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THE DAWN OF THE CATHOLIC REVIVAL

IN ENGLAND, 1781-1803

UNIFORM WITH THESE VOLUMES.

THE LIFE AND TIMES OF BISHOP CHALLONER

(1691-1781).

BY

EDWIN H. BURTON, D.D., F.R.HIST.S.,

VICE-PRESIDENT OF ST. EDMUND'S COLLEGE.

IN TWO VOLUMES.

(*In the Press.*)

Emery Walker

Right Rev. Charles Walmesley
Bishop of Rama
Vicar Apostolic of the Western District 1764 - 1797
From a painting at Lulworth Castle

THE DAWN OF THE CATHOLIC REVIVAL IN ENGLAND

1781-1803

BY

BERNARD WARD, F.R.Hist.S.

PRESIDENT OF ST. EDMUND'S COLLEGE

IN TWO VOLUMES

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TO

THE MEMBERS, PAST AND PRESENT, OF OUR OLD ENGLISH CATHOLIC FAMILIES,

WHOSE CONSTANCY IN PENAL TIMES MADE A CATHOLIC REVIVAL POSSIBLE,

WHOSE LIVES WERE CONSPICUOUS FOR THEIR SINGLE-MINDED UNWORLDLINESS,

THEIR ZEAL FOR RELIGION, THEIR UNBOUNDED CHARITY,

WHOSE LOYAL REVERENCE FOR THEIR CLERGY AND BISHOPS SURVIVED THE HEAT AND TURMOIL OF AN ANXIOUS CRISIS

THIS BOOK, AS A SLENDER TRIBUTE FROM ONE WHO HAS MADE CLOSE STUDY OF THEIR LIVES,

IS RESPECTFULLY DEDICATED.

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PREFACE.

In Newman's sermon on "the Second Spring" there is a well-known passage in which he depicts what he conceives would have been Bishop Milner's emotions had he seen in vision the solemn inauguration of the first Synod of the restored Hierarchy held in the year 1852. A similar contrast is alluded to by Charles Butler, the celebrated lawyer, who was Milner's contemporary, between the time when he was writing and the days of his youth, half a century earlier. In the *Catholic Spectator* for 1824 he says,[1] "the writer can in his turn affirm to the youth of the present day that they can form no idea of the state of depression of the English Catholics at the time of the accession of George III., and during the ten years which followed it". Milner did not, indeed, live even to see Catholic Emancipation, but during his episcopate Mass was openly celebrated, Catholic "chapels" had been set up in many of the chief towns, Catholic schools and colleges had been established in England, and communities of monks and nuns were wearing the habits of their respective orders, and keeping their rule in its entirety: the very idea of which fifty years before would have appeared an idle dream.

During the past year we, in our turn, have witnessed in London a Catholic celebration on a scale as much beyond that of the functions of the Oscott Synod as these were beyond that of the unpretending ceremonies of Milner's time; or again as those were beyond the Masses privately celebrated in rooms and garrets during

[1] P. 315.

the later days of the Penal Laws. At the High Mass in the Westminster Cathedral, in place of the Cardinal Archbishop and twelve Suffragans described by Newman, we saw seven Cardinals, one of them the Legate of the Holy Father himself, and not only the Bishops of the English province, but some seventy or eighty others from all parts alike of the old world and the new, a great proportion of them from the British Colonies, together with Abbots, Prelates and other dignitaries innumerable; and the whole was carried out in presence of a congregation that filled to overflowing a Cathedral the vastness of which must far exceed the most sanguine hopes which could have been in the mind of Cardinal Wiseman at Oscott.

There is, however, this essential difference between the Synod of Oscott and the recent Eucharistic Congress that the latter did not mark any special epoch in the history of the Catholic Church in England. The Congress came together as a matter of routine—for it meets somewhere every year—and when the Archbishop invited it to meet in London, the members assembled to hold their sessions and perform their religious ceremonies in London as in other years they performed them elsewhere. There is at the present time no unusual movement in the way of conversions to Catholicism in this country, nor anything to disturb the ordinary serenity of the religious atmosphere. This is therefore a time favourable for the calm discussion of our past history. And the unfortunate incident which marred the concluding ceremony of the Congress naturally directs our attention towards the history of the gradual abolition of the Penal Laws, of which the last surviving remnant was then called into operation. The present volumes are intended as a small contribution to such history, relating a period of undoubted importance, but one which has hitherto never received the full treatment which it deserves.

The selection of this precise period may perhaps call for a word of explanation. For this purpose it becomes necessary to premise a few particulars. The Vice-President of this College, the Rev. Edwin Burton, D.D., has for some time past been engaged in writing a life of Bishop Challoner. Such a work is a great *desideratum* for Catholic literature. The debt which we owe to the venerable Bishop can hardly be overestimated, and the existing biographies of him are wholly inadequate. When that work, already in the press, is published, it will give us a fairly complete picture of Catholic life in England in later penal times. Again, from the re-establishment of the Hierarchy in 1850, and indeed for some years before that, records are abundant. But it seems generally recognised that the times of the later Vicars Apostolic are shrouded in some obscurity. It was accordingly determined to begin the present work with the years which followed the death of Bishop Challoner in 1781, and to continue it if possible down to the time of the Hierarchy. It is much to be hoped that if this proves beyond the power of the present writer, some one else may be found to complete the undertaking. There remains all the later history leading up to Catholic Emancipation, including the whole of what is known as the "Veto Question," about which there is much that is new awaiting publication; and then the comparatively quiet period which preceded the sudden development of activity identified with the Oxford Movement, and the re-establishment of the Hierarchy.

But the period of nearly a quarter of a century dealt with in the present volumes may be considered the most important of all, for it was during this time that it may fairly be said that the tide turned; when the gradual shrinkage of the Catholic body which had been proceeding steadily for over two centuries ceased, and a future began to open out before the Catholics of England in a manner to which their forefathers had been strangers.

This period may therefore be appropriately called the Dawn of that Catholic Revival which has been proceeding ever since. The number and variety of influences at work, the abolition of the Penal Laws, the influx of the French Refugee Clergy, the return of our Colleges and Convents to English soil, and other influences as well, combine to fill it with instructive historical lessons. It has been endeavoured to present a history of the English Catholic body in general, together with a detailed account of their development in London and the home counties,—the old "London District," as it was called. For obvious reasons no attempt has been made to describe the Catholic missions throughout the country. In many cases this has been done by books published locally by the priests of the missions they concern: in at least one instance a whole county has been covered in a single book. The work of the Catholic Record Society has in many cases rendered valuable assistance towards research of this kind, and it is much to be hoped that histories of other missions or districts may continue to be written.

The dearth of modern books relating to the times of the Vicars Apostolic may be traced to various causes. One seems to have been that the enthusiasm which accompanied the restoration of the Hierarchy tended for a time to overshadow the work of the Vicars Apostolic in the past. The fact that this restoration took place soon after the reception of so many Oxford converts, caused the latter themselves to look upon it as the culmination of their hopes, and as it were the re-founding of the Church in England after a period of stagnation, or even of virtual death. Newman, in his sermon already alluded to, describes the Church of the Vicars Apostolic as "no longer the Catholic Church in the country, nay no longer, I may say, a Catholic community, but a few adherents of the Old Religion," and he speaks of the Oscott Synod as "the Resurrection of the Church".

Cardinal Manning always wrote and spoke in a similar sense. "After three hundred years," he writes, "not of suspended animation only, but of organic dissolution, the Church in England was once more knit together in the perfect symmetry of its Divine structure. At once, as if by a resurrection, all its vital operations resumed their activity."[1] Now, however, when the restoration of the Hierarchy is beginning to fade into the twilight of history, we have ceased to be so dazzled by its greatness, and are becoming qualified to estimate it in its due proportion. Very different, therefore, was the note sounded by the Bishop of Clifton in his sermon on the occasion of the re-interment of Cardinal Wiseman in the Cathedral of Westminster, when he depicted the latter's achievement as the legitimate development of the long labours of the Vicars Apostolic, and this is in reality a far more accurate estimate. Whether Wiseman be called Bishop of Melipotamus, or Vicar Apostolic of the London District, or Archbishop of Westminster, each of which titles he successively bore during his residence in London, is in reality hardly more than a technical detail; the fact that an Archbishop's "Faculties" are "ordinary," while those of a Vicar Apostolic are "delegated," is probably unknown except to theologians. The important matter was that the ecclesiastical organisation should keep pace with the needs of the Church in the rapid expansion which was taking place. The development of organisation had always been proceeding. The early Vicars Apostolic were the guests of the Catholic families, and their powers for governing the Church were limited. As time went on, the Penal Laws were allowed gradually to lapse, and eventually were repealed, and the Bishops began by degrees to take their normal position. They held meetings and informal synods for regulating the affairs of the mission, based on the new "Regula Missionis" drawn up by Benedict

[1] *Pastoral Office*, p. 224.

XIV. in 1753, and gradually they obtained a clergy whom they could call their own. There had been originally a single Vicar Apostolic for all England. In the reign of James II. the number was increased to two, and then to four; and in 1840 it was doubled again. The change in 1850 from eight Vicars Apostolic to thirteen Bishops with regular dioceses, and the holding of Canonical Synods in place of Bishops' meetings was a step forward in this general development—an important step indeed, but still only a step—and it came as a crowning achievement on long centuries of labour.

In our own day this is becoming generally recognised. The striking personalities of the Vicars Apostolic, and their steady and persevering work in difficult times are becoming better known and more appreciated. Writing so early as the year 1788 Milner remarks of the two centuries then elapsed: "The writer is bold to say that no Christian Kingdom could during the same period boast a list of prelates more worthy to succeed to the chairs of the Apostles than Bishops Smith, Bishop, Giffard, Petre and Challoner". We can now speak in a similar strain of those since that time—the saintly Bishop Talbot and his successor, Bishop Douglass, of whom the following pages testify; the later Vicars Apostolic, Bishops Poynter, Bramston, Griffiths and Walsh; and not least, we may mention Milner himself, who though never Bishop over the London District, nevertheless frequently visited the metropolis, and exerted influence on Catholic affairs, not only in his quality of Vicar Apostolic, but also more importantly, as the authorised agent of the Bishops of Ireland.

Returning now to the period before us, it may be conjectured that another reason why so little has been written on it was the reasonable apprehension of rekindling animosities which showed themselves so unfortunately in the disputes of that day between the Bishops and the laity. Charles Butler in his *Historical Memoirs*

of English Catholics avowedly passes over those years as lightly as may be, though he gives the story of them a colouring from his own point of view. Milner answered with his *Supplementary Memoirs*, which appeared in 1820; and he also wrote a book a quarter of a century earlier under the curious title of *Ecclesiastical Democracy Detected*, and many other smaller works and pamphlets bearing on those times. In all of these he uses no reticence, and much can be learnt from what he says. His writings, however, are really not history, but controversy, so that while magnifying the prominence of disputes unduly,[1] he gives only a one-sided idea of the times. However much that side may command our sympathy, the picture is necessarily left incomplete.

There are practically only two books written in later times dealing with this period—Husenbeth's *Life of Milner*, and Amherst's *History of Catholic Emancipation:* both are written from Milner's point of view. Husenbeth passes over these years in three chapters out of thirty-four. Father Amherst's account is more complete, and though limited to the political aspect of Catholic history, is nevertheless full of interest. But he does not seem to have had access to much in the nature of original sources: his matter is taken almost entirely from the printed books and pamphlets of the day. Hence he naturally falls into errors, sometimes in matters of importance, as will appear in the sequel. Now that the original sources are available in such abundance, it becomes possible to test the often opposite conclusions come to by Milner and Charles Butler, which Father Amherst in his preface[2] confesses that he often finds difficulty in doing; while sufficient time has passed away

[1] Writing in 1815, Dr. Poynter laments that Dr. Milner in his writings "unceasingly revives ancient and dormant disputes," and he goes so far as to say that the title "Protesting Catholic Dissenters" which was proposed in July, 1790, and rejected eight months later, "has scarcely existed anywhere since that date except in the writings of Dr. Milner" (*Apologetical Epistle*, §§ 45 and 46).

[2] P. ix.

to enable us to view the whole history dispassionately, and without party bias. In cases where controversy of this character is concerned, so far as possible the documents have been given in full, and left to speak for themselves—a course which seemed advisable, even at the expense of rendering some of the chapters somewhat heavy reading.

Some apology, or at least some explanation, must be offered for attempting so considerable a work in the midst of pressing occupations such as are inseparable from the position of President over a large College. A partial explanation is that the Bishop of Clifton was kind enough to urge me to undertake it. He had recently discovered, on his appointment to his See, that he was the possessor of an invaluable collection of letters, papers and other Archives, bound in twenty-nine large volumes, formerly the property of the Vicars of the "Western District," now that of the Bishops of Clifton; and he was most anxious that some use should be made of so unique a collection. In like manner also the Archbishop gave me every encouragement to use the Westminster Archives, which are of course those of the former "London District". These papers were arranged a good many years ago by the Fathers of the London Oratory; they are now kept at Archbishop's House. Though less homogeneous than the Clifton Archives, they are nevertheless a most valuable collection. Similar facilities were also afforded me by the Bishop of Hexham and Newcastle, President of Ushaw, and by the Bishop of Birmingham, who possess the Archives of the old Northern and Midland Districts respectively; by the Rector of Oscott; the Abbot of Downside; Canon Brown of Durham; and others as well.[1]

With so much material at hand, the greater part

[1] The Rector of Stonyhurst also expressed his willingness to help in this way; but of the many valuable papers and Archives in possession of that College, hardly any relate to the period treated in these volumes.

hitherto unpublished, it can only be left to the kind indulgence of the reader to overlook shortcomings, such as want of due arrangement or proportion, which must be the result of writing under pressure of daily work itself of a somewhat exacting character. And perhaps I may be forgiven if I further plead that there is hardly any place in the kingdom where such a work could be more appropriately written than at this College, the creation of which was one of the chief works of the later Vicars Apostolic, and within the precincts of which so many of them lie buried.[1]

It remains to offer my best thanks to those who have helped me in various ways. The owners of the chief collections of Archives have already been mentioned. Others have helped by allowing valuable family and other pictures to be copied for use in this work. The late Judge Stonor not only allowed the picture of his grandfather, Mr. Charles Butler, as a boy at Douay, to be reproduced, but also was kind enough only a few months before his death to give me many personal details about his grandfather, in whose house he was brought up till the age of fourteen. Personal traditions of Milner still exist in the Benedictine community at Oulton, formerly at Caverswall Castle. This was his favourite retreat in his later years when he sought rest from the turmoil of public affairs: it used to be said that to see Milner unbend, one should see him at Oscott or Caverswall. It is not many years since there were nuns living at Oulton who remembered him. Several of the present representatives of the old Catholic families have been very kind in allowing pictures of their forefathers to be reproduced. Special thanks are due to the late Lord Petre, Mr. Weld Blundell, who now lives at Lulworth, Sir William

[1] The following Vicars Apostolic of the London District are buried at St. Edmund's College:—

Bonaventure Giffard (1703-1734); Benjamin Petre (1734-1758); James Talbot (1781-1790); John Douglass (1791-1812); William Poynter (1812-1827); James Yorke Bramston (1827-1836); and Thomas Griffiths (1836-1847).

Throckmorton, and others. The authorities at Ushaw, Oscott, Blairs College, Aberdeen, and St. Wilfrid's, Cotton, as well as at the English Colleges at Rome and Valladolid, afforded me similar facilities, as also the Benedictine communities at East Bergholt and Teignmouth, and others as well. It is hoped that a valuable collection has resulted. My best thanks are also due to the Bishop of Clifton, to the Rev. Edwin Burton, D.D., and to Mr. Alfred Herbert, M.A., who have helped in the work of looking through the chapters, first in manuscript, then in proof, and have made many valuable suggestions. Lastly, my special obligations are due to Abbot Bergh, who has kindly consented to act as Censor with respect to the various theological statements which occur incidentally through the book.

St. Edmund's College,
January, 1909.

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INTRODUCTORY CHAPTER

ON THE

Ecclesiastical Government of English Catholics since the Reformation.

For the sake of those who are unfamiliar with the history of English Catholics it may be well to recall in brief the chief phases through which the Church government passed after England ceased to be Catholic, before acquiring the form in which we find it in the latter part of the eighteenth century, so as to trace the connection between the ecclesiastical organisation with which we shall be in touch in the following pages with that of Catholic times.

The ancient English Hierarchy practically came to an end when the fourteen Bishops were imprisoned or exiled soon after the accession of Queen Elizabeth. From that time the sacrament of Confirmation was no longer administered, and the clergy and laity were without a proper superior. One Bishop, Dr. Goldwell, still survived in exile, and for a time he contemplated returning to England as a missionary; but his age and infirmities prevented him from carrying out his desire. The priests of the old order—for the most part "Marian" priests—continued to work on the mission, and from the time when the English College at Douay was founded by Dr. Allen, they were reinforced by a constant stream of "Seminary priests," who in virtue of a privilege conferred by Pope Pius V. were able to obtain their faculties from Allen before leaving Douay. Gradually by his own personal influence, and without any formal appointment, Allen became the recognised superior of the English missionary clergy. But no one saw more plainly

than he did the need of some permanent organisation, and he drew up a memorial which was presented to the Pope in 1580, urging the appointment of a Bishop. Nothing, however, was done at that time, and the following year Pope Gregory XIII. formally appointed him as Prefect of the English mission.

Cardinal Allen died in 1594, and the state of affairs which had been apprehended quickly came about. There was no head of the clergy, and the clergy themselves were divided into two separate bodies, under different and even opposite influences. There is no need here to follow in detail the lamentable disputes between the seculars and regulars which had so unfortunate an effect on the Catholic Church in England. Father Parsons, whose influence in Rome at that time was supreme, at first favoured a scheme for the appointment of two Bishops, one to live in England, the other at Brussels, so that the latter might exercise his faculties in the event of his colleague being imprisoned. Afterwards, however, he altered his views, and by his influence in 1599 an "Archpriest," not in Bishop's orders, was appointed as superior of the English mission, the first to hold the office being Rev. George Blackwell. It was believed that the English Government would be less inclined to take offence, or to renew the persecution under these circumstances, than if a regular Bishop was appointed. A large section of the clergy, however, were opposed to the measure, and more than once they appealed to Rome against it, though without effect. The party became known as the "Appellants," and it is said that they were actively assisted by Elizabeth, who saw in this feud between them and the Jesuits an additional means of weakening the Catholic cause.

It was probably with a similar object in view that in 1606 James I. had an "Oath of Allegiance" drawn up, which he called upon all Catholics to take. This Oath has a direct bearing on the question of the Committee's Oath at the end of the Eighteenth Century, and should be carefully examined.[1] It was intended as a formal disclaimer of the power of the Pope to interfere with the allegiance of the subject by excommunicating the Sovereign, and characterises the "Deposing Power," which it couples with the right to murder an excommunicated

[1] The text of the Oath will be found in Appendix E.

king, as "impious," "heretical" and "damnable". The effect was much what had been anticipated. Some of the Appellant party were willing to take the Oath and did take it; while the great majority, including the Jesuits and their followers, refused to do so. Rome decided in favour of the latter; but the Archpriest, who had taken the Oath, refused to retract, though personally appealed to by Cardinal Bellarmine. He was accordingly deposed from his office in 1608, but remained in prison, where he died five years later. The Oath continued for many years the subject of controversy, the question being first raised whether the condemnation was formal; and later on whether it had been virtually abrogated in consequence of subsequent events, such as the interpretation officially given, or the like; but Rome never receded from the position she had first taken up.

Two other Archpriests were appointed, George Birkhead (1608-1614) and William Harrison (1615-1621): but in the end, the constant wish of the secular clergy and many of the laity prevailed, and in 1623 William Bishop, who had been the leader of the Appellants at the end of Elizabeth's reign, was constituted titular Bishop of Chalcedon and Vicar Apostolic of England. He soon set to work, and established a regular system of government by Archdeacons, Rural Deans and Vicars, which formed the basis of English ecclesiastical government for long afterwards. He also set up a Chapter of twenty-four Canons, with a Dean, who were to rule in the event of any temporary vacancy in the Vicariate.

Unfortunately, when all looked so promising, Dr. Bishop's life was cut short. He died on April 16, 1624. His successor, Dr. Richard Smith, was somewhat wanting in discretion, and after three years, he found it necessary to retire abroad. He spent the last thirteen years of his life at the Convent of English Austin nuns at Paris, where he died in 1655. After his death, no one was appointed in his place, and for thirty years the Chapter ruled the English mission.

During all this time it was hoped that a Catholic King might some day come to the throne, who would restore the ancient faith to the country. These expectations appeared on the point of being realised when James II. succeeded his brother, and the hopes of Catholics ran high. During his

short reign episcopal government was re-introduced, which has continued without further intermission until the present day. The first bishop to be appointed was Dr. John Leyburn, who was created Vicar Apostolic of England in 1685. Two years later the country was divided into two, and the following year again into four Districts or Vicariates, with a Bishop over each. These were the Northern, Midland, Western and London Districts respectively. Each Bishop or Vicar Apostolic was given a pension of £1,000 a year. This of course came to an end at the Revolution; but the Vicars Apostolic continued to rule the Church after the dethronement of the Stuarts, and a constant succession was kept up from that time.

The life of a Catholic Bishop during the first half of the eighteenth century was not an enviable one. The new Penal Laws which were brought into force were designed to stamp out the Catholic religion without having recourse to the barbarous methods of former times. Priests were subject to fines and imprisonment, but were no longer to be put to death. In order to make the laws operate more surely, a reward of £100 was offered, which could be claimed by any "Informer" on obtaining the conviction of a priest. There was therefore every inducement to a renegade Catholic who knew the manner of concealment commonly practised, to turn "Informer" and claim the reward. During the first part of the eighteenth century the penal laws were frequently carried into execution, and although after a time they began to fall into disuse, the Stuart rising of 1745 was the signal for their revival, and it was not until some time after this that they began to fall finally into abeyance.

Bishop Leyburn died in 1702, when Bishop Bonaventure Giffard was transferred from the Midland to the London District. He found it impossible to have any fixed residence, and had continually to move from place to place to avoid the Informers. The safest shelters were the country houses of the Catholic gentry; but even these were not always secure. On at least three occasions Bishop Giffard was apprehended and cast into prison. Notwithstanding these hardships and trials, he lived to the patriarchal age of ninety-two, dying at Hammersmith in 1734. He was succeeded by his Coadjutor, Bishop Benjamin Petre, who in turn obtained the appointment

of Dr. Challoner, familiarly styled "the Venerable," to whom English Catholics of the eighteenth century owed almost everything. He was a man of retiring character, but of extreme holiness of life, of considerable learning, and of untiring industry. His literary works form almost a library in themselves. From the time he became Coadjutor in 1741 he practically ruled the District, for Bishop Petre retired into the country; but it was not until the latter's death in 1758 that Challoner could assume the full title of Vicar Apostolic. The following year, on his recovery from a dangerous illness, he obtained the appointment of James Talbot, brother of the Earl of Shrewsbury, as his Coadjutor. He lived however for many years after this, until the year 1781, when he died at the age of ninety, his death having, it is said, been accelerated by the anxieties he had gone through in escaping from the violence of the mob at the time of the Gordon riots.

During the greater part of his episcopate Bishop Challoner was able to live peaceably in his hired lodgings. At this period, according to Berington,[1] there were less than sixty priests in the London District, which comprised the counties of Middlesex, Surrey, Kent, Sussex, Hants, Bedfordshire, Buckinghamshire, Herts and Essex. Including London itself, it contained about 25,000 Catholics, four-fifths of whom lived in the metropolis.

In the Midland District there were said to be ninety priests, serving about 8,500 Catholics. The Vicar Apostolic was Dr. Thomas Talbot, brother of James Talbot. He had been Coadjutor to Bishop Hornyold, and succeeded on the latter's death in 1778. The episcopal residence was at Longbirch, some seven miles north of Wolverhampton.

The Bishop of the Western district, Dr. Walmesley, lived at Bath, which, after London, suffered most at the time of the Gordon Riots. The house in Bell Tree Lane where Dr. Walmesley lived was burnt, and he lost all his books and papers. Afterwards he had lodgings of his own in Chapel Row. The District, which included all the Western and South-Western counties, as well as Wales, contained about 3,000 Catholics, served by less than fifty priests.

In the Northern District we find, as we should have ex-

[1] *State and Behaviour of English Catholics*, p. 158 *seq.*

pected, that Catholics were far more numerous and the mission in a more flourishing condition. Berington says that there were 167 priests, and it was estimated that there were over 20,000 Catholics. Lancashire was then, as now, by far the most Catholic county in England; but in most places in the North there were to be found numerous families who had never lost the faith. There were practically two large centres of Catholicity, one being in and around the county of Lancaster, the other the Northern counties, including Northumberland, Durham and part of Yorkshire. At one time the Vicar Apostolic lived at York; but Bishop Matthew Gibson, who was consecrated in 1780, took up his residence at Headlam, near Darlington, the seat of a branch of the Maire family. On the death of Mr. Maire, in about 1785, he removed to Stella Hall, near Gateshead, the seat of the Eyres, where he resided for the few remaining years of his life.

In order to complete our survey, we must now go further afield. It sounds strange to speak of the British colonies in America as belonging to the London District; but such was technically the case. In Canada, indeed, a bishopric had been set up at Quebec, at that time a French colony, so early as the year 1674, and this was continued after it was taken by the English three-quarters of a century later, for full liberty of worship was given to the Catholics. But all the other British possessions belonged to the London District at the time when James Talbot was consecrated bishop. When what is now the United States ceased to be a British colony, it was of course evident that this would have to be changed. The Declaration of American Independence was made in 1776; but it can hardly be said to have become an accomplished fact until the Peace of Versailles in 1783. In the following year we find Dr. Carroll appointed prefect apostolic, and the Catholics of the thirteen States, as they were then, became ecclesiastically, as politically independent of England. Six years after this Dr. Carroll was raised to the episcopal dignity as Bishop of Baltimore. He received consecration at the hands of Bishop Walmesley, at Lulworth Castle, in England, on August 15, 1790, thus becoming the first member of the great American Hierarchy, which to-day numbers fourteen archbishops and eighty-nine bishops.

About the same time further arrangements were made by Propaganda with respect to other American colonies, which had not joined with the States, and were still under British rule. In January, 1784, the Catholics of Newfoundland petitioned to have as their superior the Rev. Francis MacDonnell, a Franciscan of Waterford, pleading that seven-eighths of the population of St. John's were emigrants from that town, and that it was essential that their superior should be able to preach in Irish as well as English. They sent their petition to Dr. Egan, Bishop of Waterford, who forwarded it to Bishop Talbot, the actual superior of the mission. He readily gave his consent, and the arrangement was ratified by Propaganda on July 2, 1786. From that time, therefore, Newfoundland ceased its connection with the London District.

The arrangements with respect to the West Indian Islands were complicated by the war between England and France, in the course of which some of the islands changed hands more than once. Trinidad did not come into possession of the English until 1797. The smaller islands under British rule were governed by Bishop Challoner through a French ex-Capuchin, Father Benjamin Duhamel, who lived at Grenada, and acted as vicar general. He died in 1777. Already, the year before this, Propaganda had given faculties over some of the British islands to one Rev. Christopher McEvoy, an Irish priest, who had come to the Danish island of Santa Cruz, in the first instance, as chaplain in a merchant vessel. He was nominated Prefect of the Danish Islands in 1771, and now his authority was extended to Barbadoes, St. Kitts, Antigua and the adjacent islands. Apparently he worked in subordination to Bishop Challoner, and it was not until after the death of the latter that a difficulty showed itself. Bishop Talbot, who succeeded Challoner in 1781, received that year an explicit confirmation of his faculties over the West Indian Islands; yet, when McEvoy visited London in 1784, and showed his own faculties, it appeared that no dependence on the London vicar apostolic was mentioned. There was, therefore, a conflict of jurisdiction. Bishop Talbot wrote to Propaganda to remonstrate; but, at the same time, he stated that the difficulty of ruling at such a distance was so great that he would be only too pleased if Mr. McEvoy could be permanently appointed,

and made independent of him. After some correspondence, and consequent delay, Propaganda assented to this proposition, and drew up a formal brief of appointment. The islands named were Santa Cruz, St. Thomas, St. John, St. Eustachius, Barbadoes, St. Kitts and Antigua, the three first named being Danish, and the remainder English. Here, however, an unlooked for difficulty presented itself in the refusal of McEvoy to accept the post. He gave his reasons through Bishop Talbot in August, 1786, and a year later he still persisted in his refusal. As he died soon after this, it would appear probable that he never returned to the West Indies.

After this the islands seem to have remained subject to the bishop of the London District until 1819, when a vicar apostolic in bishop's orders was appointed, who lived at Trinidad, and exercised jurisdiction over all the islands under British rule.

THE DAWN OF THE CATHOLIC REVIVAL IN ENGLAND.

CHAPTER I.

LAST YEARS OF THE PENAL LAWS.

1781-1790.

THE period which followed the death of the venerable Bishop Challoner may be considered the low-water mark of English Catholicity. The hopes of the restoration of the ancient faith which had been so long attached to the Jacobite cause had evidently vanished for ever, and the possibility of a Catholic revival in the future seemed entirely remote and unlikely, if indeed such a thought ever even occurred to any one's mind. The excitement of the days of persecution had faded away before a dull apathetic hopelessness. Perhaps nowhere in the world were these years of spiritual activity and development: they were so in England even less than elsewhere. The most that Catholics of that day aimed at was to secure for themselves toleration, and to be relieved from the oppression of the Penal Laws. The first step in this direction had been achieved by the passing of the Act of 1778, which mitigated several of the punishments and penalties: the highest ambition that Catholics now had was to follow this up by a more complete Act or Acts, leading up to what has always been termed "Catholic Emancipation".

The chief advantage of the Act of 1778 was the abolition of the reward of £100 to any "Informer".[1] So long as this existed, however much the Government of the day might wish to leave Catholics unmolested, it might at any time be forced

[1] That is, to Informers against Catholic priests or schoolmasters. An Informer against a parent for sending his children to be educated beyond the seas could still claim the reward of £100 on a conviction being obtained (see Amherst, *History of Catholic Emancipation*, i., p. 107).

to institute prosecutions on the "Information" of these men, so that Catholics could never feel secure. Henceforth there were no such rewards to gain; consequently the "Informers" ceased to do their work. At the same time also the punishment of perpetual imprisonment to which priests or schoolmasters were liable was abolished.[1] Catholics were rendered capable of acquiring real property, whether by inheritance or purchase; and the concession was accompanied by other small measures of relief. But in reality the most important change had been the gradual revulsion of public sentiment, which was beginning to be opposed to the inflicting of penalties for religious opinions or practices, in consequence of which after the disappearance of the "Informers," the laws which could strictly be termed penal became for the most part almost a dead letter.

There were still, however, occasional isolated instances of the laws being put into force, which fact was sufficient to produce a continual feeling of insecurity. An instance was often quoted of a prosecution for refusing to "conform," which took place in Yorkshire so lately as the year 1782. It is described in the *Third Blue Book*[2] as follows:—

"In the year 1782 two very poor Catholic dissenting labourers, and their Wives, were summoned by one of his Majesty's Justices of the Peace, and fined one shilling each for not repairing to church, and the Constable raised it by distraining in the house of one of them an oak Table, a fir Table, and a plate shelf; in the house of the other a shelf, and two dozen of delft plates, one pewter dish and four pewter plates, one oak table and one arm chair. The sale was publicly called at the Market day, and the goods were sold by auction at their respective houses. The Constable's bill was in these words:—

	s.	d.
"To not attending Church . . .	2	0
To a Warrant	1	0
To Constable's expenses . . .	2	0
	s.5	0"

[1] The Act of 1778 in fact repealed the provisions of 11 and 12 William III., "An Act for the further preventing the growth of Popery," under which Catholic priests and schoolmasters were subjected to perpetual imprisonment; but the old Act of 1581 under which saying or hearing Mass was punishable by imprisonment for a year was left unrepealed.

[2] P. 35. The *Blue Books* were the official publications of the Catholic Committee, to be described in detail later on.

But although such an incident as this was rare, and the penalties for not conforming were hardly ever enforced, there remained a large class of disabilities to which Catholics were subject. These were enumerated in a memorial presented to Mr. Pitt by the Catholic Committee in the year 1788. The list does not profess to be complete so far as the letter of the law was concerned, for the memorialists expressly state that for some time past many of the laws had been practically allowed to lapse.[1] The disabilities mentioned may therefore be taken as those by which Catholics were actually harassed at that time. They were enumerated in the following words:—[2]

"[Catholics] are prohibited under the most severe penalties exercising any act of religion according to their own mode of worship.

"They are subject to heavy punishments for keeping schools, for educating their children in their own religious principles at home, and they are also subject to heavy punishments for sending their children for education abroad:

"They are made incapable of serving in his majesty's Armies and Navies:

"They are restrained from practising the Law as Barristers, Advocates, Solicitors, Attorneys or Proctors:

"They are obliged on every occasion to expose the most secret transactions of their families, by reason of the expensive and perplexing obligation of enrolling their deeds:

"They are subject by annual acts of the legislature to the ignominious fine of the double land-tax:

"They are deprived of that constitutional right of English freeholders, voting for County Members: they are not allowed to vote at the election of any other member: they are therefore absolutely unrepresented in Parliament.

"They are excluded from all places, civil and military:

"They are disqualified from being chosen for a seat in the House of Commons:

"Their peers are deprived of their hereditary seat in Parliament. And their clergy for exercising their functions are ex-

[1] A full enumeration of the laws actually existing against Catholics was prepared by Charles Butler for the use of the Committee at the same time (see Appendix).

[2] *Third Blue Book*, Appendix a*; Butler's *Hist. Mem.*, iv., p. 7.

posed to the heaviest penalties and punishments, and, in some cases, to death."

The effect which these laws produced on the general outlook of Catholics on life may again be also given in the words of Charles Butler:—

"It depressed them" (he says) "so much below their legitimate rank in society that they hardly entered with the look or attitude of free men into the meetings of their Protestant neighbours. 'Such was their situation,' to avail myself of Mr. Burke's strong but just expressions, 'that they not only shrank from the frowns of a stern magistrate, but were obliged to fly from their very species; a kind of universal subserviency that made the very servant behind their chair the arbiter of their lives and fortunes.'"[1]

The most prominent figure among Catholic ecclesiastics of that day was the venerable Bishop Walmesley, of the Western District, the senior vicar apostolic. He had been bishop since 1756, when he became coadjutor to Dr. York, and had ruled the Western District since the retirement of the latter in 1764. He was a member of a well-known Lancashire family—the eleventh of twelve children—and from early years had been educated by the Benedictines, first at St. Gregory's, Douay, afterwards at St. Edmund's, Paris, in which house he joined the Order. As a mathematician, quite in early life he gained a European reputation. His treatise on "The Motion of Comets," read before the *Académie des Sciences* in 1747, when he was only twenty-five years old, attracted great attention, and a paper on "The Precessions and Nutations of the Moon," printed in the Philosophical Transactions of 1756, was much admired for the originality of the methods used. The Government is said to have consulted him on the calculations rendered necessary by the adoption of the Gregorian Calendar, or "New Style," as it was called, in 1752. He was a Fellow of the Royal Society, and likewise belonged to similar philosophical societies, in Berlin, Paris and Bologna. Yet notwithstanding all this, he had no ambition to pursue a career in which he might have attained to real eminence. The seclusion of the Benedictine house at Paris was more congenial to his tastes. After residing there for more than fourteen years, dur-

[1] *Catholic Magazine*, January, 1832, p. 715.

ing the last four of which he was Prior, he was summoned to Rome in 1753 as "Procurator General". It was during his stay in the Eternal City that he was chosen as coadjutor to the Western District, receiving consecration as Bishop of Rama "*in partibus Infidelium*" at the hands of Cardinal Lanti, in the Chapel of the English College. He is described as being of good presence and agreeable manners; but his speech, like his writings, was blunt to the verge of roughness, a defect which was emphasised by a partial deafness with which he became afflicted, and which helped to isolate him from those with whom he lived. He entirely gave up the study of mathematics, a determination to which he came, according to Charles Butler,[1] in consequence of a distraction he once had during Mass, when he found himself drawing diagrams on the corporal with the paten. The celebrated mathematician D'Alembert is said to have expressed great concern at this determination; but the bishop was inexorable, though Butler adds that to the end of his life he retained his taste for the study, and was seen to brighten visibly whenever a mathematical subject was mentioned in his presence. During his later years, he devoted his spare time to the study of Scripture: his commentary on the Apocalypse, which appeared under the name of *Pastorini* in 1771, became well known. Seven years later he published a similar book on the Prophet Ezechiel.

As a bishop, Dr. Walmesley lived a retired life at Bath, where his experiences during the Gordon Riots, when his house and all his books and papers were burnt by the mob, seem only to have confirmed his spirit of retirement and reserve. All he asked for was to be allowed to practise his religion undisturbed, to be able to administer the sacraments to the scattered groups of Catholics in his district, and to provide priests to minister to the various congregations at the country seats of the gentry and other centres where Mass was celebrated. Beyond this point his hopes did not travel. He even sympathised with those who shrank from any agitation for the repeal of the Penal Laws, for fear of being drawn into publicity, and from the vague apprehension of something worse happening to them. The following letter written by him to the Catholic Committee in 1788 is a frank avowal of what many Catholics of that day felt:—

[1] *Hist. Mem.*, iv., p. 434.

"If Parliament be petitioned to repeal the old Penal Laws against the Catholics" (he writes), "probably such petition will be granted; but I fear not without substituting some laws of restriction which may be very difficult and grievous to be put in practice. Most of the old Penal Laws carry with them such an appearance of inhumanity and cruelty that no judge or jury in these times would chuse for their own credit to have them put in execution. We have not therefore much to fear from them; they may be almost considered as non-existing. But it is well known that a great share of prepossessions and prejudices remain still in the breasts of Protestants against the Catholic Religion, not confined among the common people, but prevail even with those of higher class and more improved state of knowledge. These prepossessions and prejudices are imbibed in their youth, and make a common part of their early education, nor do they afterwards examine into the grounds of them, but implicitly retain them as genuine truth. Such undoubtedly is the case of a great number of members of Parliament in both Houses. These members in consequence of such principles would certainly move, in repealing the old laws, some odious restrictions that would be very oppressive to us. We have lately seen an instance of this kind in the Act given by the Irish Parliament in favour of the Catholics of that country. I wish therefore it may be duly considered whether it would be expedient to ask for the repeal of the old Penal Laws, or rather perhaps to let them remain unnoticed." [1]

Even on the question of the removal of disabilities, Bishop Walmesley held much the same view:—

"With respect to the liberty to be allowed to Catholics to obtain places in the Army and Navy, I shall beg leave to remark the consequence that will probably follow with regard to Religion. When so very few Catholics become mixed with such a multitude of Protestants, what religious duties can we suppose will they observe? May we not, on the contrary, have all reason to fear that it will be the occasion of the loss both of their faith and morality? Then, what may further ensue, these same young gentlemen may happen to succeed to estates, and become the heads of families, which will consequently be lost to the Catholic religion." [2]

[1] *Clifton Archives*, vol. ii. [2] *Ibid.*

This last remark gives a further indication of the bent of mind so common with that generation of Catholics. Whatever hope they had of the continuation of Catholicity in England was centred around the old Catholic families, who had kept the faith alive, and supported chapel and chaplain. Except in London, where the ambassadors of the Catholic Powers had in like manner kept chaplains for the service of the public, the centres of the Catholic religion in England consisted almost exclusively of those on the estates of the Catholic aristocracy. During recent years, indeed, chapels had been established more or less permanently in some of the provincial towns; but even these depended for their support almost entirely on the sums subscribed by the members of the old Catholic families. They had been for the most part simply rooms in the houses of the priests, and their existence was hardly known outside the Catholic body. In a few cases, even before the Act of 1791, a small chapel was built in some retired situation — the Trenchard Street Chapel at Bristol, opened in June, 1790, and St. Peter's, Birmingham, which dates back a year or two earlier, are instances; but no one for a moment supposed that these would be able to support themselves without either a fixed endowment, or some help from outside. The idea that they might become the nucleus of a revival of Catholicity such as was witnessed in the nineteenth century would have appeared entirely chimerical.

In support of these statements, we may quote one of the best-known Catholic writers of that day, the Rev. Joseph Berington, at that time Chaplain to Mr. Thomas Stapleton, of Carlton, Yorkshire, where he found sufficient leisure to give himself to literary pursuits. He had been educated at Douay, where he had shown great talent, and after his ordination, he was elected to the Professorship of Philosophy in the University. He did not hold this position very long, however. When he prepared his theses, according to the usual custom, for his pupils to defend, to use his own words, "on the day of public exhibition, [the philosophy of these Theses] raised a considerable uproar, and this uproar was followed by rumours from England and other quarters". The Bishop of Arras deputed a canon to investigate the matter, and although no definite charge could be established against Berington, it was considered

advisable that he should leave Douay and go on the English mission. The same tendency to new and "liberal" opinions showed itself in his conduct and writings throughout life. No one will deny the power of style shown in his works, or the learning and ability they displayed, though the cynical tone prevalent throughout renders them not altogether pleasant reading. His first book of importance was published anonymously, under the title of *The State and Behaviour of English Catholics from the Revolution to the Year 1780.* It contains a full description of English Catholicism just at the time on which we are now engaged, and although we must make some allowance for his inclination to be continually pessimistic, there seems no reason to doubt the substantial accuracy of the picture he draws.

Berington estimates the number of Catholics in all England at 60,000 (out of a total population of six millions), or about one per cent., and says that they were steadily declining. With respect to their distribution and prospects, it may be well to quote his words in full:—[1]

"The few Catholics I have mentioned are also dispersed in the different counties. In many, particularly in the West, in South Wales, and in some of the Midland counties, there is scarcely a Catholic to be found. This is easily known from the residence of priests. After London, by far the greatest number is in Lancashire. In Staffordshire are a good many, as also in the northern counties of York, Durham and Northumberland. Some of the manufacturing and trading towns, such as Norwich, Manchester, Liverpool, Wolverhampton, and Newcastle-upon-Tyne, have chapels which are rather crowded. . . . Excepting in the towns, and out of Lancashire, the chief situation of Catholics is in the neighbourhood of the old families of that persuasion. They are the servants, or the children of servants who have married from those families, and who choose to remain round the old mansion for the conveniency of prayers,[2] and because they hope to receive favour and assistance from their former masters. . . . The truth is, within the present century we have most rapidly decreased.

[1] P. 114.

[2] *I.e.* Mass. Catholics were still accustomed to this method of writing—a relic of days when it was not safe to use the word "Mass" publicly.

Many congregations have entirely disappeared in different parts; and in one district alone in which I am acquainted, eight out of thirteen are come to nothing; nor have any new ones risen to make up in any proportion their loss. . . . In the nature of things it could not possibly be otherwise. Where one cause can be discovered tending to their increase, there will be twenty found to work their diminution. Among the principal are the loss of families by death, or by conforming to the Established Church; the marrying with Protestants, and that general indifference about religion which gains so perceptibly among all ranks of Christians. When a family of distinction fails, as there seldom continues any conveniency either for prayers [Mass] or instruction, the neighbouring Catholics soon fall away: and when a priest is still maintained, the example of the Lord is wanting to encourage the lower class particularly to the practice of their religion. I recollect the names of at least ten noble families[1] that within these sixty years have either conformed or are extinct, besides many Commoners of distinction and fortune."

