions and reap further golden harvests. A single firm of lawyers in London were employed, it is said, in defending more than twenty priests under similar prosecutions at that period.

It was in great part the pertinacity and success of the informer Payne which inclined a less merciless public to desire the removal of the cause of the mischief by the abrogation of the Penal Laws of William III.

About this time, moreover, the Protestant relative of a wealthy Catholic lady commenced proceedings to enforce the infamous Act of William, which empowered the nearest Protestant relative to

seize the property of a Catholic. But Parliament now stepped in, and prevented the man from taking the mean advantage, and secured the lady in the possession of her land.

The turning-point came in 1778. In that year a motion was passed in Parliament entitled "An Act for relieving his Majesty's subjects professing the popish religion from certain penalties and disabilities, imposed on them by an Act made in the eleventh and twelfth years of King William III for the further preventing the growth of popery."

This Relief Act of 1778 (18 George III) relieved Catholics from some of the worst provisions of the legislature of William III. It repealed the sections relating to the apprehension, taking or prosecuting popish bishops, priests and Jesuits. It relieved both them and other Catholics from the punishment of perpetual imprisonment for keeping a school. It also

enabled Catholics to purchase and inherit land, and repealed the section allowing a Protestant heir to enter and enjoy the estate of his Catholic kinsmen. This primary measure of relief was brought forward in Parliament by Sir George Savile and passed with considerable approbation.

Inadequate though it was, it nevertheless became the occasion of the Gordon Riots. Old national prejudices were aroused. "There will be no safety," cried the agitators, "if the Catholics are free." Even John Wesley, it is to be regretted, hounded on by exhortations and writings the already excited populace. The storm quickly broke in what is known as the Gordon Riots.

Lord George Gordon was still a young man when he became leader of the anti-Catholic agitation—a strange and gloomy fanatic, an apostle of violence and savage intolerance. He issued a proclamation

calling upon men to unite against Catholicism, and proceed with him to the House of Commons and deliver a petition against the Catholic Relief Bill.

More than 60,000 persons assembled in St George's Fields on the appointed day—on the very spot where a Roman Catholic cathedral was afterwards built. The procession started to march six abreast to Westminster. That which fanaticism inspired, rowdyism was ready to profit by. For three days riot ruled in London. The Catholic chapels belonging to foreign ambassadors were attacked, plundered and set fire to, and the mob, decked in the spoils of Catholic ceremonial, carried terror before them. In all directions the evening sky was red with the flames of burning buildings; and bands of ruffians, maddened with drink, carried destruction and terror wherever they went.

Perhaps the most daring deed that the

insurgents committed was to set fire to Newgate Prison and release the prisoners. No less than two—happily unsuccessful—attacks were made upon the Bank of England. Nor were the riots at an end until stamped out by repeated bayonet charges by the military, and some three hundred of the mob slain.

Lord George Gordon was arrested, and committed a few years later to Newgate, by curious chance, on the anniversary of the day on which it had been burned by his followers. In Newgate he passed the rest of his days, abjuring Christianity; and in Newgate, a fanatic and renegade, he died of jail distemper in the forty-second year of his age.

A further Relief Act was enacted in 1791 (31st George III). Catholics were no longer to be called upon to take the oath of supremacy, nor to be removed from the city of London. The legislation of George I, requiring them to register

their estates and wills, was repealed absolutely. Lastly, the professions of counsellor-at-law, barrister, attorney, solicitor and notary, which had been closed to Catholics in the seventh and eighth years of William III, were again opened to them under certain restrictions; and Catholic peers were once more allowed to appear at court. The religious worship and schools of Catholics were tolerated; and the double land-tax imposed by William and Mary ceased to be exacted.

In Scotland, owing to the bigotry and narrow intolerance of the Presbyterians, the Catholic religion was still proscribed, and every effort made to stamp it out. Even to this day the hatred of Catholic dogma is much stronger in Scotland than it ever was in England. In England the Protestant Episcopate, claiming to have descended from the ancient hierarchy, had kept up the old form of Church govern-

ment, saving only the supremacy of the pope. The English continued to acknowledge the authority of bishops and priests, objecting only to Catholic bishops and Catholic priests; while the Scotch abolished all episcopal and sacerdotal authority whatever. So completely was the work of destruction done north of the Tweed that even the great Christian festivals of Christmas, Easter and Pentecost were abolished.

In 1792 there was only one small Catholic chapel in the city of Glasgow, and that was a small room into which the few Catholics stealthily entered on a Sunday morning. Until the Relief Act was extended to Scotland in 1793, this room was the only place in which Mass was said in Glasgow. When the writer recently paid a visit to that city, so far from finding only one small chapel, as was the case a century before, he was told by a Catholic resident there, "we

have thirty-seven churches, and many priests."*

At the end of the eighteenth century, the violence of the French Revolution compelled many of the French clergy to take refuge in this country. Their number soon amounted to no fewer than 8,000; and nearly all were cast penniless on the shores of England. Nor has our beloved country ever presented a more noble spectacle than on that occasion. Rising superior to its old prejudices it received them all, in their misfortunes, with open arms.