A little further on, Berington enumerates the chief Catholic families still left:—

"We have at this day but eight Peers, nineteen Baronets, and about a hundred and fifty gentlemen of landed property. Among the first, the Duke of Norfolk, the Earl of Shrewsbury and the Lords Arundel and Petre are in possession of considerable estates. But the Earl of Surrey, the eldest and only son to the Duke of Norfolk, having lately conformed, the large possessions of that noble and ancient family will soon fall into Protestant hands. The eldest son of Lord Teynham has also left the religion of his father. Among the Baronets are not more than three great estates: Sir Thomas Gascoigne has also this year taken the oaths. Of the remaining Commoners, with an exception of four or five, the greatest part have not on an

[1] No list is given by Berington of those who left the Church at this time; but Milner enumerates the following: "The Lords Gage, Fauconberg, Teynham, Montague, Nugent, Kingsland, Dunsanny, their Graces of Gordon, Norfolk, &c., the Baronets Tancred, Gascoigne, Swinburn, Blake, &c., the priests Billings, Warton, Hawkins, Lewis, Doran, &c." (*Sup. Mem.*, p. 44). The Duke of Norfolk here spoken of is the same as alluded to immediately afterwards by Berington, as at that time the Earl of Surrey. He succeeded his father as Duke of Norfolk in 1786, and lived till 1815, when as he died without issue, the title returned to Catholic hands.

average more than one thousand pounds per annum in landed property. Within this year alone, we have lost more by the defection of the two mentioned gentlemen than we have gained by Proselytes since the Revolution."

Having been introduced here to the important and influential class of the old Catholic gentry, to whom under God the preservation of the Catholic religion in England is mainly due, a few words about their lives and characters will be in place. The description given by Macaulay of the typical Catholic squire of the reign of James II. is well known; but it will bear quoting, at least in part, once more:—

"He was neither a fanatic nor a hypocrite. He was a Roman Catholic because his father and grandfather had been so; and he held his hereditary faith, sincerely but with little enthusiasm. In all other points he was a mere English squire, and if he differed from the neighbouring squires, differed from them by being somewhat more simple and clownish than they. The disabilities under which he lay had prevented his mind from expanding to the standard, moderate as that standard was, which the minds of the Protestant country gentlemen then ordinarily attained. Excluded when a boy from Eton and Winchester, when a youth from Oxford and Cambridge, when a man from Parliament or the bench of justice, he generally vegetated as quietly as the elms of the avenue which led to his ancestral grange. His cornfields, his dairy and his cider-press, his greyhounds, his fishing-rod and his gun, his ale and his tobacco occupied almost all his thoughts."[1]

Such is the picture of a Catholic squire of the time of James II. as seen from outside. There seems no reason to think that any substantial change had taken place by the time of the Georges, except only in this, that politically Catholics had formerly been closely bound up with the Jacobite party; while shortly after the unsuccessful rebellion of 1745, by what Berington calls "one of those singular revolutions, for which no cause can be assigned," this attachment died away, and when an Oath of Allegiance to the reigning house of Brunswick was made a condition for obtaining relief under the Act of 1778, few if any Catholics felt any hesitation in taking it.

In order to complete the picture, however, we must add the

[1] *History of England*, Ed. Longmans, 1895, i., p. 91.

testimony of those who knew the Catholic body from within. For their faith, which according to Macaulay they held "sincerely but with little enthusiasm," in reality formed a far more important and all-pervading factor of their lives than would have been visible to an outsider. One of the chief features in in their well-defined stamp of piety was a certain outward reserve, so characteristic of the English. Their feeling was that to speak about their spiritual life would savour of hypocrisy, and was out of keeping with the obliteration of self at which they systematically aimed. They did not themselves explicitly reflect on their own attitude of mind, which had become almost a second nature. The result was that it was only those who knew them intimately who could realise either their attachment to their religion, or the all-important part it played in their lives. A careful examination of the records of their various works of charity and piety will furnish evidence of the reality of their devotion, and this becomes the more remarkable when we remember that they were carried on in the face of continual fines and impoverishments which were inflicted on the Catholics under the Penal Laws until comparatively late. And if we wish for evidence of the purity and sanctity of their homes, we may find it in the remarkable number of their daughters who received the grace of a vocation to the religious life. The numerous English convents abroad were recruited almost exclusively from the old Catholic families.

In testimony of their virtues, we may quote the words of one who was the close friend of many of them, and ever constant in his appreciation of their characters—the revered Bishop Poynter. In his "Apologetical Epistle," written in 1815, he writes of them as follows :— [1]

"With what patience the English Catholics have suffered privation of their civil rights on account of professing the Catholic religion ; with what piety they have adhered, and do still adhere, in the midst of the greatest grievances, to the ancient faith and the holy Apostolic See ; with what liberality have they contributed out of their private property to the support of the public burthens of religion and charity ! Let [any one] look into a list of the principal Catholics . . . and into the number of those who residing neither in London nor in any principal

[1] *Hist. Mem.*, iv., p. 503.

town support at their own charge, either wholly or partially, Catholic clergymen and the expenses of their chapels and thus procure the comforts of religion to be administered not only to themselves and their families, but to numerous Catholic congregations in the country residing in the neighbourhood of their mansions; let any one, I say, consider and reflect on this, and then declare whether the English Catholics do not deserve the praises which I and the other vicars Apostolic have with a common voice given them in our pastoral instructions."

With respect to their intercourse with their non-Catholic neighbours, we can again quote Berington:— [1]

"Their foreign education" (he writes), "it is sometimes thought, gives them at first a peculiar caste; but a free intercourse with the world soon rubs off those acute angles, unless when inveterate habits have been formed, or the mind has been peculiarly narrowed. Some years back, when the Penal Laws were more strictly executed, and when weak men feared some noxious contagion from the breath of Catholics, they associated very little with the world. A certain sternness of temper was the natural effect of this retirement; and if, in their turn, they felt a strong dislike to Protestants, it was what the conduct of the latter deserved. Some good, however, and that of no trifling consideration, was from thence derived. The estates of Catholics were in better condition; they supported with more becoming liberality their indigent and oppressed neighbours; and in the duties of religion they were greatly more sincere. . . . Many Protestants, though they daily converse with Catholics on the easy footing of private friendship, still retain the same general prejudices against them, which the lowest ignorance should now blush at. They can think well enough of individuals, but nothing, they tell you, can be more shocking and absurd than the principles of the body, and nothing more vicious and inimical to the duties of society than their general conduct and habits of mind."

Speaking of the Catholics among the lower orders, Berington continues:—

"The characters of the common people are hardly distinguishable from those of their neighbours. If there be any difference, the balance should rather ponderate in favour of

[1] P. 124.

Catholics, because I know they are more carefully instructed in their youth and are afterwards much attended to."

And summing up as to the whole body in general, he says :—

"The lives of Catholics in general are observed to be regular: and without panegyrising their virtues, to which I am not inclined, I only beg Protestants themselves to declare their sentiments. Do they know in the whole extent of his Majesty's dominions, better men, better citizens or better subjects; people more amenable to the laws, more observant of all the duties of civil life? Their charities as far as their powers of doing good extend, are great. Every object in distress is a fellow-creature who calls for relief; nor do I know that Catholics ever make any distinction of persons, unless (which has sometimes happened) when Protestants have first refused assistance to those of the Popish persuasion."

The Catholic centres outside London, whether at the seats of the aristocracy, or in the towns, or elsewhere, were real missions; that is, they were centres from which the people from the surrounding district could be ministered to. They were not in any sense parishes or quasi-parishes, as now. The Catholic population was very scattered and in most cases no boundaries or limitations had been fixed between the adjacent missions. In the majority of instances the priest had to keep a horse, so as to be able to visit the outlying country. Not infrequently he would serve two or more Mass-centres many miles apart, necessitating a long ride, fasting, every Sunday. Formerly English priests were allowed the very unusual privilege of saying three Masses on a Sunday; but the state of affairs which rendered that necessary had passed away long before the time which we are now considering. Even "duplicating" had become exceptional. "It is not so common a thing now" —Dr. Kirk writes in 1786—"to say two or three m——s a day, as in some years past. When there is a riding mission the P——t goes one Sunday to one, and another to another, tho' some still say two once a month, or once every indul——ce."[1]

[1] The "Eight Indulgences" were the occasions when devout Catholics would ordinarily approach the sacraments. Though these are still read out in the churches, and are enumerated in the Directory, they have long ceased to have their old significance. The following is a list of them: I. Christmas; II. The First Week of Lent; III. Easter; IV. Whitsuntide; V. Sts. Peter and Paul; VI. The Assumption; VII. Michaelmas; VIII. All Saints.

Dr. Kirk was at that time at Sedgley Park, which was not ordinarily a "riding mission"; nevertheless he was at that time supplying at Lichfield every Sunday, which involved riding sixteen miles before his second Mass.

The clergy lived in a state of great poverty. A gentleman's chaplain would receive £20 a year as his personal salary; a missioner who had to support himself and his servant, and sometimes to keep a horse, would think himself fortunate if he had an additional £20. Even allowing for the difference in the value of money between then and now, these figures indicate a very small sum to live on. They are given on the authority of Berington, who continues:—

"Our priests in their general character are upright and sincere: but narrowed by a bad education, they contract early prejudices which they very seldom afterwards deposit. The theological lumber of the schools supplies in their minds the place of more useful furniture. Moderately skilled in the Latin and Greek languages, they know nothing of their own, nor do they become sensible of their manifold deficiencies till it be too late to attempt improvement. They are bred up in the persuasion that on coming to England they are to meet with racks and persecution: they land therefore as in an enemy's country, cautious, diffident and respectful. . . . A priest is seldom seen in the society of Protestants. The Catholics he is told to herd with either are unable to improve him, or if able, are seldom willing. Contracted in his circumstances, he has not the means of drawing information from books; and unfashioned in the forms of elegant life, his company is not asked for. Thus denied all occasion of improvement, if his native dispositions will allow him, he soon sits down sullenly contented and looks no further. If he ever had ambitions, disuse will in a short time lay them asleep; and at sixty he will be found the same man he was at twenty-five." [1]

Berington does not consider, however, that the clergy are solely to blame. "It is the complaint of our gentry" (he writes) "that Priests are rough and unsociable: they would be less so, perhaps, if their patrons were less proud, less ignorant and less imperious. On both sides are faults which should be corrected."

The above description was probably meant to apply not

[1] *State and Behaviour*, p. 162.

only to the secular clergy, but also to Benedictines, Franciscans, and members of others of the older Orders who in England became to all intents and purposes ordinary missionary priests. For they had no monasteries, and could not keep their rule, or wear the habits of their order: they were fairly numerous, and were either chaplains to the gentry, or served missions similarly circumstanced to those of the secular clergy. There was however a considerable class of the clergy who were nominally secular, but practically still formed a body of their own—the ex-Jesuits. After the suppression of the Society in 1773, they were in a somewhat difficult position, and were treated in consequence by Bishop Challoner and the other vicars apostolic with great consideration. Their former provincial, Rev. T. More, was allowed to act as vicar general over them, so that he might remain their immediate superior. Nominally they were subject to the bishops, and they lived externally as secular priests; but they had different antecedents and traditions from the rest of the clergy, and practically formed a body apart.[1] During the days of their suppression, they still maintained, or nearly maintained, their numbers, by a constant supply from those educated at the "Academy" at Liège, and at the time we are now concerned with, they formed almost a third of the clergy of England. According to Berington, in 1780 there were 360 priests in England, of whom 110 were ex-Jesuits.

Assuming Berington's description of the condition of English Catholics to have been fairly accurate, we can well understand how they would have spoken of "the Dreary Eighteenth Century," as a time of persistent and dispiriting losses to their body, with very few signs of hope to counterbalance them. The outlook throughout all Europe was almost equally dispiriting. As an example of the tone of mind which this engendered, the following quotations from a letter from Bishop Walmesley to Mr. Weld of Lulworth are worth giving in full. The letter was dated January 6, 1782: its immediate occasion being the intended suppression of the

[1] They did not, however, act in any way in concert in what may be termed "Catholic politics". It will be seen in the following pages that some, like Dr. Strickland and Rev. J. Reeve, sided with the Committee party as far as they could consistently with avoiding unorthodoxy; while others, like Fathers Charles and Robert Plowden, went to extreme lengths in the opposite direction.

religious orders in Austria and the Netherlands. He writes as follows:—[1]

"You ask comfort from me in these calamitous times, and I am afraid I can administer but little. The times with respect to irreligion, though so bad at present, will I apprehend grow gradually worse and worse, till we come to the period intimated by our Saviour: 'When the Son of Man shall come, do you think He will find faith upon earth?' We must strive against the torrent, but nothing will be effectual enough to stop it.

"With regard to Religious Orders, while in former ages Princes and rich persons were zealous in instituting and raising them up, now the spirit of abolition prevails (that spirit of Abaddon which rules the Reformation, and which has insinuated itself into Catholics) and in progress of time I suppose there will not be one Religious order remaining. The Pope and the whole clergy will probably be unmercifully stript of all or greatest part of their temporalities and the Church reduced to its primitive poverty, as in the time of the Apostles. The picture here described is certainly not pleasing; but such seems to be the state of things as insinuated by the Scriptures, by the tenour of the times, and the explications of *Pastorini* for which you seem to show some regard."

After stating that the rumours of the wholesale confiscation of convents are probably premature, Bishop Walmesley continues:—

"But the ways of Almighty God are unfathomable, and for whatever He permits to happen, we must say with the Royal Psalmist, 'Justa sunt judicia tua, Domine'; and then add, with the same, 'Oculi Domini super justos, et aures ejus ad preces eorum'. He will always keep a careful eye over His servants, and will afford them some special protection, though in what way we know not. Besides, by His assistance they will merit of all tribulations and turn evils into Blessings. In fine, our ultimate refuge must be to God, the ruler of all things, 'Deus refugium nostrum et virtus': and our best comfort must be an unlimited resignation to the Divine appointments."

A few years later, when the first scenes of the French Revolution were being enacted, Bishop Walmesley saw in the

[1] *Clifton Archives*, vol. i.

horrors, which were of daily occurrence, the fulfilments of his forebodings. He writes to the same Mr. Weld towards the end of the year 1789 in this strain :— [1]

"How alarming, and even dreadful, appear at present the judgments of God upon almost all the nations of Europe! 'Ulciscens Dominus in hostes suos' (says the Prophet Nahum), 'et irascens ipse inimicis suis.'

"What a scene in France, in Flanders, Germany, etc.! *The two-edged sword of the Son of Man which proceeds from His mouth to strike the nations* is sent forth for the destruction of the wicked. Famine appears, stalking forward and coming to share in the consumption of the human race, and perhaps for the accumulation of misery, drawing after him the plague. This kingdom has already felt a share of calamities, by our late American war, and other disasters; bad seasons in particular, and sickness have prevailed. Some other countries have been torn to pieces by earthquakes. 'Aggravata est manus Domini.' Certainly such distresses and calamities cannot come but from an irritated God, irritated with the flowing stream of irreligion and immorality. Such a spirit of licentious Liberty and Independence has of late years risen up and rapidly increased and spread, not suffering any restraint from either Divine or human law and therefore breaking through every tie of justice, of respect to God or man, giving aloose to every passion to the indulging of nature without control, and levelling everything that opposes it. . . . On a retrospect of all past ages from the first existence of the world, we see that the bulk of mankind having once imbibed the full spirit of wickedness, have never reformed, but sunk deeper into it; by which they drew upon their heads the severest punishments from an angry God. In like manner it seems to follow from the predictions of St. John in the Apocalypse, and Prophetical admonitions of St. Paul, that such will be the case of the present and succeeding generations of mankind, that is that they will not submit to put a stop to their iniquities and return to their God; that consequently it must be expected that the present scourges which afflict them so heavily will gradually increase till they come to a pitch beyond our conception. What then is our prospect? Is it not truly frightful?"

[1] *Clifton Archives*, vol. iii.

CHAPTER II.

CATHOLIC LONDON UNDER BISHOP JAMES TALBOT.

1781-1790.

DURING the years from 1781 to 1790 the Vicar Apostolic of the London District was Bishop James Talbot, while his younger brother, Bishop Thomas Talbot, was in charge of the Midland District. They were brothers of the fourteenth Earl of Shrewsbury, and had been brought up in all the seclusion and isolation characteristic of the homes of the Catholic aristocracy of the period. It is no disrespect to the memory of the saintly Bishop Talbot to say that the whole tone of his mind was coloured by the epoch in which he lived. He was unable to face with success the difficulties which preceded the passing of the Catholic Relief Act of 1791, and would have been still more unable to lead during the rapid expansion of the Church in England which has been taking place ever since. The greater part of his life was cast in days when the Penal Laws asserted their full force, and his spirit breathes of those times. He will always be specially reverenced by Catholics as having been the last priest to be brought before the courts under those laws, for he was tried at the Old Bailey at least twice in the years 1769 and 1771 for the sole offence of having exercised his ecclesiastical functions, and was only acquitted for want of evidence.

"Let us not forget," said Dr. Milner in his obituary sermon, "since Heaven will not forget, since the Church will enroll it in her most precious records, and preserve the memory of it as long as she herself shall exist, that is to the end of time, let us not forget the glorious title of Confessor of the Faith which our dear deceased Father has merited by his constancy in the cause of God, and his zeal for our spiritual welfare. Let us call to mind with gratitude and exultation that, despising the prejudices of the world, our Prelate, noble by birth, venerable

for his manners and character, did not blush but rather gloried in imitation of his Divine Master, to appear at a bar of justice for the discharge of his duty in regard to our salvation, with thieves and assassins as if he were one of that number, and deserving of a capital punishment. In this point, at least, our Prelate in the eye of faith had the advantage over his saint-like predecessor [Dr. Challoner], though the latter had been so long the champion of the Catholic cause, and had experienced so much more tempestuous times. If our late Pastor had not the happiness, as undoubtedly he wished, of laying down his life for Christ on the spot, it was because he was reserved to suffer a more lingering and severe martyrdom during a time of exterior peace in the same cause, the effect of the same pure zeal that made him the object of the persecutor's fury. It is the opinion of those who were best acquainted of late with our lamented pastor that he fell a victim to his anxiety and solicitude for the welfare of the Church at a time and in circumstances that seem to require a more than human portion of zeal and abilities to manage the helm of ecclesiastical affairs aright." [1]

James Talbot's early history can be briefly told. He was born at Shrewsbury House, belonging to his family, at Isleworth, in 1726, the fourth of five sons, and after his baptism he was confirmed in infancy by Bishop Bonaventure Giffard, according to a custom then not uncommon. He and his brothers were sent as boys to Twyford, near Winchester, where a Catholic preparatory school of some note was carried on, illegally indeed, but yet usually without interruption on the part of the Government. At this school the poet, Alexander Pope, had spent his early days, and had left a record in the shape of a lampoon on one of his masters scratched on a window pane.

At the age of twelve years, James Talbot and his younger brother Thomas were sent "beyond the seas" to complete their education. Although their uncle, Gilbert Talbot, had been a well-known Jesuit, the younger generation were not sent to St. Omer's; for there had been a law-suit between the

[1] This sermon was preached by Dr. Milner at Winchester the Sunday after Bishop Talbot's death. The original MS. is preserved in the *Westminster Archives.*

Jesuits and the Talbots about the property of this same Gilbert Talbot after his death, which produced an estrangement between his family and the society. James and Thomas Talbot were accordingly sent to Douay, where they went through the whole course. At the end of their "Philosophy,"[1] the two brothers were given the advantage of making the "Grand Tour," in company with the Rev. Alban Butler, the learned author of *The Lives of the Saints*, who subsequently wrote an account of the tour, which was published after his death by his nephew, Charles Butler. They were absent over a year. Returning to Douay in 1748, the two brothers entered together on the study of theology, and on December 19, 1750, James Talbot was ordained priest. Immediately afterwards he was appointed Professor of Philosophy, and two years later of Theology. In the year 1753 he made his Alma Mater a most valuable gift, of a country house situated near a little village called Equerchin, some three miles from Douay, at a cost of over £1,000. It was used primarily as a preparatory school over which he presided for a time; but it served also as a resort for all the students in vacation and other times.

In 1755 James Talbot returned to England. The following year we find his name formally proposed for a bishopric, as coadjutor to Dr. York, of the Western District; but that district had always been governed by Regulars, and Dr. Walmesley, O.S.B., was, as we have seen, appointed. Three years later, Bishop Hornyold of the Midland District petitioned for James Talbot in the same capacity; and as he was unwilling to accept the office, Bishop Hornyold begged his Holiness to command him by the virtue of obedience not to refuse. He likewise wrote to Prince Charles Edward, then living in Rome, to beg him to use his influence in favour of the appointment. The negotiations, however, were not successful: Bishop Hornyold did not obtain a coadjutor until the year 1766, by which time James Talbot was already established in London. His brother, Thomas Talbot, was then nominated. He also made great difficulty about accepting the post, and only did so in the end under the absolute command of the Holy See.

[1] For the sake of those not familiar with our Catholic colleges, it may be explained that philosophy is studied at the conclusion of the classical or school course, usually for two years, before entering on the study of theology.

James Talbot was permanently attached to the London District as coadjutor to Bishop Challoner, at the latter's request, in 1759. He was consecrated at Hammersmith on August 24 of that year. During the succeeding twenty-one years, Dr. Talbot acted as a most loyal assistant, being only too glad to occupy a subordinate position, and to devote himself to works of charity. This was in truth the ruling passion of his life. While Bishop Challoner was popularly styled the "Venerable," his coadjutor was known as "the Good Bishop Talbot".

Bishop Challoner died in his ninetieth year, on January 12, 1781, when Bishop Talbot became Vicar Apostolic of the London District. He announced the fact formally to his clergy in a characteristic circular letter in Latin, of which the original is preserved in the Westminster Archives. The following is a translation :—

"There is no necessity, Beloved Brethren, for us to make known to you the death of the Venerable and most truly Reverend Bishop of Debra, our Predecessor, for that death, so mourned in the District, is only too well known. You have already bewailed it, but never can you bewail it enough; for we have lost one who manifestly led the life of an angel. And who are we, that we should succeed so distinguished a Prelate? Yet by his death we are called to the care and government of this District. A burden is imposed upon us which would weigh down the shoulders even of an angel, which we feel ourselves to be wholly incapable of bearing. To you, therefore, Beloved Brethren, we have recourse; we beg your aid and the help of your prayers, that we may be able to fulfil as far as may be our numerous and weighty obligations."

Sad and dispiriting indeed was the state of Catholic London when Bishop James Talbot succeeded to the Vicariate. The results of the Gordon Riots were everywhere visible. The spirit of Catholics seemed crushed. They were ready to petition Parliament to have the Penal Laws re-enacted rather than face the possibility of a repetition of the experiences of the past year. Their places of worship, poor and unpretending as they were, had been destroyed, the Catholic body was impoverished, and little hope seemed visible for the future.

With commendable spirit, they set about making good their

losses. In some cases they received the benefit of the law in the shape of compensation money; but such compensation was far from covering the damage, and they knew the state of public feeling only too well to think of pressing their claims. They far preferred to forego their rights rather than to attract even the smallest attention.

Under these circumstances Bishop Talbot had recourse to assistance from the kingdom of Spain, which had always been the friend of English Catholics, and with the Government of which he had been already in communication during the recent negotiations as to the college at Valladolid. The following letters explain themselves. They show us on the one hand the generosity of the Spanish Catholics towards us, and, on the other, give an interesting little insight into the state into which the London chapels had been reduced and the work done in restoring them.[1]

"BISHOP JAMES TALBOT TO COUNT CAMPOMANES.

"YOUR EXCELLENCY,

"We have recently heard that our petition with regard to the Catholic Chapels in this city destroyed in the furious Riots of the people has been commended by the 'Concilium Supremum' to the distinguished Chapters of the Churches. And since we have already in the past commended this work to your Excellency, and as from other sources we are not ignorant of your zeal in such cases, we do not hesitate to attribute this decree of the 'Concilium Supremum' to your kind interposition. But while with gratitude of soul we recall these things to mind, we at the same time trust that a like zeal for religion to that which induced your Excellency to take up this our cause, will also induce you to follow it out, and bring it to a happy issue.

"For the Chapels which were destroyed have now for the most part been rebuilt, and nothing remains but to settle the claims of the Architects, who being themselves Catholics, are willing to have patience until we can pay them all.

"One thing which we most earnestly beg is that any alms

[1] The originals, which are in Latin, are preserved among the *Westminster Archives*. They are translated here for convenience.

which can be given for this holy work should be sent to us with the least possible delay. For the state of religion at this time is more than usually tranquil, so that it is more favourable for establishing Catholic worship, for which purpose large alms are above all things necessary. And while we await this from your piety and zeal for the Catholic religion, we shall at the same time endeavour to deserve it by offering up prayer to God for his Majesty the King, for the Royal Family, and for the ministers of the 'Concilium Supremum'.

"In the meantime, with all veneration, we subscribe ourselves

"Your Excellency's most humble and obedient servant,

"JAMES, *Bishop of Birtha, V.A.L.*

"LONDON, *May* 25, 1784."

"BISHOP JAMES TALBOT TO DON ALONSO CAMACHIO.

"VERY REVEREND SIR,

"Not without a lively sense of gratitude, we received the announcement a few days ago that the alms collected in Spain for the Chapels in this city had been consigned to —— the Bankers, in order to be forwarded by them to Messrs. —— merchants, which we acknowledge to have been done by them by means of bills payable this coming month of April. We shall then be able to pay the Architects, who as they say, and I in truth believe, have been satisfied with less profit than is customary. There will then be nothing wanting for the complete restoration of the chapels. But we shall still require money for the support of the priests, and there are many things that must be supplied for the chapels which required the collection of large alms annually from the rich residents. But one of these chapels, which is situated in the sailors' part of the city, and is frequented by sailors from every nation, has hardly any, I will not say rich, but even people who are able to give anything except from their necessaries. I mention this, so that if any further alms could be obtained, they should be. And the memory of such benefits will not be effaced from the minds of our people by any lapse of time. It only remains for us to beg your Reverence to carry our gratitude to the illustrious Count de Campomanes, who with re-

spect to religion, can with all truth be called 'Nostrarum decus columenque rerum'.

"Praying from my heart for all blessings for you,

"We subscribe ourselves,

"Your most humble and obliged servant,

"JAMES TALBOT."

In order to obtain an idea of Catholic London of those days, it will be worth while to say a few words about each of the "Chapels," and other Catholic centres. For this purpose we can again avail ourselves of a letter written by Bishop Talbot, this time addressed to Propaganda, the date being February, 1782. The occasion which caused it is not without interest, illustrating as it does the comparatively subordinate place which the vicar apostolic still occupied in arranging for the work to be undertaken by the different priests.

It appears that the Polish Ambassador, Signor Bukati, applied to Propaganda for leave to establish an embassy chapel at his own expense, having selected one Rev. Mr. Doran as his head chaplain. Propaganda assented to his application, and sent him the desired authorisation, requesting him to show it to Bishop Talbot. This accordingly he did. The bishop, however, had a low opinion of Mr. Doran, and had already refused to renew his faculties; he felt bound therefore to appeal to Rome against the appointment, alleging the double reason that Mr. Doran was not a suitable person, and that there was no need for an additional chapel at all.[1] In order to make good this second point, he explained the state of the London mission, and enumerated the existing chapels. This enumeration will furnish us with the material which we want.

Bishop Talbot mentions in all seven chapels, four of which he says were in "the fashionable part of the town," or as we should now say, in the West End, and were under the protection of the ambassadors of the various Catholic Powers—the Portuguese, Neapolitan, Bavarian and Sardinian respectively—and supported at their expense. The other three—Moorfields, Virginia Street, and Bermondsey—depended for their support on the bishop.

It is well known that the Embassy Chapels were the chief

[1] Mr. Doran afterwards apostatised and eventually ended his life by suicide.

centres of London Catholicity in Penal times. Profiting by international privilege, every ambassador of a Catholic nation used to exercise the right of keeping his chaplain, who would celebrate Mass. To this the neighbouring Catholics were commonly admitted, and the ambassador's house became a quasi-mission. In some cases there was a regular public chapel annexed, in which every exercise of religion was tolerated, except preaching in English; for the chapel was theoretically for foreigners. Even this restriction was often allowed to fall into abeyance for long periods of time. In other cases, there was nothing but a room in the ambassador's house, and it would not infrequently happen that he would change his residence, thus putting the neighbouring Catholics to grave inconvenience. These are not always easy to trace at a given time, and we shall only speak here of the four embassies where there were permanent chapels in the early years of Bishop Talbot's episcopate, and of a fifth—the Spanish—which was established before his death.

We will take them in the order in which Bishop Talbot mentions them, and begin with the Portuguese chapel. This had originally been at Warwick Street, and the ambassador lived in Golden Square; but about the middle of the century, he moved his residence to South Street, South Audley Street. He kept eight chaplains, and had all the services carried out in what was for those days a very elaborate fashion. The chapel itself was on the first floor, over the stables. In later times, when Vincent Novello was organist, the Portuguese Chapel acquired a reputation for its music, and was attended regularly by many Protestants as well as Catholics. It lasted on till the political troubles in Portugal in 1826, soon after which it was closed; and it is now completely forgotten.

The next Embassy Chapel to be mentioned was the Neapolitan, in Bird Street. This was removed in 1787 to Seymour Mews, Portman Square, and four years later it migrated again, this time to Bond Street; but after that it only survived a single year, and was finally closed as a public chapel in 1792. During the time we are now concerned with, there were six chaplains.

The third Embassy Chapel was the Bavarian, the ambassador had taken the old house of the Portuguese Embassy

in Golden Square, and supported the old Warwick Street Chapel, which opened into the stable-yard at the back of his residence. On the ceiling of the sanctuary the arms of the King of Portugal were still visible. During the Gordon Riots the inside of the chapel was completely destroyed; but it was temporarily repaired, and lasted another ten years before it was rebuilt. There were five chaplains attached to the Embassy.

We come lastly to perhaps the best-known Embassy Chapel in London, that of the Sardinian ambassador in Duke Street, Lincoln's Inn Fields. Here there were seven chaplains. This is the only chapel of Dr. Talbot's period the appearance of which is familiar to the present generation. As it now stands it dates practically from the time of the Gordon Riots, for so far as the interior was concerned its destruction then was complete. When it was restored, it was doubled in size, the new part being built on the ground formerly occupied by the stables.

The position of a chaplain was an anomalous one. He was nominally in the employment of the ambassador, who gave him his appointment, and paid him his salary. Practically, however, most of the chaplains were mission priests, for the ambassador kept many more than were necessary for the requirements of the Embassy, for the purpose of enabling them to minister to the wants of the people. They lived in lodgings, in different parts of the mission, whenever they found rooms convenient for their work.

Bishop Talbot next proceeds to enumerate the three chapels under his direct control, and supported by subscription,—one in the business part of the city (Moorfields), with three priests; one—Virginia *Road* (as it was then)—in the sailors' part; and one with a single priest on the south side of the river. This latter was situated in East Lane, Bermondsey; and was the oldest mission in South London, having been founded by Rev. Gerald Shaw in 1773. It was the first to be rebuilt after the Riots, and was solemnly blessed by the bishop, and opened once more, on Thursday, February 21, 1782.[1]

[1] For some years after 1791 this chapel appears in the Catholic Directory as "Salisbury Lane, Rotherhithe". If Salisbury Lane was where Salisbury Street now is, it was two or three hundred yards from East Lane, and in Bermondsey, not in Rotherhithe. In the Directory for 1810, the chapel resumes its old designation of East Lane, Bermondsey.

The chapel or Mass house in Ropemakers' Alley, Moorfields, was never rebuilt, but a new chapel and house were set up in White Street, hard by. This was begun in 1783, and it is interesting to note that in the builder's contract, which is still preserved, it is styled a "warehouse," no doubt from reasons of prudence, as Catholic chapels were still illegal. The chapel in Virginia Road was also put into repair at that time; but it was not until some twenty years later that it was enlarged and assumed the shape that some still remember.

Writing in 1786, Bishop Talbot said that all the chapels, including those in connection with the embassies, had been rebuilt, and were in a better state than before the Riots. He added that another chapel was being put up, which it was hoped that the Spanish Ambassador would rent. This was the chapel in York Street, St. James's. The work was under the direction of the Rev. Thomas Hussey, afterwards first President of Maynooth and Bishop of Waterford, who had for many years been connected with the Spanish Embassy, and had been senior chaplain since 1784. He was, to use Butler's well-known words, "a man of great genius, of enlightened piety, with manners at once imposing and elegant, and of enchanting conversation".[1] His acquaintance was very large. Boswell mentions him as the friend of Johnson, and the fact that he was elected a Fellow of the Royal Society shows that he was known to many outside the Catholic body. By nature a diplomat, he was engaged at least once by the British Government on a secret mission to Madrid, in which, though unsuccessful, he gained credit for his endeavours. As Spanish chaplain, he worked hard and successfully, and saw the chapels at York Street and Spanish Place successively opened, soon after which he was recalled to Ireland.

In the chapels of the ambassadors High Mass was already customary every Sunday. Samuel Webbe, whom Charles Butler calls the father of Catholic Church music in England, was organist at Lincoln's Inn Fields, and John Danby, his pupil, held a similar position in the Spanish Chapel. Although both were excellent musicians, Butler is forced to admit that, whether from want of means, or for whatever other reason, the choirs were not on a high level.

[1] *Hist. Mem.*, iv., p. 438.

In other chapels, both in London and in the country, there would be a Low Mass, with some English prayers before or after. It was exceptional to have music of any kind. With respect to the sermons, the following extract from a letter written by the celebrated Dr. Kirk, then a young priest, to a former fellow-student, at the English College at Rome, gives an interesting little insight into what was customary. The last part, though not directly concerning the London District, is of interest, as the Rev. J. Carter, to whom it refers, was a priest of great influence in the Midlands, who will figure somewhat prominently in a later chapter, as one of the leaders of the "Staffordshire Clergy". Dr. Kirk was at this time an assistant master at Sedgley Park School,[1] from which place the letter is dated, on May 24, 1784. He writes as follows:—

"Preaching is not so much practised as formerly. Even in London, there is only Warwick Street Chapel among the Ambassadors' where there is a sermon. There is another, I believe, mostly at Moorfields, and at an Inn near Lincoln's Inn Fields. However, we have some very capital preachers. Mr. Archer, from Douay, is looked upon as the best in London. He is naturally very fluent, and has acquired a very good delivery and utterance, by dint of study, and by assisting at the pleadings at the Courts of Justice, which and the stage are the best schools. And without this latter qualification in an eminent degree a person will be looked upon as a mean fellow, that has no education at all, so nice are the English now on that point. Now they tell me Mr. Archer excels in that—for I never had the pleasure of hearing him—and therefore, and because what he says is sound and solid, he is much esteemed everywhere in England. He is also a person that bears an exceeding good character. He has been induced to publish some of his sermons, the third volume of which will soon come out. They are four volumes in all, price 12s. to subscribers, and contain sermons for all ye Sundays and feasts in the year. They are universally esteemed. Mr. Appleton[2] is now publish-

[1] Sedgley Park near Wolverhampton was a well-known preparatory school founded by Bishop Challoner in 1763. There were usually about 100 boys, many of whom afterwards went to Douay or elsewhere on the Continent, and became priests. The school continued on its original site until 1873, when it was removed to Cotton Hall, near Alton, in Staffordshire.

[2] Rev. James Appleton, at this time chaplain to the Blounts at Maple Durham.

Rev. James Archer, D.D.

ing his likewise in four volumes, 12s. He is not esteemed so much as Mr. Archer. Mr. Hussey is much esteemed also, and his cousin Mr. Robinson. I heard the latter in London, and a very good sermon it was, but Mr. Robinson had little or no action. But of all the preachers I ever heard, no one ever pleased me so much as Mr. Carter does. He is the town priest at Hampton,[1] and has the place yt Mr. Taylor had. He is about thirty-five years old, and a very sensible and able man. He has a very good voice, and the best utterance and delivery I ever knew any one to have. He has paid particular attention to the study of his own language and to what we call action, and has succeeded amazingly well. The Chapel at Hampton is a very large one, besides the large gallery, and yet so renowned is his name yt it cannot contain ye Catholics and Protestants yt flock to hear him. Protestants of ye first quality in Hampton send to know when he preaches, and crowd to hear him. Happily for us, he is no bigot, but void of common prejudices. He was Mr. Jos. Berington's favourite scholar at Douay. We have also others yt are excellent catechists, and some other preachers, but these are the chief."

Dr. Kirk adds that when there was no sermon, the usual order was to have some English prayers before Mass, and then the priest would read from a spiritual book. He specifies as instances Gother's *Instructions*, a very well-known book in those days, Baker's *Sundays Kept Holy*, and Archer's *Sermons*.

The inn near Lincoln's Inn Fields to which Dr. Kirk alludes was the "Ship," in Little Turnstile, which is still standing. The custom of preaching there was a relic of the time when English sermons were prohibited at the embassy chapels. The congregation of the Sardinian Chapel would adjourn after Mass to the "Ship," where one of the chaplains would preach to them. The custom still continued until the abolition of the Penal Laws in 1791. Bishop Challoner used frequently to preach at the "Ship," and his vicar general, Rev. Joseph Bolton —who was also vicar general to Bishop Talbot—preached there regularly until his death in 1783.[2] It was an in-

[1] *I.e.* Wolverhampton, then a much larger town than Birmingham.

[2] In the Diaries of Mr. Mawhood, a well-known London merchant, the sermons at the "Ship" are regularly alluded to until the year 1791. The Diaries are in the possession of his descendant, Mr. John F. Corney.

direct result of the sermons at the "Ship" that Mr. Archer became a priest; for he was a servant boy there, and it was owing to his appearance of piety on those occasions that Dr. Challoner observed him, and sent him to Douay. He arrived back in England as a priest just after the Gordon Riots.

We can arrive at a fairly close estimate of the number of Catholics in London during the episcopate of Bishop Talbot. In 1773 Dr. Challoner sent his last report to the Holy See. In this he put down the number of London Catholics at 20,000. The total population of London at that time was considerably under a million, so that this would come to a little more than two per cent. There is no reason to think that the number was increasing during the years that intervened before his death, and most probably during the time that Bishop Talbot was vicar apostolic, it would have been slowly diminishing.[1]

With respect to the number of clergy it is more difficult to arrive at a trustworthy estimate, since it was affected by the suppression of the Jesuits, which took place the same year in which Dr. Challoner sent his report. Those Jesuits who were already on the mission for the most part continued as secular priests, and as soon as the Academy at Liège was in full working order, a certain number of new priests came over annually to replace the losses by death or other causes; but for some years the supply was uncertain and intermittent. In 1773, Bishop Challoner said that there were 120 priests, of whom fifty-five belonged to the secular clergy. Bishop Talbot, who sent a report in 1786, estimated the number of priests at 100, though he added that a good many of these were not doing regular mission work but living as chaplains to private families. There is reason to think that his estimate was in any case too high. Berington, writing in 1780, says definitely that there were fifty-eight priests in the London District: and at the meeting just after Bishop Talbot's death there were sixty either present or represented by proxy, and probably most if not all the priests of the district were included. If this figure be accepted, there would have been about forty priests living

[1] In his report to Rome in 1786 Bishop Talbot estimates the number of Catholics in London at the impossible figure of 100,000, which has been quoted several times, especially in Roman documents. It must have been a slip of the pen, for we cannot imagine the Catholic population having increased fivefold in thirteen years.

in London, which number agrees roughly with what we should expect from the lists of the embassy and other chapels and elsewhere, already given.

It sounds at first strange that Bishop Talbot should have been unable to give more exact information on this matter; but we must again remember how much less close was the dependence of the clergy on their bishops then than now. The support of the majority of the priests depended directly on the country gentlemen, and the bishops were not always in close touch with them, and sometimes not even cognisant of changes made, unless such changes involved the issue of new faculties. Moreover, a priest could move from district to district, according to the appointment which he was able to obtain; for the oath they took at Douay did not limit them to any particular district. But over and above the difficulties which necessarily occurred, we must add that Bishop Talbot had evidently no mind for statistics, or even for any kind of accuracy of statement: in all his reports mistakes abound.[1]

In accordance with the curious arrangement which then obtained, Bishop Talbot was a member of the Chapter, but did not preside at the meetings. The Dean was the Rev. John Shepherd, chaplain to the Hammersmith Convent. On his death in 1789 he was succeeded by the Rev. Peter Brown of Lincoln's Inn Fields. The members of the chapter lived in all parts of England: they met twice a year, in London. Although their canonical position had become doubtful since the division of England into four vicariates under James II., they had kept their body together, filling the vacancies as they occurred by co-option, hoping for better times. In the event, when the hierarchy was established in 1850 their functions finally ceased; but being unwilling to dissolve, they changed their name to "The Old Brotherhood of the English Secular Clergy," and as such they exist to-day.

Considering their small numbers, the Catholics of London were very active in the support of charities. The Aged Poor

[1] Dr. Challoner's report in 1773 does not even agree with itself. Although he says in the summary that the priests numbered 120, those in the detailed list add up to 145. These include ninety said to be in London, which is evidently only a rough estimate, and probably much too high. See Mazière Brady, *Annals of the Catholic Hierarchy*, p. 169. In a matter of this kind, Berington is a more trustworthy authority.

Society, founded in 1708, was suspended for a time after the Gordon Riots, but was afterwards revived and still flourishes. The Benevolent Society, with like aims, was founded in 1761 and has had a continuous existence ever since. Another society somewhat resembling the latter in name—the Beneficent—had as its object to start young Catholics in life, by supplying money to put them out as apprentices to some trade. This society was established during the episcopate of Bishop Talbot. There was also a "Society of the Education of Children of Indigent Parents," founded so far back as the year 1764.

Quite a feature in the lives of English Catholics of those days was the strictness with which they kept the laws of fasting and abstinence. In this respect Dr. Talbot's sympathies were in accordance with his family traditions. Yet curiously enough, it was during the years when he was vicar apostolic that important relaxations had to be made in the ecclesiastical laws. Up to this time a custom had existed of keeping every Friday of the year (except during Paschal time) a fast day, as an act of intercession for the conversion of England. This was beginning to be felt as a serious hardship, and one of Dr. Talbot's first acts on becoming vicar apostolic was to petition for the abrogation of the law. His petition was successful, and from 1781 Friday became a day of abstinence only, as in other countries.[1] With respect to Lent, however, he made a great effort to preserve the strict discipline. The law still held good prohibiting meat from Ash Wednesday until Easter. A dispensation had been granted for several years, allowing it three times a week except in Passiontide; but in 1782 Bishop Talbot made an effort to prevent this from becoming a fixed and regular arrangement, by withholding the dispensation. He explained his reasons in his Lenten Pastoral in a few words:—

"As after mature deliberation" (he wrote) "we can see no special reason this year for a general dispensation, for eating flesh meat on certain days, and lest the too frequent repetition of such dispensations should enervate the discipline of the Church in this regard, we think ourselves obliged to confine them to the following articles."

He proceeds to give a dispensation for eggs and cheese,

[1] At that date Saturday also was a day of abstinence in England, as in other countries.

except on Ash Wednesday and the last four days of Holy Week; and ends as follows:—

"As to those whose health or other circumstances seem to require more indulgence, we exhort them to be careful not to deceive their pastors by false allegations, as this would be only deceiving themselves by rendering the dispensations void."

Seven years after this, however, in 1789, Bishop Talbot once more granted a dispensation for meat, and though he was careful to guard against the supposition that it was intended to make this an annual arrangement, in point of fact it proved to be so; for this was his last Lent, and his successors always granted the dispensation.

The reasons which induced Bishop Talbot to grant the leave in 1789 are given by him in his Lenten Pastoral as follows:—

"There never was, perhaps, a time" (he writes) "when the necessities of the poor were greater. And as the last frost, in which many poor persons perished through distress, has destroyed almost all the vegetables, on this account and others the following leave is granted in the London District, but so as not to be made a precedent for other years.

"As these indulgences are granted merely for necessity, we hope they will not be abused for the indulging of sensuality. And as it has become so often of late years necessary to give leave for meat, we have thought it better to restrain the leave for eggs, that as we cannot keep all, we may keep at least as much as we can. And we think it cannot be deemed a hardship to refrain from eggs, when meat is allowed. It may indeed be some inconvenience in great entertainments, but these it is our desire, as it is our duty, to discourage in Lent."

CHAPTER III.

CATHOLICITY IN THE HOME COUNTIES.

1781-1790.

BISHOP TALBOT, during the nine years of his jurisdiction, sent to Rome only one report. This gave an account of his vicariate to the year 1786. It has already been mentioned, and its curious want of completeness or accuracy has been noticed. Nevertheless it will form the most convenient basis for a survey in detail of the condition of the London District at that period. Comparing this document with the earlier reports sent by Bishop Challoner, we find only too much evidence to bear out Berington's statement that the number of missions was steadily growing less. Wherever we turn, we find the same story: places where a priest used to live, and where Mass had been said, now no longer mentioned; the reason, the date and the cause of the disappearance being at this distance of time usually impossible to ascertain. At the seats of the gentry, the chapels continued unless the squire fell away from his religion; but the country centres, at one time numerous, where groups of Catholics had formed themselves into little congregations, were one by one steadily disappearing, while at those which still survived, the estimated number of Catholics nearly always showed a diminution as time went on. Even since the last report, drawn out by Bishop Talbot as Coadjutor to Bishop Challoner, in 1773, the change is noticeable. In Hampshire, for example, out of ten missions in 1773, four had disappeared by 1786.[1]

Bishop Talbot, in his report, begins with Hammersmith, which he describes as a hamlet three miles from London. It was then an important Catholic centre. We find there several houses of Catholic education. One was a preparatory school

[1] These were Shelfield, Idsworth and Lyholt, Sopeley, and Petersfield.

or Academy for boys, where Charles Butler received his early education. Another was a school on Brook Green, intended as Milner tells us "for indigent females, which should serve the double purpose of a boarding school and an asylum".[1] This had been established about the year 1760, under Bishop Challoner's patronage, by a Mrs. Carpue. She carried it on herself for some fifteen years, assisted latterly by Mrs. Bayly, by whom it was afterwards continued. But more important than these, at least historically, was the convent, with its school for girls of the upper classes: this calls for a somewhat longer account.

There were at that date only two convents in England, the other being the well-known Bar Convent at York, still existing in the same place to-day. Both were indirectly connected with the so-called "Jesuitesses" founded by Mary Ward in the seventeenth century, though the precise relation in which they stood to the original foundation was very complicated, and is even now not generally understood.

At the beginning of her religious life, in the year 1606, Mary Ward was a lay sister in a Flemish Convent of Colletines at St. Omer. She left this community in order to found a purely English house of Poor Clares, the first of the kind, at Gravelines. Having previously been only a lay sister, she insisted on going through her noviceship afresh; and in fact she never completed it, for she left the order, and devoted herself this time to the foundation of a new community of nuns who should lead a life in several respects different from that of the religious orders hitherto existing. They were to take only simple vows, to keep no kind of *clausura*, and to give themselves to active work in the world. They modelled their rule on that of St. Ignatius, and in consequence became popularly styled "Jesuitesses".[2] The first house was opened at St. Omer; a few years afterwards a filiation was established in London, in the neighbourhood of Spitalfields. Other houses were

[1] *Life of Challoner*, p. 34.

[2] This title, "Mulieres Jesuitissae," is officially used in the bull of Benedict XIV. (1749) in which he forbids the members of the Institute of Mary to consider themselves as a revival of that congregation, or to look upon Mary Ward as their foundress. It is said however that there is now a reaction in Rome in Mary Ward's favour, and a tendency to allow the prohibition to fall into abeyance.

opened at Liège, Cologne, Treves and Munich; and later on one also at Vienna.

The new institute at first met with great opposition. At the present day we are so accustomed to this class of convent that there appears to us nothing strange in nuns going out into the world to seek works of charity. In the seventeenth century it was otherwise. The whole mode of life seemed against the spirit, if not against the actual decrees of the Council of Trent. It was freely said that the life led by the nuns was improper, that they were trying to do the work of priests, to instruct and catechise the people and to minister to their spiritual needs in a manner never before permitted to the female sex. Even Mary Ward's personal life was not left free from criticism of the most acrimonious type. She and her community had in fact to endure the usual fate of pioneers in any great work: they were misunderstood and calumniated. In England there was a further reason for this opposition, in consequence of the regrettable state of party feeling between the Jesuits and secular clergy. The fact that Mary Ward's institute was closely allied to the former, even though there was no official connection between them, created for it many enemies who spoke with vehemence and asperity.

In the end the opposition prevailed: the institute was suppressed by the celebrated bull of Urban VIII. in 1631. One house alone survived the general destruction—that at Munich, where by the special pleading of Maximilian I., Elector of Bavaria, the community were permitted to continue their common life, under certain modifications of rule.

The suppression of Mary Ward's institute did not prove final. Within a short time we find her in Rome with some others, living under the eye of the Holy Father himself. About the year 1638 or 1639 she was back in England, re-establishing her institute in a somewhat modified form. She established two communities, one in London, in the neighbourhood of the Strand, the other at Hewarth Hall in Yorkshire. In this latter house her death took place in 1645. At the present day her gravestone may be seen in the churchyard of the little village of Osbaldwick, a mile or two outside York.

The house at Hewarth did not long survive the death of its foundress; but the London community continued, though with

very attenuated numbers, until about 1689, when they united themselves with a colony which had been sent some years before from Munich. This colony had come at the instance of Queen Catharine of Braganza, and had been under her protection. After a short sojourn in St. Martin's Lane, they settled at Hammersmith, where Mrs. Bedingfield, their superioress, at first rented, then bought, a fair-sized building adjacent to Cupola House, which was the country residence of the Portuguese Ambassador. This was probably one of the reasons for selecting that house, so that in the event of a popular outcry against the nuns, they might secure the protection of the ambassador.

It had been hoped that the foundation in the north might be revived as well as that in London. This hope was realised in 1677 when Sir Thomas Gascoigne provided them with a house at Dolebank, near Fountains Abbey. Mrs. Bedingfield superintended this new foundation, but was unable to go there at first, as she could not be spared from Hammersmith. The original five nuns were all English, but they seem to have come over direct from Munich, the acting superioress being Mrs. Lascelles. They retained as their official name the Institute of Mary; but they were frequently spoken of as the "English Virgins".

Sir Thomas Gascoigne soon suffered for his zeal in founding the convent. In 1679 he was apprehended, and together with his nephew, Rev. Thomas Thwing, was arraigned at the Court of King's Bench for an alleged plot to murder the King. He was, however, acquitted; after which he withdrew from England, and spent the remainder of his life—for he was already over eighty—in the monastery of Lamspring, where his brother was abbot. The Rev. Thomas Thwing was less fortunate then his uncle; he was condemned to death, and suffered at York on October 23, 1680, being the last of the Douay martyrs.

Soon after this, the house at Dolebank proving unsuitable, the community went back to the old house at Hewarth; but this also proving inconvenient, they moved again, this time settling at York, in a house near Castlegate. At the beginning they had to face persecution, and in 1682 we find them imprisoned in York Castle, where they were subjected to great hardships. Early in the reign of James II. they obtained their release, and in 1686 Mrs. Bedingfield joined them permanently

as superioress. In the November of that year, she purchased a house outside Micklegate Bar, on the site where the convent now stands. A few years later she also was called upon to confess the faith, being thrown into the Ousebank Prison, from which she eventually obtained her release through the mediation of friends in York. In the year 1695 again, the convent seemed to be on the point of destruction by an angry mob; but by a remarkable providence it escaped harm. Four years after this, Mrs. Bedingfield was recalled to Munich, where she died in 1704, having just lived to see the formal approbation of the institute by Pope Clement XI. the previous year.

At Hammersmith the nuns for the most part remained unmolested. They did not indeed wear their religious habit, but in other respects they kept the rule in its entirety. They carried on a school, and this also was commonly not interfered with. The only exception of importance was during the persecution which followed the scare caused by Titus Oates's Plot. At that time all Catholics were banished to at least ten miles from London, and the Hammersmith community, together with their chaplain, a Carmelite, took refuge in "a very retired place," the direction of which is not specified. They soon fell under suspicion, and one day their house was surrounded by soldiers while a "search" was conducted within. Their chaplain, Rev. Father Lucian, succeeded in concealing himself, and nothing was found to incriminate the nuns. After this they thought it wise to move farther into the country; but being disturbed a second time, they came to the conclusion that it was useless to seclude themselves, and they returned in the night to Hammersmith, where they lived as secretly as possible until times grew quieter.

The convent never prospered very greatly. A few years after the departure of Mrs. Bedingfield, her successor, Mrs. Cornwallis—who had formerly been at York—placed the community under the bishop of the London District, which had of course the effect of separating them from their sisters in the North, and likewise from the Munich house. She was induced to take this step partly on account of the recall of Mrs. Bedingfield to Munich, but partly also by the advice of Bishop Giffard, who succeeded to the London District in 1703, and who considered that their position as dependent on a

foreign convent was not only inadvisable, but also in opposition to the Bull of Suppression. He himself drew out a set of rules, looking upon the nuns merely as a community of pious women voluntarily living together. Many people, however, contended that the Bull of Suppression had been virtually abrogated by Rome's subsequent action, and when the Institute of Mary obtained the formal approbation, Mrs. Cornwallis wished to re-unite the Hammersmith convent with that at Munich. On this point there was not unanimity among the nuns, and a state of tension ensued, which ended in Mrs. Cornwallis herself withdrawing in 1715 and rejoining the community at York.[1]

The other nuns were too attached to Bishop Giffard to follow their superioress. He too was devoted to the convent. After his long life of toil and hardship, and his experience of prisons and persecution, he ended his days peacefully in the chaplain's house, which formed part of the convent buildings. He said his last Mass in their chapel on the feast of Corpus Christi, in the year 1733; nine months later he died a holy death in their midst, at the patriarchal age of ninety-two.

The history of the Hammersmith community during the succeeding half century is one of continuous decline. At one time there were fourteen nuns; but this number steadily diminished until more than once the community was on the verge of extinction. Their school, however, acquired a good reputation, and was well patronised, the number of pupils averaging nearly fifty. The nuns eventually became too few to keep it up by themselves, and they had to call in the aid of secular teachers. A set of rules drawn up by Bishop Petre, and confirmed by Bishop Challoner in 1763, is preserved in the *Westminster Archives;* these give a very detailed account of the manner of life, both in the school, and among the few boarders at the convent.

When Dr. Challoner died, the community was already in debt, the expense of paying their school teachers having been more than they were able to afford out of the moderate pensions of the scholars, and the school had to be closed. At this

[1] By a rescript of Pope Pius VII. in 1816, the Convent of York was released from its dependence on Munich, and placed under the vicar apostolic of the Northern District.

juncture, Bishop James Talbot came to their assistance, and made an arrangement with them, the details of which have only partially come down to us. So far as can be ascertained, he bought the whole property, on condition that the amount of the purchase money, after discharging their liabilities, should be devoted towards the work in the chapel which he wished to be carried out, and to which he contributed half of the expense; for in that chapel he had received his episcopal consecration at the hands of Bishop Challoner in 1759. After this, he took up his residence in the chaplain's house, where he continued during the closing period of his life, though he was often absent visiting his district during the greater part of the year.

We can now proceed with our short survey of the country parts of the London District, returning once more to Bishop Talbot's report. We find that he omits all mention of Isleworth, where his own family had a residence, with a chapel in the house, and where he himself had been born. At this time Shrewsbury House was let to a Mr. Bayley, who carried on a small preparatory school there.

After saying that there is nothing further to note about Middlesex, Bishop Talbot takes us next through Hertfordshire and Bedfordshire. In these two counties there were very few Catholics, and only one mission in each—Shefford in Bedfordshire, and Old Hall Green in Hertfordshire. The former had recently been endowed by a local tradesman, a Catholic, who lived with his two sisters: at their death the whole property reverted to the mission. At Old Hall Green, in addition to the congregation, there was also a school to provide for. This was the personal property of Bishop Talbot, who established it to replace Bishop Challoner's school at Standon Lordship when that came to an end. Standon Lordship was the seat of the Lords Aston, the last of whom left at his death two co-heiresses both infants in law. It was during their minority that Bishop Challoner rented the house, and had the school carried on there; but as soon as they came of age, they sold it. This was in 1767. Two years later, Bishop Talbot came to the rescue, and during the rest of his life the school was carried on at Old Hall Green, some two miles away, under his supervision. The chief master was Rev. James Willacy, who at first attended to the wants of the mission as well as to the boys of the school;

but this became too much for his strength single-handed, and in 1785 the Rev. John Potier, who had recently been ordained, came from Douay to assist him. There were also two lay masters. The boys numbered only twenty-five; Bishop Talbot would not accept any more—and they were all under twelve years of age. Bishop Talbot's family connections succeeded in attracting representatives of all the leading Catholic families, both Northern and Southern, amongst the names of the early pupils being those of Arundel, Bedingfield, Blount, Charlton, Clifford, Dormer, Giffard, Heneage, Howard, Jerningham, Langdale, Riddell, Petre, Salvin, Stapleton, Strickland, Stonor, Talbot, etc.[1]

The adjacent county of Essex next claims our attention, and there we find considerably more Catholic activity. The chief Catholic in the county was Lord Petre, who owned large estates, and those were days when owners of the soil were men of power in the country. He had come into the title as ninth lord on the death of his father in 1742, being then only a child. He grew up with large ambitions, and lived in great state at the family seat at Thorndon, near Brentwood. He rebuilt the mansion, laying out the grounds after the Italian style, on an extensive scale. In private life, he was devout and charitable, and attached to his religion. One of the griefs of his life was the marriage of his daughter to a Protestant—a marriage to which he long refused his consent. Owing to his religion, he was never able to take his seat in the House of Lords; he was unable to present to advowsons; he had to pay double land-tax; all his deeds had to be "enrolled"; and in numerous other ways he felt the hardship of the Penal Laws; yet this did not lessen his feelings of patriotism, or of loyalty to his sovereign. He had the honour of entertaining George III. who visited Thorndon in 1778, this being probably the first instance of a king of the line of Brunswick staying at a Catholic house. A striking instance of Lord Petre's patriotism is recorded in the year 1798, during the progress of the Napoleonic Wars, when he equipped and supported at his own expense a corps of 250 men. He did this with the

[1] The Old Hall is still standing, at the back of St. Edmund's College, and is used as a laundry. It is one of the very few buildings connected with Dr. Talbot's life now in existence.

full approbation and concurrence of the Government, and in these circumstances he begged that his son, although a Catholic, might be allowed to take command over them; but—on the advice, it was said, of the Crown lawyers—his petition was refused, and his son served in the ranks under another officer.

There can be little doubt that his own exclusion from the House of Lords, and the other disabilities which pressed on him, were among the chief motives which induced Lord Petre to join himself with the party which gained unenviable notoriety as the Catholic Committee; and it was probably due to the influence of those who surrounded him that he went to lengths which at one time he would not have thought possible; while being a man of strong character, and having a position which gave him influence, when once he had adopted these opinions, he acted as a leader in propagating them.

Lord Petre's patronage of Dr. Alexander Geddes was also unfortunate, both in itself and in its results. Dr. Geddes was a Scotch priest, who having quarrelled with his bishop, came to London, about the year 1782, and for a time acted as a chaplain at the Sardinian Embassy at Lincoln's Inn Fields. Soon, however, he ceased altogether to do active work, and devoted himself to preparing a new translation of the Bible, which was accompanied with critical notes of an "advanced" type. Professor Cheyne reckons him among the precursors of modern "Higher Criticism," and at that date his opinions were considered not a little startling, and in some cases were absolutely unsound.

The unorthodoxy of Dr. Geddes extended far beyond questions of Scriptural interpretation, his whole attitude was one of rebellion against authority, and some of his letters which have been preserved are far from edifying reading. He was formally suspended by Dr. Douglass, and laughed at the suspension. Charles Butler admits that his creed was "scanty," and though he continued to call himself a Catholic, he was generally considered to have left the Church.

Yet all this time he was allowed by Lord Petre a pension of £200 a year, to enable him to continue his work. Undoubtedly much of his patron's action during that period of his life must be ascribed to his influence. Of this we shall have to write in detail later on; it is sufficient here to say that if

View of THORNTON HALL in Essex, the Seat of Lord Petre.

Lord Petre was drawn into an extreme position during the few years when the Committee were active, he was afterwards conscious that he had gone too far, and made ample satisfaction to his bishop during his last years.

In all works for the good of religion we find Lord Petre mentioned as one of the chief subscribers. Confining our attention for the moment to the county of Essex, we find that he supported four priests, two of whom were ex-Jesuits, the centres of their activity being the four family mansions belonging to him—Ingatestone Hall, Writtle Park[1] (near Chelmsford), Condron Park, and Thorndon itself. The first two of these were usually occupied by a junior branch of the Petre family. The third, Condron Park, had been leased to the family of Mason for over two centuries.

Bishop Talbot adds that there were three or four other Catholic gentlemen in this county who kept chaplains, naming especially Lord Stourton, who had, however, recently moved elsewhere, and let his house to others. The house in question was at Witham, and was formerly the seat of the ancient family of Southcote. We can also identify Bromley Hall, near Colchester, the seat of the Mammocks, and Kelvedon Hall, belonging to the well-known family of Wright. There was also a mission at Stratford, which was the property of the Franciscans, and for a time one at Walthamstow. Bishop Talbot estimates that there were in all some 600 Catholics in Essex.

He next turns to Surrey, which he dismisses in two lines, as containing not more than three or four priests, and hardly a hundred Catholics. Yet we find some interesting Catholic associations in this county, notably at Woburn Park, near Weybridge, which belonged to the Southcotes; Cheam, near Sutton, which belonged to the Stourtons; Sutton Place, near Guildford, and Roughey, near Horsham, both of which were the property of the Weston family; and Colman Place, near Dorking, one of the various centres supported by the Duke of Norfolk.

The next county to consider is Berkshire, and here we encounter a little difficulty in identifying some of the missions, as Dr. Talbot does not always give the names. We naturally

[1] From this place Lord Petre derives his title of Baron of Writtle. It is now a farmhouse.

begin with Reading, just outside which was the park of White Knights, belonging to the family of Englefield, from whom the well-known Berkshire village of that name is derived. Sir Henry Englefield, who succeeded to the baronetcy on the death of his father in 1780, was perhaps the most learned all-round scholar that the Catholic body possessed. Charles Fox, who was a friend of his, is reputed to have said that he never listened to his conversation without learning much. The versatility of his genius was no less remarkable than the extent of his reading. He could speak as a first-rate authority on almost every branch of learning—as the list of his writings shows, for they include works on such different subjects as astronomy and geology on the one hand, architecture and antiquities on the other. He was a first-rate classical scholar, and he was also competent to write on a practical question, such as "The Probable Result of the Destruction of London Bridge" (1821). In 1778 he was elected a Fellow of the Royal Society, and the following year he became a Fellow of the Society of Antiquaries. He was elected President of this latter society, but at that time the idea of a Catholic occupying such a position was so unusual that he found it necessary to resign after a very short term of office. He also belonged to the Linnæan Society, the Society of Arts, and other similar associations.

In the midst of all his avocations, Sir Henry Englefield found time to be a regular attendant at the frequent meetings of the Catholic Committee, and for a while he took a leading part in directing their counsels; but after the acute stage of the crisis was over, he returned to his studies, which were more congenial to his tastes. He had spent his early years at White Knights, but after he had inherited all the property of the family, he appears to have lived for the most part at Wootton Basset, Wilts, which was the principal family seat. He lived to an old age, but in his last years he was afflicted with almost total blindness, which to one of his studious disposition must have been a severe trial. He never married, so that as his brothers had died without issue, on his own death in 1822, the baronetcy became extinct.

It would seem that Sir Henry Englefield on leaving White Knights in 1780 founded an endowment for a permanent chapel, either there or in the town, and the Reading mission is dated

from that year. Soon afterwards, Mr. Wheble, a well-known Catholic, who had made money in trade,[1] built himself a house at Bulmarsh, a short distance out of Reading, where he had a domestic chapel, and often had a priest to say Mass on Sundays. We learn from a letter written by Mrs. Wheble in 1781 [2] that at that date there was Mass at Reading every alternate Sunday; but later on, when Mr. Wheble established a regular mission at Bulmarsh, the Reading Catholics went to Mass there instead.[3]

One of the oldest missions in the country may next occupy our attention, namely that at Woolhampton where "Douai Abbey" now is. The mission was the property of the Earls of Fingall and was alluded to by Bishop Talbot as belonging to a noble family, who had recently ceased to live there, and sold their property. He says that although they had built a house for the priest and founded a small endowment, yet he fears that the same will happen there as in the past had been experienced elsewhere, that as soon as the influence and example of the Catholic squire is removed, the congregation will gradually fall away. In this case, however, his fears have not been realised, for the mission has had a continuous existence right down to the present day.

A few miles south of Woolhampton was Ufton Court, the seat of the ancient family of Perkins; but they had died out some years before, and although the chapel was kept up, very few Catholics remained.

From Woolhampton and Ufton we naturally proceed northwards to East Hendred, near Steventon, which though one of the most interesting Catholic seats in the country, by some strange oversight, was overlooked by Bishop Talbot in his report. The Eyston family, who were the owners, had kept the faith in an unbroken line since England was Catholic, and are to-day still represented by their direct descendants. Their domestic chapel, dedicated to St. Amand, dates back not only to the Reformation, but to very much earlier, at least to the

[1] Mr. Wheble was the founder of the firm now known as Francis Tucker & Co.

[2] Ushaw MS., vol. ii.

[3] The seat of the Blount family at Maple Durham—one of the best-known Catholic seats in the country—though in the neighbourhood of Reading, is in Oxfordshire, and therefore in the Midland District. For this reason it is not mentioned in James Talbot's list.

thirteenth century, though the architectural style shows .the actual building to belong to a somewhat later date than this. For many years after the Reformation, as it could not be used as a chapel, it is said to have been converted into a wood-house, in order to save it from destruction. When James II. came to the throne, the chapel was once more put into order, and Mass was celebrated there. But this state of things was not allowed to continue long: on December 11, 1688, we read that the Prince of Orange with his army were passing through the neighbourhood, and his soldiers pillaged the church, some of them departing clad in priest's vestments. The following year, however, when the state of the country became quieter, the chapel was once more re-opened, and has been in use ever since.

The Eyston family also owns the Lady Chapel of the Parish Church, which they keep railed off from the rest of the building, using it as a burial-place for the family. By marriage they are connected with the descendants of Blessed Thomas More, and they possess some valuable pictures and other articles connected with his memory.

About four miles from East Hendred is the little village of Milton, where the chief landed proprietor, Mr. Barrett, was a convert to the Catholic faith, having been received into the Church by Bishop Challoner, who frequently stayed at his house. He was able to repay his debt of gratitude to the bishop after death, by affording him a burial-place of suitable dignity, in his own vault under the Parish Church. There the body still lies to-day. The approach is from outside, so that the vault can be entered without passing through the church.

We can next proceed to Buckland, near Farringdon, where we find one of the best-known Catholic seats. The owner, Sir Robert Throckmorton, had been in possession since 1720, and was by then an old man.[1] His family had always been Catholics, one of the most interesting relics in his possession being a large manuscript book, still preserved there, containing a list of fines levied on him and his ancestors in penal days—a long record of their constancy in adhering to their religion.

[1] The Throckmortons had inherited Buckland by marriage with the Yates family. The chief seat of their own family was Coughton, in Warwickshire.

The heir to the baronetcy was his grandson, Mr. John Throckmorton, who lived at Weston Underwood, another family seat, near Olney, in Buckinghamshire, and the only Catholic centre in that county. Mr. John Throckmorton was one of the most prominent men in Catholic affairs, and the chief leader of what may be described as the "advanced" party among the laity. Of his action in public matters, the reader will have ample opportunity of forming a judgment. Here it is proper rather to record his private virtues, which were many; for he was devout and charitable, and sufficiently well off to devote large sums to the good of religion, and the relief of distress. He was a man of wide reading, and was ever anxious to use that enlargement of outlook with which his studies furnished him for the benefit of his co-religionists. This anxiety unfortunately led him to a course of action which we cannot but regard as worse than ill-judged, and gave him the appearance of being a disaffected Catholic. Yet even when at his worst, he was susceptible to good influences. The manner in which he responded to that of the Papal Envoy, Mgr. Erskine, and afterwards to the unremitting kindness of Dr. Poynter, shows a side of his character which stands in pleasant contrast to that which he exhibited during the unfortunate Committee disputes, which we shall come across presently.

There remain now three counties to consider—Kent, Sussex and Hants. In the first-named of these, there were only three priests, one being an ex-Jesuit. The chief missions were at Hales Place, the seat of Sir Edward Hales; Nash Court, the seat of the Hawkins family, both in the neighbourhood of Canterbury; and Cale Hill, near Ashford, the residence of the Darrells, where the old chapel is still in use.

In Sussex and Hants several well-known missions are enumerated. Chief among these may be mentioned that at Winchester, one of the oldest town missions in the South of England. Here the Rev. John Milner had already been installed before the death of Bishop Challoner, and he was destined to become the most prominent Catholic of his day. Already during Dr. Talbot's lifetime, he had gained a reputation as a vigorous writer and a learned theologian; and when later on he was constantly called upon to give advice to the bishops, or to write on their behalf, the opinions which he expressed were

always inclined to the stricter side. As Amherst points out,[1] he had what may be called a naturally orthodox mind, by which he means to express his possession of a keen instinct leading him to recognise any tendency leading away from that absolute loyalty to the Church's teaching which was to him as the breath of his nostrils. His strong grasp of principles, however, brought this natural penalty along with it, that he was unable to enter into the minds of those who saw less clearly than himself. Milner was essentially a partizan. In this he was not singular. All controversialists of that day seemed to think that unless they spoke slightingly of their opponents, they would lay themselves open to the charge of lukewarmness to their own principles, and they considered it their first duty not to admit anything that might weaken or even appear to weaken their own side. Special pleading was the order of the day, and a mis-statement of one's adversary's position almost an invariable accompaniment. Milner, however, went further than this. Not only did he put his arguments into harsh or even offensive language, but, to use Father Amherst's expression, one of his chief methods consisted in what is known among lawyers as "damaging the character of the witness". This led him to say things about those with whom he was arguing which many regretted, and did more to damage his own influence and reputation than he was aware of. His intimate friend and assistant, Bishop Walsh, bore testimony to this failing of his, telling Milner to his face that he was "violent and severe".[2] The fault was particularly regrettable in some of his battles for orthodoxy with the "Cisalpines". They, too, could say hard things at times; but taking the controversy as a whole, we are constrained to admit that the balance of heated language was not always on the side that we should wish it to have been. In later life, Milner was at one time definitely prohibited by Rome from writing at all in the *Orthodox Journal*, in consequence of the offensive style of many of his writings.

In his conversation, also, bluntness of speech was part of Milner's nature, and the things which he said could not fail to make him many enemies. Dr. Weedall's oft-quoted epigram that Milner "undervalued the little etiquettes of society" was by far an understatement of the truth. Without seeking to

[1] See i., p. 157, and ii., pp. 135 *seq.*

[2] *Life of Milner*, p. 550.

Rev. John Milner (*ætat c.* 25).

justify some of the calumnies uttered of him by his enemies, it must be admitted—as Amherst indeed admits—that Milner gave them an excuse by the things which he said of them.

We are of course speaking now of Milner as a controversial writer and theologian. His work as a man of action will appear as we proceed. His extraordinary vigour and activity, added to a strong constitution, and an almost boundless power of work, caused him to be a prominent figure in Catholic life for nearly half a century. He is described by Provost Husenbeth, his biographer, as of about middle stature, with a strong frame and broad shoulders, and having a florid complexion, dark expressive eyebrows, and black hair, though its colour was rarely seen, as he was accustomed to powder it. When he first came to Winchester, he still looked very young, and the people complained that the bishop had sent them a boy for their pastor. They soon, however, grew to be attached to him, and others besides Catholics became proud of him as a scholar and antiquary, and an ornament to their city. His *History of Winchester*, published in 1798-1801, became well known. Some years before that he had already become sufficiently famous to be elected a Fellow of the Society of Antiquaries—an unusual honour for a Catholic priest in the eighteenth century.

The chapel then as now was situated in St. Peter's Street (the ancient Fleshmonger's Street) and the priest's house was known as St. Peter's. The mission dated back probably from the time of James II. Originally Mass had been celebrated in a room of St. Peter's House; but somewhere between 1730 and 1740 a small chapel was built in the garden, at the expense of two priests, Messrs. Hyde and Shaw, who lived there. Though small and unpretending, this little chapel was adequate for the wants of the Catholics of that day.[1]

Among the congregation at Winchester in 1780 was John Lingard, then a boy of nine. It was greatly through Milner's influence that he was sent to Douay as a Church student in September, 1782—a curiously noteworthy fact, in view of the

[1] These details are taken from a letter of Dr. Milner. The name Hyde was an *alias*. The real name of the priest was Rev. Robert Hills: he was the son of Henry Hills, a well-known printer of Blackfriars, who became a Catholic in the reign of James II.

strong opinions against Lingard's writings which he evinced later in life. Writing to Bishop Sharrock many years later about one of Lingard's works, Milner says:—

"The author [Lingard] is acquainted with some of my objections, and behaves with a haughtiness on the occasion unbecoming his situation and his great obligations to me."[1]

Another very old mission was that at Gosport, where Bishop James Talbot had built the chapel out of his own income. He describes it as "most useful to sailors, especially during the time of war". He also mentions Brockhampton, near Havant, where there was an old mission founded and endowed by the Carylls in 1733; Tichborne, near Alresford, the seat of the family of that name; and Southend, or Soberton, near Bishop's Waltham, where an ex-Jesuit resided, though he places it, by error, in Sussex. Lastly, among the Sussex missions he also mentions Brambridge, which was in reality in Hampshire, not many miles from Winchester. This was the ancient seat of the Wells family; but at this time was occupied by a junior branch of the Smythes, of Acton Burnell, Shropshire. Here it was that Mrs. Fitzherbert who was a daughter of Mr. Walter Smythe, spent the greater part of her early years.

In Sussex, we come first to a mission at Easebourne near Midhurst, which is bound up with sad reminiscences: for the reason of its existence was the apostasy of Lord Montague, whose seat at Cowdray Park, just outside the town, was one of the few places in the South of England where Mass had been said without break since Catholic days. The Lord Montague of that time had come into the title as a boy, on the death of his father, in 1717; and he lived to hold it for the unusual period of seventy years. Although he had been brought up at Douay, and was as a youth much respected as a pious Catholic, when he reached middle life he "took the Oaths," and became outwardly a Protestant. He closed the chapel in his mansion; but he preserved sufficient respect for the faith of his ancestors to establish and endow a mission house, in the neighbouring village of Easebourne, to replace it, and serve for the needs of the Catholic congregation. He continued to some extent in touch with Catholics, for there were funds at Douay founded by the generosity of his ancestors, and

[1] *Clifton Archives*, Supplementary volume.

he would arrange for those whom he considered deserving to receive the benefit of them. He lived to extreme old age, and received the grace of repentance at the end. "In his last illness," we learn, "[he] called up all his people, and told them he had never been convinced of ye truth of ye Protestant religion, but he had changed it out of pride, avarice and ambition. He received all ye sacraments, and gave great signs of sorrow."[1]

On the death of Lord Montague, the title passed to his only son, who six years afterwards died without issue, being drowned in the Rhine, near Schaffhausen, while almost at the same time the family mansion at Cowdray was burnt to the ground, and the historic Catholic associations which clung around it perished.[2]

Some ten miles from Midhurst, in the direction of Petworth, was Burton Park, another Catholic seat, which had originally belonged to the Gorings. That family became extinct in 1724, when the property passed to the Biddulphs, in whose hands it remained for over a century. At the time when Bishop Talbot wrote, the owner was living in Italy; but he supported a priest

[1] Letter from Rev. William Gibson, in *Westminster Archives*.

[2] It has often been stated that the Montague Peerage died out at this time: such, however, is not the case. The Lord Montague who was drowned was the seventh viscount. Burke, in the *Extinct Peerages* (p. 84), passes over the eighth, and mentions a ninth viscount, Mark Anthony Browne, Esq., who died in 1797, apparently without having assumed the title. In view of the uncertainty surrounding the question the following extract from a letter from Milner to Bishop Douglass, preserved in the *Westminster Archives*, dated November 4, 1796, is of special interest:—

"Your Lordship knows that we have once more a Catholic Lord Montague, who is nephew to my friend Mr. More, and to Sir Thomas More. This Lord, though gifted with very few, and these very small talents, yet appears to make the very best use of those which he actually possesses. In short, he is exceedingly pious, and well instructed in his religion which is described to be the ordinary subject of his conversation. Being now at full liberty to practise his religion, the benefits of which he has been so long deprived of in France, he is very assiduous in frequenting the sacraments, and a doubt having been started whether he was ever confirmed or not, he is perfectly wretched until the same is cleared up, which can only be done by consulting Bishop Challoner's Register of Confirmation in your Lordship's possession, as it appears certain that if he was ever confirmed, it must have been before he was of the age of eleven years, when he lived with his parents at Easebourne near Cowdray. His name is Mark Anthony Browne, the son of Mark Browne, Esq., and Anastasia, his wife, and his name will be found somewhere between the years 1745 and 1756. It is not yet known, in case he is not confirmed, whether he will come hither to meet your Lordship at your approaching visit, to receive that rite at your hand, or apply to Bishop Walmesley, in whose District he is. I must premise that he is engaged to pay a visit here soon."

in his absence, to minister to the Catholics around Burton. The house was burnt down in 1826, but rebuilt immediately afterwards, and a new chapel was then put up, adjoining the house. The mission still exists, the present church, which is some little distance from the house, having been built in 1869. The property now belongs to the Jesuits, it having formed part of the munificent legacy left by Mr. Dawes, to be divided between the Southwark Diocese and the Society.

There was also a mission belonging to the Franciscans, at West Grinstead, where the faith had lasted continuously from Catholic times; and one at Slindon, near Arundel, which had been endowed by the Kempe family—but before this time it had passed by marriage to the family of the Earls of Newburgh.

Lastly we come to Arundel Castle, the seat of the Duke of Norfolk, at that time in a state of dilapidation, and the Duke lived chiefly at Worksop in Nottinghamshire. He kept a chaplain, however, at Arundel. At this time the post was held by the Rev. Philip Wyndham, who continued until his death in 1823, when he was succeeded by Rev. Mark Tierney, the historian, who lived until 1862, and is still remembered. The mission was continued throughout the time when the Duke of Norfolk was a Protestant (1786-1815), and he was reconciled to the Church at the end. On his death in 1815 he was succeeded by his cousin, Bernard Edward Howard, who had been educated at Bishop Talbot's school at Old Hall Green, and was a pious Catholic.

Bishop Talbot sums up his report characteristically as follows:—

"From all this, I conjecture that the number of Catholics is no greater than in former years. For although the times are much more favourable than formerly, and more especially so since the abortive attempt to revoke what had already been conceded to us, nevertheless we hear of hardly more conversions than before. But this" (he adds) "may be due to my own incapacity, for I am really not good for anything, and for this reason, as soon as opportunity shall arise, it is my intention to beg for a Co-adjutor, a request which you have already granted to my younger brother."

CHAPTER IV.

CATHOLIC ENGLAND BEYOND THE SEAS.

1781-1790.

No account of the English Catholics of the eighteenth century would be complete without some space being devoted to their various religious houses scattered over the Continent. There were not indeed any belonging specially to the London District, for there was no distinction of the four districts within their walls; but in every case a fair proportion of the inmates came from the South of England, while from the fact that London was the metropolis there was more intercourse with that district than with the others.

The fact that so small a body as the English Catholics of that day—assuming them to have numbered not much over 60,000—should have had over forty houses on the Continent is an extraordinary testimony to their piety and earnestness. It must be remembered, however, that most of these houses had been founded many years before, when the number of Catholics was larger, and the majority of them had some endowment inherited from those times. The houses which were dependent for support on the number of their actual inmates had difficulty in continuing through the decay of the eighteenth century. Few of them indeed found it necessary to close, but the number of their subjects had in most cases become much reduced when the French Revolution broke out, and the communities, one after another, arrived back in England in a state of destitution. One great cause of the remarkable change in the state of the Church in England in the early nineteenth century from what it had been in the eighteenth was that nearly all these houses had been at that time in some shape or form refounded in England.

It was humanly speaking a coincidence that the abolition

of the Penal Laws against Catholics in England took place just at the time when the communities were driven forth from France and Flanders by the Revolution, and consequently the last years of the Penal Laws were also the last years of most of the English Catholic establishments "beyond the seas". Throughout Bishop Talbot's episcopate they were in full working order, without any prospect of coming to an end, and they formed an integral part of the English Catholic Church. Several of the convents and colleges were wholly or partially rebuilt during the eighteenth century, and the highest hopes of English Catholics were often centred in the prosperity of their foreign establishments. We proceed accordingly to an enumeration of them with a short description of the principal ones, and their actual state at the time with which we are concerned.

Douay.

We almost of necessity go first to Douay. If in our own day Brighton can be called "London-on-the-Sea," certainly, with at least equal justice, could Douay, at that date, have been called "Catholic England beyond the seas". The celebrated English college founded by Cardinal Allen would alone have been sufficient to give it that title; in addition to which there was an Anglo-Benedictine monastery and school, an English Franciscan monastery as well as colleges belonging to the Scots and the Irish. The Anglo-Benedictine house was dedicated to St. Gregory; it was the lineal ancestor of the present St. Gregory's, Downside.[1] Besides these religious houses, there were numerous Catholic families living at Douay, some of whom had been there for generations and most of whom had originally sought Douay as a place of refuge from the Penal Laws enforced in England. But by far the most important as well as the oldest establishment was that known simply as "The English College," founded by Allen in 1568, the Alma Mater of the great majority of the Martyrs. A few words about its actual state will be in place.

The Rev. William Gibson became President of Douay in the

[1] After the Restoration in France the monastery and school at Douay were occupied by the Community of St. Edmund, formerly at Paris. It was this community who were expelled a few years ago by M. Combes, under the Associations Law, and are now at Woolhampton, Berks.

English College, Douay.

same year in which Bishop James Talbot became vicar apostolic. He was a member of a well-known North-country family. Like his elder brother, Dr. Matthew Gibson, Bishop of the Northern District, he had more than his share of roughness of manner and bluntness of speech, and this, added to a tendency to autocratic action, created for him enemies throughout his life. But he was undoubtedly a capable man, with considerable powers of organisation, as his subsequent work in England showed. The scheme he conceived to himself of the work before him on his appointment as president was thought out with care and completeness. He wished, in short, to bring the college up to date, both materially and intellectually. If the material improvements occupied his first attention, this may be put down as the result of circumstances. He had indeed become president at a somewhat difficult time. At the beginning of the eighteenth century, the college had been in financial difficulties, but it had been rescued by Dr. Witham, who was president from 1715 to 1738, and was justly regarded almost as a second founder. Not only had he paid all the debts, but he rebuilt a great part of the college on a large and substantial scale. The main block of buildings which he put up is standing to-day, and shows little sign of wear. But he did not complete his work, and his three successors did little or nothing to continue it. The Rev. Tichbourne Blount, who preceded Mr. Gibson, is one of the few presidents who resigned. William Gibson, on his installation, set himself to work to complete the rebuilding of the college; but in so doing, although he was able to draw upon money which had already been collected in England, he nevertheless had to incur considerable debt. Moreover, his whole manner of government was said to be extravagant, and out of proportion to the means and resources of the college. The procurator[1] was Rev. Gregory Stapleton, who had held that office since 1773, and consequently had at least the advantage of experience. He expostulated with the president, but in vain; and eventually he resigned. When he left in 1785 there were many who sympathised with him rather than with the president. The new procurator, Rev. Ralph Platt, a young priest, recently ordained, found diffi-

[1] The office of "procurator" is more or less equivalent to that of a "bursar" in most schools; but it was commonly held by a priest.

culty at the outset in meeting the demands of the college creditors. An appeal for help was made to Propaganda, as had been done more than once in former times, for Douay was a "Pontifical College," and already in receipt of a regular pension from the Pope. The appeal was not made in vain, the only stipulation laid down by Cardinal Antonelli, the Prefect of Propaganda, being that a yearly account should be rendered of the financial state of the college.

In this way the immediate difficulties were tided over; but stories continued to reach England of imprudent expenditure, especially as to the amount of entertaining which President Gibson was said to consider necessary to keep up the position of the college, so that Bishop Talbot could not but feel anxious at the direction in which affairs were tending. As a former student and professor, and a large benefactor, he was always in close sympathy with the work of the college; but his letters show that at this time he was far from happy about its state, either material or moral. He had known Mr. Gibson as a boy at the college: profiting by his long friendship, he wrote to him a plain warning of his apprehensions; and he also wrote to Mgr. Stonor, the agent of the bishops in Rome, to ask his advice. The latter answered in the March of 1787:—

"Your way of proceeding with regard to Mr. President Gibson was, I think, altogether the most prudent one that could be adopted. If my information is good, since his return to Flanders his conduct is much altered for the better. I hope he will continue still mending, and free you from the necessity of taking any steps that might be equally disagreeable to him and to you."

Three months later he wrote again:—

"I sincerely wish and hope your paternal admonitions to Mr. President will be attended with the desired effect, and produce a thorough reformation, particularly in ye economical government."

With regard to the moral and religious tone of the house under Rev. W. Gibson, we have less means of forming a trustworthy opinion. If we may judge by current report, there must have been a considerable feeling of irritation among the students, as well as want of harmony among the professors. We may quote a single sentence out of a letter written by Rev.