A thousand of the *émigrés* were given shelter in the king's house at Winchester, and the voluntary subscriptions that poured in being still insufficient, a large sum was annually voted by Government

* According to the *Catholic Directory* there are thirty-four churches and chapels and 113 priests.

in aid of them for many years. Perhaps it was from the conversation and example of these clerical refugees that the seed of Catholic doctrine and Catholic life began to be scattered broadcast in England. Certain it is that the Regius Professor of Divinity at Oxford, afterwards bishop of that see, had spent a portion of his early life in the company of these French ecclesiastics. A course of lectures on the Prayer Book, given by him at the university, directed the attention of the students to the study of the Missal and Breviary used by the Catholic clergy as the source whence the Prayer Book had been compiled.

A few years later saw the beginning of the "Oxford Movement" and the appearance of "Tracts for the Times." Here was a movement, quite different from any that had gone before since the Reformation—a movement which has brought hundreds of the Anglican clergy

and laity to take refuge in the Catholic fold, and has caused Catholic doctrines and practices to be taught and believed all through the country, even by those who have not seen their way to leave the Established Church.

CHAPTER XV

Conclusion

THE passing of the Catholic Emancipation Act in 1829 (being the tenth year of the reign of George IV), practically opened public life to Catholics. They could now sit in Parliament, vote at elections, and, with a few exceptions, fill all the offices of state. Above all they could worship in peace, being no longer liable to molestation, nor to the administration of obnoxious oaths. Some restrictions, it is true, were retained, but many of these disappeared during the enlightened and beneficent reign of Queen Victoria.

Under her the worst features of the penal code ceased to disgrace the Statute Book, and under the Christian policy of statesmen like Mr Gladstone, almost all

remaining disabilities and vexatious restrictions were quietly removed.

It is unnecessary to do more than allude to the Ecclesiastical Titles Act, which contained stringent provisions against the assumption by Catholics of ecclesiastical titles in this country. Passed in order to allay a Protestant panic at the restoration of the hierarchy in 1850, its provisions remained a dead letter until it was repealed during Mr Gladstone's first ministry in 1871.

Only a few disabilities remain to the present day, to one of which the following is a reference. The *Daily Telegraph* of November 18, 1901, in reviewing a "Life of the late Lord Russell of Killowen," has these remarks: "He rose to be the Lord Chief Justice of England; that he did not attain the Woolsack was due entirely to the law which excludes Catholics from that office. Early in 1895 Mr Gladstone wrote to him, 'I have never got over my

wrath at the failure of our effort to repeal the unjust and now ridiculous law which kept the highest office of your profession out of your reach.'"

Nor is it without significance that whilst these pages are passing through the press, magisterial proceedings are being taken by the secretary of the Protestant Alliance against three priests of the Society of Jesus under certain sections of the Catholic Emancipation Act itself.

Section 28 of that Act requires every Jesuit or member of a religious order to sign, and deliver to the clerk of the peace of the county, a notice containing particulars as to his name, age, place of birth and residence. And any Jesuit or member of a religious order failing to do this is liable to forfeit and pay to the king £50 for each calendar month he has remained in the United Kingdom without delivering the notice.

Section 29 of that Act declares that

Jesuits and others coming into the realm are to be banished; and section 33 makes it a criminal offence to admit any person to become a member of the Jesuit order, or to aid and consent thereto, within any part of the United Kingdom.

Section 34 says that any person who is admitted or becomes a Jesuit is guilty of a misdemeanour, and must be banished for the term of his natural life. Such is still the law in 1902!

In conclusion, enough has been said to supply food for thought to the reader, whether he be a Catholic or an Anglican; enough also to suggest to him, if he be neither the one nor the other, that a more diligent and impartial study into the history of the past three hundred years will reveal to him quite a different England since the Reformation days from what he had formerly imagined it to be.

Many have been brought up from childhood to believe that the Reformation

was a noble and glorious event: the spontaneous uprising of a people oppressed with Roman bondage, and rejoicing in their escape from the slavery of darkness and superstition. They have imagined that Protestantism was thankfully embraced by the whole English people as the pure religion of the Gospel, and that the civil and religious liberty which they now enjoy is the result and outgrowth of the so-called "glorious Reformation." It is just and fair that people who have been so taught, and who so believe, should study for themselves and read such facts as have been touched upon in these pages, and then draw their own conclusions.

And there is another consideration besides. These pages have recounted a number of Penal Laws—many of them most severe in their cruelty, all of them vexatious and harassing. They were passed by the Parliament of this country,

and were put into execution by the civil magistrates and courts of justice, chiefly with the object of crushing out the Catholic religion in England. But have they done so? On the contrary, is it not true that the Catholic faith is gaining ground every day, not only amongst the poor and ignorant but also with the very flower of England's intelligence and goodness?

If the Catholic Church really were what many who do not know her take her to be—a compound mixture of error, crime and idolatry—how is it to be accounted for that she has survived three centuries of persecution such as these pages have indicated? Could any mere human religion have endured? How is the phenomenon to be explained? For its solution we must go back in memory to what once took place on the coasts of Cæsarea Philippi, and there listen to a question asked and an answer given—given by One who had all power in heaven and on

earth; and His words were: "I say unto thee, thou art Peter, and upon this rock I will build My Church; and the gates of hell shall never prevail against it" (St Matthew xvi, 18).

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ART AND BOOK COMPANY, PRINTERS, LEAMINGTON.