William Hurst, the agent of the English bishops at Paris, to Bishop Talbot, which is typical of many others. "My concerns for Alma are very great," he writes. "You must be better informed of its poverty, discontent and discord than I am; but can no remedy be found? Some say not under present Government."[1] Mr. Gibson himself admits in his letters that he has had a good deal of trouble, but says that it came chiefly from the London boys, who he evidently considered had been brought up amidst surroundings of dissipation which did not obtain in the North. Some lay boys, too, from Bishop Talbot's own school at Old Hall Green appear to have been refractory, and he compares them unfavourably with boys of the same age arriving from Sedgley Park. He pleads further against Bishop Talbot's readiness to believe unfavourable rumours, saying that he has often heard similar bad accounts of Old Hall Green, but took no notice of them. "I was forewarned," he says,[2] "that I ought to take care how I allowed my boys to communicate with yours, and that I ought to suppose that these fine accounts are given of boys to please ye world, and yt is ye policy of Old Hall Green. Notwithstanding all this," he adds, "I find some of them are fine boys that come from thence."

In another letter he reverts to the same subject:—

"If you give ear to all you hear against this place, and I do ye same in regard of Old Hall Green, we shall reciprocally have a very indifferent opinion of them both."

But, finally, he attributes many of his difficulties of internal administration to the want of that cordial co-operation among the superiors which (he considers) he might reasonably have looked for.

In favour of the president's contentions, we are able to call one important witness in Dr. Poynter, who was in the college either as student or professor during the whole time of Dr. Gibson's administration, and was prefect of studies during the last years before the Revolution. His evidence is the more weighty, as he was not himself from the North—he came from Petersfield in Hampshire—so he would not have been prejudiced in Mr. Gibson's favour. In view of the long and important

[1] *Westminster Archives.* "Alma" was a name commonly used by former Douay students for their college.

[2] *Ibid.*

part he afterwards played in Catholic affairs, this, the first letter of his preserved in the *Westminster Archives*, is of considerable interest. He pleads for a better relation between the president and the bishop, contending that all the misunderstandings have been due to irresponsible rumours to which he evidently thinks that Bishop Talbot has been too prone to listen. In consequence of this he says that President Gibson has more than once been on the point of resigning, which, in his opinion, would be a calamity to the college.

We can form some idea of the daily life at Douay from an acquaintance with the two English colleges, which claim descent from Cardinal Allen's foundation—Ushaw in the North, and Old Hall in the South. There were indeed some differences introduced in England, one being that, in accordance with English custom, no general uniform has ever been worn.[1] In this respect Douay resembled a French seminary, for all the students, lay as well as church, wore the cassock. In some other accidental ways, such, for example, as the names for the classes—"Rhetoric," "Poetry," "Syntax," etc.—the college was affected by French influences. But in spirit and tone it was absolutely English. Charles Butler, who was himself educated there, bears witness to this fact:—

"It should not be forgotten" (he writes) "that notwithstanding their exile and persecutions, the hearts of these foreign scholars remained truly English. This was ever observed by those among whom they were domiciliated. During the war, which was closed by the Peace of Paris, every victory which the English gained over the French was a triumph to the English boys in their foreign schools. Their superiors were more than once admonished by the magistrates and their friends not to make their joy on these occasions too noisy."[2]

And he concludes by saying that what he calls "The salutary and incontrovertible truth that one Englishman can any day beat two Frenchmen," was "as firmly believed and as ably demonstrated at Douay and St. Omer's as it could be at Eton and Winchester".

The Rev. Joseph Berington gives similar testimony:—

[1] At St. Edmund's since 1817 it has been customary for "Church boys" (*i.e.* those intending to become priests) to wear the cassock.

[2] *Reminiscences*, p. 9.

Charles Butler as a Boy at Douay College.

"It is observable," he writes, "that our English boys never lose that antipathy to Frenchmen and French manners which I trust is constitutionally innate." [1]

There were lay students as well as Church students; but the latter formed the large majority. Out of a total, including divinity students, of about 100, or sometimes rather more, at least seventy or eighty were preparing for the priesthood; and their education was the primary object of the college. We may again quote Charles Butler's *Reminiscences*:— [2]

"Their design was to educate for the ecclesiastical state a succession of youths who might afterwards be sent on the English mission. The Catholic gentry availed themselves of them for the education of their children. They were excellently instructed in their religion; the classics were well taught, but the main object of them being to form members for the Church they were not calculated to qualify the scholars either for business, the learned professions or the higher scenes of life. Writing, arithmetic, and geography were little regarded in them; modern history was scarcely mentioned, and little attention paid to manners. . . . On two accounts—cheapness and universal equality of treatment—the foreign education of which we are speaking was entitled to the highest praise. The instruction, the dress, the board, the pocket money, the ornamental accomplishments of music, dancing and fencing; everything except physic was defrayed for the moderate yearly sum of £30. There was no distinction of rank. When the late Duke of Norfolk was at Douay College, he rose at the same hour, studied and said his lessons in the same classes, ate at the same table, and wore the same uniform as the other boys."

As time went on, and Catholics mixed more in the world, they began to question, whether the seclusion of the foreign colleges was not a grave evil. Charles Butler indeed in later life on the whole defended it; but his *Reminiscences* were not written till 1822: in the days of the Committee he was as active as anybody in declaiming against the system. Moreover there was latterly no direct connection between the English College and the University of Douay, so that one of the chief advantages of having the college there at all was thrown

[1] *State and Behaviour*, p. 179. [2] P. 5.

away. This added to the sense of isolation and helped to produce a certain narrowness of mind which has often been criticised. The effect was more pronounced in the case of the clergy whose isolation continued in after life to a greater extent than that of the laity. Berington alludes to this in his usual blunt manner as follows:—[1]

"The Priests from this house are the most numerous. . . . They are open, disinterested, religious and laborious; steady in the discharge of their duties; fond of their profession and emulous of supporting the character of primitive churchmen; but they are austere in their principles, confined in their ideas, ignorant of the world, and unpleasant in their manners."

Although, however, the English collegians did not mix much with the French at Douay, there was no lack of mutual intercourse between the various British establishments there, and with the English residents in the town. An English Catholic would be less isolated at Douay than at any of the other Catholic centres on the Continent. Indirectly also the University exercised considerable influence on the college, by bringing the professors in contact with the thought of the day in a manner in which they have not been since it came to an end.

Rome.

The next institution to consider is one which, as a college, ranked as the first daughter of Douay, but as a British Catholic centre dated back long before the Reformation—the English College in Rome. Owing to the city being the seat of government of the whole Church there were always English Catholics in Rome, some visiting the city on business or pleasure, others residing there. There was likewise an English priest in residence to act as official agent for the vicars apostolic. At this time Mgr. Christopher Stonor held that office so far as three out of the four vicars apostolic were concerned.[2]

The English College in Rome, known then, as now, by the title of the *Venerabile*, was passing through a critical phase of

[1] *State and Behaviour*, p. 174.

[2] The exception was Bishop Walmesley, who being a Benedictine, usually transacted most of his business through Rev. J. Waters, O.S.B., the official "Procurator in Curia" for the Benedictines.

its history. Up to the year 1773 the superiors had been Jesuits. At the suppression of the Society in that year the college was handed over to the secular clergy; but unfortunately the authorities failed to realise, as the Jesuits had done, the necessity of providing English superiors for English students. The college was not then, as it is now, limited to students in philosophy and theology; it resembled more our present colleges at Lisbon or Valladolid; for it included boys passing through the ordinary classes as well as "divines". The system of discipline introduced was thoroughly Italian, and though the superior, Mgr. Foggini, was a capable and zealous man, the methods he pursued were unsuited to English ideas and could not but lead to bad feeling. We have a full account of the state of things in a letter written by Rev. John Kirk, a student at the college at the time, that is, shortly after Bishop James Talbot became vicar apostolic. The original is preserved in the *Westminster Archives.* It is too long to give in full; but the following details are all taken from it, and allowing perhaps for some slight exaggeration in the youthful mind they may be taken as substantially authentic.

During nearly two centuries in which the college was under the direction of the Jesuits, the rector had almost always been English. Everything was done to preserve the English character of the house. Morning and night prayers and points of meditation were all in English; the students read in the refectory in English; and English practice sermons were preached by the divines. Now all was changed; everything was in Italian—even the practice sermons—so that Kirk says the students began to forget the little English they had brought out with them. Even the confessions had to be made in Italian. Those who could not speak that language were allowed access to an English priest; but he was not allowed to absolve them. His function was simply to translate the confession into Italian and teach it to the penitent, who had then to seek an Italian priest and repeat to him what he had learnt.

The system of general discipline was equally injudicious. Bolts were put on the doors of all the rooms, and the students were locked in, not only every night, but even during the afternoon siesta in summer. The prisons which were thus

constructed were used freely for punishments. Students who were disaffected, or who misbehaved, were often kept in solitary confinement for periods varying from three to fifteen days. Sometimes they would be sent across to the Scots' College for weeks or even months, as happened to Kirk himself; and in more than one case, a student was removed to an Italian seminary thirty miles off, to be "reformed". Methods like these were not likely to win the confidence of the students, or to wear down disaffection; and it is with no surprise that we read of the daring adventure of two youths who determined on a supreme effort to run away. A journey of a night and a day brought them safely to Civita Vecchia, whence they hoped to work their passage home. Our sympathies go out to these adventurous youths rather than to their masters, who succeeded in having them apprehended when on the point of embarking, and brought them back to Rome. They imprisoned one in his room for four weeks, while they sent the other to an Italian seminary at Rieti for three months. Many others were similarly treated. They were never allowed to speak to any of the English residents: frequent use was made of corporal punishment for every slight offence. But in the end, Mgr. Foggini was constrained to admit that he could not manage the students.

Mgr. Foggini was not, as is generally supposed, the rector. He was, indeed, supreme over everything, and lived in the college, but he had a rector under him who had charge of the details of government, for Foggini himself, being a Canon of St. Peter's, was often absent. The funds of the college were then in a low state, this being traceable partly to losses in connection with the Duchy of Parma, but partly also to the expenses of a very elaborate *Requiem* celebration, provided by the college, had at the death of the "Old Pretender,"—or "James III." as he was always styled in Rome—which expenses the Cardinal Duke of York, at whose request it was held, promised to repay—a promise which he never kept. These two causes accounted for the number of students being low, for the number of "*alumni*" depended on the income, and there were hardly any "convictors," as those were called who paid their own pensions. When Kirk first arrived in 1773, there were only seven others. At the date of this letter (1783) there were twelve, of whom two

Monsignor Christopher Stonor,
Roman Agent of the Vicars Apostolic, 1748-1790.

were little boys; and only one was studying divinity. By this time the Parma money had been recovered, and it was said that the endowments of the college were sufficient for a total of thirty or thirty-five—a number which had been reached in past times. But no great anxiety was shown by the vicars apostolic to fill up the vacant places, and so long as the college was governed by Italians, no one was likely to be attracted there who had it in his power to go elsewhere.

Bishop James Talbot did not fail to see the hopelessness of the state of affairs which then obtained, and was continually trying to bring about a change. He rarely wrote a letter to Rome about any business without accompanying it by a declaration that the college was now useless for the English mission, and that the only hope of amelioration was to be sought in a change of system.

The "Protector" of the college was Cardinal Corsini, and it is only just to his memory to record that he took a lively interest in its welfare and exerted himself to devise plans to remedy some of its defects. But the idea of having English superiors did not appeal to him. The other was the Roman tradition, and was in force in the colleges belonging to other nationalities—Germans, Greeks, Maronites, etc. According to Mgr. Stonor, two reasons were commonly adduced in favour of the system. One was the saving of the travelling expenses whenever a rector was changed—for the cost of a journey to England in those days was considerable. The other was that an Italian was supposed to be capable of carrying on the college more economically, owing to his greater familiarity with the country and language. Both reasons, therefore, were financial. Mgr. Stonor, however, hints at a further reason, which in reality was more operative, though not openly acknowledged. This was that if the rector was an Englishman he would practically have to be chosen in England, and not only would the jurisdiction of the Cardinal Protector over the college be diminished, but his influence in Rome would suffer, as he would no longer have posts at his disposal—such as the places of superiors, masters and prefects—to hold in prospect to his dependants.

Bishop Talbot continued to press for a complete change and the appointment of English superiors. A similar applica-

tion was being made at this time by the Scotch bishops on behalf of their own college. In order to press this forward, Bishop Hay himself journeyed to Rome, and he writes from there on November 21, 1781, begging Bishop Talbot to send a simultaneous, though independent petition, on behalf of the English vicars apostolic. Bishop Talbot acted on his advice, the petition taking the form of an appeal from Propaganda to the Holy Father himself. It was signed by three out of the four vicars apostolic,[1] and was sent through the nuncio at Brussels, who often acted for the English Catholics.

We have it on the authority of Bishop Hay that the appeal had a great effect on the Pope, who referred it to Propaganda for report. The question was debated at several sittings, Cardinal Corsini absenting himself from the congregation in order to leave them free to discuss the question independently. They came, however, to the same conclusion as before, and reported against the petition on the main question. Nor was Bishop Hay himself any more successful in the matter of the Scots' College, and he left Rome in April without having achieved any result.

The appeal of the English bishops, however, was not entirely without effect. Several suggestions were made in order to meet the points raised by the vicars apostolic. One was that at least one of the priests should be an Englishman, who had studied his theology in Rome; the name of Dr. Kirk, who was soon to be ordained, was mentioned. Mgr. Stonor thought, at first, that this might be useful and be the first step towards his becoming rector; but on consideration it was considered that his position among superiors, all of whom were Italian, might be a difficult one, and instead the Rev. Mr. Green, an English priest residing in Rome, was engaged "to assist the young men in the study of English controversy, and in the composition of moral and catechetical discourses". Another reform of a different character was the provision of journey money to and from England, so that the vicars apostolic should no longer be able to plead want of means as a reason for not filling up the vacant places.

Mgr. Foggini died in 1784 and no one was elected in his

[1] The Vicar Apostolic of the Western District being a Benedictine, took no part in these negotiations.

place. After his death, Cardinal Corsini communicated directly with the rector, and was consequently more often in the college than formerly. Three years later, a further change was made, which had better be recorded in Mgr. Stonor's own words:—[1]

"A little Revolution," he writes, "has lately happened in ye English College. The rector, Abbate Magnani, has been dismissed in a very sudden, extraordinary manner. I saw him the very morning, and then he had neither knowledge or even suspicion of any such impending change. Nay, what is odd enough, Corsini had put his successor in actual possession before he acquainted him of his demission. The present Rector was before in ye Maronite College in ye same capacity, has a good character for prudence, sweetness of temper and piety, but has no great stock of learning, as I am told. The cause of his predecessor's misfortune, Corsini told me, was negligence in the government of the house."

Whatever we may think of this manner of effecting the change, the result seems to have been good. Mgr. Stonor wrote shortly afterwards very favourably of the capacity of the new rector. A year or two later, the vicars apostolic had filled up the vacancies, and the college was almost full. The vicars apostolic continued to press for national superiors; but it was not until nearly fifteen years later that this was at length conceded, under circumstances which we shall afterwards describe.

St. Omer.

The Jesuit College at St. Omer, which is now represented by Stonyhurst, is well known by reputation, and its original situation is perpetuated by the name Blandyke, still given to certain recreation days, that being the name of the country house a few miles from St. Omer, whither the students used to repair on these occasions. The college was founded by Father Parsons in 1592, and it flourished for 170 years.

But at the time which we are considering there was no Jesuit College at St. Omer. It came to an end, so far as its original site was concerned, in 1762, when the Jesuits were expelled from France. The story has often been told, how they all escaped secretly—both priests and scholars—so that when

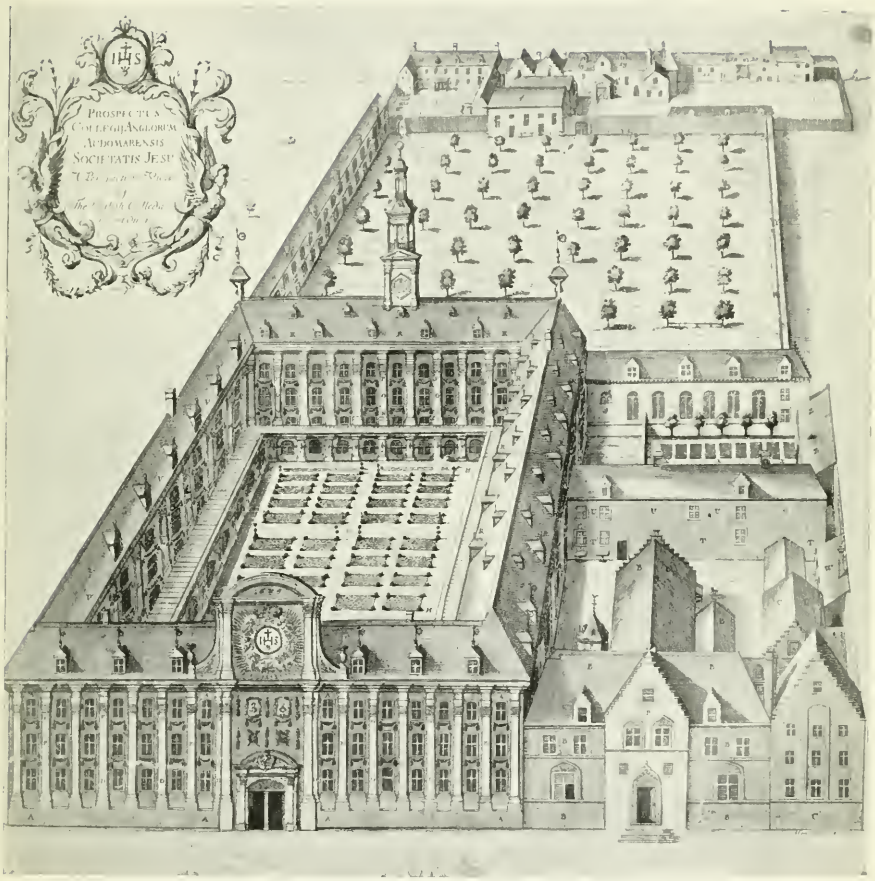
[1] *Westminster Archives.*

the French took possession of the college they acquired indeed the fabric and ground, but the inmates had gone. These found a safe refuge at Bruges, where they continued the institution until the dissolution of the society throughout the world in 1773. Of the fortunes of the school after that date we shall speak presently.

In the meantime, the College at St. Omer was offered to the secular clergy of Douay, who were at first unwilling to accept it, especially as they considered that an additional English College on the Continent was not wanted, and that there would be a difficulty about finding boys to fill it. It was represented to them, however, that if they refused, the college would be permanently lost to the English mission; whereas if they undertook its management, then should events take a more favourable turn in the future, they would be able to restore the college to its rightful owners. In the circumstances they consented, and the Hon. Thomas Talbot was nominated president. As, however, there was some delay before he was able to come —for he was then in England, and the country was at war with France—a temporary arrangement was made by which the Rev. Henry Tichbourne Blount, who was the head of the preparatory school at Equerchin, should act as president until Mr. Talbot's arrival. This arrangement was made because it was intended to remove the boys from Equerchin to St. Omer, where they were to form the nucleus of the new college. This plan was duly carried out, and the following year Mr. Thomas Talbot arrived and undertook the charge of the establishment.

Unfortunately, owing to a variety of circumstances, the action of the secular clergy was misunderstood by the Jesuits, and much ill-feeling resulted, which lasted for many years. The whole incident, however, belongs to a period earlier than that with which we are now concerned, and it will not be necessary to pursue the matter further. The question was argued out in Rome, and although no formal pronouncement was made, it was understood that the conduct of the secular clergy was absolved from any blame or censure.

The constitutions of the college in its new state as a "Royal College" were signed by the King of France on March 14, 1764. They were somewhat modified in 1789 by a new constitution which seems to have been issued in response



English College, St. Omer.

to an appeal signed by Bishop James Talbot, as Bishop of the London District; Bishop Thomas Talbot, who had been first president, and Rev. William Wilkinson, who is spoken of as actual president.[1] According to this document, although the college was primarily for the English, boys of other nationalities were not to be excluded; and in point of fact there were always some French boys there. Moreover, the government was not exclusively in the hands of the English. There was indeed a Council of Superiors, consisting of the vice-president, general prefect of discipline and the professors of rhetoric and of the second class; and they were all English. But the election of the president was not entirely in their hands. They had to submit three names, out of which the Bishop of St. Omer—who was of course a Frenchman—chose one, and apparently with the consent of the Bishop of the London District, presented him to the King of France, to whom the final appointment was reserved. Moreover, it was a "Royal College," in receipt of a regular pension from the King of France.

The Rev. Thomas Talbot had only been president three years when he was called away to be consecrated bishop auxiliary to Dr. Hornyold, Vicar Apostolic of the Midland District, whom he succeeded in 1778. The second President of St. Omer was the well-known Alban Butler, the learned author of the *Saints' Lives*, who ended his days there and died in 1773. He was in turn succeeded by Rev. William Wilkinson, and finally, on the latter's resignation in 1787, Dr. Gregory Stapleton was chosen to succeed him; and he continued in office until the college came to an end during the Reign of Terror.

It has been customary to look upon the secular college at St. Omer as rather a burden than a help to the English mission; but this is not borne out by the records of the time. A writer in the *Gentleman's Magazine*, who signs himself "An English Gentleman on his Travels," writing in May, 1766—that is less than four years after the college had changed hands—says that there were already over fifty boys there.

[1] Rev. W. Wilkinson ceased to be president in 1787; therefore the appeal which resulted in the new Constitution must have been drawn up before that date.

Twenty years later, Rev. W. Hurst writes:[1] "The reputation of [St. Omer's] increases daily. They have 114 scholars, their revenues increasing every year." About the same time, Mgr. Stonor, writing to Bishop James Talbot, about obtaining recruits for the English college at Rome, says:—[2]

"St. Omer is now so full that I should think it no hard matter to find some proper ones among the students of Poetry and Rhetoric there, and if none be found now, at least for the future to give such a turn to your education as to produce that effect. It would be effectually answering the end, or at least what was said to be the end of the foundation. It is what Father Parsons declares over and over again."

Several distinguished Catholics owed their education to the secular college at St. Omer. Conspicuous among these may be named Daniel O'Connell. He was there in the time of Dr. Gregory Stapleton, who formed a high opinion of his ability and prospects. "I was never so much mistaken in my life," he wrote, to Maurice O'Connell, Daniel's uncle, "as I shall be unless he be destined to make a remarkable figure in society."[3]

Amongst the superiors at the college during its last years we may mention one who afterwards held a prominent position in ecclesiastical affairs—the Rev. Francis Tuite, the procurator, who came from a well-known North of Ireland family. Among the students, Thomas Walsh, afterwards Vicar Apostolic of the Midland and for a short time of the London District, may be mentioned. It was owing to his friendship with Dr. Stapleton, formed at St. Omer and afterwards at Old Hall, that he accompanied the latter to the Midland District as his secretary. He ultimately stayed there and became intimate with Bishop Milner, who made him his coadjutor.

Paris.

At least five British houses can be enumerated in Paris, besides the Irish college. Of these, three were convents. One of the communities belonged to the Benedictine group, which we shall be speaking of later. Another community

[1] *Westminster Archives.* [2] *Ibid.*
[3] *Life*, by John O'Connell, i., p. 8.

were "Conceptionists," a branch of the Franciscans who had one of the best-known English convent schools on the Continent, frequented by many of the best families of the French aristocracy. They were known as the "Blue Nuns," and had been settled at Paris since the middle of the seventeenth century. The third community were Augustinianesses, and lived in the Fosse St. Victor. It was in this house that the second vicar apostolic, Dr. Richard Smith, ended his days. He died in 1655.

There were two houses of men; one was a Benedictine monastery, dedicated to St. Edmund, the King. This is the community already alluded to as afterwards at Douay, and now at Woolhampton, Berks.

The other house of men was the Seminary of St. Gregory, which was under the direction of the secular clergy, having been established in 1701, though the Collège d'Arras, on which it was engrafted, dated nearly a century earlier. The seminary seems to have been badly mismanaged, and finally the number of students was reduced to a single one—John Bew, afterwards President of Oscott. Dr. Howard, the president, left in 1782, when Dr. John Rigby was temporarily appointed. He left in 1784, after which time Dr. Bew acted as procurator, and for a time no students were taken, so that the college might recover its financial position. In 1786 Dr. Bew was formally appointed president, by the Archbishop of Paris on the recommendation of Bishop James Talbot, and students were once more received. The institution continued for the few years which intervened before the outbreak of the Revolution.

Valladolid.

The College of St. Alban at Valladolid ranks in respect to antiquity next after the *Venerabile* at Rome. It was founded by Father Parsons, S.J., under the protection of King Philip II. of Spain, in 1589. Pope Clement VIII. confirmed the establishment by a bull dated April 25, 1592, and entrusted the direction of it to the Jesuits of the Province of Castile. In its early days the college prospered, the number of students at times amounting to fifty or sixty or even more. The greater part of the money was supplied by subscriptions among the

Spanish, whose good-will towards the English Catholics at that epoch is well known. Two other foundations were made in Spain, one by Father Parsons, in Seville, in 1592, dedicated to St. Gregory, the other the College of St. George at Madrid, founded in 1612 by Father Cresswell, also an English Jesuit. These were both, however, on a smaller scale, and neither of them had a prolonged existence. The income of the former was barely sufficient for the support of one or two students, who were eventually sent to Valladolid, and when the Jesuits were expelled from Spain in the latter half of the eighteenth century the whole property was lost. The house at Madrid was rather more fortunate. Soon after the foundation there were twelve students in residence; but the number dwindled, and there were no students there after the middle of the seventeenth century.[1]

It is not necessary here to enter into the difficulties which showed themselves in the administration of the college at Valladolid during the first century of its existence. The fact that England and Spain were at war during a large part of that time made the position of the Spanish superiors necessarily one of great delicacy, and the fact that signs of friction showed themselves from time to time need not occasion surprise. Nevertheless, some excellent work was done on behalf of the English mission. The college reckons among its *alumni* twenty-one martyrs, and six more who died in prison for the faith. The pictures of the martyrs, hanging on the walls of the cloisters at the present day, are a continual reminder of the work done by the college in the past.

It is also of interest, though of a different kind, to know that the college counts among its students the notorious Titus Oates. The following entry written in the year 1684 in the "Liber Alumnorum" kept in their archives records his brief stay thus:—

"Titus Ambrose, vere Oates, venit cum prædictis, et ob pessimos mores post 4 menses ejectus factus est. Infamis apostata, nimis notus, et auctor persecutionis plusquam Neronicæ; sed iniqui foverunt foveam, et inciderunt in eam."

[1] There was also a residential establishment at San Lucar, near Seville, independent of the Spanish. It appears to have been founded by some English merchants early in the sixteenth century, and was handed over to the English clergy in 1591. Not very much is known about it, and it was never of any great importance.

English College, Valladolid.

At the present day nothing is left of the original college except the kitchen buildings. The chapel was rebuilt on a substantial scale, with a large central dome, in 1679, Father Manuel Cutayad, S.J., being at the time the rector. The college itself was rebuilt some three-quarters of a century later (1749-56) on much the same scale. Together with the chapel, it forms a quadrangle, with a cloister all round, and includes a spacious refectory, a library of some ten thousand volumes, and other scholastic accommodation in a convenient form.

The Jesuit fathers were not long to enjoy the fruits of their labours, for in 1767 the Society was expelled from Spain. The number of students at the college had for many years been diminishing, and when the Jesuits left, there were only two remaining. It became a question whether the college could be continued. Its salvation was due to the work and initiative of Bishop Challoner, who petitioned the King of Spain, Charles III., to allow him to place it under the care of the English secular clergy; and likewise begged that the college at Madrid might be sold, and the proceeds applied to the endowment of Valladolid. His petition being granted, the college started on a new period of existence. The first secular rector was Rev. Philip Perry, D.D., a man of considerable literary ability, and of nearly twenty years' experience on the English mission, in the Midland District. This latter qualification Dr. Challoner looked upon as of great importance, as tending to produce a closer union than hitherto between the college and the mission for which the students were preparing. The Chair of Theology was occupied by Rev. Joseph Shepherd, who was also vice-rector, while Rev. John Douglass—the future bishop—came from Douay, bringing with him a colony of eight students, and he became prefect. During the next two decades an average of from twelve to fifteen students was maintained.

In the year 1774, Dr. Perry died, at the early age of fifty-four. He was succeeded as rector by Rev. Joseph Shepherd, who ruled the college during all the time that Bishop Talbot was vicar apostolic.

A chief feature in the life of the college has always been a great devotion to an ancient miraculous statue known as the "Vulnerata". Its history is interesting. Originally it stood

in the Cathedral at Cadiz. When that town was sacked by the English under the Earl of Essex in 1596, the soldiers dragged the statue out into the public market-place, where they defaced and publicly insulted it. The statue in its damaged condition was afterwards recovered, and taken to the residence of the Count of Castile, who honoured it with great devotion, and made continual acts of reparation for the impiety of the English soldiers. It appeared to the collegians of Valladolid that it would be specially appropriate if, as the representatives of the Catholics of the same nation which had committed the injury, they could undertake a permanent work of reparation. The consent of the Count and Countess of Castile having been with difficulty obtained, the statue was solemnly carried in procession to the English college, in the month of September, 1600, the Queen of Spain herself assisting at the ceremony, and the name of the "Vulnerata" was given to it. The statue was placed over the high altar, and the devotion of reparation has continued without intermission to the present day. Every Saturday throughout the year Mass is sung in honour of the "Vulnerata," and a special feast is kept on the Sunday within the octave of the Immaculate Conception.[1]

During the period with which we are now concerned, a second British establishment had recently been founded at Valladolid. This was the Scots' College, originally established at Madrid under the Spanish Jesuits in 1634. On the expulsion of the Society it had been closed; but it was revived three years later, when the Scotch bishops obtained possession of the ancient Jesuit house at Valladolid, hallowed by the memories of Suarez, De Puente, Rodriguez, and other celebrated Jesuit writers. This was effected through the good offices of Dr. Perry, and the first secular rector, Dr. John Geddes (afterwards bishop), received special assistance from Bishops Challoner and Talbot, which led to the cordial relations between the Scotch and English colleges which have subsisted ever since.

[1] Originally the feast was kept on the Sunday within the Octave of the Nativity of our Lady in September, which was the anniversary of the arrival of the statue; but as it is now customary for the students to be away at the country house at that time of year, the date of the feast has been changed.

Lisbon.

The idea of establishing an English college at Lisbon was due in the first instance to Rev. Nicholas Ashton, an English priest residing in that city, where early in the seventeenth century he held a "chaplaincy" which had been established for the benefit of his countrymen living there. On his death, he bequeathed a house for the foundation of a college or seminary. The design was carried into execution by his successor, Rev. Ralph Sliefield (*alias* Newman), in conjunction with Don Pedro Continho, a Portuguese nobleman, who gave the site on which the present college stands, together with an endowment of £150 a year. The only condition insisted on was that the college should be under the direction of the English secular clergy. The project was approved by Pope Gregory XV., in a brief dated 1622. The college was dedicated to Sts. Peter and Paul, and placed under the protectorate of the Bishop Inquisitor General; but for matters of internal discipline, including the appointment of the president, it was made directly subject to the newly appointed Vicar Apostolic of England, and later on, when the four vicariates were created, it was placed under the Bishop of the London District. In this respect it differed from all the other English establishments abroad.[1] The first president, Rev. Joseph Harvey (*alias* Hynes), appointed by Bishop Smith, arrived with the ten original students from Douay in 1628; but he died the following February on the very day on which it had been intended to make a formal commencement of the studies. The college was formally opened a few weeks later, and the following year Rev. Thomas Blacklow (*alias* White) arrived as second president.

The original intention was to limit the studies to philosophy and theology; but the cost of travelling in those days, added to other difficulties, made this impracticable, and a course of "humanities" was soon added, as in other English colleges on the Continent.

The early history of the college was happily uneventful, while good work was done in preparing priests for the English

[1] The two offices (vicar apostolic and inquisitor general) having both lapsed a re-arrangement was made in 1854 by which the apostolic nuncio at Lisbon became protector, and the appointment of the president was reserved directly to the Holy See, after consultation with the English bishops.

mission. One of the best known of these was Rev. John Gother, the learned controversialist, and father-in-God of the venerable Bishop Challoner. He came to the college as a student in the year 1668, and left as a priest in 1682. After twenty-two years' work on the English mission, he started on a voyage to Lisbon, apparently on business connected with the college, and falling ill on the way, he died on board the ship before reaching his destination. He was buried in the chapel of the English college, where his tomb may still be seen. Another well-known controversialist, Rev. John Sergeant, was also an alumnus of Lisbon, where he was one of the first to profit by the faculty which the Portuguese Government gave to the college of conferring degrees.

The original college buildings were in harmony with the humble nature of its beginnings; but in the first quarter of the eighteenth century the college was almost entirely rebuilt. This was followed, however, by a great catastrophe. In the year 1755 Lisbon was visited by a terrible earthquake, which destroyed a great part of the city. The English college was among the buildings which suffered. It was the morning of All Saints. The students were in different parts of the house preparing for High Mass when the first shock was felt. A panic ensued. Many of them hurried into the street—perhaps the most dangerous place under the circumstance; others rushed about the house, wherever the building seemed for the moment most secure. Further shocks took place in rapid succession, and the ground is said to have "undulated in the most terrific manner". One wall of the church fell, and with it the roof collapsed. An old tower, which was the only part left of the old building, likewise fell, and the president, Rev. John Manley, who was standing outside under the arcading, close to the sacristy door, making his preparation for singing High Mass, was buried beneath its ruin, and killed on the spot. Fortunately no other lives were lost. The greater part of the new building proved strong enough to withstand the shock, and those who remained in the college received no injury beyond a severe fright. The others, who had taken refuge in the street, fled to the sea-shore, and succeeded in rowing out to an English ship in the harbour.

Other troubles followed after the earthquake was over.

The city fell into a state of anarchy, and the rougher portion of the people used the opportunity to take to looting on a large scale. In order to prevent their escape, the authorities issued a proclamation forbidding any one to leave the city, and the military were ordered to fire on any boats seen crossing the river. This proclamation seems not to have reached the English college, for as soon as the first panic was over, the superiors held a discussion and determined to repair to their country house, which was on the other side of the river, leaving two of their number in charge of the college. They all crossed in a single boat. It was seen from the land, and orders were given to fire upon it. All the way across, therefore, the collegians were in the most imminent danger. Fortunately none of the shots hit their boat, and they safely reached their country house, where they were joined by the other portion of the community.

Those who remained in charge of the college did not venture to enter into it until the building had been thoroughly examined, and its safety assured. They erected several large tents, in which after the return of the students the work of the college was carried on for some months, while the necessary repairs and rebuildings were effected. Only such work was carried out as was absolutely necessary to render the building habitable and safe, but even this involved borrowing a large sum of money, and many years passed away before the college recovered its prosperity.

At the time when James Talbot became bishop, the president was Rev. James Barnard. He had been chosen by Bishop Challoner on account of his business capacity, in the hope that he might restore the college to a state of prosperity. In this, however, he was not successful, and after five years of office he returned to England, and in his place Dr. Talbot appointed Rev. William Fryer, a former Douay student, who for the last twelve years had been at Valladolid. On his appointment as president, Mr. Fryer put his heart and soul into his work, and to him the gradual restoration of the college was mainly due.

In the town of Lisbon there was also another English foundation, that of the Bridgettine nuns, formerly of Sion House, Isleworth. This was the sole convent that had survived from pre-Reformation days, having been founded by King

Henry V. in 1413. They had indeed had a chequered history, having been expelled during the reign of Henry VIII., and a second time—for they had returned—under Queen Elizabeth. After a sojourn of some twenty years in different parts of Belgium, and nearly fifteen years at Rouen, in 1594 they settled at Lisbon, where they built themselves a convent. Thus they had lived at Lisbon undisturbed for nearly two centuries. At the time of their arrival there were sixteen nuns, which number continued to be more or less maintained, though it was rarely exceeded.

In the summer of the year 1651, the convent was burnt down, and the nuns took refuge for a time with the Franciscans, while it was rebuilding. They re-entered their convent in 1656, from which date their daily life had continued without interruption. In the quarter of the city where they lived, the earthquake was less felt, and their chief concern with it was devoting themselves to the aid of the sufferers.

The community all remained at Lisbon until the year 1810, when, owing to the threatening political outlook, half the community came back to England. They settled first at Peckham; but in the course of various migrations their numbers gradually dwindled, and within about thirty years they had died out. The Lisbon convent, however, continued for many years after that. The nuns eventually came to England, and in 1887 they settled at Chudleigh, in Devonshire, on the estate of Lord Clifford.

LIÈGE.

There were two large English centres at Liège. One was a convent of canonesses of the Order of the Holy Sepulchre, which had been founded as an offshoot of a Belgian convent of the same order in the year 1642. In Dr. Talbot's time the community was numerous, and there was a large and flourishing school, including not only English girls but also a fair number of Belgians.

But as a factor of Catholic history, far more important was the "Academy" of the ex-Jesuits, which forms a connecting link between the Society before its suppression and the restored Jesuits at Stonyhurst. The exact status of the academy is not quite easy to understand, or, at least, it demands some

little explanation. It had been founded in 1616, by Father John Gerard, as a house of studies for those entering the Jesuit Order, similar to St. Beuno's in North Wales at the present day. The students were mainly, but not exclusively, members of the English Province. When the suppression of the Society took place in 1773, owing to the peculiar political condition of Liège—that there was a "Prince-Bishop," who was master in temporals as well as in spirituals—this house was saved. It was not indeed continued ostensibly as a Jesuit house, but students pursued their studies for the priesthood there, and those who did so, voluntarily observed as much of the Jesuit rule as was feasible under the circumstances, with the intention of taking their vows, if their hopes should be realised, and the Society be restored. The institution in its new state was styled an "academy," and the rector became "president".

A further change took place almost immediately afterwards, on the dissolution of the Jesuits' school at Bruges. This took place as a natural consequence of the suppression of the Society throughout the world, but it was carried out in a needlessly high-handed and offensive manner by the Austrian Government, who then ruled in Flanders, their object being if possible to secure the continuance of the school under new superiors. With this end in view, without any notice, they forcibly removed the Jesuits, and put them in prison, replacing them in the school by the English Dominicans from Bornheim, in Flanders, where they carried on a school and novitiate for their own order. It is fair to say that these latter undertook the task imposed on them with great reluctance; but the matter was settled by the students themselves, who refused to accept their new superiors, and broke out into open rebellion. Eventually they all quitted the college, and a certain number of them hearing that the Liège house was still continuing, with remarkable enterprise made their own way across Belgium, and sought an asylum there. They were cordially welcomed by the superiors, and classes were formed for them, in some cases under their old masters, who on being set free had followed them there. Very soon the "academy" acquired a reputation in England, and was patronised by most of the families who had formerly sent their sons to St. Omer and Bruges.

The first president of the academy was Rev. John Holmes (*alias* Howard), who was not altogether successful. In 1783 he was succeeded by Rev. William Strickland, a member of an old Westmoreland family, and heir to large estates, which he had given up in order to join the Society. He was a man of energy and initiative. During the years that he was president he spent a great part of his time in England, visiting the parents of present and prospective pupils, and in other ways forwarding the interest of the academy. In this manner he was brought into contact with Catholic public affairs at a very critical period, to be described in subsequent chapters. With respect to his work for the academy at Liège, the Jesuit chronicler Foley says that it was chiefly due to his efforts that the academy was restored to a state of efficiency, and under his rule the number of pupils reached three figures.

The ecclesiastical status of the priests ordained at Liège was somewhat anomalous. They were, of course, intended to serve the missions of the ex-Jesuits in England, but there was no definite guarantee that this arrangement would be adhered to. The authorities at Liège were naturally anxious to obtain some fixed arrangement of the kind, so as to facilitate the future restoration of the Society, for which they hoped. With this end in view, Dr. Strickland made a somewhat bold suggestion to the bishops which we can give in his own words. The following letter was addressed to Bishop James Talbot; others exactly similar were sent by him to the other vicars apostolic:—[1]

"My Lord,

"From your Lordship's known character of zeal and integrity, I cannot entertain a doubt but your Lordship will be willing to give every kind of encouragement which is consistent with the obligations of the high station in which Divine Providence has placed you, to any design or enterprise, which upon mature deliberation, may appear to you to promise a real and permanent advantage to religion in these kingdoms. Firmly relying on this persuasion, I beg leave to lay before your Lordship the following considerations.

"On the suppression of the Society of Jesus, an academy

[1] *Westminster Archives.*

was instituted at Liège for the education of youth, which considering the number and greatness of the difficulties it had to encounter, has for ten years flourished with unexpected success. To render that establishment still more useful to the general interests of religion, it is to be wished that it could be made a seminary of young ecclesiastics for the service of the mission, as well as for the continuation of the establishment itself. I will not say absolutely that this can be effected by any endeavours of mine, or by any means which I can suggest: but if the object itself is a desirable one, and of this I flatter myself that your Lordship will not entertain a doubt, I shall hope for your Lordship's concurrence in removing what experience has taught to be the chief obstacle which has hitherto prevented the young Gentlemen of that establishment from embracing an ecclesiastical state of life.

"The superiors and masters of that house from whom they receive their education must, according to the course of nature, be soon extinct, as must also all those missioners in England who have formerly been educated there, and from whom they might hope to receive such friendly assistance as they might stand in need of: in this case they will be mixed with the common mass of clergy educated at Doway or elsewhere: but as they apprehended they will not stand on terms equally advantageous. For, as it appears to them, the Gentlemen educated at Doway or under the care of the Gentlemen from Doway, will from the connections inseparable from a course of education, be considered in a more favourable light than the Academicians from Liège.

"I do not mean to insinuate that your Lordship's conduct either is or will be influenced by motives of that kind. They do, and will judge of others by their own feelings: and they strongly feel a predilection in favour of those with whom they have been educated, and with whom they have lived for a long series of years in the closest habits of friendship and unreserved confidence. They suppose, and as it appears to me upon very good foundation, that others in like circumstances, and educated at Doway or elsewhere, must experience similar effects of education, and consequently that their conduct will in many instances be influenced by such predilection. This consideration, I have been well informed, has already prevented several young

men of virtue and abilities from entering an ecclesiastical state of life: one young Gentleman, with whom I am personally acquainted, and whose abilities and dispositions would have done honour to any station in any line of life, was prevented solely by this consideration from the prosecution of his studies and taking Holy Orders. To remove the impediment, therefore, I beg leave to make the following proposal to your Lordship:

"1st. That the young Ecclesiastics from Liège shall be subject to the Vicars Apostolic in all spiritual concerns, as all others of the clergy are.

"2ly. That for their immediate government in England, they shall be subject to the G. Vicars appointed for the government of the late Jesuits, and after their extinction, to G. Vicars appointed from amongst their own body.

"I shall be glad to know your Lordship's sentiments upon this subject after mature consideration. Your Lordship will please observe that this proposal is only made to remove one of the principal obstacles to the success of the establishment in this line. There are many others of a serious nature, which without the special assistance of Divine Providence, I cannot flatter myself to be ever able to overcome: but as they have thought proper to chuse me for their President, it is a duty I owe to their virtuous and assiduous labours and to the confidence they have put in me to do all in my power to assist them, and to render the establishment as useful as I can. I have the honour to be, My Lord,

"Your Lordship's most obedient humble servant,

"W. STRICKLAND.

"No. 10 QUEEN STREET, BLOOMSBURY SQUARE,
"LONDON, *Mar.* 9, 1784."

Bishop Talbot answered as follows:—

"SIR,

"I have maturely considered your memorial, and taken advice upon it, which has determined me to give the following answer.

"Your first proposal cannot be objected to; but I cannot agree to the second, for many reasons.

"1st. Because I don't know how far it will be agreeable to our Superiors at Rome.

"2. Because I cannot presume to bind my successors to any mode of government to be followed after my death.

"3. Because the system proposed seems only to tend to perpetuate a Division amongst us, which long experience has shown to be hurtful to the mission.

"4. Because I wish the subjects of Liège who will be for the future clergymen, to be on the same footing as those of the other clergy Colleges, that they may be upon the mission all *unius moris in Domino.*

"5. Because whatever prejudices may subsist at present, I am persuaded that if not thus studiously kept up, they will die away with time, and perfect harmony be restored.

"These, Dear Sir, are the chief reasons why I cannot agree to your second proposal, but protest I have no view in rejecting it except what I think is founded upon the future prosperity of the mission.

"I remain,

"Your obedient humble servant,

"JAS. TALBOT.

"*March* 27, 1784."

The first question mentioned was referred by Bishop Talbot to Mgr. Stonor, who replied that Propaganda would never sanction such an arrangement. He had indeed already expressed his opinion against even the amount of separate treatment which was already accorded to the ex-Jesuits. Two years earlier, he wrote in the following terms:—

"Your observation on ye inconvenience arising from ye system introduced among you in regard to the members of the dissolved society is very just. I foresaw them immediately and am persuaded they will soon increase greatly on the death of Mr. More,[1] when there will be question of appointing him a successor. There may be no great difficulty in leaving them the management of what they call their temporalities during their lifetime, but then methinks care should be taken to have them preserved for the great end of their institute, *viz.*, the assistance of the Catholics in their respective districts."

In the event, although no definite promise was made,

[1] Rev. T. More, who was Provincial of the Jesuits in England at the time of the suppression and had acted as their informal superior since: see p. 15.

practically the concessions asked for continued to be given by the vicars apostolic. The Liège priests always ranked as the same body of men with the ex-Jesuits, and to all intents and purposes a separate body from the rest of the clergy. The Catholics in general had from the first looked upon them in this light, and the bishops never withdrew their privileges until at last, some years later, the time came for the restoration of the Society. But this will be described in its proper place.

Other Centres.

In addition to the monasteries of the Benedictines and Franciscans already alluded to, in order to complete the list we must add that the Benedictines had monasteries at Lamspring in Hanover and Dieulouard in Lorraine, the latter represented to-day by Ampleforth Abbey in Yorkshire, while the English Dominicans had a college at Bornheim, in Flanders, and a house of higher studies at Louvain. The Carmelites who had been scattered on the English mission, were assembled to form a new foundation at Tongres in 1770, while a community of Carthusians, which had had a continuous existence since the reign of Queen Mary, after several migrations, settled eventually, in 1621, at Nieupoort, where they continued until the suppression of monasteries by the Emperor Joseph II. in 1783, at which time, however, they had dwindled to a total of five—three choir monks and two lay brothers.

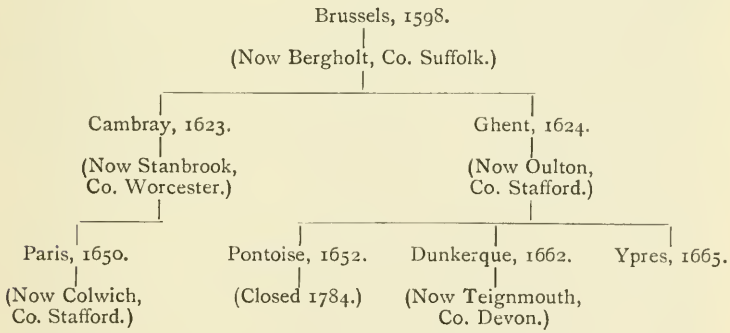
Turning to the convents, we find them so numerous that little more than a bare enumeration will be possible. They had been founded at various times since the Reformation, and most of them had had periods of fluctuation. At one time a community would become so numerous that new offshoots were found necessary; at another it would languish for want of subjects; and in at least one case two separate communities had to amalgamate to save themselves from extinction.

Each convent was an English centre. There was usually an English chaplain, and some English families living in the town. In many cases there was a convent school, attended partly by the children of English parents who had permanently settled their residence in the town, but partly also by children who were sent all the way from England for their education.

A fair proportion of these latter never returned to their country, but at the conclusion of their school course remained and took the veil.

During the latter half of the eighteenth century nearly all the convents languished in numbers, a result of the numerous defections in the Catholic body at that time, and its general stagnation. We can now recognise this as providential, for in that way they were prepared for the upheaval which brought them back to England before the end of the century.

We begin our enumeration with the large family of Benedictine houses all sprung from the original foundation of Lady Mary Percy, daughter of Thomas, the martyred Earl of Northumberland, at Brussels. This community is now at East Bergholt, in Suffolk. Perhaps the most remarkable fact about the numerous branches from this parent convent is that all (with one single exception) have survived with a continuous existence to the present day. They are set out in the following scheme, reprinted from the *Annals of the English Benedictines of Ghent*:—



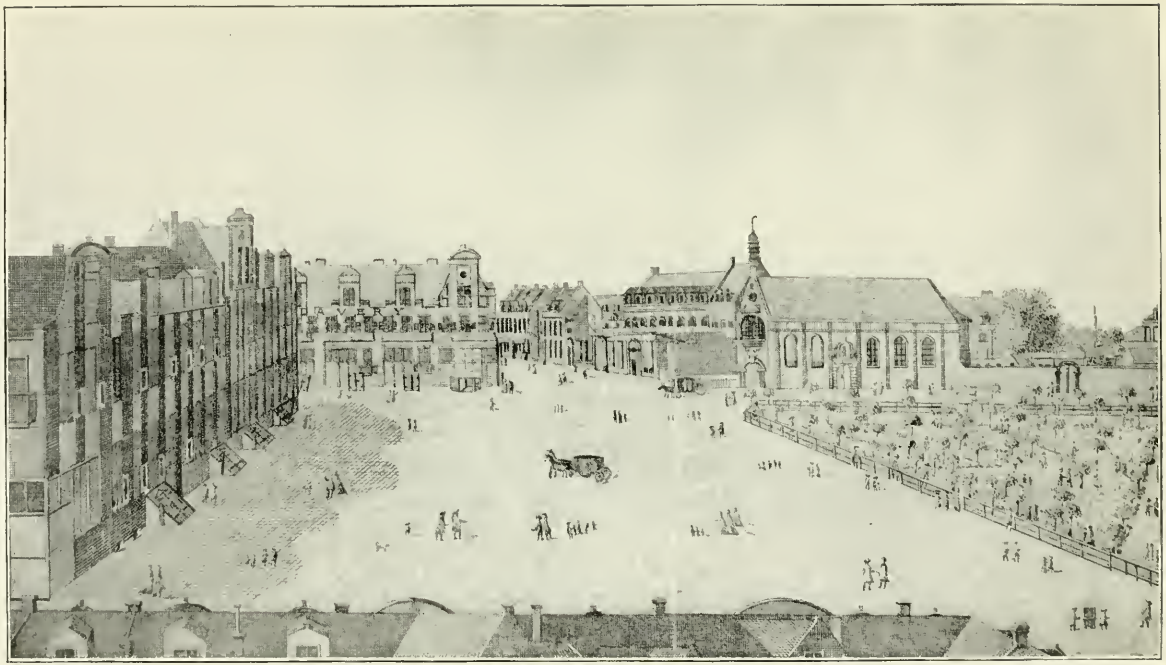
All these convents were of course in their original situations during the episcopate of Bishop Talbot. They differed considerably in their circumstances and surroundings. The Cambray community, as well as their filiation at Paris, were under the government of the President of the Anglo-Benedictines; the others were under their local bishops respectively. The parent community at Brussels, as well as that at Ghent, were under the guidance of the English Jesuits, who had a house in the latter city close to the convent. One of their number acted

in each case as Confessor "Extraordinary" and Director. The well-known Sir Toby Mathews, the convert son of the Archbishop of York, during the last years of his life, resided at the Jesuit house at Ghent, and became intimate with the Benedictine community: whether or not he was himself a Jesuit, and consequently whether he acted as their Confessor, has been much disputed. The same convent was also a favourite place for the exiled Stuarts to visit. Charles II. and the Duke of York (afterwards James II.) were frequently there. The latter indeed was received into the Church at Ghent. Soon after the accession of Charles II., the abbess, by leave of the bishop, visited England, and waited on the king. He received her graciously, and gave a present of £3,000 which was to go towards the new filiation about to be established at Dunkirk. It is worthy of remark that Dunkirk was at that time in the hands of the English, and one of the objects of the abbess's visit to the king was to obtain leave to make the foundation. This is the only instance of a convent being founded abroad on British territory; but within a few years Dunkirk passed back into the hands of the French.

The community at Ypres developed into a predominantly Irish one. Indeed, in the reign of James II., they actually removed to Dublin; but they returned to Ypres almost immediately, and have been there ever since. They are the only Benedictine community which survived the Revolution without having to move.

Notwithstanding the difference of external surroundings, both in their dress and in their daily life, there was a very close resemblance between all the English Benedictine communities. All agreed in the daily recitation of office in choir, in their seclusion from the world—for the "grille" was universally in use—in their work for the education of the young, and generally in that spirit which is denoted by the Benedictine motto of "Pax". The habit worn was specially characteristic, being typically Flemish, and including a stiff black head-dress not seen elsewhere.[1]

[1] This head-dress is still worn by the nuns at Oulton, Stanbrook, and Colwich, and of course at Ypres. It has been discarded in recent years at East Bergholt and Teignmouth, in favour of that used by the Benedictines of Solesmes.



English Benedictine Convent and Chapel, Dunkirk.

Besides the convent at Ypres, there are two other English convents abroad which exist to-day on their original sites—those at Paris and Bruges, both belonging to the Augustinianesses. The existence of the latter, however, has not been continuous: the nuns had to leave during the Revolution, and when they returned, fourteen years later, they had to repurchase their own house. There was also an Augustinian foundation at Louvain (now at Newton Abbot, in Devonshire) which had been founded in 1609, and was in fact the earliest of the three.

The Franciscans fall naturally into two groups, those of the Second and Third Order respectively. The former are perhaps better known under the name of the "Poor Clares". Their original house at Gravelines has already been alluded to as founded by Mary Ward in 1609. The community prospered and increased so rapidly that in 1624 they numbered in all sixty-five members. Three offshoots were made from this mother house. One of these was founded by Margaret Radcliffe, at Aire, in Artois, in 1629. Another was set up in 1648 at Rouen. This community numbered many members of the best Catholic families among its inmates at different times, one of whom—sister Mary Howard of the Holy Cross—died in 1735 in the odour of sanctity. Her life was written by Alban Butler. Lastly, a convent of Poor Clares was founded at Dunkirk in 1654, by the niece of Lord Montague. These communities are to-day represented by the single one at Clare Abbey, Darlington.

The original house of the Third Order of St. Francis was begun at Brussels in 1621, through the exertions of Father John Gennings, brother of Ven. Edmund Gennings the martyr. Sixteen years afterwards they moved to Nieupoort in Flanders, and again in 1662 to Bruges, where they established themselves in the "Princenhof," an ancient royal palace. Their habit was blue in colour, and they were commonly spoken of as the "Blue Nuns," in contrast to the Benedictines, who were the "Black Nuns". The Conceptionists at Paris, who wore a still more pronounced blue, were an offshoot from them. To-day the Franciscans of the Princenhof are established at Taunton, and are one of the best-known communities; but since they have been in England they have exchanged their blue habit for a black one.

There were three convents of English Carmelites, or "Theresians," as they were sometimes called. The oldest of these, that formerly at Antwerp, dated back to the year 1619, when it was founded by a daughter of Lord Teynham, now represented by the well-known convent at Lanherne, in Cornwall. From this community went forth an offshoot in 1628, under the initiative of two sisters of the Mostyn family; they established themselves at Lierre. Lastly, by the charity of a Belgian lady, the Countess of Hoogstraet, a foundation was made in that city. These last two communities are to-day represented by the Carmelite house at Darlington.

One convent only of English Dominicans existed, which had been founded by Cardinal Howard at Brussels. They had rebuilt their convent so lately as the year 1777. Five years after this they opened a small school, this being their only method of avoiding suppression under the decree of the Austrian Emperor Joseph II.; but they only undertook the work out of necessity. At the present day they are settled at Carisbrooke, in the Isle of Wight, and have no school.

CHAPTER V.

THE CATHOLIC COMMITTEE.

1782-1787.

WE have now to enter on the story of the long and bitter disputes between the bishops and some of the leaders of the Catholic laity which form so unpleasant a feature of this period of our history. It is difficult to define the causes of the rising at this time of an anti-clerical spirit in the Catholic body, or to analyse the feelings which in their ultimate issue resulted in actions which seem now almost incredible. We cannot believe that such good and devout members of the Catholic laity could have been at heart disloyal. Yet it cannot be denied that there had grown up amongst them an undefined sense of distrust of their spiritual rulers, and a suspicion that the bishops were taking too strict a view of the position of Catholics There was undoubtedly a feeling that the accepted attitude of dependence on the Holy See was incompatible with the national aspirations and duties of an Englishman; and it was even questioned whether the Penal Laws themselves had not been, at least to some extent, due to the unreasonable attitude assumed by the Catholics of former days.

In trying to trace this state of feeling to its origin, we must begin by reminding ourselves of the relative position of the vicars apostolic and the laity in those days. The existence of the Church in England was due almost entirely to the latter, who supported the priests and the missions. The only secure centres of Catholicity were the country seats of the aristocracy. There priests, and often bishops, had found refuge and shelter; and the little community grouped around, consisting for the most part of dependants of the squire, created almost the atmosphere of a Catholic country. It was perhaps a natural consequence that the Catholic gentry obtained the practical

impression that they had a right to direct at least the external affairs of the Church. When, as the century wore on, and times became easier, the vicars apostolic began to exercise their jurisdiction, the jealousy evoked in the minds of the laity, if not excusable, was at least intelligible. They had long assumed as their obvious right that they could appoint or dismiss their own chaplains, including those who served the missions endowed by them. They had asserted this in so many words during the differences between the bishops and regulars in the first half of the century, and had not been contradicted.[1] When therefore the vicars apostolic began to interfere with the nominations, even to the extent of requiring to be informed of any changes, and refusing faculties to those whom they deemed unworthy, the laymen resented it as an unwarrantable interference. Moreover, as in the course of time the barriers of the penal days were gradually broken down, so that the Catholics became able to mix more with their fellow-countrymen, they began to realise in a way which had not before appealed to them with such force, that they were as foreigners in their own country. They asked themselves whether this position was a necessary consequence of their principles; whether a foreign education was in reality an unavoidable accompaniment to the profession of their faith, and whether the instinct of hostility to the executive government begotten of long persecution, was either necessary or even justifiable in their own day. They carried this reaction to extreme lengths, adopting an exaggerated attitude of respect towards the civil power.

It is probable also that the fact of that generation of Catholics having grown up just at the time when adherence to the cause of the Stuarts was on the wane, and gave place to avowed loyalty to the existing Royal Family, had an appreciable effect in developing this frame of mind. Their loyalty to the House of Hanover had been confirmed by the oath enacted as an accompaniment to the Relief Act of 1778, which oath all of them had taken. Moreover, a committee of laymen had taken a leading part in the negotiations which led to the passing of that Act, though owing to the rapidity with which it went

[1] Dr. Walmesley writing to Dr. Gibson on January 12, 1796, expressly lays down that the laymen should be allowed to nominate the priests to serve the missions supported by them.

through the two Houses and other reasons, they did not come into prominence. But they were not blamed or warned by the vicars apostolic, and it was natural that when the political situation held out a prospect of further relief, the laymen should expect again to take the lead. They did so again by appointing a Committee from their number, who set to work with their minds full of their new and "enlightened" opinions, as they considered them.

The reaction from the Jacobitism of their forefathers soon led the committee to greater lengths than would easily be believed. In their anxiety to be loyal to the constitution, some of them adopted an attitude of subserviency towards the Established Church which appeared strange indeed in professed Catholics. Coupled with this, and closely allied in tendency, was their leaning towards the principles commonly known under the name of "Cisalpine"—a name which a little later they were proud to adopt for themselves. In their desire to disclaim sympathy with "Ultramontanism," they often proceeded to extremes, and used words of disrespect towards the Holy Father himself, and towards what they styled "Papal Pretensions," which would have been looked for rather in Protestants than in Catholics. The chief question in their minds was of course the action of the Popes in the days of Elizabeth and after—the famous bull, "Regnans in excelsis," by which St. Pius V. released Englishmen from their allegiance to the Queen, the subsequent history of the Armada, and other attempts to bring about the re-establishment of the Catholic religion in England by political means; and bound up closely in their minds with such events was the consideration of the generally intolerant attitude of the Church in the middle ages, and of the reaction of the eighteenth century against what is sometimes still designated under the vague term of "the Methods of the Inquisition," a reaction which found expression in Italy in the well-known Synod of Pistoia in 1787 which was condemned by Rome in 1794.

Yet the appointment of the Committee did not wear any objectionable appearance. Many of the most loyal of the clergy shared the opinion that the existence of a committee of lay Catholics was desirable, perhaps even necessary, to guide the counsels of "the body," as they commonly termed the English

Catholics, in their struggles for emancipation, and the *personnel* of the Committee seemed all that could be desired: all were members of the old Catholic families, and were well known for their excellence in private life, and their zeal for religion. This fact often earned for them sympathy in quarters where we should not have expected to find it. In justice to them, we must believe that their intentions were in the main good, and that they did not realise how far their opinions would develop, or where they would lead them. They were, of course, conscious of a want of agreement between themselves and the vicars apostolic, and they must have foreseen that there would be difficulties in front of them before they could fully assert themselves, as they evidently hoped to do. But they thought that the fault was not entirely on their side, and they were confident that their method of action was the only one that would win for Catholics that further toleration which they sought for.

Moreover, the active members of the Committee were few—three or four at most. The others followed them, as did their supporters among "the body" outside their number, trusting to the opinions and methods of their leaders, but having only a partial knowledge of the details of the case. The leaders among the laity were Lord Petre and Mr. Throckmorton, and in a lesser degree Sir Henry Englefield. Later on, at least one of the three clerics who were afterwards added took an active part in their councils.

But the man who had the most influence of any one in their proceedings was not, strictly speaking, a member of the Committee at all, but their secretary, Mr. Charles Butler, the distinguished lawyer of Lincoln's Inn. We shall meet with his name so continually in the following pages that the reader will have a full opportunity of making acquaintance with his remarkable mind. And a full acquaintance is needed in order to understand such apparent contradictions as we find in him. A more learned man, and a more persistently industrious man, has rarely lived, and the volumes of his writings are a permanent testimony to his unremitting application. He himself tells us how he managed to find time—for he asserts that he never once neglected his professional duties for the sake of his studies. "Very early rising," he says, speaking of himself in

Charles Butler.

the third person, "a systematic division of his time, abstinence from all company and from all diversions not likely to amuse him highly—from reading, writing and even thinking on modern politics—and above all, never permitting a bit or scrap of time to be unemployed,—have supplied him with an abundance of literary hours." He further adds his chief rules of life, which were: "To direct his attention to one literary object only at a time; to read the best book upon it, consulting others as little as possible; when the subject was contentious to read the best book on each side; to find out men of information, and when in their society, to listen, not to talk".[1]

In private life Charles Butler was religious and devout: even Dr. Milner, his unrelenting opponent, admitted that he might with truth be called an ascetic. He was married to a daughter of Mr. Eyston, of Hendred, by whom he had a small family. His only son died young; his two daughters survived him. He rarely entertained visitors, leading a life of seclusion and study, within his house in Red Lion Square.[2] With a great taste for the liturgy, he was a regular attendant at the London churches, and only regretted that the circumstances of Catholics at that time prevented the proper celebration of church functions. Every day of his life he recited the Office of the Blessed Virgin, and he was at all times ready to throw himself heart and soul into any work for the good of religion. Yet with all this, he identified himself with the action of those who held views which can hardly be described as less than unorthodox. While ever professing the greatest respect for his episcopal superiors he often acted in opposition to their wishes; and although his extensive learning usually enabled him to persuade himself that he understood the true issue better than they, and that his action was justified, nevertheless at times he went to somewhat extreme lengths.

From what has been said, it will be seen what a valuable ally Butler was to the Committee. He was then in the full vigour of manhood, thirty-five years of age, and already a lawyer of repute. His extensive learning, both ecclesiastical and secular, was placed at their disposal, and his acquaintance

[1] *Reminiscences*, p. 3.

[2] In later life, Butler moved to Great Ormond Street, and his house there is still standing.

with the first lawyers of the day enabled him to obtain legal advice and assistance of the highest authority, while his personal influence helped to secure for his party a hearing from men of standing. He kept all the minutes of the meetings throughout with strict formality, and whenever clerical assistance was wanted, he was able to supply it at his own office.

It has often been asked why the vicars apostolic allowed the Committee to proceed so far as they did before interfering —for their first united action in definite opposition to it was not until October, 1789, when the Committee had been in existence over seven years. To this two answers may be given. In the first place, the main object of the Committee was one with which they were in sympathy. Bishop James Talbot used frequently to urge the desirability of having a committee of laymen to represent officially the interests of Catholics, and more than once he restrained those who would have written in strong opposition to them, lest the Committee should cease to act and should dissolve. In the second place, those who were the leading spirits of the movement were in private life, as has been said, most edifying and self-denying men. The prosperity of Catholic works, such as the establishment of missions or the building of chapels, which were at this time beginning to rise throughout the country, depended almost entirely upon these very men. Most of them had chapels of their own, with missions attached, which they supported with their own money. They were not afraid to threaten the withdrawal of such support, which would have caused many innocent persons to suffer. It is natural to find the vicars apostolic hesitating to precipitate such action.

It must also be admitted that the bishops were not all of one mind. Two of them, Dr. Walmesley and Dr. Matthew Gibson, became at an early stage strongly opposed to the Committee; but the two Bishops Talbot were for a long time undecided, being afraid of injuring the general peace of the Catholic body, and trusting to their personal influence as a sufficient restraining power on the Committee, though more than once they had to protest against their action. Another consideration to be remembered is that the bishops lived far off from each other, and means of communication were slow and expensive, so that to other difficulties we must add that

of isolation. Two or more of them would occasionally meet when staying at the same country house; but in arranging for a regular conference of the four vicars apostolic in 1789, they took a step which had never before been taken, and we can understand how it was some little time before they realised the necessity of so extreme a measure as this would have appeared to them.

But, in truth, the bishops were too charitable, as the event showed. They could not believe that men so excellent in private life would ever go to such lengths as the members of the Committee in fact did. Had they seen at the beginning how far they were likely to drift, they would certainly have interfered earlier. The best key to their action is to be found in following the details of the Committee's work, which we shall now proceed to place before the reader. These preliminary observations, though far from being a complete account of the state of affairs, may at least help us to understand the mutual relations between the bishops and the laity at this time, without which it would be impossible to estimate the significance of much of the action on both sides.

The meeting at which the Catholic Committee were elected, called by Butler a "general meeting of English Catholics," was held on June 3, 1782,[1] at the chambers of Mr. William Sheldon, a well-known Catholic lawyer, in Gray's Inn Square. He had been secretary to the previous committee, appointed in April, 1778, which had long ceased to act and had indeed only acted for a few weeks, but had never been formally dissolved. The first motion was therefore to dissolve it, after which the meeting erected a new committee in its place, the term of its existence being limited this time to five years. It was likewise arranged that a general meeting of English Catholics should be held annually, on the first Thursday in May.

Five members of the new Committee were elected at the meeting. Lord Petre, Mr. Hornyold and Mr. Stapleton obtained a majority of votes; three others—Lord Stourton, Mr. Throckmorton and Sir Edward Swinburn—came next

[1] In the *Supplementary Memoirs* (p. 46) Milner seems to give the date of the formation of the Committee as 1783, and Husenbeth follows him; but this is a mistake. Even if we had no direct record, it would follow from the fact of the Committee dissolving in 1787 that it was formed in 1782; for it was appointed for a term of five years.

with an equal number each, and on a second ballot being taken the first two of these were chosen. The Committee was subsequently completed by representatives chosen from each ecclesiastical "District" respectively, the Northern, which was practically two districts, having double representation. The following representatives were chosen:—

London District . . .	Sir Henry Englefield.
Midland District . . .	Mr. William Fermor.
Western District . . .	Lord Clifford.
Northern District . . .	Sir Carnaby Haggerston.
Ditto, Lancashire and Cheshire	Mr. John Townley.

At the conclusion of the general meeting, the Committee held their own first meeting, and elected Mr. Charles Butler as secretary. We read in the minutes that "Mr. Butler accepted the office with thanks, and requested the favor of being permitted to decline the salary which was offered to him, to which the Committee agreed unanimously".

An interesting paper, in the handwriting of Milner, is preserved among the Westminster Archives, being a draft of a proposed protest of the clergy against the Committee. For we learn that a further proposition was put forward at the meeting that the Committee should include some representatives of the clergy, to be chosen by their own body, and that it was "tumultuously rejected". The clergy in consequence say that "[they] will oppose the Committee to the utmost of their power, and will impress on the minds of their respective congregations that they are not obliged to attend to men who reject the advice of their clergy in matters that immediately concern them". This threat would no doubt have had effect had the circular been signed by many priests in charge of congregations. In fact, however, it does not appear to have been sent round for signature at all. The reasons of this are not definitely known. It is possible that Bishop Talbot requested Milner to withhold it, as he did five years later in the case of a similar circular, though much more mildly worded. However that may be, it is interesting to note that Milner was ready to oppose the Committee from the outset, and had he had his own way, he would have declared open war with them. Writing in 1820, he dates from this time the beginning of "that system of lay interference and domination in the ecclesiastical affairs of Eng-

lish Catholics which . . . has perpetuated disorder, divisions and irreligion among too many of them for near the last forty years ".[1]

It has been customary among those who wish to discredit the authority of the Committee, to question the representative character of the meeting at which they were originally chosen. The Rev. Charles Plowden says that "[they] were elected only by a part of the Catholic gentry and clergy, and of course can be said to represent only them ".[2] Husenbeth, in calling it "a meeting of certain Catholics," no doubt had the same idea before him. In this he is probably representing Milner's mind, for in the document already alluded to, the latter asks the question, and answers it in the same sense. "We wish to know" (he writes) "in what light the Committee considers itself, whether as the representatives of the Catholics at large, or only as representing the few individuals by whom they were nominated. The first they are not, because the body has not been consulted, and because the clergy, who are not the least part of that body, do not accede to their nomination. The representatives of a few have no concern but with their constituents." Amherst, in discussing this question, says simply that it "can only be determined by looking at a list of the names of those gentlemen who attended it; this list I have never seen ". The omission can now be supplied, from the official minute book of the Committee, which is preserved in the British Museum.[3] We find that the meeting consisted of thirty persons, each belonging to a family of distinction. It undoubtedly represented a large section of Catholics; but so small a number could hardly be considered the representatives of the whole Catholic body. In a sense this position was accepted by the Committee themselves, for we find that Lord Petre objected to Mr. Weld of Lulworth finding fault with their action on the plea that, as he did not concur in electing them, he had no concern in what they did.

Nevertheless, it would be a mistake to suppose that the Catholic meetings were in any way limited to those who held

[1] *Sup. Mem.*, p. 47.

[2] *Observations on the Oath*, p. 1.

[3] Add. MS. 7961. It was presented to the British Museum by Charles Butler a few years before he died.

views in accordance with those of the promoters. Notices were sent out far and wide, and as time went on the meetings became more and more numerously attended. Mr. Butler honestly believed that the Catholics of the strict type of Mr. Weld were a small minority; a more probable explanation is that those who were not in general sympathy with the Committee for the most part stayed away from the meetings.

Turning now to the proceedings of the Committee, we find that at first they came to very little. "A variety of circumstances," says Butler,[1] "prevented their making any particular exertions in the cause entrusted to them: the only measure of this description which engaged their attention was a plan for procuring the Catholic ecclesiastics in this country to be formed into a regular hierarchy by the appointment of Bishops in ordinary instead of Vicars Apostolic. The preceding pages," he adds, "show this to have long been the general wish of the secular clergy, and the steps which they had taken to accomplish this object." After enumerating some of the reasons why the change was considered desirable, he continues: "The first step of the Committee was to ascertain the expediency and practicability of the measure. So far as it was a spiritual concern, it belonged to the cognisance of the Vicars Apostolic. The Committee therefore addressed a letter to each of the four Vicars Apostolic most respectfully stating their own views, and requesting his opinion on the subject."

In view of the importance of this, the first encounter between the Committee and the bishops, it may be well to give the full text of their letter, in which they state the reasons by which they were actuated in calling for the restoration of the hierarchy. It ran as follows:—[2]

"The Committee appointed to manage the public affairs of the Catholics of this kingdom, having observed that in their application for a further repeal of some of the penal laws against them, one of the causes urged against their obtaining such relief is the absolute and unlimited dependence of their Superior Clergy upon the Court of Rome, under the denomination of Apostolical Vicars, a dependence which Government supposes to pervade in an improper manner the whole body of Catholics in

[1] *Hist. Mem.*, iv., p. 2.

[2] This document and the extracts from the letters of the vicars apostolic which follow, are taken from the *Clifton Archives*.

this country, and which by being more extensive and avowed than is usual in other countries that are in perfect unity with that see, thereby renders them more unpopular and obnoxious to the nation, and defeats the endeavour of such men as are disposed to contribute towards obtaining for them that further Religious or Political Relief so justly solicited.

"The Committee are therefore of opinion that the most effectual method to remove the apprehensions that might otherwise impede the obtaining such further relief from those laws would be to constitute the present Apostolic Vicars with the full powers of Ordinaries, as far as might be exercised consistently with their circumstances in this country; and that the same should be inherent in those chosen to succeed them.

"The Committee offer their aid and support in taking such measures as may be effectually conducive to this end.

"The Committee are well aware that the apprehensions formed against the present mode of ecclesiastical discipline of Catholics are founded upon popular prejudices; but as it has been often experienced that such prejudices have been a source of reviving the penal laws on different occasions; and as they presume that the desired alteration can be attended with no inconvenience to the Catholic faith or morals, they think it incumbent on them to endeavour to remove even the pretext for popular alarms which have been so detrimental to the general good of religion.

"The Committee do not pretend to point out the many advantages of an Ecclesiastical nature which might result from such a change. They willingly submit this consideration to the decision of those whose profession it is to judge in these matters. But they are sufficiently informed to declare that the frequent recurrences to Rome for dispensations and in other ecclesiastical matters (which would in a great measure cease from the Apostolical Vicars being appointed with the full power of Ordinaries) have been notified by the Government, and are likely, if continued, to be an obstacle against any further relief which Catholics might be encouraged to hope for from the Indulgence and Wisdom of the Legislature.

"The Committee submit this matter to your consideration,

and request you will communicate to them your opinion thereupon.

"STOURTON.
"PETRE.
"CLIFFORD.
"HENRY C. ENGLEFIELD.
"CARN. HAGGERSTON.
"JOHN COURTENAY THROCKMORTON.
"THOS. STAPLETON.
"WILLIAM FERMOR.
"JOHN TOWNELEY.
"THOS. HORNYOLD.

"LINCOLN'S INN, *May* 24, 1783."

Dr. Milner gives it as his opinion that the whole of the above proceeding was most improper, and that the circular "contains a series of assertions highly derogatory to the spiritual government of the Vicars Apostolic," and even says that the members of the Committee can only "be excused from the intention of schism by their ignorance of theological matters".[1] He does not, however, give the text of the document, which is now published for the first time.

From the tone of some of the letters of the bishops to each other which have been preserved, it would appear that they too thought the action of the Committee improper though they did not go so far as Dr. Milner. On the main question they were not agreed. Bishop James Talbot wrote to Bishop Walmesley: "Ye proposed application seems evidently superfluous, if it does not defeat its own end. For," he explains, "if 'tis ordinary powers they would apply for, we have it already. If ye Titles, English ones would displease Government more than our old Asiatic ones;" and he answered the Committee, "My opinion is that you had much better drop the scheme entirely". His brother, Bishop Thomas Talbot, took a somewhat different view, regarding the proposal as "very useless, but free from reasonable objection". He even wrote to the Committee that he considered it would be "rather a desirable thing". Bishop Walmesley expressed his strong opinion against any change; but Bishop Matthew Gibson was frankly in favour of the proposal. "Though we certainly enjoy more extensive and ample powers

[1] *Sup. Mem.*, p. 47.

than Ordinaries," he writes, "yet they are delegated and restrained as to their direction, and if Government be desirous of our being appointed Ordinaries, and the measure should succeed, it will give a sort of legal sanction or establishment to us and to our inferiors."

Butler sums up the outcome of the correspondence by saying that "it appeared from their [*i.e.* the Bishops'] answers that their opinions differed; the Committee upon this account dropped the measure."

Here we may pause. When seventy years later the restoration of the English hierarchy was at last effected, the avowed object was the very opposite of that which the Committee had in view. Wiseman wished to bring the Roman spirit to England, and to unite English Catholics more closely with the centre of unity. The Committee, on the other hand, wished to weaken the influence of Rome, and to emphasise the national characteristics of the Church in England. Milner says that the chief point to which they took exception was the recurrence to Rome whenever a new bishop had to be appointed. This, however, would not have been changed by the bishops becoming Ordinaries; and the very few who went to such lengths as to object to the appointments being made by Rome, would have considered themselves competent to establish their own hierarchy without petitioning the Holy See at all.[1]

The more moderate members of the party had various objections to the system of government by vicars apostolic, some of them being matters of sentiment. They did not like being ruled by those who were nominally bishops of foreign sees; and the idea of English Catholics being immediately subject to direct representatives of the Pope was distasteful to them. They felt, even if they did not openly say, that an apostolical vicar must be to some extent foreign in his ideas and methods. The remedy seemed to be to nationalise them in name as a step towards nationalising them in fact, and so to make their intercourse with Rome less close.

It may be doubted whether the measure they proposed would in fact have had this effect. From their answers quoted

[1] See, for example, Sir John Throckmorton's pamphlet on the appointment of bishops, in which he calls upon the vicars apostolic to constitute themselves bishops in ordinary.

above, we see that the vicars apostolic themselves were not of this opinion; nor was Mgr. Stonor, who quoted the experience in the case of Ireland as proof to the contrary; for although the Irish had a regular hierarchy, their affairs were carried to Rome quite as much as those of the English. Both Mgr. Stonor and the vicars apostolic were far better qualified to judge on such a matter than the Committee, for they were familiar with the actual working of ecclesiastical affairs. We wonder indeed at the assurance of the laymen who took it upon themselves to form a judgment on a question of purely ecclesiastical government, and we can only attribute it to long custom which had engrained in them the habit of looking upon themselves as practically the directors of Catholic affairs.

Although the first definite proposal of the Committee came to nothing, they were far from reconciling themselves to inaction. The annual general meeting of Catholics gave them the opportunity of taking counsel together, and plans were gradually matured for future action, in the direction of the views they held. The following letter from Bishop Walmesley to Bishop James Talbot, written on December 15, 1785, shows how far they had already advanced by that date. Although he carefully avoids pledging himself to the full accuracy of his information, subsequent events show that it was not far off the truth so far as the views of one or two of the extreme members of the party were concerned.

"I am informed," he writes, "but I cannot say with full authenticity, that at a meeting soon to be held by the Catholic Committee a new Oath is to be proposed, formed and so worded as to exclude the Pope's spiritual jurisdiction in this kingdom. They want, as I am told, to change Vicars Apostolic into Ordinaries, in order to diminish our dependence in spirituals on the see of Rome, and by degrees to shake it off entirely; likewise to take off the abstinence of Saturday, to reduce Lent to a fortnight before Easter, and to have the Liturgy in English. Probably this intelligence is exaggerated, though some little share of it I have heard myself from the mouth of one of that Committee. However, nothing will be, I suppose, absolutely attempted without the concurrence of the Vicars Apostolic, for so they promised publicly, as I was told, at the last general Meeting. It is proper for us to be on our guard."[1]

[1] *Westminster Archives.*

The bare suggestion of such a scheme as is here outlined seems astounding from any one professing to be a Catholic. No doubt those who went at all within measurable distance of these proposals were few in number; and the Committee received the support of many who would never have thought of going to such extremes.

However, for a year or two the Committee continued to do very little. One reason which deterred them from taking any steps to bring the Catholic question before the notice of Parliament was the unsettled state of political parties. The long and sleepy Ministry of Lord North, which had passed the first Catholic Relief Act, came to an end early in 1782, and was followed in quick succession by those of Lord Rockingham, Lord Shelburne and the Duke of Portland, none of which proved long-lived. During the time when Lord Rockingham was in power, attempts were made by Lord George Gordon and the Protestant Association to revive the Penal Laws. This led the Committee to draw up two memorials on behalf of the Catholics, to Lord Rockingham and Lord Shelburne respectively.[1] The former received a deputation from the Committee on 13th June; but his death took place within three weeks of that date. Lord Shelburne, who succeeded him, resigned the following February. Before the end of the year 1783, the Duke of Portland's Ministry also came to an end, and William Pitt became Prime Minister at the age of twenty-four. It was not, however, until after the general elections of 1784 that Pitt found himself supported by a majority in the House of Commons, and at the head of a Ministry which lasted almost unbroken for over seventeen years. This Ministry was destined to pass the next measure for Catholic Relief.

Before the Committee had time to communicate with the Government, however, a reason of a different nature arose, which induced them further to postpone their action. This was the marriage between the Prince of Wales and Mrs. Fitzherbert, which took place privately at the end of the year 1785. This gave rise to a delicate situation which made it undesirable to raise the Catholic question for the time being. For both by birth and by her previous marriages Mrs. Fitzherbert was

[1] The memorials will be found printed in full in Appendix A.

closely connected with the old Catholic families. She was a daughter of Sir Edward Smythe, of Acton Burnell, in Shropshire, and her early years were spent at his seat at Brambridge, near Winchester, where the family then resided. While still young she was sent "beyond the seas" to the school of the "Blue Nuns" at Paris, where she remained for several years. On the completion of her education, she returned to her home at Brambridge, where there was a chapel in the house, and she continued to live as a strict Catholic, after the somewhat rigid pattern then in vogue.

At the age of seventeen, Miss Maria Smythe was introduced into society, or as we should say, "came out". The numerous pictures of her by eminent artists show that she was a girl of unusual beauty and attractiveness; and her subsequent history proves her to have been a person of remarkable strength of character. She quickly attracted general attention, and before the year was out, she was already engaged to Mr. Edward Weld, of Lulworth Castle, a widower of forty-four years of age, whose first wife, a daughter of Lord Petre, had died three years before. The marriage was celebrated early in 1775: within the year he died, and three years later his widow was married a second time to Mr. Thomas Fitzherbert of Swynnerton, in Staffordshire. On his death in 1781, she found herself a widow for the second time at the early age of twenty-five. After this for a time she lived in retirement at Richmond; but in the season of 1784 she opened her house in Park Street, which she had inherited from Mr. Fitzherbert, to general society; and it soon became a well-known fashionable resort. The following paragraph appeared in the *Morning Herald* of July 27, 1784:—[1]

"A new Constellation has lately made an appearance, in the *fashionable hemisphere*, that engages the attention of those whose hearts are susceptible to the power of beauty. The Widow of the late Mr. F—h—t has in her train half of our young Nobility; as the Lady has not, as yet, discovered a partiality for any of her admirers, they are all animated with hopes of success."

They were all, however, doomed to disappointment, due to the strange combination of circumstances which brought Mrs.

[1] See *Life of Mrs. Fitzherbert*, by W. H. Wilkins, i., p. 24.

Fitzherbert, most unfortunately for her own happiness, under the influence of the selfish and profligate Prince of Wales. It has been said that his devotion to her was the one redeeming feature of the prince's character, and it required a real devotion to overcome all the difficulties which stood in the way of the union on which he soon set his heart. At first Mrs. Fitzherbert resolutely refused her consent. She refused even to see him, and determined to go abroad, in order to escape his importunities. Before she started, the prince tried an artifice, feigning attempted suicide by stabbing himself, and sending emissaries to say that nothing but her immediate presence would save his life. She came, and a kind of pretended marriage ceremony was gone through, the prince placing a ring on her finger; but on her return home, she saw that no real marriage had taken place, if for no other reason, because she was not a free agent at the time, and immediately afterwards she started for the Continent. She went in turn to Aix-la-Chapelle, the Hague, Paris, Switzerland and Lorraine. The prince however discovered her whereabouts, and sent continual letters to her by special couriers. Gradually her opposition was worn down and she began to relent; and in the end, she returned to London to be married privately as already stated, at her house in Park Street. The ceremony took place on December 15, 1785, before a clergyman of the Church of England. It would seem at first sight that in agreeing to this, Mrs. Fitzherbert was sacrificing her religious principles. It must be remembered, however, that at that time all marriages, even those between two Catholics, had to take place before a minister of the Established Church. Mrs. Fitzherbert herself had already on two separate occasions gone through the marriage ceremony before a Protestant minister. It is true that on each occasion the marriage had also taken place in a Catholic chapel, and that Catholics looked upon this as the essential part in conscience, and the service at the Protestant church as merely a civil ceremony necessary to legalise the marriage. But it does not follow that one in Mrs. Fitzherbert's position would have fully realised this. Certainly she would have found no reason to object to presenting herself before the Protestant minister, and it is at least conceivable that she might not have realised, in the extraordinary position in

which she found herself, the obligation of going through the ceremony also before a priest.[1]

Of course the marriage was not legal. Had it become publicly known, the position of the prince would have been made very difficult. Its truth was officially denied more than once in the House of Commons—on one occasion solemnly and categorically by Fox himself, the prince's close friend. But it was well known among Catholics. They did not indeed know all the details of what had taken place: these were shrouded in mystery till long afterwards. But Mrs. Fitzherbert was living a life of unimpeachable uprightness; she went regularly to her duties, and all Catholics felt assured of her virtue. Hence although they did not know exactly what had occurred, they universally believed that a marriage had taken place, which though not legal was nevertheless valid in conscience. Consideration both for her and for their own interests withheld the Committee from bringing the Catholic question prominently before the public at this juncture.

The Committee had now nearly run its course, and, so far, they had done little which definitely showed the nature and tendency of their opinions. During the last six months before their dissolution, however, a question arose which brought them into prominence in a disagreeable manner.

The question alluded to concerned the property of the ex-Jesuits. It appears that these had sold a mission in the North of England, with some houses and land attached, to the Benedictines. Bishop Matthew Gibson contended that the ex-Jesuits being now secular priests, had no power to part with one of their missions, and he reserved the right to place a secular priest there later on, should it happen that no ex-Jesuit was available. His contention was corroborated by a decree of Propaganda, dated July 15, 1786, in which it was expressly laid down that the property formerly belonging to the Jesuits was not to be alienated; and the Vicars Apostolic were called upon to see that the prohibition was observed. The fact that Bishop

[1] According to Catholic theology, the marriage of Mrs. Fitzherbert was valid even though it was never celebrated before a priest. This was so, because the laws of the Church invalidating such marriages form part of the decrees of the Council of Trent, which has never been promulgated in England. In Ireland or in Catholic countries on the Continent this would have been otherwise; and since the recent legislation by Pius X. the law has been altered in England also.

Gibson quoted this brief was made the subject of attack on him, and it was even said by the sympathisers of the ex-Jesuits that in allowing Rome to interfere in temporal matters he was violating the oath which he had taken under the Act of 1778. The matter was taken up by the Rev. William Strickland, President of the Liège Academy. The following extract from his letter to Bishop Thomas Talbot, dated February 8, 1787, will give an idea of what he thought on the subject:—[1]

"I am sorry to observe," he writes, "that recourse has been had to the Congregation de Propaganda Fide on the subject. By the Oath of Allegiance we have declared in the clearest terms that we do not admit in this kingdom any foreign jurisdiction in temporal concerns; it is therefore with great surprise that I now find the authority of that tribunal brought to limit us in the disposal of our temporals.

"I have taken the opinion of a lawyer, on whose integrity and prudence I can rely, and he assures me that if any person should have been convicted of applying to the tribunal, or executing any decree issued from thence on a subject of this nature, even when Catholicity was the established religion of this country, such person would have been liable to the severest censure of our laws, and to the penalties of Praemunire."

The lawyer to whom Dr. Strickland alludes was Charles Butler: hence the next stage of the proceedings followed only too naturally. As he did not succeed in obtaining satisfaction from the bishops, Dr. Strickland appealed to the Committee to help him. They were not slow in taking the matter up, and forthwith wrote a letter to each of the vicars apostolic, in the following terms:—[2]

"My Lord,

"We, the Gentlemen of the Catholic Committee, having heard a report of a decree having been obtained from the Propaganda relative to the disposal of the temporalities of the late body of Jesuits in England, think it our duty to lose no time in requesting your Lordship to inform us of the truth of such a report. We hold ourselves fully justified in making full inquiry into this business, as it immediately and most seriously affects the honour and very existence of the Catholic

[1] *Kirk Papers* (Oscott), vol. i. [2] *Clifton Archives*, vol. ii.

body at large in this country, the receiving any bull or decree from the Court of Rome on matters of temporal property being not only in direct violation of the Oath we have all lately taken, but in breach of the statutes of *Praemunire* and *Provisors*, both passed in Catholic times, for the security of the Liberties of the English Catholic Church. We most earnestly hope that from your Lordship's answer we shall happily find the present alarm we feel to be ill founded.

"We have the honour to be,

"Your Lordship's most obedient humble servants,

"PETRE.
"HENRY C. ENGLEFIELD.
"JOHN THROCKMORTON.
"WM. FERMOR.
"WILL. JONES.
"THOS. HORNYOLD.
"JOHN TOWNELEY.

"LONDON, *Feb.* 20, 1787."

To this letter Bishop Walmesley answered that he had not heard of any decree such as that mentioned. When he received a copy, however, he appears to have been somewhat alarmed, and to have regretted the action of Propaganda, which he attributed to their not understanding the state of things in England. In this he appears to us somewhat over-sensitive; for the question was really purely an ecclesiastical one. There was no intention of disposing of Church property; the only question was, who were the representatives of the dissolved Society, to whom the administration of their former property would belong; and this no one could answer better than the power which dissolved them, that is the Holy See. The two Bishops Talbot returned civil answers, evidently wishing to avoid being involved in a matter which did not concern their districts. Bishop Gibson, for whom the letter was primarily intended, at first took no notice of it; but eventually at the urgent request of Bishop James Talbot, he sent the Committee an explanation of what had occurred. He based his action on the general ecclesiastical law, quoting the instructions of Bishop Challoner in the London District, and Bishops Petre and Walton in the North, at the time of the suppression of the

Society. He added that the Decree of Propaganda was indeed opportune, for it officially confirmed his action.

On receipt of this letter, the Committee wrote in a satisfied strain, and even with some cordiality. The following is the text of their letter to Bishop Walmesley:—[1]

"LONDON, *March* 28, 1787.

"MY LORD,

"We, the Gentlemen of the Catholic Committee, request your Lordship to accept our thanks for the favour of your answer to our letter, and be assured that our sole intention is to promote the interests of the body at large, and our constant wish is to show every mark of respect to your Lordship.

"With regard to the matter on which we lately addressed you, we are truly happy to find our alarms relieved; and hope that on every occasion the same friendly confidence we have lately experienced may subsist between us, as by that alone we can hope for relief from our present burthens.

"We have the honour to be, with the greatest respect,

"Your Lordship's most obedient humble servants,

"STOURTON.
"PETRE.
"HENRY C. ENGLEFIELD.
"WILL. JONES.
"JOHN TOWNELEY.
"THOS. HORNYOLD.
"WILLM. FERMOR."

Notwithstanding this, however, the matter continued to be discussed. Bishop Gibson complains that it was loudly said in London that he had broken his oath, and the general question came to the fore again in the printed address to the English Catholics issued by the Committee before their dissolution. In it they returned to the charge, and even contended that government by vicars apostolic at all was an infringement of the statutes of *Praemunire* and *Provisors*. The address was much criticised and it will be convenient to take its consideration in a new chapter.

[1] *Clifton Archives*, vol. ii.

CHAPTER VI.

ELECTION OF A NEW COMMITTEE.

1787-1788.

THE address issued by the Committee calls for careful consideration,[1] as being the first public proclamation of their opinions and methods, and the precursor of a stamp of document which became too well known afterwards in their official publications, the "Blue Books". Its issue also marks the time from which Catholics began to be definitely divided into two parties, those who supported the Committee, and those who were opposed to their whole attitude. It was, in short, the beginning of the long and tedious struggle between the Committee and the Bishops.

The main object which the Committee had in view was to secure their own re-election. Although their efforts had so far led to very little result, they were hopeful as to the future, and wished therefore to lay before the Catholic public an account of the aims which they had in view, and of the measures which they had taken in the past, and which they thought should be taken in the future, in order to achieve them.

With respect to the results already accomplished, the record was so small that some apology seemed to be called for, and the first part of the address is accordingly given to an enumeration of the reasons why it had been found impossible to do more. The Committee then proceed to discuss the actual situation, and to indicate the measures which they wished to recommend. The first of them was, as before, to procure the restoration of the hierarchy. The reasons they gave for considering this of urgent importance were severely criticised

[1] The text of the Address will be found in Appendix B.

by Milner and others: it will be well therefore to give this part *verbatim*:—

"At present," they write, "we are governed by four Bishops who are appointed under the denomination of Vicars Apostolic, from which quality they derive their sole authority. They are appointed by the Court of Rome, without any election either by the Clergy or Laity; their power is curtailed or enlarged at the will of the Court of Rome, and revocable by the same Court. This necessarily creates an appearance of dependence on the Court of Rome, which is generally represented to be much greater than it really is. But we beg leave to observe that the Ecclesiastical government by Vicars Apostolic is by no means essential to our religion, and that it is not only contrary to the primitive practices of the Church, but is in direct opposition to the statutes of *Praemunire* and *Provisors*, enacted in times when the Catholic was the established religion of this country; and when you reflect that it is the duty of Christians to make the discipline of their Church to conform as near as may be to the laws of their country, your Committee doubt not but you will concur with them in thinking that it is incumbent on us to use our endeavours to procure the nomination of Bishops in ordinary. Your Committee think it would be needless to point out to you the advantages which would result from having pastors thus chosen by the flock they are to teach and direct, and in conjunction with which they would be competent to regulate every part of the national Church discipline. . . . Your Committee trust that you will concur with them in thinking it necessary to appoint a certain number of your body who may be entrusted to co-operate with your Clergy in taking the most effectual means to free them and us from our present defective system, and establish the Church government in a manner more conformable to the general practice of the Christian religion."

It will be seen at once that the Committee here take up a very extraordinary position, and although we may find it difficult quite to follow Dr. Milner when writing thirty years later he says that the address might pass for a speech of Mirabeau in the French National Assembly, we nevertheless cannot fail to see the schismatical tendency of the measures advocated. The suggestion of the people electing their bishops, and then acting "in conjunction" to regulate the ecclesiastical

affairs of the diocese, sounds to modern ears strange enough; but the idea that the matter was one for the Committee to settle at all seems still more strange. Moreover, in appealing to the anti-papal statutes of *Praemunire* and *Provisors*,[1] they fairly laid themselves open to a charge of Erastianism.

The other measure advocated by the Committee was "the settling of a school which shall afford a system of education proper for those who are destined for civil or commercial life". This brought them on to safer ground, and although opinions might differ as to the wisdom of the scheme, there was no reason to find fault with it on ecclesiastical grounds. They disclaim any wish that it should interfere with Douay or any other of the English colleges abroad, "unless by rising, as circumstances will permit, from its infant state to that degree of eminence as shall in future times become adequate to all purposes, more advantageous to religion and to the body of Catholics, than the present foreign school establishments".

In fine, they beg all Catholics to attend the coming general meeting, and plead with all their strength that "some form of deputation or Committee should be appointed, to take advantage of the universal benevolence which seems to be spreading in all parts of Europe, during a profound and universal peace, when all nations seem to be laying aside ancient prejudices, and by treaties of amity, increasing the intercourse between men of different religions".

At the foot of the address was printed a statement of the accounts of the Committee, from which it appeared that there was a balance in hand of £560 11s. 2d., as well as arrears due to the extent of £870 9s. These seem large figures, and up to that time the expenses of the Committee had been very light—just over £100 in all. But there was every reason to believe that a bill would soon be brought into Parliament, in which case the efficiency of the Committee's work would depend in great measure on their not being stinted for money; and in fact, as we shall find, when the time came they regulated their expenses on a large and liberal scale.

[1] The statute of *Provisors* was intended to limit the Pope's power of nominating to English benefices; *Praemunire* (so named from the first word of the writ) concerned Papal jurisdiction. Both statutes were passed in the reign of Edward III. (1351 and 1353) and re-enacted under Richard II. (1390 and 1393).

The general meeting was held on May 3, 1787, and the Committee were duly re-elected for a further term of five years. As before, five were chosen at the meeting, and representatives of the districts were afterwards added. When completed, the composition of the Committee was as follows:—

Elected at the meeting—Lord Petre, Lord Stourton, Mr. John Throckmorton, Sir Henry Englefield and Mr. William Fermor.

Representative of London District .	Mr. Thomas Hornyold.
Ditto, Midland District . .	Sir William Jerningham.
Ditto, Western District . .	Lord Clifford.
Ditto, Northern District . .	Sir John Lawson.
Ditto, Lancashire and Cheshire .	Mr. John Towneley.

Comparing this list with that of the former Committee, we find that Sir John Lawson and Sir William Jerningham had replaced Mr. Thomas Stapleton and Mr. William Jones.[1] The other members remained the same, though there was some interchange as to which districts each represented. Mr. Charles Butler was re-appointed secretary.

The address of the Committee was not allowed to rest unanswered. Dr. Milner prepared a rejoinder, to be circulated before the general meeting; but Bishop James Talbot induced him to refrain from publishing it, as he considered that it was important to have a committee, and was afraid that a too uncompromising opposition might have the effect of bringing it to an end. As time went on, however, his views seem to have gradually modified, and he himself prepared a long paper against the Committee which is preserved in the Westminster Archives. Apparently he never completed or delivered it. The document is, however, of considerable interest as showing his frame of mind at the time, and the gradual growth of his feeling against the Committee. He speaks of the address as showing marks of "a growing contempt for our Church establishment," and adds, "When I consider this, and ye determined exclusion of ye Clergy from ye Committee voted some years ago, I own it alarms me". His brother, Bishop Thomas Talbot, had also written apparently to Charles Butler himself in much the same sense, and more strongly than was his wont:—[2]

[1] Mr. William Jones had been elected in place of Sir Carnaby Haggerston a year or two before.

[2] *Birmingham Archives.*

"Now Mr. Talbot, *cum bona venia*, cannot forbear to add that he did not know that the Catholic Committee was established to sit as a Court of Judicature, to take cognisance of high crimes and misdemeanors, to arraign Bishops before their tribunal, and perhaps to permit them to exercise their functions only *quamdiu se bene gesserint.*"

Bishop Walmesley's letters have already been quoted. Bishop Matthew Gibson's feelings were much the same. Lord Petre therefore thought it necessary to make a formal declaration that there should be no interference with spiritual matters without the concurrence of the bishops, and he did so at the meeting on February 19, 1788. His words are recorded in the minutes. He said:—

"That an idea had prevailed that the Committee had undertaken to interfere in matters of a nature merely spiritual. That the only instance in which the Committee could be thought to have done this was in their deliberations whether it would be for the benefit of religion that the Vicars Apostolic should be ordinaries; that the first step they had taken in this concern was to write to the Vicars Apostolic themselves upon it. That the affair rested there, and that they had interfered in no other matter of a spiritual nature."

Bishop Gibson was not satisfied with this bald statement: at any rate, he thought a definite promise ought to be put into writing and signed by the members of the Committee while they were still of the same mind; but his colleagues seem to have been afraid of raising the question further, for fear of causing irritation. In Bishop Gibson's own district the feeling against the Committee was growing daily. This feeling was not lessened by the random talk which some of them indulged in when propounding their own views. Amongst other things Mr. Throckmorton put forward the extraordinary proposition that Catholics might lawfully take the oath of supremacy. He said in effect that the Catholic authorities had interpreted the meaning of the oath too rigidly, and that it was capable of being understood in a sense that was not inconsistent with Catholic doctrine. He did not indeed get many to accept this view; but some few did, and its bare statement caused considerable stir, so that it seems worth while to give his own explanation, which he afterwards published:—

"The Oath requiring us to deny in a foreign person any jurisdiction of power, ecclesiastical or spiritual, within this realm it becomes essentially necessary to know what the precise meaning of these words is. If by the word spiritual is meant any part of that Divine commission which is acknowledged to be given by Christ to His Church, it is evident that we cannot take the Oath. But as the same word has often been used in a sense of much greater latitude, so as to extend to persons vested with an ecclesiastical character, and to tribunals which are really civil as well in their authority as in the nature of the causes on which they decide; if the meaning be only to deny to any foreign person such authority or pre-eminence it is evident there can be no religious ground of refusing the Oath." [1]

There is no evidence that Mr. Throckmorton, or any one else, ever went so far as seriously to think of acting upon this extraordinary opinion; but it was much spoken about. Father O'Leary, the well-known Irish Franciscan, who had lately come to London, was boldly accused of having taken the Oath himself, and having also induced many of the Irish in London to follow his example. In a letter preserved in the Westminster Archives, he stigmatises the assertion as a base calumny. Yet the question was undoubtedly moved by some members of the Committee, who succeeded in disturbing the minds of many. Sir John Lawson writes again saying that the matter is one for the bishops, not for laymen, to discuss, but giving his own opinion that the words of the Oath of Supremacy are wholly incompatible with Catholic principles.

"We have already," he adds, "taken an Oath that any kingdom ought to be satisfied with. We have sworn as much as ye Oath of Supremacy contains, except as to ye Ecclesiastical and Spiritual authority. If our principles are to be frittered away piecemeal, let those look to it who propose this scheme."

In the meantime, the Committee began to press on the two measures which they had put in the forefront of their programme—the appointment of diocesan bishops in place of vicars apostolic, and the establishment of a good school on this side of the Channel. On the first of these the bishops

[1] *Additions to First Letter* (ed. 1792), p. 85.

had indeed already given their opinions some four years before, and we have seen that they were not all of one mind. The Committee hoped that with further time and consideration, the bishops might gradually come round to their own views, which they believed to be shared by the general body of the clergy. They therefore wrote to each of the bishops in the following terms:—[1]

"My Lord,

"Having been instructed at the general meeting held on the 3rd of May last to consult with you and the clergy at large on the propriety of obtaining the regular appointment of Bishops instead of Vicars Apostolic, we beg leave, in compliance with the above direction, to call your attention to that subject. We are not desirous of pressing you to form a hasty judgment on the point in question, but should be obliged to you if you would consult upon it with the clergy of your acquaintance.

"We shall be happy to receive your opinion on or before the 2nd day of April next, by a letter directed to Mr. Butler at his chambers in Lincoln's Inn. Your presence there on that day will give additional pleasure to,

"My Lord,

"Your Lordship's obedient humble servants,

"Stourton.
"Petre.
"Henry Englefield.
"J. Throckmorton.
"Wm. Fermor."

It was in reference to this circular that Bishop Talbot wrote the following letter to Bishop Walmesley:—

"Hammersmith, *October* 9, 1787.

"Dear Sir,

"I am but lately returned from a long jaunt, which was made longer by ye desire and expectation of you at Lord Arundell's of Wardour, as his Lordship himself had made me hope. But I soon found my mistake, and that you would not be there till the 21st inst., *i.e.* next Sunday se'ennight. . . .

[1] The letter is undated; but the copy in the Clifton Archives bears the postmark July 6, 1787.

"If I had met you, as I had expected, we could have talked over at leisure ye other matters you now enquire about, as I had just done ye same with our other two Brethren. But to satisfy you, I will notice ye substance of what we concluded. And first, as to ye Committee's letter, we thought it necessary to be as civil as possible, though at ye same time, as ye main question regarded ourselves and our own powers, we thought we might decline taking any active part therein. And if it's true, as I have understood as well as you, that there has been a petition presented to Hilton[1] on their parts, we may reasonably desire to know what answer has been received, and if it's found their plan has not been approved, it can't, I think, be expected of us to urge it any further, but we should be content to go on in ye old track which has succeeded so well for ye last hundred years. And as to any objections raised on ye part of Government, I am persuaded they may be all answered to their satisfaction, by showing we have less connection with Hilton as Apostolic Vicars than our Irish neighbours as Ordinaries; and some connection there must be as long as we are allowed to profess ye old faith for which so many of our ancestors have bled and died. And as to taking ye confirmation of Bishops out of ye hands of Hilton and putting it in our Government, I wonder such a vagary could ever enter a head that pretends to be Catholic. I need only add that it appeared to us ye greater part of ye Country Gentlemen were adverse to ye very existence of a Committee, and a still greater part to their meddling with Church affairs, and therefore we concluded ye whole business would drop before ye time appointed for sending in answers, and as we did send our answers (which were also read at last meeting) to ye question about Ordinaries, I think we need not be in a hurry to answer ye last letter. . . ."

We now proceed to consider the second measure urged by the Committee, namely the opening of a high-class school in England, to obviate the necessity of Catholics seeking their education abroad. Originally they had contented themselves with a request for certain changes in the course of studies at Douay,

[1] "Hilton" was the name for "Rome" used in penal times when it was not safe to write openly, and it continued in use long after any real need for such secrecy had passed away.

in which the president (Rev. William Gibson) had shown readiness, and even anxiety, to meet their wishes. Their new proposal was much more drastic; yet they had evidently made up their minds to carry it out. For this purpose a second general meeting of Catholics was held four days after the former one, and a committee of seven were appointed to take action in the matter. Six of these were members of the Catholic Committee—*viz.* Lord Petre, Lord Stourton, Sir Henry Englefield, Mr. John Throckmorton and Mr. William Fermor. The seventh was Dr. Strickland, President of the Liège Academy, who had openly sided with the movement. His inclusion in the committee, however, placed him in a somewhat difficult position, and though he did not refuse to lend his name, he did not in fact attend any of their meetings.

The following circular issued by the School Committee to English Catholics will give a complete idea of their aims and methods:—

"SIR,

"Above you have the proceedings of the meeting held the 7th of May, for the purpose of considering on a method of establishing a school.

"Your concurrence in the plan, and the favour of your signatures in addition to the list now laid before you, is earnestly requested by the Committee, who beg leave to notice to you, that by your present signature you are not, by any means, bound to subscribe to the school unless the plan agreed on meets your future approbation. All now intended is to obtain as general an assent as possible to the scheme of a school at large.

"As the Resolutions of the meeting do not express the particular intention of the Plan, we beg leave to state to you, that our wish is to pursue an extended plan of education, in which the study of the Dead Languages will not exclude an attention to the modern ones, particularly our own. Mathematics, such part of them particularly as are necessary to the man of business, and always useful to every situation in life, will be attended to with peculiar care; and the Bodily exercises will be taught to such as are wished by their parents to learn them. This is merely a general Idea, but which we think

it right to state, as it was the tenor of the conversation of the meeting, though not stated in the Resolution.

"Your answer directed to Mr. Butler in Lincoln's Inn, will be a favour conferred on, Sir,

"Your most obedient humble servants,

"STOURTON.
"PETRE.
"CLIFFORD.
"HENRY C. ENGLEFIELD.
"JOHN COURTENAY THROCKMORTON.
"WM. FERMOR."

The Committee's proposal was viewed with apprehension by many, especially among the clergy. The school would of course have been illegal; but the experience of Old Hall Green and Sedgley Park and a few other such-like establishments gave reason to hope that the law on this matter would not be enforced; and the opposition was based on other grounds. Many of those who had been educated at Douay and at others of the foreign colleges, were much attached to these, and apprehensive of anything that might impair their efficiency. Thus Bishop Walmesley writes:—

"The new School upon the extensive plan of the Committee, I suspect, will prove prejudicial both to the Colleges abroad and to the mission here."

In the same sense, but in more forcible, even rough language, the Rev. Thomas Eyre, who was afterwards President of Crook Hall and Ushaw, wrote from Hassop on 13th June:—

"I hate the very idea of it. It is evident to me that a secret blow is aimed at Douay College, and as I am fully convinced that the preservation of religion in this Kingdom has been hitherto chiefly owing to that house, whatever hurts it must prejudice the other; and even was that not to be the case, I can never approve of a scheme which would prevent a great number of our young people from ever acquiring a practical (if I may so call it), and ocular information, conviction and demonstration of the universality, respectability and prevalence of their religion over the several new-fangled, pied, patched and piebald sects and sections, which under the general name of Protestants (a glove which fits every hand from the

claws of Lucifer to the rat that eats a hole in your wainscote) are spreading desolation over, or more properly speaking are tearing up Christianity, root and branch."[1]

Finally, we may also quote Bishop James Talbot's views on this question, taken from the unpublished document already alluded to. As on former occasions, he was less ready to take a definite side against the Committee than we should naturally have expected, and although we can see that at heart he was distrustful of the whole scheme, he showed himself anxious not to oppose it too openly. He writes as follows:—

"The second measure you advert to is the establishment of a school upon a better footing than any yet established, and I most heartily wish you good success, though with this caution, that while you improve, perhaps, ye other parts of education, ye religious part be not forgot, as too often happens when ye laity alone set about ye work. And I mean by religion ye bringing children up so as to be versed in ye substantial precepts of it, such for instance as ye Apostolical fast of Lent. Could you believe that notwithstanding ye leaves granted last Lent for four whole weeks,[2] I was applied to by a certain schoolmaster near town for meat also ye first week, and even ye last, alledging no other reason than ye expectation of Parents. Now what can be expected of children brought up in notions that it is death to abstain a whole week together? Would they ever keep Lent? But I only mention this to show what is to be expected in religious way from such Masters. This we know, no such liberties are taken at Old Hall Green or Sedgley Park; and why may not one of these be made to answer every end of education? or if deficient, why can't they be improved? But I have so little wish to continue ye former, though my own property, that I shall be highly pleased whenever a better is produced. As to ye latter, I think it ye best of ye kind ever since ye Reformation. And how much better it might be made with your encouragement. And this might be effected at a much less expense than by making a new erection, supported and managed by ye Committee alone,

[1] *Ushaw Magazine*, March, 1894, p. 7.

[2] Even when a dispensation was granted for meat on certain days in Lent, it was never allowed in Passiontide; so that the dispensation only applied to the first four weeks.

whose other engagements and avocations must necessarily interfere.

"But if you say, *nihil tentare nocebit*, I have no objection."

This view of Dr. Talbot's was not, however, generally held, except by the avowed supporters of the Committee. Among the laity in the North—and of course still more among the clergy—the feeling against the project of a new school, and therefore indirectly against the Committee, soon became very strong, and eventually led to a formal protest against their action. This was organised chiefly by Sir John Lawson, of Brough Hall, Yorkshire: as he had been recently elected a member of the Committee, the significance of his action was very remarkable. The protest is so important as a testimony to the solid orthodoxy of the Catholics of the North, that it is worth while giving it in full, especially as it has never before been printed:—[1]

"To the Committee of English Catholics.

"My Lords and Gentlemen,

"In answer to your circular letters of 1787, we wish to state to you that we are satisfied with your resolution concerning our Church government so far as it has been agreed 'to instruct a Committee to consult with our Vicars Apostolic, and in case of their thinking it proper, to co-operate with them'. We are of opinion that the laity ought not to be judges in such business, and we shall be dissentient from any step to forward ye proposed alteration that has not received ye full sanction of our present Bishops.

"With respect to ye Resolution of ye meeting of May ye 3d, that it would be beneficial to ye Catholics at large to establish a school for ye education of youth intended for civil or commercial life, we find ourselves under the necessity of withholding our consent to that measure, and we esteem our present schools in England and our Establishments abroad amply and fully sufficient and adequate to ye education of our Catholic youth. We are far from being convinced of ye supposed deficiency in our present system of education. Frequent applications are made to our foreign Colleges to receive youths of

[1] *Clifton Archives*, vol. ii. The document is not dated.

persuasions different from our own, intended for civil and commercial life in this country, who would be numerous there, were the heads of our Houses inclined to receive them. It is hence fair to suppose that our Protestant countrymen entertain a more favourable opinion of our foreign education, even with a view to civil and commercial life, than some of our own body are willing to allow it. We cannot help remarking that our foreign Colleges are, now, placed on a more enlarged system, in hopes of meeting ye ideas and wishes of ye Catholic laity. Accounts and Writing and the English and French languages are there made a more considerable part than formerly of education, and we cannot entertain an idea that the rising generation educated in this country will be more respectable than by a continuation of ye present improved plan.

"We apprehend a new school in this country, such as is proposed in your letters may be a means of preventing several of our young men from embracing ye Ecclesiastical state of life, so essentially necessary to ye Catholic religion, and we fear any impediment thrown in ye way of our present Colleges, so as to deprive them in ye whole or in part of their youth, will be a step very prejudicial and must in time tend to increase much our want of Churchmen. We are grounded in our apprehensions that our foreign Colleges may suffer much from ye success of ye proposed new school, by that part of your letter of ye 10th of April in which you say you are not without hopes that ye school 'by rising as circumstances will permit from its infant state to a degree of Eminence, shall in future times become adequate to all purposes, more advantageous to religion, and to ye body of Catholics, than ye present foreign school establishments'.

"The idea of our present foreign places of education being rendered unnecessary and given up, seems to us big with fatal consequences, for should any commotions on religious matters at a future day take place in this country, which is within the line of possibility to happen, our school establishments here might probably be the first sacrifice of contending parties, and in such a situation we should then be destitute of the asylums we are at present in possession of abroad, and having this apprehension in view, we shall ever deem it highly imprudent to part with them.

"We think our young men, whose inclinations may lead them to embrace a clerical state of life, will certainly be debarred from being educated in this country, from the advantage which every College abroad affords of seeing the full and publick exercise of our religion, without which the education of our Ecclesiasticks would in that respect be confined, and this advantage we cannot allow to be uninteresting to ye laity.

"We may add that the students in our foreign Colleges are placed at a distance from objects of dissipation and bad example, so much complained of in the public schools of this country, and we deem it a matter of extreme difficulty to guard against this objection in any extensive plan of education proposed to be set on foot in England.

"We have only further to state, that we cannot consider the Penal Laws remaining in force against us as a dead letter. Prosecutions upon the unrepealed statutes have taken place in ye County of York since ye Act of Parliament passed in favour of ye Catholics, and as long as we are loaded with such shackles, we cannot subscribe to ye idea of viewing such laws with indifference. We are willing to hope that an erasure of them from ye statute books is ye great object to which the Committee intend to direct their endeavours."

Fifty-one signatures follow, including representatives of all the chief Catholic families in the North of England—Haggerston, Maire, Silvertop, Clavering, Witham, De Trafford, Stanley, Blundell, Riddell, Charlton, Selby, Bedingfield, Gage, Constable, Gibson, Strickland, Vavasour, Eyre, Tempest, Stapleton, etc.

This protest was read at the general meeting of Catholics at the Freemasons' Hall on May 15, 1788, when the chairman, Mr. Throckmorton, gave what he considered as the Committee's answer, point by point. Nevertheless, the protest seems to have had considerable effect, for we hear nothing more of the proposed school for several years afterwards.

It was now becoming evident that if the Committee continued along the path they had laid out for themselves, they would soon cease to carry even the nominal confidence of the Catholic body. This was probably their motive for so far changing their tactics as to admit a limited number of priests into their body. They succeeded in persuading Dr. James Talbot to join the Committee: he consented under the impression

that he could exercise a restraining influence in this way better than by active opposition, and still believing that the continued existence of the Committee was desirable. Two more ecclesiastical members were added, Bishop Charles Berington, the new coadjutor of the Midland District, and Rev. Joseph Wilkes, a Benedictine monk. These were all elected by a ballot at a meeting on May 15, 1788, and that fact itself contributed to compromise Bishop Talbot's position; for to accept an appointment in this manner was a tacit acknowledgment that the laymen were able by their vote to give some fresh authority to their bishop. His position became a difficult one. The inclusion of his name could not but give additional weight to the doings of the Committee, while he had not the strength of character required to influence their action. Many blamed him for allowing himself to be placed in such a position. Bishop Matthew Gibson wrote to him: "I shall congratulate both you and the public on your late promotion, when I see you prevent any mischief in that station. I don't controvert your inclination, but power."[1] Sir John Lawson raised a further point. "It gave me pleasure to read ye names of three such respectable characters were added to ye Committee," he said; "I only wish a clergyman of ye Northern District had been at the same time put in."[2] It may be noted, however, that the clergy were not allowed to choose their own representatives at all; these were nominated by the lay members of the Committee, who naturally chose such as they knew to be favourable to their own way of thinking.

Dr. Talbot does not seem to have attended many meetings, if any at all. The only documents to which his signature is appended are the circulars informing members of his election, and the petition to Parliament based on the Protestation, to be spoken of in the next chapter, which was signed by the whole Committee. The signatures of the other two clerical members are found on all the chief documents subsequent to their election. Both were in sympathy with the general aims of the Committee, and as both played important parts in the subsequent events, a few words about each will be in place here.

Bishop Charles Berington was a man whose career dis-

[1] *Westminster Archives.* [2] *Ibid.*

appointed his early promise. As a student at Douay he was much thought of, as also when he afterwards went to the English Seminary at Paris, though he never exerted himself at either place sufficiently to allow his abilities fully to develop. He was a native of Essex—born at Stock Hall—and after his return to England he led a retired life as chaplain at Ingatestone Hall, within a few miles of his birth-place. In 1784 he again left England, this time making the "grand tour" as tutor to the son of Mr. Giffard of Chillington. He was absent nearly two years, and it was on his return that he was chosen as coadjutor to Bishop Thomas Talbot, of the Midland District, at the early age of thirty-eight. Milner describes him as "an unambitious, sweet-tempered prelate, of strong natural parts, and qualified for the highest station in the Church, had he been resolved to support her necessary authority against the prevailing encroachments and aberrations of powerful laymen".[1] Milner is, of course, alluding to the bishop's connection with the leading members of the Committee, who exerted great influence over him. His aim was always to make peace between the two contending parties; but it was the natural result of the weakness which induced him to allow himself to be led by the laymen to whom Milner alludes that his efforts for peace were rarely successful.

Bishop Charles Berington lived with his cousin, the Rev. Joseph Berington, at Oscott,[2] then a country mission, with a fair-sized house, which Bishop Hornyold had intended for the episcopal residence. There was considerable similarity between the minds of the two cousins: the same tendency to cynicism, not always unmixed with heterodoxy, shows itself in the letters of both of them. From this cynical spirit even their strictures on each other were not altogether free. The following words written by Joseph Berington after his cousin's death in 1798 are so characteristic of the writer and also of the person described that they are worth quoting:— [3]

"I never had a thought of drawing up any biographical sketch of our late friend's life, whatever you Gentlemen might

[1] *Sup. Mem.*, i., p. 72.

[2] That is, of course, *old* Oscott, now known as Maryvale. Joseph Berington was appointed there on his return from his tour, which he made with Mr. Miles Stapleton, in 1785. Charles Berington joined him the following year.

[3] The original is among the Archives at Oscott.

suppose; and had you reflected, I suspect the thought would never have entered into your heads. What could with truth be said more than the little I did say? His moral character was great, and his natural talents excellent; but to the latter he had given no cultivation. Would you say that he went to Douay young, where he applied little; that he removed to Paris, where he applied less; that he returned to England, where he did nothing; that he went abroad and came back; that he was made Bishop, lived a few years and died? The part he acted as a member of the Catholic Committee could not be mentioned, which was the only conspicuous part of his life, without giving offence, and perhaps provoking discussion."

The Rev. Joseph Wilkes was a Benedictine, a member of the community of St. Edmund, Paris. He was chaplain for some time to Mr. Fitzherbert at Swynnerton, Staffordshire, and was well known to Bishop Berington and the Midland clergy generally. Dr. Kirk, in a letter written in 1786, gives the following description of him and Joseph Berington:—[1]

"I met with Mr. Jos. Berington, the author [at Chillington], for the second time, and a very pleasant and conversant gentleman he is. He is allowed to be the ablest man we have in the clergy, though we have many very capital ones. Another there is, but a monk, at Swinnerton, Dr. Wilkes. You will hardly find his equal in learning. He is really universal, and so pleasant in conversing that every one is enchanted that hears him. His abilities are universally acknowledged. I thought myself happy in becoming acquainted with him at Douay, and in being his companion in the Stage from London. All the passengers were enamoured with him, and when upon enquiring they heard from me who he was, they all stood astonished."

Very shortly after this was written, Mr. Wilkes was moved to Bath, where there was a Benedictine mission in the town. The Catholics of Bath seem to have become greatly attached to him. He was living there in 1788 when he was chosen a member of the Committee. From the time of his election his abilities, added to his attractive manners, caused him to become one of the leaders of that body, and the other members always looked to his theological knowledge to guide and direct them

[1] *Westminster Archives.*

in their action as to the protestation and oath. Milner in his letters, no less than in print, always speaks harshly of Mr. Wilkes, looking upon him as the chief author of the misdeeds of the others; and also as less excusable on account of his ecclesiastical knowledge and position. The daily life which Mr. Wilkes led at Bath was also the subject of criticism. It was said that he was living extravagantly, and that his house was continually open to visitors in a manner unbecoming in a monk. When he ultimately left Bath, too, he left behind him some large debts, which, in order to avoid scandal, the Order discharged.

Nevertheless, there is some excuse to be made even for Mr. Wilkes. The amount of respect, even of adulation, which he received from some of the most prominent Catholics might have turned stronger heads than his. Even in the very midst of his disputes with his superiors, we see signs of true piety and self-denial which are redeeming features in his character; and at the times when he appeared most refractory, his conduct was often due to a feeling of duty—however mistaken—not to recede from positions which he had advised others to take up, and a chivalrous determination not to shirk the brunt of the battle. We shall have to admit that he was sometimes placed in a difficult position, and the staunch manner in which his *confrères* defended his cause so far as reason and obedience to authority would permit, shows that there was another side to his character which appealed to those who knew him intimately. In later years, when he went back to his monastery, he was a source of edification to many, and showed that he had never entirely lost the monastic spirit.

CHAPTER VII.

THE PROTESTATION.

1788-1789.

THE newly-formed Committee were not long before getting into communication with the Government. Pitt was by this time all-powerful and the state of public business seemed favourable for hastening on the application which they had in view. Accordingly a memorial was prepared to present to him as Prime Minister, and was formally approved at a general meeting of Catholics on February 19, 1788.[1]

The purport of the memorial may be summarised in a few words. After reciting the chief penal laws and disabilities under which Catholics laboured, the memorialists acknowledge that the former have for some time past fallen almost into abeyance; but they contend that the disabilities which still exist "cramp their industry, prevent their providing for their families, drive them from their own country for education, obtrude them on foreigners for subsistence, and make them as it were aliens among their fellow subjects". In favour of mending this state of things, they plead "That the doctrine of general toleration universally prevails: and that no plea can be urged for tolerating in foreign countries the dissenters from the mode of worship established there which may not with as great propriety be urged for tolerating in England those of the Catholic persuasion".

The memorial was in the first instance taken to Pitt by Mr. Fermor, to whom he was personally known; and who requested that he might come on a formal deputation, together with the Catholic peers, according to the resolution passed

[1] The Memorial is given in full by Butler: see *Hist. Mem.*, iv., p. 6. See also part of the Memorial quoted in chapter i.

at the meeting. Pitt was, however, evidently anxious to avoid receiving any regular deputation, as we learn from the account given by Mr. Fermor as recorded in the Minute Book of the Committee. We read that—

"[Mr. Pitt] replied that he thought himself much honoured by such a resolution, but that he could not think of giving the Catholic Peers that unnecessary trouble, as it had already been communicated to him through the medium of a private negotiation. Mr. Fermor then asked him if he would give him leave to report his answer to the general adjourned meeting of the English Catholics. He replied that Mr. Fermor had his full liberty to do so. Mr. Fermor then begged to know at what period of time he thought he would have it in his power to give the English Catholics an answer to their Memorial. He said that it was impossible he could then give an answer to that question, but that as soon as any resolutions had been taken on the subject, he would take care to acquaint Mr. Fermor with such particulars."

This report was accordingly given by Mr. Fermor at the adjourned meeting on February 28. It was resolved in consequence:—

"That Mr. Fermor be directed by the Committee of English Catholics at any time that they shall consider as the most proper, to write to Mr. Pitt to request of him to know his sentiments on their memorial, and which of the constitutional modes he would recommend them to pursue in order to obtain a redress of grievances; being apprehensive of losing the present session, as well as the favourable opportunity of availing themselves of the very tolerating spirit which seems to have extended its benign and salutary influence over all the kingdoms of the world."

The three constitutional modes here alluded to had been discussed by Mr. Fermor in a preliminary interview with Mr. Pitt some weeks before. They were, (1) by an address to the King; (2) by a petition to Parliament; (3) by a motion in the House of Commons. It was now resolved that Pitt should be pressed to say which of the three he would consider preferable.

At length, after a delay of nearly three months, Pitt consented to receive Mr. Fermor, with any others who might come as a formal deputation from the Catholic body. It was arranged

that Lord Petre and Sir Henry Englefield should accompany him. The following headings were drawn out by the Committee, as a guide to the deputation in their interview with the Prime Minister:—

"To endeavour not to lose the present session. If asked what our present wishes are, to press our wishes for the Army, Navy and Bar. Rather to hear what Administration may chuse to give than to make proposals of our own. If the Test is objected which excludes from the Army and Navy, then to express our wishes for those advantages which the Dissenters now enjoy, and from which we are excluded."

Mr. Butler also prepared a series of observations on the legal questions raised, which will be found printed in the Appendix.

The deputation was received by Pitt on Wednesday, May 9. The substance of his answer can be given in the words in which the members of the deputation reported it to the Committee the same afternoon:—

"[He said] that Government will make no objection to the business relating to the relief of the English Roman Catholics being brought before Parliament early next sessions:

"But, he observed, if moved this session, it will be impossible to carry the measure to a conclusion, and of course it must lie over till next year.

"This, Mr. Pitt is of opinion, will not be a favourable circumstance to the Catholic cause, as it will prevent Government from preparing the minds of some of the leading interests in this country previous to the bringing on of a measure of such importance.

"He also desired Catholics to furnish him with authentic evidence of the opinion of Catholic clergy and Catholic Universities with respect to the existence or extent of the Pope's dispensing power.

"That though the relief prayed for appeared simple and clear, yet many parts of it involved great and weighty considerations for Government to determine upon.

"He observed that whatever was conceded to the Roman Catholics, the Protestant Dissenters must also enjoy.

"He concluded by saying that although Government strongly wished that the subject might not be moved this

session, yet it was left to the Catholics to consider whether they should run the risk of the consequences attending its lying over until next year.

"Mr. Pitt repeated several times that he hoped the Roman Catholics would be assured that the present adjournment of their business to next session did not arise merely from motives of delay, but Government seriously intended to consider their situation, and wished to grant them that relief which in prudence they could adopt." [1]

It is probable that Mr. Pitt also gave some indication to the members of the deputation as to how far the Government would be prepared to go, for immediately afterwards the Committee issued an invitation to "such of the Catholic Gentlemen who were then in town" to meet at Mr. Butler's chambers on Tuesday, May 20, to discuss the provisions for the proposed Catholic Relief Bill, which they had already commissioned him to draw up. Fifteen attended the meeting, among their number being Bishop James Talbot and Bishop Berington. The decisions they came to are recorded in the minutes as follows:— [2]

"It was agreed that the chief object of the application now intended to be made by the English Catholics for relief is:

"To obtain the repeal of all the statutes of recusancy, of all the statutes which disable them from serving in the Navy and Army, or from practising the Law or Physic; and of all the statutes which prevent their enjoying their property, with all its rights and privileges, equally and in the same manner as Protestant Dissenters from the Established Church.

"But that it is not intended that the present application should extend to procure for the English Catholics admission into any Civil Offices or employments."

Mr. Butler accordingly proceeded to draft the bill on these lines.

Returning now to the interview between the deputation and Mr. Pitt, we hardly know what to think of the request of the latter for "authentic evidence" of Catholic belief as to the Pope's "Dispensing Power". The idea seems one that would have been more likely to originate with the Committee

[1] *Hist. Mem.*, iv., p. 11.

[2] A copy of the minutes of this informal meeting is in each of the three *Archivia*—Westminster, Clifton and Birmingham.

than with him. However, whether it was his own spontaneous thought, or whether it was suggested to him, in either case, once he had expressed the wish, the Committee were justified in taking steps to carry it into effect. They accordingly sent some formal questions to the Universities of Sorbonne, Louvain, Douay, Alcala, Valladolid and Salamanca, as six typical Catholic faculties. The questions asked and the answers received are summarised by Butler as follows:— [1]

"1. Has the Pope or Cardinals or any body of men or any individual of the Church of Rome any civil authority, power, jurisdiction or pre-eminence whatsoever within the realm of England?

"2. Can the Pope or Cardinals or any body of men, or any individual of the Church of Rome absolve or dispense with his Majesty's subjects from their Oath of Allegiance upon any pretext whatever?

"3. Is there any principle in the tenets of the Catholic Faith by which Catholics are justified in not keeping faith with heretics or other persons differing from them in religious opinions, in any transaction either of a public or a private nature?"

The Universities answered unanimously:—

"1. That the Pope, or Cardinals, or any body of men, or any individual of the Church of Rome *has not nor have* any civil authority, power, jurisdiction or pre-eminence whatsoever within the realm of England.

"2. That the Pope, or Cardinals, or any body of men, or any individual of the Church of Rome *can not* absolve or dispense with his Majesty's subjects from their Oath of Allegiance, upon any pretext whatsoever.

"3. That there *is no principle* in the tenets of the Catholic Faith by which Catholics are justified in not keeping faith with heretics or other persons differing from them in religious opinions, in any transaction either of a public or of a private nature."

The tenour of the above answers will not surprise the reader, but he will probably agree with Bishop Walmesley who writes to Charles Butler: "the answers returned from abroad to the queries you sent if satisfactory to Mr. Pitt, that is well.

[1] *Hist. Mem.*, iv., p. 13. See also Appendix D.

I don't see what further service they can be; our answers to them were given in the Oath of 1778."

The next stage of the proceedings takes us to the month of November, 1788, when we are told that Lord Stanhope proposed that a solemn Protestation should be made by Catholics, disclaiming the various objectionable tenets popularly ascribed to them, and he himself drew up such a document and placed it before the Committee.

Some explanation is called for as to how Lord Stanhope, who was a staunch member of the Established Church, came on to the scene. The answer is best given by quoting Butler's account of what happened. He writes:— [1]

"At the time to which our subject has now led us, a general attempt was making to procure a modification of the statutes of Uniformity.

"They operate, but in a very different degree, on three distinct denominations of Christians, Roman Catholics, Protestant Dissenters and Members of the Established Church.

"All were then applying to the legislature for relief. At the head of the first was the Catholic Committee; at the head of the second, Mr. Beaufroy; at the head of the third, Lord Stanhope.

"The Dissenters had recently published a pamphlet intituled 'The Right of Protestant Dissenters to Complete Toleration' —a standard work among them. They expressed in it the warmest wishes for the success of the Roman Catholics, and called on them to publish their creed.

"One express object of Lord Stanhope's bill was to give relief to the non-conformists of the Established Church; but the medium through which he proposed to effect this was—by liberating persons of every description from the penalties of non-conformity. The effect of this bill would therefore have extended equally to Catholics, to Protestant Dissenters, and to members of the Established Church; but it would not have been beneficial to all in an equal degree—as it would have been much more beneficial in its consequences to the Catholics than it would have been either to the Protestant Dissenters or to the members of the Established Church, inasmuch as the

[1] *Hist. Mem.*, iv., p. 16.

penalties for non-conformity to which a Catholic is subject are heavier than the penalties to which a Protestant Dissenter, or a member of the Established Church is subject.

"As there was a prejudice against the Catholics which did not exist, at least in the same degree, against any other Dissenters, his Lordship thought that in their regard it would be advisable to use a method of recommendation to the public which the others did not appear to him to want.

"This was—that the Roman Catholics should solemnly disclaim some of the tenets falsely imputed to them.

"For this reason, with long consideration, and after perusing the works of some of the best Catholic writers and conferring with the ministers of other Churches, and some of the leading men of all other parties,—but without the slightest communication with any Roman Catholic,—his Lordship framed the Protestation, transmitted it to Lord Petre, and recommended that it should be generally signed. On the receipt of it, Lord Petre instantly forwarded it to the Secretary of the Committee, with directions to send copies of it immediately to the four Vicars Apostolic."

Such is Charles Butler's description of the origin of the celebrated Protestation. But he is hardly straightforward in giving it without comment. For the idea was not a new one: something similar had been proposed more than two years before, as he must have been aware. The first that we hear of the idea takes us back to January, 1786, when Mr. Throckmorton wrote to each of the vicars apostolic in the following terms:—[1]

"*January* 15, 1786.

"SIR,

"It having been the opinion of most of the gentlemen of our persuasion, as well as of myself, that previous to, or upon, application being made to Parliament for a further redress of our grievances it would be expedient to give to the public a genuine Exposition of our Principles, both as to Faith and allegiance, with the signatures of the Bishops to give a proper sanction to it, it appears to me that the short Exposi-

[1] *Kirk Papers* (Oscott), vol. i. The letters in answer are also among the Kirk Papers at Oscott.

tion as printed at the end of a pamphlet lately published by Mr. J. Berington would answer that purpose better than any other I have seen; it has the advantage of being framed above a century past, and seems drawn with a precision which is necessary in such works. I have spoken to Mr. T. Talbot about it, who has given a great deal of attention to it, and approves much of it. I should be much obliged to you if you would peruse it, and let me know as soon as convenient if you have any objection to signing it."

He then proceeds to suggest a few changes, some of them of considerable importance, and suggests that the title should be "Principles of English Catholics in reference to God and their Country". He concludes with a request for an immediate answer, as he wishes it to be published the following month.

In this letter Mr. Throckmorton wrote, of course, in his own name, not in that of the Committee; but it is easy to see that the application did not emanate solely from him. Those who sympathised with the official views of the Committee naturally approved of this pamphlet, the trend of which was in general harmony with their thoughts. Dr. Milner indeed always regarded it as unorthodox, and in later years as bishop he spoke authoritatively in that sense.[1] The three vicars apostolic to whom Mr. Throckmorton wrote do not appear to have definitely questioned the orthodoxy of the work, though they were manifestly averse to signing it, or allowing it to be put forward in their names. Bishop James Talbot wrote saying that he was well acquainted with the "Exposition," and had "no great objection to the doctrine of it," but added, "as to making it our standard at this time, I am not yet convinced of the propriety of it".[2] He then proceeds to take exception to some of the proposed alterations, and sums up by saying that he is "for adopting ye whole or none". He suggests as an alternative a shorter pamphlet by Bishop Challoner, entitled *The True Principles of a Catholic.*

The other two vicars apostolic were both opposed to using

[1] The Pastoral in which Milner expresses his opinion was issued in 1819. See *Sup. Mem.*, Appendix A.

[2] He adds that his own copy is marked with the author's initials, "J. C.". He surmises that it was written by Rev. John Cross, O.S.F., afterwards Chaplain to James II.

the pamphlet suggested by Mr. Throckmorton, and suggested many other amendments besides those he had written down. Bishop Thomas Talbot was the only vicar apostolic who was willing to accept the pamphlet, and he was apparently dissuaded from giving his approval by a letter from Bishop Hay.[1]

Mr. Throckmorton on his side refused to accept Bishop Challoner's pamphlet, and after some further correspondence, the project of issuing an officially authorised edition of the "Principles" was abandoned, though Mr. Throckmorton and others continued to distribute copies from time to time as occasion offered.

The matter rested thus for over two years, until Lord Stanhope's proposal was suddenly put forward. In view of its close similarity to Mr. Throckmorton's, it is not unnatural to conclude, as Milner evidently does,[2] that the one suggested the other.

Milner also takes exception to Butler's account of the origin of the Protestation, saying that he "is satisfied that his Lordship patronised the Protestation; but that he composed it, he can no more believe than that he wrote the *Summa Theologiae* of St. Thomas of Aquin". Charles Butler's statement however is quite definite, and he strengthens it by a footnote, in which he says: "This was most explicitly declared at the time, both by Lord Stanhope and by the Committee, and then never contradicted: the contrary has since been asserted, but without the slightest proof". We should hesitate before questioning so definite an assertion; and indeed Dr. Milner's perennial complaint that the theological language of the Protestation was inaccurate seems to point to the author not being a Catholic. We must also remember that Milner only knew the Instrument in its final state, after various amendments had been made to meet the criticisms of the bishops.

The question is in itself of no great moment; nevertheless, in view of the controversy which has been carried on as to the origin of the Protestation, the following unpublished letter from Rev. Joseph Wilkes to Bishop Sharrock, which throws

[1] The authority for this statement is Dr. Kirk, in a letter to a friend, preserved in the Westminster Archives.

[2] *Sup. Mem.*, p. 52.

considerable new light on it, is sufficiently interesting to cite:— [1]

"LONDON, *December* 17, 1788.

"MY LORD,

"In the Committee this morning, Lord Petre read two letters which he had received from a nobleman of the first connections in this kingdom, and with whom he had no acquaintance till the present opportunity offered of serving the Catholics. His Lordship says that he had been brought up in violent prejudices against us, but reading and reflexion have convinced him of his early errors, and he thinks he cannot better atone for the mistakes of his youth than by exerting his endeavours to relieve an oppressed and calumniated part of his fellow subjects. Two principles he lays down as guiding ones in the present business. First, that toleration ought to be extended to all conscientious Christians of every Denomination. The second, that where a body of men is suspected, though unjustly, of maintaining erroneous and dangerous doctrines, the members of that body ought in prudence to take every opportunity of removing suspicions. Upon the strength of the second principle, he thinks it advisable that the Catholics of England should disclaim in the most authentic manner every dangerous doctrine imputed to them. For this purpose he drew up the Declaration which you have seen, and in which he believes he has mentioned all the prejudices that Protestants entertain against Catholics as members of the political community. This Declaration is his own deed entirely, and the original is accompanied with notes and extracts, particularly from O'Leary's writings. I must observe that the words of the Declaration are almost entirely taken from O'Leary. However, as Mr. Walmesley had expressed objections, some changes have been admitted in hopes of obtaining his approbation. The Noble Lord will to-morrow morning see the corrections, and the amended copy will be sent down to Mr. Walmesley. Mr. Gibson has sent no answer. The two Mr. Talbots only objected against 'any Oath, etc., whatever,' and the hint that there might be Catholics who held the doctrines we are called upon to condemn. In the present form these difficulties are removed. As the present unhappy situation of the king-

[1] *Clifton Archives*, vol. ii.

dom[1] could not be foreseen when the Noble Lord first undertook to support our cause, his intention was to have proposed his measure during the present session. It may not perhaps be now advisable. However, he wishes we may be prepared on our side for any favourable opportunity that may offer; and this more especially because he thinks that sufficient care had not been taken when the last indulgence was granted to prepare the minds of prejudiced Protestants. He hopes therefore we will not be backward in exertions to enlighten efficaciously the prejudiced part of the Kingdom. An answer extremely satisfactory has been sent from the University of Louvain, and other answers are daily expected from different Universities to queries put in compliance with Mr. Pitt's desires. It is not, however, proposed that these, or the Declaration drawn up by the Noble Lord should be published till the time comes on to apply to Parliament. If the Dissenters apply again this session, it is thought we ought not to neglect availing ourselves of the same opportunity. . . ."

It will be seen that in this letter Mr. Wilkes says almost in so many words that the bishops made definite objections to the Protestation in its original form, and that these were removed in the revised form. A similar inference would naturally be drawn from the account given by Butler in his *Historical Memoirs*,[2] and it was more than once asserted in controversial pamphlets and elsewhere. This is not, however, either a complete or an accurate statement of what occurred, and as the question has an important bearing on the subsequent controversy, we may perhaps be excused for devoting some space for quoting their letters written at the time, which have come down to us.[3] The fact is that the Committee were well aware that the vicars apostolic were averse to issuing any Protestation or Declaration at all, and their anxiety to put the responsibility for its composition on to Lord Stanhope's shoulders was due to their belief that this was the best method of overcoming the difficulties of the bishops. If in addition they could point to any modification made at the suggestion of Dr. Wal-

[1] This of course refers to the "illness" of the King.

[2] iv., p. 18.

[3] They are in the Clifton Archives. Bishop Walmesley's own is taken here from his rough copy; the others are from the originals.

mesley or his colleagues, this would further tend to disarm their opposition, and to persuade Catholics that they had in some measure approved of it. With the following letters before us, we shall be able to form a judgment of their action.

"BISHOP WALMESLEY TO MR. CHARLES BUTLER.

"Agreeably to Lord Petre's desire, I here send you my opinion on the Declaration you communicated to me. Some articles of it in my judgment are vague, too restrictive, even false and consequently censurable, much less admissible. Some other expressions are in a more or less degree reprehensible. Hence any further detail becomes unnecessary. Such essential defects therefore attending that Declaration forbid me ever putting my hand of sanction to it. I am further pretty confident that it would be disapproved by many clergy and laity.

"I shall beg leave also to observe that any new Declaration would, I am convinced, prove offensive to the general body of Catholics, as it would probably contain some extraordinary concessions or restrictions which could not be acceded to. The Oath of Allegiance which we took is itself a full Declaration of the Catholic principles, and if it was printed apart and distributed where proper, it ought to satisfy every rational reader. Even the great body of Legislature a few years ago judged it a sufficient test, why then should it not be sufficient at present?

"BATH, *December* 15, 1788."

"BISHOP MATTHEW GIBSON TO BISHOP WALMESLEY.

"STELLA HALL, 21*st Dec.*, 1788.

"HOND. SIR,

"By yesterday's post I received with pleasure your favour of the 15th inst. On the 16th I wrote to Mr. Butler informing him that I could not subscribe to the new Declaration in its present form; that I was much averse to such measures unless Govt. called for them, in which supposition any new formula ought to be discussed and finally agreed upon by the Bishops amongst themselves. Any other mode of proceeding was pregnant with dissensions, etc. I think it very improper for us to send up, either individually or collectively, our objections to any particular parts, to be weighed

and debated by incompetent judges. The Oath[1] is certainly sufficient. The idea of adding strength and force to it by our signatures is an absurdity. Your reflections appear very just. [They] had occurred to me, as also some others, which it is unnecessary to specify at present, as I am determined not to adopt it without considerable alterations, nor with them, unless deemed necessary for the general welfare. You see our notions nearly, if not entirely, coincide. . . . I am, with best Compts. of the season, Yrs. Sincerely,

"M. GIBSON."

"BISHOP THOMAS TALBOT TO BISHOP WALMESLEY.

"DR. SIR,

"It affords me singular satisfaction to find that your sentiments concerning the articles lately transmitted to us exactly coincide with mine. Before I received your favour of the 15th, I had signified my disapprobation of them. Mr. Berington perfectly agrees in our opinion; being a Committee man, he is gone to London upon the occasion, and I shall be very glad if we can prevail to make them lay aside the notion of offering any more tests. What we have already done, as you justly observe, appears abundantly sufficient, if anything can give them satisfaction. With a return of sincere wishes of many happy years,

"Yr. Obedt. hble. servt.

"T. TALBOT.

"LONGBIRCH, *Dec.* 22, 1788."

Bishop James Talbot, being in London, gave his views to Mr. Charles Butler by word of mouth, and we have no definite record of what they were, beyond the statement of Mr. Wilkes's letter.

It will be seen from the above that Bishop Walmesley's objections were quite general. He disliked the whole Instrument, and although the Committee made some slight alterations in order to put it into a form which they hoped would be less objectionable to him, these changes were not in response to any definite criticism of his.

It is now time to give the text of the Protestation, and to

[1] *I.e.*, the Oath required by the Act of 1778.

offer a few comments on its contents. The legal setting of the document must not be allowed to disguise its extreme interest. The bold and unflinching statements underlying the dry legal formularies must be carefully examined in order to understand the minds of those who framed it, and those who objected to it respectively. As will be pointed out in its place,[1] there are some slight discrepancies between the various printed editions. The following is taken from the copies circulated for the purpose of obtaining signatures: and differs in some slight particulars from the original Instrument engrossed on parchment, and now in the British Museum. There was no title or heading, and it began at once as follows:—

"We whose names are hereunto subscribed, Catholics of England, do freely, voluntarily and of our own accord make the following solemn Declaration and Protestation.

"Whereas sentiments unfavourable to us as Citizens and Subjects have been entertained by English Protestants, on account of principles which are asserted to be maintained by us and other Catholics, and which principles are dangerous to Society and totally repugnant to Political and Civil Liberty, it is a duty that we, the English Catholics, owe to our Country as well as to ourselves to protest in a formal and solemn manner against doctrines that we condemn, and that constitute no part whatever of our Principles, Religion or Belief.

"We are the more anxious to free ourselves from such imputations because divers Protestants who profess themselves to be real friends to Liberty of Conscience, have nevertheless avowed themselves hostile to us on account of certain opinions which we are supposed to hold. And we do not blame those Protestants for their hostility if it proceeds (as we hope it does) not from an intolerant spirit in matters of Religion, but from their being misinformed as to matters of Fact.

"If it were true that we, the English Catholics, had adopted the Maxims that are erroneously imputed to us, we acknowledge that we should merit the reproach of being dangerous Enemies to the State; but we detest those unchristianlike and execrable Maxims and we do severally claim, in common with men of all other religions as a matter of Natural Justice, that we, the English Catholics, ought not to suffer for or on any

[1] See chapter xxii.

account of any wicked or erroneous Doctrines that may be held by any other Catholics, which Doctrines we publicly disclaim; any more than British Protestants ought to be rendered responsible for any dangerous Doctrines that may be held by any other Protestants, which Doctrines they, the British Protestants, disavow.

"I. We have been accused of holding as a principle of our Religion that Princes excommunicated by the Pope and Council or by authority of the See of Rome may be deposed or murdered by their Subjects or other persons.

"But so far is the above-mentioned unchristianlike and abominable Position from being a Principle that we hold, that we reject, abhor and detest it, and every part thereof as execrable and impious; and we do solemnly declare that neither the Pope either with or without a General Council, nor any Prelate, nor any Priest, nor any Assembly of Prelates or Priests, nor any Ecclesiastical power whatever can absolve the subjects of this Realm or any of them from their allegiance to his Majesty, King George the Third, who is by authority of Parliament the lawful king of this Realm, and of all the Dominions thereunto belonging.

"II. We have also been accused of holding as a principle of our Religion that implicit Obedience is due from us to the Orders and Decrees of Popes and General Councils and that therefore if the Pope or any General Council should for the good of the Church command us to take up Arms against Government, or by any means to subvert the Laws and Liberties of this country, or to exterminate persons of a different Religion from us, we (it is asserted by our accusers) hold ourselves bound to obey such Orders or Decrees, on pain of eternal fire.

"Whereas we positively deny that we owe any such obedience to the Pope and General Council, or to either of them; and we believe that no act that is in itself immoral or dishonest can ever be justified by or under colour that it is done either for the good of the Church, or obedience to any Ecclesiastical Power whatever. We acknowledge no infallibility in the Pope, and we neither apprehend nor believe that our disobedience to any such orders or decrees (should any such be given or made) could subject us to any punishment whatever. And we hold and insist that the Catholic Church has no power

that can directly or indirectly prejudice the rights of Protestants, inasmuch as it is strictly confined to the refusing to them a participation in her Sacraments and other religious privileges of her Communion, which no Church (as we conceive) can be expected to give to those out of her pale, and which no person out of her pale will, we suppose, ever require.

"And we do solemnly declare that no Church or any Prelate nor any Priest, nor any assembly of Prelates or Priests nor any Ecclesiastical power whatever hath, have, or ought to have any jurisdiction or authority whatsoever within this Realm, that can directly or indirectly affect or interfere with the Independence, Sovereignty, Laws, Constitution or Government thereof; or the rights, liberties, persons or properties of the people of the said Realm or of any of them, save only and except by the authority of Parliament; and that any such assumption of power would be an usurpation.

"III. We have likewise been accused of holding as a principle of our religion that the Pope, by virtue of his spiritual power, can dispense with the obligations of any compact or oath taken or entered into by a Catholic: that therefore no Oath of Allegiance or other Oath can bind us; and consequently that we can give no security for our allegiance to any Government.

"There can be no doubt but that this conclusion would be just if the original proposition upon which it is founded were true; but we positively deny that we do hold any such principle. And we do solemnly declare that neither the Pope nor any Prelate nor any Priest, nor any assembly of Prelates or Priests nor any Ecclesiastical power whatever can absolve us or any of us from, or dispense with the obligation of any compact or oath whatsoever.

"IV. We have also been accused of holding as a principle of our religion that not only the Pope, but even a Catholic priest has power to pardon the sins of Catholics at his will and pleasure, and therefore that no Catholic can possibly give any security for his allegiance to any Government, inasmuch as the Pope or a priest can pardon perjury, rebellion, and high treason.

"We acknowledge also the justness of this conclusion, if the proposition upon which it is founded were not totally false;

but we do solemnly declare that on the contrary we believe that no sin whatever can be forgiven at the will of any Pope or of any priest or of any person whomsoever; but that a sincere sorrow for past sin, a firm resolution to avoid future guilt, and every possible atonement to God and the injured neighbour are the previous and indispensable requisites to establish a well-founded expectation of forgiveness.

"V. And we have also been accused of holding as a principle of our religion that 'faith is not to be kept with heretics'; so that no Government which is not Catholic can have any security from us for our allegiance and peaceable behaviour.

"This doctrine that 'faith is not to be kept with heretics' we reject, reprobate and abhor, as being contrary to religion, morality and common honesty; and we do hold and solemnly declare that no breach of faith with any person whomsoever can ever be justified by reason of, or under pretence that such person is an heretic, or an infidel.

"And we further solemnly declare that we do make this Declaration and Protestation and every part thereof in the plain and ordinary sense of the words of the same, without any evasion, equivocation or mental reservation whatsoever.

"And we appeal to the justice and candour of our fellow citizens, whether we, the English Catholics, who thus solemnly disclaim and from our hearts abhor the above mentioned abominable unchristianlike principles, ought to be put upon a level with any other men who may hold and profess those principles."

Such is the remarkable document which was the cause of so much heat and discussion among Catholics then and for long years afterwards. To the modern reader the tone is not a little startling, revealing as it does an all-pervading influence of what is commonly known as Cisalpinism. The Oath of 1778 had already shown a tendency in that direction on the part of the English Catholics. But although Charles Butler implies in his letters that the Protestation covers almost the same ground as the Oath,[1] a very cursory examination will

[1] Thus, writing to Bishop Walmesley on March 6, 1789, he says: "Almost everything [the Protestation] contains is included in the Oath [of 1778]: if we refuse to sign it, it will subject us to the imputation of thinking it lawful to swear that which as men of honour we think it unlawful to affirm".

show that it contains matter which the Oath does not, and the part which is common to both is expressed in much stronger language in the Protestation. Thus, for example, the Oath of 1778 contains nothing about Papal Infallibility, while in the Protestation the doctrine is repudiated in strong and almost offensive terms. It is true, indeed, that the infallibility of the Pope had not been defined, and was consequently not an article of faith; but it was commonly held in Rome, and in ultramontane countries generally, so that the vehemence with which it was denied was, to say the least, unseemly. In England itself there were some who held the dogma, as for example Charles Plowden, who wrote a book in defence of it.[1] They had no scruple, however, in disclaiming it as an article of faith. The bishops themselves in their own oath subsequently drawn out, went as far as this; but it is something further to protest "that we acknowledge no Infallibility in the Pope". In our own times, when even before the Vatican definition the doctrine was becoming generally held, the words of the Protestation were quoted against us by Mr. Gladstone, in his pamphlet on "Vaticanism," to show that the dogma was a novel one amongst English Catholics. Speaking of the Protestation, he says: "In this very important document, which brought about the passing of the great English Relief Act of 1791, besides a repetition of the assurances generally, which had been theretofore conveyed, there are contained statements of the greatest significance;" and he instances as the first of these "That the subscribers to it acknowlege no Infallibility in the Pope".[2] This at least shows how the language of the Protestation on this subject was calculated to arrest the attention of the ordinary reader.

The two other instances given by Mr. Gladstone both concern the Temporal Power of the Pope, using the term in its old sense,[3] as contrasted with the Spiritual Power, and including the right which the Popes have at different times claimed of interfering with such temporal matters of a Catholic state as might have a direct or indirect bearing on religion. This part is among

[1] *Considerations on the Modern Doctrine of the Fallibility of the Holy See in the Decision of Dogmatical Questions* (1790).

[2] *Vaticanism*, p. 45.

[3] The use of the term "Temporal Power" as denoting the Pope's civil sovereignty is quite modern, and probably arose in the first instance from a confusion of ideas.

those common to the Protestation and the Oath of 1778, special stress in each case being laid on the so-called "Deposing Power" of the Pope. In the old Oath this is stated to be no part of the Catholic faith: in the Protestation the language used is much stronger, and those subscribing are committed to the statement that they "reject, abhor, and detest it, and every part of it, as execrable and impious". It is true that the proposition which they so stigmatise includes also the assertion that excommunicated princes may be murdered as well as deposed, to which statement those epithets would properly apply. But that they did not mean to limit them to that part of the clause is evident from the words, "and every part of it". The rest of the paragraph is devoted to declaring the inability of the Pope or any ecclesiastical power to dispense from the duty of allegiance to the King, and the next paragraph is similarly devoted to a vehement protest against the existence of any authority of the Pope which could interfere directly or indirectly with the government of the realm. In view of the action of Popes at different times, and of the opinions still held on the subject in Rome, it can hardly be denied that the language used was wanting in respect to the Holy See.[1]

It was not, however, to the tone of such statements as these that those who objected to the Protestation commonly took exception. The inclination to Cisalpinism was indeed not limited to the laity. Most English theologians[2] at that time held opinions which would now be considered Cisalpine in tendency, though they would not of course have expressed them either so positively or so disrespectfully as they were expressed in the Protestation. Nevertheless, in the criticisms on that Instrument, we find that in the majority of cases the only points raised were concerning the theological accuracy or otherwise of the wording of various passages. Thus, for example,

[1] There can, of course, be no doubt that the "Deposing Doctrine" had been held in some form, and was still held by many Roman theologians, though there was some difference of opinion as to the origin of the right claimed—whether by Divine or Ecclesiastical law, or simply by the tacit consent of the Catholic powers. All admitted that it could only be used where the nation in question was Catholic, and that the time for its use had passed away. See *Letters of Cardinal Allen*, Hist. Introd., p. xxxvi.

[2] But not all: for example, the Rev. C. Plowden in his various works defended many doctrines at that time considered as "Ultramontane".

one bishop finds fault with the universality of the declaration that no sin whatever can be forgiven by a priest without the penitent making an act of sorrow; for he points out that in the case of infant baptism, the priest by his ministration remits original sin without any such act on the part of the child. Again, in rebutting the calumny that the Pope can dispense from the Oath of Allegiance, the Protestation declares that neither the Pope nor any priest can dispense from any Oath or compact whatsoever; against which Milner argues that "the Pope and other Prelates can dispense with the obligation of a rash Oath, which is merely of a religious nature (such as that of immoderate fasting or prayer), and every priest, as well as every other man, can dispense with a compact (such as that of giving him a sum of money) which is merely in his own favour".[1] Such objections as these might appeal to a trained theologian; but to Lord Stanhope they seemed little more than verbal evasions, and Charles Butler can perhaps be excused for thinking that they could be answered by taking the Protestation in what he considered to be its natural sense when read by a layman.

It now remained for the Committee to obtain the signatures of the Catholic body to the Protestation. For this purpose, it was important to persuade a few influential persons to sign at the outset, so that others might be led on by their example. They naturally began with the clergy. The majority of the priests in London were favourable to the Protestation; but by no means all. One of those who at first showed unwillingness to sign was the Rev. James Barnard, the vicar general. On account of his position, his signature was considered of great importance, and considerable trouble was taken to secure it. He has left us a written account[2] of how the Committee effected their object. It appears that the Protestation was first shown to him on February 24, 1789, when he was unfavourably impressed by it. That day, however, he was called to the country on business. On his return the next day, he received the following note:—

[1] *Sup. Mem.*, p. 57.

[2] This account, in the Rev. J. Barnard's own writing, is preserved among the Westminster Archives.

"DR. SIR,

"Mr. Charles Berington and I request as a very particular favor you will do us the honour to meet us to-morrow at Dinner, at Grey's Coffee House, in Portland Street. Reasons of a very important nature occasion our requesting this favor. We therefore very earnestly request you will not permit any other engagement to prevent your meeting us.

"I am, &c.

"CHARLES BUTLER.

"LINCOLN'S INN, 25 *Feby.* 1789."

Mr. Barnard accepted the invitation, and found a gathering of clergy to meet him. After dinner the Protestation was produced, and he was asked to sign it. He demurred, taking his stand on the words denying that an Ecclesiastical power had any authority that could directly or indirectly affect the persons of Catholics, for that appeared to him to deny the power of the Pope to give or withhold "faculties" for Confession, or to inflict any ecclesiastical censures on an Englishman. The priests present, who had all signed the Protestation earlier in the evening, declared that this was not what was meant, and that Lord Stanhope had definitely declared that there was no intention to disclaim belief in the Pope's spiritual power. At Mr. Barnard's request, this was put into writing, in the following words:—

"I do hereby most solemnly and unequivocally declare that Earl Stanhope himself told me, and that Lord Petre and Mr. Wilkes both repeatedly inform me that he told them that it is not intended, either by the whole context of the Declaration, or by any article contained in it, that Catholics should deny the spiritual authority of the Church or its Pastor.

"(Signed) CHARLES BUTLER.

"I have heard the same from Lord Petre and Mr. Wilkes.

"(Signed) CHARLES BERINGTON.

"We do hereby signify that Mr. Barnard previously to his signing the Declaration testified that he does not intend by it to disavow the right of the Church or its Pastors in Spiritual

concerns, and that if such disavowal was intended, he would not have signed it.

"[Signed by all the eleven priests who were present.]"

The Committee next proceeded to approach the vicars apostolic. Mr. Butler wrote a letter to each of them, urging the importance of the Protestation and adding the names of the priests who had already signed it. He also offered to visit the bishops in company with Bishop Berington, if they so wished, in order to explain matters personally.

On the same day, Mr. Butler called on Bishop James Talbot in London. He reported the result in the following terms :—[1]

"I saw Bishop James Talbot yesterday. He does not object to the doctrine [the Protestation] contains; he says his chief, if not his only objection, to it was the manner in which it originated, and apparently was attempted to be imposed on the Vicars Apostolic. I hope I have explained that to his satisfaction."

Apparently Mr. Butler was as successful as he believed, for Bishop James Talbot not only signed the Protestation himself, but also took a prominent part in inducing others to do so. For this purpose, he called a meeting of all his clergy at Old Slaughter's Coffee House on March 16. The meeting appears to have been somewhat noisy. At the beginning, the opinions of the foreign Universities were read, after which Bishop Berington made a speech urging every one present to sign. On this there appeared to be no unanimity, and a heated discussion ensued, till the meeting was twice called to order by Bishop Talbot, who said that they had come together to sign or to refuse to sign, but not to discuss; and eventually, notwithstanding that many had spoken against it, in fact every one present did sign.[2] Four days later a meeting of the laity was held at the Crown and Anchor, and all there present also affixed their signatures.

Bishop Thomas Talbot, together with his clergy, made no difficulty about subscribing to the Protestation. The other two vicars apostolic, Bishops Walmesley and Gibson, were known to be averse to the whole proceeding: yet they also eventually agreed to have their names attached, as likewise did

[1] *Clifton Archives*, vol. iii.

[2] These details are from a letter written a few days later by Rev. W. Pilling, O.S.F., of the Portuguese Chapel, preserved in the Clifton Archives.

Bishop Sharrock, the coadjutor of Dr. Walmesley. Milner says that their signatures were obtained "under cover of glosses and salvos," and adds that "The Catholic Clergy throughout England in general felt the same repugnance to sign the Protestation as their Superiors did; but what with explanations, assurances and promises of the different agents of the Committee, clerical as well as laical, who were employed in the metropolis and sent through the country for this purpose, at a great expense, they themselves as well as their flocks were mostly induced to subscribe it".[1]

The Rev. Charles Plowden uses similar language:—[2]

"Emissaries," he says, "employed every possible argument to hush scruples and to palliate glaring defects. . . . They admitted that the Instrument was incorrectly worded. They surprised signatures from many who too easily believed their assertions, that no Oath was to ensue."

The "agents" and "emissaries" alluded to were Rev. Joseph Wilkes and Mr. Henry Clifford the lawyer. The latter took the credit of having himself secured over 1,300 signatures. A few typical accounts, taken from letters written at the time, will give the best idea of the methods used by them. We can begin with Bishop Walmesley, who, as senior vicar apostolic, was perhaps the most important person of all. He describes how his signature was obtained in a letter to Bishop Matthew Gibson, dated March 29, 1789:—[3]

". . . Before I received the first of your three letters, I was surprised with the sudden appearance of Mr. Henry Clifford on the 18th inst. presenting to me the new Declaration to be signed, and bringing me a letter from Bishop James Talbot, acquainting me that at a meeting of the clergy in London, he and they had all unanimously signed it, and hoped I should make no difficulty to do the same. I objected first that I had not totally made up my mind upon it; that I had by letter consulted the other Vicars Apostolic upon it; but had not yet received your answer. Bishop Thos. Talbot's answer to me was he thought he should make no difficulty to sign it. I then made some objections, but particularly about the expression *any Oath whatsoever*, as too general. Mr. Clif-

[1] *Sup. Mem.*, p. 55.
[2] *Answer to the Second Blue Book*, p. 10.
[3] *Clifton Archives*, vol. iii.

ford, and Mr. Wilkes who accompanied him, endeavoured to clear it up by showing me that the Oaths there meant were only oaths made to Government, or between man and man, that the Protestants had no notion of any other sort of Oaths, and that such was the plain drift of the whole Declaration, as it appeared from the Prelude of it, beginning with saying that the Declaration relates to us as citizens and subjects. At last, after a good deal of discussion, I thought I might reconcile myself to it; upon which I signed it, and also Mr. Sharrock, my Coadjutor, at the end of 63 previous signatures of Clergymen."

The next instance shall be Bishop Matthew Gibson, who was at first strongly opposed to signing. He wrote on March 20: "I send you my principal reasons against signing the Declaration. . . . It is reprobated by all in these parts, and by Bishop Geddes. You may rest assured I never shall sign it in its present form." [1]

Dr. Geddes was one of the Scotch bishops, the elder brother of Dr. Alexander Geddes, the Scripture scholar. The other two, Dr. Hay and Dr. Macdonald, felt equally strongly against the Protestation, but they were not asked to sign, since Scotland was not to be included in the Relief Bill. Dr. Gibson in writing to the Committee, definitely refused to sign, or to give any reason for his refusal, except to his brother bishops. It was not until three weeks after this that he partially gave way, as the following letter, addressed to Bishop James Talbot will show:— [2]

"DEAR SIR,

"If the Declaration and Protestation of English Catholics be generally and impartially understood to refer only to temporals, as you assured me in a former letter, and to mean no more than what is expressed in the printed copy signed by me and delivered to Mr. Clifford, you may, if judged absolutely necessary for the common cause, and to avoid confusion, not otherwise, add my name to the list of signatures to the said Declaration and Protestation of English Catholics.

"I remain, Sir, Your obedient servant,

"M. GIBSON.

"STELLA HALL, 12*th Apl.* 1789.

[1] *Westminster Archives.* [2] *Ibid.*

"If the Declaration is given to the public, let it be made less ambiguous and equivocal if possible."

The sequel can be given in a letter written by Rev. W. Pilling a short time afterwards:—[1]

"Bishop Gibson certainly authorised Bishop Talbot to put his name to the Declaration if he thought it necessary; and accordingly his name was inserted, and remained for two or three days; but Mr. Talbot, reflecting upon the condition, and not judging it necessary, erased his name, with the consent and approbation of some others, who perhaps would not give him himself an occasion to think himself a necessary man."

Dr. Matthew Gibson's name accordingly does not appear in the printed list of signatures, and as his brother, Dr. William Gibson, then President of Douay, lived out of England, his name also is absent.

The next instance we will take is that of Mr. Weld, who was not only one of the wealthiest and most influential of the English Catholics, but was also one of a very considerable class who distrusted the Committee throughout. He writes to Bishop Walmesley on April 20, 1789, evidently already anxious about the effect of what he had done, in the following terms:—[2]

"I was equally surprised with a sudden visit from Mr. H. Clifford, on his leaving Bath. He brought with him the Declaration, which upon seeing your Lordship's and Mr. Sharrock's signature and at Mr. Clinton's solicitation, I submitted my humble opinion and signed, though with much hesitation. Indeed, I had no time to consider of the matter, and was it to do again, I believe I should not sign; for I find though these Declarations are certainly susceptible of the meaning you and I signed them in, and that they were tendered to us in, yet they are certainly liable to a very opposite interpretation in which no Catholic could sign them."

Mr. Clinton here alluded to was an aged ex-Jesuit, who lived in a small house in the village and ministered to the Lulworth congregation. Although, however, he advised Mr. Weld—and likewise Lord Arundell of Wardour, who was then staying there—to sign the Protestation, he refused to do so

[1] *Clifton Archives*, vol. iii. [2] *Ibid.*

himself, and in this he was followed by the two other priests then at Lulworth, also ex-Jesuits—Rev. T. Stanley, the uncle of Mrs. Weld, and Rev. Charles Plowden, who was tutor to Mr. Weld's sons. Nevertheless, two out of the three immediately afterwards wrote to the Rev. James Archer, authorising him to affix their signatures, the Rev. C. Plowden alone remaining firm in his refusal.

Lastly, it will not be without interest to quote Dr. Milner's account of how he and his congregation were induced to sign. After describing a long argument which he had with the Rev. J. Wilkes on the matter, he proceeds :—

"In the end (I shall never forget his words), on my urging the necessity of accuracy in instruments of this nature, he answered with some warmth: 'We all know the Instrument is inaccurate, but what would you have from Protestants and laymen who do not enter into our religious difficulties?' He added that he himself had procured several amendments to be admitted into the Instrument by the noble framers of it, one of which he mentioned; and that they would not be teazed any further about it. In short, I saw the absolute necessity there was of either sitting down under those horrid charges rehearsed in the Protestation, or of denying them in a set form of words, which, though inaccurate, I judged was not liable to deceive my countrymen, to whom my declaration was uttered; and it was my conviction on this head that determined me to add my name to that of so many respectable and conscientious personages who, like myself, had been either dazzled by assurances, confounded by quibbles, or seduced by example."[1]

The Protestation was eventually signed by over 1,500 Catholics,[2] of whom 240 were priests.[3]

[1] *Ecclesiastical Democracy Detected*, p. 296.

[2] The list of signatures printed for the members of the House of Commons in 1791 numbers over 1,770: but it appears that many of these had been obtained at a later date, after the Protestation had been received back from Pitt. Those who wrote in 1789 or 1790 (Milner, Rev. C. Plowden, and Lord Petre) always gave the number as 1,500.

[3] It was commonly stated by the Committee party that the total number of priests in England did not exceed 260, so that it was contended that almost all the clergy had signed the Protestation. According to Joseph Berington's estimate, however, quoted in a former chapter, the total number was nearer 350. This estimate is confirmed from other sources. Hence we may conclude that the proportion of those who signed did not much exceed two-thirds.

CHAPTER VIII.

PREPARATION OF CATHOLIC RELIEF BILL. THE NEW OATH.

1789.

THE preparation of a bill for Parliament on so comprehensive a subject as Catholic Relief was a work which required grave consideration, and we need not be surprised that Mr. Butler took nearly four months to complete his first draft. He submitted this to Mr. Hargrave, the distinguished Parliamentary lawyer, who took even longer to revise it. His first revision was completed in December, 1788; but he requested, if possible, to be allowed to go over it a second time, and he did not complete his final revision until March 24, 1789.

Although the bill as it came from the hands of Mr. Butler and Mr. Hargrave was never introduced into the House, it was afterwards printed by order of the Committee,[1] who in subsequent stages of their controversy with the bishops laid stress on this draft, as the only one that could be properly called their bill; and not without reason, for it was free from most of the objections which disfigured the bill which afterwards replaced it. Mr. Butler designated his co-religionists as the "English Catholics," and the only oath which he proposed for Parliament to enact as a condition of profiting by the relief was practically the same as that required by the Act of 1778, which had been taken by Catholics without scruple ever since that date. It is true that the title "Popish Religion" occurs; but only in reciting the former Act in which that term had been used.

It was hoped that the bill might have been passed in the session of 1789; but the arrangements for its introduction were delayed by the "illness" of the King, which began in the

[1] See *Third Blue Book*, Appendix II.

Autumn of 1788. Mr. Butler, in a letter to Bishop Walmesley, says plainly that when it became known that George III. was out of his mind, and that Parliament was about to appoint his son as Regent, it was considered that the introduction of a bill on a purely domestic question would be out of taste. But there was in fact a further and more important reason for delay, for it was well known that in the event of the Prince of Wales becoming Regent, Pitt's ministry would have come to an end. On the first news of the King's malady, Fox hurried home from Italy, where he was enjoying a holiday, and while the Regency Bill was passing through Parliament, he occupied himself in allocating the different posts of the ministry which he confidently expected to be called upon to form.

As to what would have been the effect on the Catholic cause of a Fox ministry at that time, we can only conjecture. Fox indeed was pledged to the principle of religious toleration, and whenever the question was raised, whether in or out of Parliament, he was always on the side of the Catholics. He was however a personal friend of several of the members of the Committee, notably of Sir Henry Englefield and Mr. Throckmorton, so that had he found himself in a position to bring in a Catholic Relief Bill he might easily have fallen entirely into the hands of that party. But he never found himself in that position, for while the Regency Bill was going through its final stages, news came that the King was convalescent, and with his recovery, Fox's hopes were dashed to the ground.

Prayers in thanksgiving for the King's recovery were ordered by the vicars apostolic, each in his own district. An interesting light is thrown on the state of Catholic affairs at that time by the fact that the official addresses of congratulation to the King and Queen were drawn out not in the names of the bishops, but in those of the laymen. They were passed at a general meeting of Catholics at the Thatched House, on March 21, 1789, and signed by Lord Petre as chairman. Bishop James Talbot complained that they would not even allow him to attend the meeting. "The Church is excluded," he writes, "and therefore I have never been summoned, though I had some title as a gentleman, and could have given them some useful information relative to an application lately made by us."[1] There was also a

[1] *Sup. Mem.*, p. 52.

solemn High Mass of thanksgiving, which was likewise arranged by Lord Petre and others, though they did in this case consult with Bishop Talbot—a fact which they afterwards brought forward more than once as evidence of their anxiety to show respect to their ecclesiastical superiors. The Mass was celebrated by Rev. Thomas Hussey, at the Spanish Chapel in York Street. The following is the text of the two addresses, to the King and Queen respectively:—

"TO THE KING'S MOST EXCELLENT MAJESTY.

"SIRE, We, your Majesty's most dutiful and loyal subjects, the English Catholics, beg leave to approach your Majesty with the warmest congratulations on the happy event of your Majesty's restoration to health, and the personal exercise of the Government of your Kingdoms.

"Sensible of the many blessings we have enjoyed during your Majesty's reign, and unalterably attached to your Royal Person and Government, we acknowledge with the liveliest gratitude the goodness of Divine Providence in thus restoring your Majesty, the common Father of all our People, to their united wishes and prayers. And we shall never cease to supplicate the Almighty that your Majesty may long rule these realms in uninterrupted health, prosperity and peace.

"By order of the General Meeting,

"(Signed) PETRE, *Chairman.*"

"TO THE QUEEN'S MOST EXCELLENT MAJESTY.

"MADAM, We, the English Catholics, humbly beg leave to present to your Majesty our sincerest congratulations on the recovery of your Royal Consort.

"We have long respected your Majesty's many and exalted virtues. The distress which your Majesty experienced during the illness of our most gracious Sovereign added to our concern during that melancholy period, and the joy your Majesty must feel on his being restored to you, and to the wishes of his affectionate and loyal subjects, highly increases the satisfaction we feel on this happy event.

"That your Majesty may long live to continue a Blessing

Robert Edward, ninth Lord Petre.

to your Royal Consort, and an example of virtue to his people, will ever be our constant and earnest prayer.

"By order of the General Meeting,

"(Signed) PETRE, *Chairman.*"

The recovery of the King gave Mr. Pitt a new lease of office, and there seemed after all a possibility of the Catholic bill being taken through Parliament that year. The preparations were accordingly pushed forward. Mr. Butler obtained the assistance of his fellow lawyer, Mr. John Mitford (afterwards Lord Redesdale), who kindly undertook to propose the bill in the House of Commons. Though new to Parliamentary life, he had gained distinction at the bar, and was already a man of considerable influence. Mr. Windham, member for Norwich, who promised to second him, had been somewhat longer time in the House of Commons, and afterwards held important posts in the Cabinet. In the House of Lords, Lord Rawdon undertook the care of the bill.

The negotiations which followed are shrouded in some obscurity. The Committee led Catholics to understand that at this stage the Protestation was presented to Parliament,[1] with the names of the signatories attached. It afterwards appeared, however, that although Pitt had it in his possession for a time, before being formally presented, it had been re-cast in the form of a petition, which involved changing of the setting of all the sentences, so that it now ran "Your petitioners have been accused of holding etc."; and it was signed by all thirteen members of the Committee, including Bishop James Talbot, but by no one else. A still more important change was that the petitioners were described as the "Catholic Dissenters of England"—a name which, as soon as it became known, gave great offence. Dr. Kirk explains the manner in which it came to be used thus:—

"The appellation was first adopted by the Lord Chancellor Lord Thurlow]," he writes, "in consequence of Lord Radnor's Resolution not to admit a petition from us as English Catholics. The name Papist was odious, and ye grant of toleration under

[1] "The Protestation was a solemn instrument, signed (with few exceptions indeed) by all the clergy and all the laity. To the Minister, to the Houses of Parliament, to the Nation, your Committee had solemnly presented it."—*Third Blue Book*, p. 8.

ye name was dangerous after 1780. The other was then adopted as perfectly synonymous with that of Catholic, when explained, and was not likely to raise any noise among ye lower classes of ye people." [1]

We shall return to this question presently. The petition was presented to the two Houses of Parliament simultaneously on May 9. On May 18 Lord Stanhope brought his own bill into the House of Lords, and it was thrown out. The similar bill in favour of Protestant Dissenters introduced into the House of Commons by Mr. Beaufroy had shared a similar fate ten days earlier, though by a narrow majority. Neither of these had been taken up by the Government, and their rejection did not dishearten the Catholics. They still hoped to pass their own bill that year.

Shortly after this, however, affairs took a new turn, the exact cause of which we are without evidence to determine. The Committee seem to have been in communication with Mr. Pitt, and were more than once referred back to the Lord Chancellor; and there was some communication with other members of the Government. Of the nature of the negotiations, and the arguments used, we are not informed. Various rumours of a more or less sensational nature were in the air. We may take as an example a letter from Mr. Weld to Bishop Walmesley dated April 30, 1789, in which he speaks as follows:— [2]

"I am now informed by a letter from London, and also by Mr. Archer (who is here) that there is a new Oath forming for us by which we renounce popery, for having signed the Declaration we are no longer Papists, and therefore the Act of Parliament which is to pass to relieve us from grievances, will be entitled 'An Act to relieve Protestant Dissenters, and to prevent the Growth of Popery'. So your Lordship sees that this unfortunate Declaration is not to end yet, in its consequences, and a distinction now is to be made between Popery and Catholicity."

These rumours, startling as they appear, were not far from the truth. The Committee did not disclose the details of what had occurred. Charles Butler, who was in the middle of the

[1] This is a marginal note in a pamphlet belonging to Dr. Kirk, now in the library at Oscott.

[2] *Clifton Archives*, vol. iii.

negotiations, and would have known better than any man exactly what took place, gives a short summary in his *Historical Memoirs*:—

"Soon after the Protestation and its signature by the English Catholics became generally known, the proposal of a new Oath was made to the Committee. Far from promoting, they were at first backward in acceding to the proposal. But it was strongly represented to them that 'new benefits called for new assurances of fidelity'; that 'a more ample extension of privileges demanded from them a more ample declaration of their principles'; that 'the nation at large expected it,' and that 'in the opinion of their best friends they ought to make it'. For these reasons, the Committee at length consented to the measure, as conducive to the end they had in view,—the success of their intended bill in Parliament. An Oath was accordingly framed which in its original form was an exact transcript of the Protestation, and consequently contained nothing more than what the Bishops, with the whole body of English Catholics, had already signed and approved."

But the question was not settled yet. Butler tells us that when the new Oath was communicated to the Ministry, "the two great leaders of administration in the law and civil departments thought fit to make alterations in it. These alterations the Committee referred to their three clerical members, and by their advice, accepted them." One of the clerical members was of course Bishop James Talbot. As he was bishop of the District, they naturally laid stress afterwards on having obtained his approbation, and as it was only given verbally, they subsequently passed a special resolution to record their testimony to the fact of his having given it.[1]

It was probably by no accident that Bishop James Talbot refrained from committing himself to any written approbation of the Oath; for it is clear that he never approved of it in his own mind. Still, we may reasonably ask why he allowed the opportunity to pass without making any formal protest against it.

To this we cannot give any certain answer. There is, however, reason to suppose that he hoped and thought that the

[1] *Hist. Mem.*, iv., p. 26.

Oath was likely to fall to the ground without any interference on his part, and if this was so, his own peaceable disposition and his personal sympathy with the members of the Committee might have induced him to refrain from any action which he thought would prove unnecessary. This supposition gains some support from the following extract from a letter written by Mr. Weld to Bishop Walmesley, dated June 21, 1789. He writes:—[1]

"I received a letter on Friday last from Mr. Talbot in London, in which he tells me that Bishop Berington informs him that we shall hear no more of this new Oath, or of the Act of Parliament; that it was the composition of two or three lawyers who showed it to some of ye Committee, non-Divines, and from thence it came to Wardour, where your Lordship had a sight of it. Bishop Berington says it meets with no approbation, and will drop of course. The Petition that was to be presented to Parliament will also drop for this session: such is said to be the advice of Mr. Pitt, to go against which would be political folly in the extreme. Thus I hope we shall remain quiet for some time."

The tone as well as the substance of this letter raises disagreeable suspicions of some secret negotiations between the Committee and the Government which Bishop Berington apparently wished to shroud. The Minute book, so far as it goes, tends to strengthen these suspicions, for it simply states that at this time the Committee were meeting almost daily, but gives no word of what took place at the meetings. Butler sums up what occurred in a few words:—[2]

"About this time some leading persons in the country thought that it would be more prudent to effect the object of the bill by a general enactment. In consequence of these suggestions, it was found necessary (but much in opposition to the opinion of the secretary) to new-model the bill into another form."

This was accordingly done, without any consultation with the bishops, or any one else outside the Committee. The Oath, far from being dropped, was made an integral part of the bill, and was officially published by the Committee, in a periodical

[1] *Clifton Archives*, vol. iii. [2] *Hist. Mem.*, iv., p. 27.

called *Woodfall's Register*, for June 26, 1789. A copy was sent to Bishop Walmesley, as senior vicar apostolic, this being the only official announcement received by any of the bishops. Three days later, Charles Butler wrote to Bishop Walmesley an account of the progress of events, in the following words:—

"The Oath being thus settled, we had great hopes that we should get the bill through the House this year; but on Sunday se'ennight Mr. Pitt intimated to us that it was so very late in the sessions and that the Bishops[1] considered it a business of so much importance that it must stand over till the next year. After some negotiations upon the subject, it was found impracticable to proceed; the delay was therefore acquiesced in.

"Mr. Pitt, however, declared in the strongest terms that his wishing to put us off till the following year was not done with any intentions of hostility to us, but from necessity; the lateness of the season making it impossible that it should go through the House in the regular course of business, and because any appearance of hurry might make an alarm that would be very prejudicial to us. Many of our friends were of the same opinion. Besides which, there appeared great reason to think some of the Bishops had not come to any resolution upon the subject.

"The only thing which then remained was to determine whether the bill should be brought in, or whether Mr. Mitford should only signify his intention of bringing it in next year. The latter mode was preferred; accordingly he gave this information to the House. He spoke for about ten minutes, stating generally the outlines and grounds of the bill. This, strictly speaking, was not regular, for as he did not make any motion, he was not at liberty to make a speech. The consequence was that after he had spoke for about ten minutes, he was called to order by Sir Joseph Mawbey. But in this Sir Joseph Mawbey did not mean to be hostile to the bill. He happened himself to be much interested in a bill, the second reading of which was to take place that day; and he was afraid if Mr. Mitford took up too much of the time of the

[1] *I.e.*, the Anglican bishops, in the House of Lords.

House, he should lose his own bill. Mr. Mitford's speech was very favourably received by the House, and upon the whole, I have very great hopes of our succeeding next year." [1]

We can now pause to review the situation. The negotiations just described occupied but a few weeks—two months at the most. During that short space of time, a completely new bill had been drafted, and a new Oath also; and no consultation whatever had taken place with any of the vicars apostolic, beyond such slight communication with Bishop Talbot as was incidental to his position as a member of the Committee. Very naturally therefore the bishops closely scanned the new bill and Oath—so soon as they could procure copies of them—and the examination revealed a serious state of affairs, which we must now proceed to consider.

In the first place, the form into which the bill had now been cast was an unfortunate one. For it began by removing certain disabilities in an absolute manner, and then enumerated exceptional cases in which the restrictions were to be retained. These were put at the end of the bill, in the form of provisoes, in which several of the disabilities of Catholics were re-enacted: it was made illegal to "found, establish or endow any Religious Order or Society of persons bound by religious or monastic vows"; and it was laid down that "all Uses, trusts and Dispositions, whether of real or of personal property which immediately before the passing of the Act shall have been deemed to be superstitious, shall continue to be so deemed and taken". This had the effect of making the Catholics who put forward the bill, appear to be striving to re-enact penal statutes against their own body. Many people took exception to this, and although the Committee's answer was sound in logic—that they were not the authors of the bill, but accepted it subject to such restrictions as those who were the authors imposed—nevertheless, it must be admitted that the position in which they found themselves was an unfortunate one.

A far more serious objection, however, and one which seemed to forebode disastrous consequences, was the introduction of a definite classification among Catholics, by which all those who had signed the Protestation—or rather, had taken

[1] *Clifton Archives*, vol. iii.

the new Oath which replaced it—were henceforth to be known by the extraordinary name of "Protesting Catholic Dissenters," while those who should refuse to take it were to be designated as "Papists," and to receive no benefit under the Act. To educate a child as a "Papist," was to remain penal; but it was to become lawful to educate him as a "Protesting Catholic Dissenter," unless his parents were Protestants.

Some preliminary account is necessary in order to enable us to understand the meaning and origin of this strange and incongruous new title. Amherst says: "We hardly know how to characterise it; whether to call it horrible and monstrous; or ridiculous and absurd".[1] A few comments on the manner in which it arose may perhaps help to place the matter in a clearer light.

It will be remembered that at the time when the question of relief was first mooted, it was pointed out that there were two classes of persons outside the Established Church who claimed relief: they were somewhat naturally described as Protestant and Catholic Dissenters respectively. Many Catholics objected at once to the title, for they claimed—strictly speaking, with reason—that according to Catholic principles it was the Protestants who dissented from them, not they from the Protestants. Others, however, argued that Catholics were not giving themselves this name, but only accepting it when used by others; that Protestants naturally looked at things from their own point of view, from which the name was a natural one; that it was given without any intention of raising questions of principle, still less in any opprobrious sense, but simply as the easiest way of designating the Catholic body; and that in any case it was preferable to the name "Papists or persons professing the Popish religion" which had been used in the Act of 1778.

If matters had stopped there, perhaps we might have considered that the Committee had made out some kind of case for themselves. When, however, the word "Protesting" was prefixed to the title, the position was changed; and it is hard to escape the conclusion that they expressly wished to pose as people who had much in sentiment that was common with

[1] i., p. 166.

Protestants. It is true, as Father Gerard pointed out some time since,[1] that the real origin of the word Protestant was that its first inventors protested not against Catholic tenets, but against religious toleration. The name was first given at the Diet of Spires in 1529. But whatever the true origin of the name, it is certain that popular belief identified the term then, as it does now, with a protest against Catholic doctrine and practice. It was in this sense that the Committee found the name congenial to their own opinions, and thought that it would mark them off in the popular mind as abjuring many of the doctrines of "popery" which were considered specially obnoxious.

Nor could they with any justice put forward the plea that the name was forced upon them; for whatever the history of its first devising, there can be no doubt that the Committee adopted the name willingly and defended it. A great part of the manifesto which they issued to the Catholics of England in the November of that year is occupied with a quotation from Butler's *Red Book* in defence of the title.

"The description we submit to you" (they say) "must be proper, if the persons whom it is intended to characterise be described by it accurately and pointedly, and if those persons have a real existence. Now that the description is both accurate and pointed, and that by far the greatest part, if not the whole of the English Catholics fall under it, seems unquestionable. The description is contained in the Preamble of the Act. It recites 'That by divers laws now in force concerning Papists, or persons professing the Popish religion, divers penalties and disabilities have been imposed on such persons, on account of certain pernicious doctrines, imputed to them, and that divers persons, who according to the laws now in being, are within the description of Papists, or persons professing the Popish religion, do not hold, and have protested against such pernicious doctrines, although they continue to dissent in certain points of Faith from the Church of England, and are therefore called *Protesting Catholic Dissenters*, and that such persons are willing solemnly to protest against and to declare that they do not hold such pernicious doctrines . . .' The precise meaning to be affixed to each of these words is so clearly

[1] See *The Month*, August, 1903, "Flotsam and Jetsam," the authority quoted being Jannsen, *Geschichte des Deutscher Volkes*, iii., p. 126.

expressed in the second of the two sentences we have cited from the Act as not to admit of any doubt. From this part of the Act it clearly appears that the persons in question are termed *Dissenters*, because they *dissent* in certain points of Faith from the Church of England; that they are termed *Catholic*, because they profess to be members of the Catholic Church; and that they are termed *Protesting* because they have protested, and are willing to protest against, and to declare that they do not hold the doctrines attributed to them."[1]

We do not wish, however, to take exception only as to a name. The fact is that the above words teach us more than those who wrote them intended. The Committee were well aware that the bishops had only signed the Protestation with reluctance, and that a large number in the North, and indeed throughout the country, had been opposed to its language and tone. The present aim of the Committee was to try and force their opinions on all Catholics, under penalty of leaving those who refused to accept them still liable to the old Penal Laws. And their object in so doing was that in this way they considered that they stood a better chance of obtaining the repeal of the Penal Laws. On this, we may again quote their own words:—

"As to the probable efficacy of the plan adopted, by the Committee for conciliating the minds of the public, the defamation of two hundred and fifty years under which the Catholics have laboured, has raised a prejudice against them which is not yet eradicated. . . . They therefore adopt the form of an Oath in which the Catholics renounce such of the doctrines imputed to them as are supposed to be morally or politically evil. Neither do they claim an exemption from the Penal Laws for all the body; they claim it for those only who make the renunciation in question. To them the adversaries of the Catholics (if they are consistent with their own principles or even with their own prejudices) must admit Toleration ought to be extended. The operation therefore of the bill is to leave those ideal numbers of Catholics who persist to hold the tenets in question (mere non-entities, we hope,) to continue victims to the laws enacted against all communicants with the see of Rome indiscriminately, and to the animosities

[1] See *First Blue Book*, p. 2.

which gave rise to them, but at the same time to make an opening through which such of the communicants with that See as protest against the doctrines in question (that is, we hope, the whole body of English Catholics) may slip from under the operation of the laws in question unheeded and unobserved." [1]

Milner in his usual blunt language stigmatises the Committee's plan as "a double deceit". "Attempts are made," he says, "to deceive a Protestant legislature into concessions which it did not intend to make, and the Catholic body to profess tenets which they do not hold." [2] He has no right, however, to accuse the authors, as he frequently does, of using the term "Protestant Catholics," [3] which would have been obviously self-contradictory; for the word Protestant has a definite technical meaning in avowed opposition to Catholicity. Charles Plowden also wrote similarly,[4] and this gave a handle to the party which Alexander Geddes used with effect.[5] Nor did the Committee either suppose or wish that the title should come into popular use among Catholics, as Milner in his writings always seems to assume. "As to the notion," writes Butler, "that if the Oath formed on the Protestation had been adopted we should have lost our venerable appellation of 'Catholics' and thenceforth been called 'Protesting Catholic Dissenters,' the writer begs to say that it is altogether groundless: we should no more have lost the appellation of 'Catholics' in consequence of the new law's calling us 'Protesting Catholic Dissenters,' than we lost the appellation of 'Catholics' in consequence of the old law's calling us 'Papists'." [6]

When we turn to the considerations of the Oath in detail, we also find much to object to. As it formed so central a feature in the discussions which followed, we must give the text of it in full. The following is the form in which it appeared in *Woodfall's Register*:—

"I, A.B., do sincerely promise and swear, that I will be faithful and bear true allegiance to Majesty , and I do truly and sincerely acknowledge, profess, testify and declare in my conscience before God and the world, that our

[1] *First Blue Book*, p. 4.
[2] *Sup. Mem.*, p. 63.
[3] *Ibid.*, pp. 61, 84, 102, etc.
[4] *Observations on the Oath*, p. 17.
[5] *Letter to the Bishop of Centuriae*, p. 4.
[6] *Hist. Mem.*, iv., p. 61.

Sovereign is lawful and rightful of this realm, and all other Majesty's dominions thereunto belonging: and I do solemnly and sincerely declare that I do believe in my conscience that not any of the descendants of the person who pretended to be Prince of Wales, during the life of the late King James the second, and after his decease, pretended to be, and took upon himself the style and title of King of England by the name of James the Third, or of Scotland by the name of James the Eighth, or the style and title of King of Great Britain, hath any right or title whatsoever to the crown of this Realm, or any dominions thereunto belonging; and I renounce, refuse and abjure, any allegiance or obedience to any of them; and I do swear that I will bear Faith and true Allegiance to Majesty, and will defend , to the utmost of my power against all traitorous conspiracies and attempts whatsoever which shall be made against Person, Crown or Dignity; and I will do my utmost endeavour to disclose and make known to Majesty and successors all Treasons and traitorous Conspiracies which I shall know to be against : and I do faithfully and fully promise to the utmost of my power, to support, maintain and defend the succession of the Crown against the descendants of the said James, and against all other persons whatsoever; which succession by an Act intituled 'An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject' is and stands limited to the Princess Sophia, Electress and Duchess Dowager of Hanover, and the Heirs of her Body, being Protestants; and I do swear that I do from my heart abhor, detest and abjure as impious and heretical, that damnable Doctrine and Position that Princes excommunicated by the Pope or by Authority of the see of Rome, may be deposed or murdered by their subjects or any other persons whomsoever; and I do protest and declare, and do solemnly swear it to be my most firm and sincere Opinion, Belief and Persuasion, that neither the Pope nor any General Council nor any priest, nor any Ecclesiastical power whatsoever can absolve the subjects of this realm, or any of them, from their allegiance to said Majesty, and that no foreign Prince, Person, Prelate, State or Potentate hath, or ought to have, any civil Jurisdiction or Authority whatsoever

within this Realm, or any spiritual Authority, Power or jurisdiction whatsoever within this Realm that can directly or indirectly affect or interfere with the Independence, Sovereignty, Laws or Constitution of this Kingdom, or with the civil or ecclesiastical Government thereof as by Law established, or with the Rights, Liberties, Persons or Properties of the subjects thereof; and that no person can be absolved from any Sin, nor any Sin whatever be forgiven at the Pleasure of any Pope or any priest or of any person whomsoever. And that no Breach of Faith with or Injury to, or Hostility against any Person whomsoever can ever be justified by reason or under pretence that such person is an Heretic or an Infidel; and that neither the Pope, nor any Prelate, nor any Priest, nor any assembly of Prelates or Priests, nor any ecclesiastical power whatever can at any time dispense with or absolve me from the Obligations of this Oath, or of any other Oath, or of any Compact whatsoever; and I do also in my Conscience declare and solemnly swear that I acknowledge no Infallibility in the Pope; and all those things I do plainly and sincerely declare, acknowledge and swear according to these express Words by me spoken, and according to the plain and ordinary sense of the same Words, without any Equivocation, mental Evasion, or secret Reservation whatsoever; and I do make the aforesaid Protestation, Declaration, Recognition, Acknowledgment, Abjuration, Renunciation, Promise and Oath heartily, willingly and truly, upon the true faith of a Christian. So help me God."

The above Oath was repeatedly stated by Mr. Butler and others to be substantially the same as the Protestation. On examining it, however, we find important differences. We shall here allude specially to three of these, which formed the chief subjects of discussion at the time, though they were by no means the only passages objected to.

In the first place, of course, the initial declaration of loyalty to the house of Brunswick had no counterpart in the Protestation. There was, however, a similar clause in the Oath of 1778, and also in the Irish Oath of 1774. Nevertheless in the Oath before us, the whole clause is strengthened, and made to accord with the wording of the ordinary Oath of Abjuration as enacted in the sixth year of King George III. The new form raised a fresh difficulty, by the inclusion of the limiting

words "being Protestants". This gave rise to much discussion. Some raised objections to Catholics swearing allegiance in that form at all; but most people held that the words might be interpreted simply as narrative, stating to what religion the Royal Family in fact belonged. Others went further, and made a positive defence of such a declaration. The following letter from the Rev. W. Strickland gives the line of argument adopted by those who wished to defend the clause:— [1]

"The nation who made the settlement," he writes, "had ample power to make it under any limitations which it judged to be for the good of the nation, and the nation judged that the limitation 'being Protestant' was for the good of the nation, and therefore made it. Reason and experience had convinced the nation that the peace and prosperity of the nation required that the King should be of the same religious persuasion as the nation; the peace and tranquillity of the nation therefore required that the limitation 'being Protestant' should be made. I will readily allow that it is unfortunate that the circumstances of the nation were such as to require that limitation. But the unfortunate circumstances of the nation will not render that limitation either invalid or unlawful, or dispense with any good subject from obeying and swearing to obey it, in its full extent. In one word, the settlement of the Crown and its succession is a business purely political. The highest political authority we know has made that settlement; it is therefore the duty of every good subject not only to obey, but to support it."

The next clause to allude to concerns the Pope's so-called "Deposing Power". Again the word "deposed" is coupled with "murdered," as though the two things stood on the same footing. Not content with the former repudiation, "that we reject, abhor and detest it and every part thereof as impious and execrable," this was now strengthened with new epithets, so that it read "I do from my heart abhor, detest and abjure as impious and heretical, that damnable doctrine and position". The change was again primarily designed to make the new Oath accord more nearly with an existing one, this time the Oath of Supremacy. It also made this part agree almost

[1] *Clifton Archives*, vol. iii.

exactly with the celebrated Oath of Allegiance tendered to the Catholics in the reign of James I., which had been repeatedly condemned by the Holy See on account of this very clause. So long as these words remained part of the new Oath, it was certain that it would be condemned by Rome. The introduction of the word "heretical" was in itself sufficient to bring this about, for it would involve the implication that some of the Popes themselves had been at least material heretics.

Nevertheless, the clause which produced most discussion was that which concerned the Temporal Power of the Pope in general, without reference to the Deposing Doctrine. In this clause very considerable variation from the words of the Protestation had been introduced, and the heat of controversy raged around it. In order to be fair to the Committee, we will give Charles Butler's own explanation of the change. Writing to Bishop Walmesley on June 29, 1789, he sets it forth as follows:—[1]

"I believe you will not find any essential difference between the Oath and the Protestation. The most material difference is the following. In the Protestation it is said 'that no Church nor any Prelate nor any Priest, nor any Assembly of Prelates or Priests nor any Ecclesiastical power whatever hath, have or ought to have any jurisdiction or authority whatsoever within this realm that can directly or indirectly affect or interfere with the independence, sovereignty, laws, constitution or government thereof, or the rights, liberties, persons or properties of the people of the said realm'. In the Oath it is said that 'no foreign Prince, Person, Prelate, State or Potentate, hath or ought to have any civil jurisdiction or authority whatsoever within this Realm, or any Spiritual power, or jurisdiction, or authority whatsoever within this Realm that can directly or indirectly affect or interfere with the Independence, Sovereignty, Laws or Constitution of this Kingdom, or with the civil or Ecclesiastical government thereof as by law established, or with the rights, liberties, persons or properties of the subjects thereof'. The cause of this difference was as follows. In the Oath of 1778 we swear that we 'do not believe that the Pope &c. hath or ought to have any civil or temporal

[1] *Clifton Archives*, vol. iii.

jurisdiction &c. indirectly or directly within this Realm,' without the additional words 'that can affect or interfere with the Independency &c. of this Kingdom'. Upon this it was observed to us by Mr. Pitt, and some other gentlemen, that the qualifying words 'that can affect &c.' made the Protestation more confined than the Oath of 1778. To this it was answered that the Oath of 1778 did not say anything of the Pope's spiritual power, and therefore no such qualifying words were called for; but that as the Protestation referred to the Pope's spiritual power, it was necessary in that to insert some qualifying words; that some Ultramontane Divines, particularly Bellarmine, had maintained that the Pope's spiritual power authorised him to interfere indirectly with the temporal rights of sovereigns and their subjects; that it had been intimated to us that we were called upon to disclaim that doctrine. To this we had no objection. It was true that our belief of the supremacy of the Pope did not permit us to take the Oath of Supremacy in its present form, but believing, as we did, the Pope's supremacy to be merely spiritual, we conceived it perfectly safe for us to declare that we believed that the Pope had no supremacy which could affect the rights either of the sovereign, the subjects, or of the Government of these realms. This explanation was accepted. It was therefore proposed that the negation of the Pope's civil power should stand unlimited and unqualified; but the negation of his spiritual powers should stand qualified with the words 'that can interfere with the Independency of this Realm or the rights, persons or properties of the subjects'. These words therefore were inserted, not as a denial of the Pope's spiritual supremacy, but as a denial of his having any supremacy that authorised him to interfere with the rights of Government, or the rights of individuals. Some objections, I have been informed, have been taken to the word Persons, as if it denied the Pope's supremacy over individuals of this kingdom; but this is not the same sense in which any one of the Propounders of the Oath understand it. It is used only to deny the right of the Pope or the Church to use personal coercion, as murder, incarceration, &c. to enforce the doctrines of the Catholic Church. It is certain that the Church of Rome and every other Society must necessarily be considered by those who belong to her, as having a right to refuse the

participation of her communion to those of her own body whom she considers as offenders against her laws. But this extends only to a refusal of a participation of the privileges of her own communion. She cannot have any right to compel those who do not belong to her by personal chastisements, or any other mode of personal coercion, to comply with her regulations, or to punish them with death, or any other mode of personal violence for offending against her laws. It is this right over *persons* to which the Oath adverts, and in this sense it is understood by every person, laic or ecclesiastic, who has been advised with respecting the Oath. This, I conceive, is the only material variation in the Oath from the Protestation."

It will not be necessary to pursue the correspondence which followed this letter: it is sufficient to say that in Bishop Walmesley's opinion, Mr. Butler failed to justify the language and substance of the Oath, and though it found a few defenders among the clergy, the majority recognised with Bishop Walmesley that as it then stood, it was not such as a Catholic could take. They had for the most part signed the Protestation, though in many cases not without some misgivings; but to follow this up by an Oath, even if it had been to the same effect, was a much more serious step, and one which many were unwilling to take. This was made a continual subject of reproach to them by the Committee party. In answer to the charge, we may quote Dr. Milner's words on this subject. We have already given his explanation of how he was induced to sign the Protestation, and of his belief that even though expressed inaccurately, it would not mislead his fellow countrymen, to whom it was addressed. He continues:—

"But when, Sir, contrary to the express assurances we had received at the time of our subscribing, this Instrument was worked up into an Oath, in taking which we were to assume a new name,[1] when the preambles were omitted, and new objec-

[1] Dr. Milner seems here to imply that the new name "Protesting Catholic Dissenters" was given to Catholics in the Oath, and this has sometimes been stated on his authority; see, for example, Amherst, i., p. 167. In reality, however, the name was given only in the Bill, though the condition of qualifying for that name was to be the swearing of this Oath. Milner also states elsewhere (*Sup. Mem.*, p. 62) that it would have been necessary to swear and in so many

tionable matter inserted; when above all, the question was no longer whether we deceived our neighbour in what we declared, but whether we spoke the exact truth before the Deity whom we invoked, you must allow, sir, that the state of the business was greatly changed, and I trust you will henceforward give up that eternal reproach which you have made to me, for our having signed the Protestation and yet having refused to take the Oath." [1]

words "I, A.B., do hereby declare myself to be a Protesting Catholic Dissenter," but this also is inaccurate. The Bill provided that any one who had taken the new Oath should "be deemed and taken in law to be a Protesting Catholic Dissenter". See *Third Blue Book*, p. 10.

[1] *Ecclesiastical Democracy Detected*, p. 297.

CHAPTER IX.

FIRST CONDEMNATION OF THE OATH.

1789.

THE delay in introducing the bill had a very fortunate effect, for it gave the bishops an opportunity of examining the proposed Oath, and promulgating a definite and authoritative decision in regard to it. Bishop Walmesley wrote to his brother bishops on July 10, 1789, pressing for a meeting to discuss the whole situation, while Bishop Sharrock went to London to consult with Bishop James Talbot on the matter. A meeting was accordingly arranged to take place at the house of Bishop Thomas Talbot at Longbirch, near Wolverhampton, which was considered the most central situation, on September 24. Before that date arrived, Bishop James Talbot fell ill, and according to a letter from Bishop Sharrock, his life was considered in danger. A little later, however, his health improved, and the meeting, which had been postponed in consequence of his illness, was fixed for October 19. The place of meeting was also changed, to his house at Hammersmith, partly in order that he might take part in it, for he was not yet able to travel far, but partly also because his brother, Bishop Thomas Talbot, had expressed a wish that the meeting should be held outside his district.

In the meantime, the promulgation of the proposed Oath had given rise to much heat and controversy, and threatened to create a downright schism among Catholics. The supporters of the Oath were the more noisy party, consisting of all those who were favourably disposed towards the Committee, and including a certain number of the clergy in London and in the Midlands. In the Northern and Western Districts almost all the clergy and the majority of the laity were on

the opposite side. A meeting of thirty priests was held in Lancashire, who unanimously condemned the Oath, and Bishop Gibson issued a circular prohibiting any one in his District from taking it. The greater part of the odium fell on the shoulders of Charles Butler, who increased the irritation by offering to make a tour in the North to explain how matters stood, promising to "do away with the squeamishness of the clergy, influenced by a scrupulous Bishop". This language naturally gave great offence, especially as Mr. Butler had not consulted the Bishop as to his intended visit. A strange anonymous fly-sheet was circulated, as a kind of reply. All the chief priests and laymen in the North received copies through the post. At the time no one knew who was the author; but Milner seems to say that it was written by no other than Bishop Gibson himself.[1]

The following is the text:—

"To all whom it may concern.

"Whereas Mr. C—— B—— hath formally made known his intention to visit the N——n counties of England in the month of September; you are humbly requested to receive him with the honours due to a Lay Vicar General: A frightful Sight! says B——p G—w—n (*sic*). This dignity was conferred upon Thom. Cromwell, by Henry VIII., with ample powers, as set forth in the Royal Patent, to prompt and instruct the Archbishops, B——ps; to preside over their Synods, &c. &c. Mr. B——, without the idle formality of a Royal Patent, very decently in an Encyclical Letter, arraigns the Scrupulosity of certain B——ps, and with becoming modesty, requests that Ecclesiastical Assemblies in the North will not come to any Resolutions, 'til he shall have the honour of attending them, *i.e.* if the words have any meaning, of directing their councils on a subject of which he hardly ventures to form an opinion.[2]—Scrupulous as a B——p! Res miranda Gentibus!"

Notwithstanding the apparent impropriety of his conduct, Mr. Butler seems to have meant well in offering his services

[1] *Sup. Mem.*, p. 66. There is also other evidence of the authorship in letters from the North, among the Clifton Archives.

[2] This refers to Mr. Butler's repeated statement made in his letters and also in his speeches.

as mediator between the northern clergy and the Committee. There is no reason to doubt the sincerity of his repeated declarations to this effect. "I hope" (he writes to Bishop Walmesley) "that your Lordship does me the justice to think that with the slenderest abilities imaginable, no one exceeds me in good wishes to promote the cause of religion and virtue." And again, writing to the bishops before the meeting, he says: "I may venture to appeal to all your Lordships, that from the beginning of this business to the present I have sedulously strove to promote peace and good harmony between the clergy and the Laity. My respect for the former cannot be exceeded." He was working at this time in the face of domestic troubles, having just lost his only son; but he never allowed his private misfortunes to interfere with what he considered to be his public duty.

In view of the approaching meeting, Mr. Butler sent to each of the Vicars Apostolic what he described as a "Manuscript Book," which being bound in a red cover, became popularly known as the "Red Book". It consisted of copies in full of the answers of the different foreign Universities to the questions put to them by the Committee the previous year; to which was prefixed a long letter written by Charles Butler himself, under date September 1, 1789. In this letter he gave an account, from the Committee's point of view, of the whole situation, and the manner in which he considered it had arisen. With respect to the Oath, he says definitely that "if [it] contains anything contrary to faith or the word of God, there cannot be a question but that it must be altered in every particular in which upon this account it is objectionable".[1]

With respect to the Committee's own plan of action, we can obtain information from a letter written by Rev. W. Pilling, O.S.F., to Bishop Sharrock on October 2:—[2]

"Bishop Berington informs me," he writes, "that the Committee meant to ask the Bishops if the Oath contained anything contrary to faith; if not, they were determined to proceed,

[1] A good deal of the substance of the *Red Book* re-appears in the *First Blue Book*, and some of it in the *Historical Memoirs*.

[2] *Clifton Archives*, vol. iii.

even without the Bishops and Clergy; and added that he thought them perfectly right in so doing, tho' he would not tell them so."

The opportunity for acting thus, however, was not given to them. When the vicars apostolic met, they went straight to the business about which they had assembled, and did not consult with the Committee at all. Six bishops were present, the four vicars apostolic and the coadjutors of two of them; the other two, having no coadjutors, were each allowed to bring with them a theological adviser. Dr. Gibson brought Rev. Robert Banister, a well-known priest in the North, while Dr. James Talbot brought Milner. The meeting lasted four days. Perfect unanimity prevailed, and the following resolutions were passed by the bishops without a dissentient voice:—

"1. That they do condemn the new Oath lately printed, and declare it unlawful to be taken.

"2. That they judge the Oath of 1778 sufficient, and that it contains in substance all that can be desired to ascertain our civil allegiance.

"3. That they condemn the Oath as unlawful, without adding specific qualifications.

"4. That they resolve to send an Encyclical letter to the faithful notifying to them the condemnation of the Oath, and signifying that they ought not to take any new Oath, or sign any new Declaration in doctrinal matters, or subscribe any new Instrument wherein the interests of religion are concerned, without the previous approbation of their respective Bishop.

"5. That they declare the new appellation or denomination 'Protesting Catholic Dissenters' to be highly objectionable.

"6. That the clause in the bill not to educate any child a Papist is pronounced not admissible.

"7. The clause in the same bill not to educate any child of Protestant Parents a 'Protesting Catholic Dissenter' is also declared to be inadmissible.

"8. The clause 'that all uses, trusts and dispositions, whether of real or personal property, which immediately before the passing of the Act shall have been deemed superstitious, or

unlawful, shall continue to be so deemed and taken,' the four Vicars Apostolic wish to be suppressed.

"CHARLES RAMATEN, V.A.
"JAMES BIRTHAN, V.A.
"THOMAS ACONEN, V.A.
"MATTHEW COMANEN, V.A."[1]

The following is the text of the Encyclical, which was signed two days later :—

"ENCYCLICAL LETTER

"Addressed to all the Faithful, both Clergy and Laity, in the four Districts of England, by the four Vicars Apostolic, Charles Ramaten, James Birthan, Thomas Acon. and Matthew Comanen.[1]

"DEARLY BELOVED BRETHREN AND CHILDREN IN CHRIST, we think it necessary to notify to you, that having held a Meeting on the 19th of October, 1789, after mature deliberation, and previous discussions, we unanimously condemned the new form of an Oath, intended for the Catholics, published in Woodfall's Register, June 26, 1789, and declared it unlawful to be taken. We also declared that none of the Faithful Clergy or Laity under our care ought to take any Oath, or sign any new Declaration in doctrinal matters, or subscribe any new Instrument wherein the interests of religion are concerned, without the previous approbation of their respective Bishop.

"These determinations we judged necessary to the promoting of your spiritual welfare, to fix an anchor for you to hold to, and to restore peace to your minds. To these determinations, therefore, we require your submission.

"CHARLES RAMATEN, V.A.
"JAMES BIRTHAN, V.A.
"THOMAS ACONEN, V.A.
"MATTHEW COMANEN, V.A.

"HAMMERSMITH, *Oct.* 21, 1789."

Two days later again Bishop Walmesley, as senior vicar apostolic, wrote a letter to the four chief members of the

[1] Bishops Walmesley, James Talbot, Thomas Talbot, and Matthew Gibson, respectively.

Committee, that is, to Lord Petre, Sir Henry Englefield, Mr. Throckmorton and Mr. Fermor, formally acquainting them with the resolutions come to. The letter to Lord Petre is given here, that to the others being exactly similar, except for the change of names :—[1]

"My Lord,

"This comes to inform your Lordship that at our meeting on the 19th instant, we, the four Vicars Apostolic, unanimously condemned the new Oath lately printed. This we did without the least intention of giving offence, either to your Lordship or to the other members of the Committee, and we hope that your Lordship will take it in that light. Our duty and the call of our people necessarily induced us to pronounce our judgment upon it.

"And now we beg leave to offer to you a few observations.

"First as things stand, may it not be more prudent to drop at present any further pursuit of the measures which have been begun? Such a step seems almost necessary in order to allay that ferment which has risen among our people, to put a stop to disputes, and re-establish concord and union which before subsisted among us.

"Secondly, But if the measure of petitioning Government must at present, upon urgent reasons, be pursued, let it be grounded on the Oath of 1778. That Oath is a very sufficient test of our allegiance to the King and Fidelity to Government, and was admitted as such at that time by the whole legislative power, and therefore ought to satisfy at present. Besides, it was adopted, as we understand, by the Committee last year, as a groundwork of a bill formed for the same purposes. Then the bill itself, before it be presented in Parliament, we think should be accurately revised, that no clauses be inserted in it clashing with religion, or shocking the minds of the Catholics. The appellation of 'Protesting Catholic Dissenters' should be exploded; it is highly disapproved, and would raise in all foreign countries a bad notion of the English Catholics. Let us be named, as heretofore, either Catholics or Roman Catholics. Such clauses also as 'not to educate any child a Papist' is inadmissible, for similar reasons. Again, the clause

[1] This letter was afterwards printed in the *Third Blue Book*, p. 43.

of 'not educating any Child of Protestant Parents a Protesting Catholic Dissenter' is likewise inadmissible. Lastly, we wish to be suppressed the clause 'that all uses, trusts and dispositions whether of real or personal property, which immediately before passing the Act shall have been deemed superstitious, or unlawful, shall continue to be so deemed and taken'. But if even in the original bill no such clauses be inserted, we have still very great reason to fear that such will be suggested when the bill comes to be debated in the two Houses, and probably will pass, as many of the members are ignorant of the real tenets of our religion, and likewise by reason of their prejudices, our enemies. Such new statutes would be more grievous to us than all the old cruel laws which no one in these days chuses to hear mentioned.

"Thirdly, to form a new Oath would be a vain attempt. For in the first place, our people, having taken the Oath of 1778 are averse to take another, and cry out against having a second forced upon them. Then it would be in all appearance impossible to frame such an Oath as would satisfy all parties, such an Oath as our Catholics would take, and at the same time such as would satisfy the Ministers &c.

"Lastly, as any bill which may be offered to Parliament for our relief relates to the whole body of the Catholics, their previous consent ought to be had, not only a very few, but the general part, both of our Clergy and Laity, ought to be previously consulted. If this be not done, the Bill will be liable to be disapproved, opposed and brought to nothing.

"These observations, we, the four Vicars Apostolic, earnestly recommend to your consideration.

"I have the honour to be, my Lord,

"Your Lordship's very humble servant,

"CHA. WALMESLEY,

"*Senior Bishop, Vicar Apostolic.*

"LONDON, *Oct.* 23, 1789.

"The same is written to Sir Henry Englefield, Mr. Throckmorton, and Mr. Fermor of Tusmore. I am returning to Chapel Row, Bath."

It should be noted that Bishop Berington was present throughout the meeting at Hammersmith. He did not take

any part in the discussions, and being only a coadjutor, was not asked to sign the resolutions. He did indeed raise the question whether it would not be well to give reasons for the condemnation of the Oath, but Bishop James Talbot negatived the suggestion, and he said no more.[1]

On his return to Bath, Bishop Walmesley immediately promulgated the joint Encyclical, following it up with a pastoral letter dated November 2, 1789, in which he gave some account of the reasons for condemning the Oath. He likewise wrote to the Committee, "requesting and requiring" that his name should be removed from the Protestation, which he said that on maturer deliberation, he found himself unable to accept. In this latter action he was followed by Rev. Robert Banister, who also withdrew his name.

A few days later, Bishops Gibson and Thomas Talbot also left town, but not before important further developments had shown themselves.

The members of the Committee were not slow to observe that the action of the bishops was a new departure. In the case of the Protestation, they had at least discussed it with them, but in the present instance they had met, discussed and condemned the Oath and other parts of the proposed bill, and separated without having had any communication whatever with the Committee. Moreover, they had expressed their determinations in peremptory language, ending with the command, "to these determinations we require your submission". This was equivalent to a declaration on the part of the bishops that they were the leaders in ecclesiastical matters, and that the time had now come for them once for all to assert their position. At this the Committee were partly angry and partly alarmed. They could not afford to have an open rupture with the vicars apostolic: their only chance of avoiding a contest was to temporise, in order to pacify the bishops from day to day while the business proceeded. This led them to a

[1] This appears from a letter written by one of the Bishops who was present. Milner, who was also present, goes so far as to say that Bishop Berington approved of the Resolutions at the time, but afterwards changed his mind. Bishop Berington's own account is that from the first he felt that he was looked upon as an intruder and was not to be listened to; so he thought it better to keep silence.

course of action which made the situation continually grow more difficult and complicated.

Their first act was to try to induce the vicars apostolic to postpone the publication of the Encyclical, in order to allow an opportunity for the difficulties between them to be adjusted. Mr. Thomas Hornyold undertook to communicate with the bishops. As Dr. Walmesley had already left town, a letter was despatched to him at Bath; but it arrived too late, the Encyclical having already been promulgated by him. The other three vicars apostolic were still in London, and Mr. Hornyold called upon each of them. Both the Bishops Talbot consented to a delay, in the hope that the Committee would set themselves to amend the Oath, and put it in a form in which they could accept it. Bishop Gibson also agreed to a delay, under the impression that all his colleagues had done so: on discovering his mistake, he at once published the Encyclical which was read in the churches in the North before the end of November.

In the London and Midland Districts the Encyclical was never published. Bishop Thomas Talbot wrote to Bishop Walmesley on November 14, explaining his reasons for giving way:— [1]

"You were hardly got out of town" (he writes) "but the alarm was given, and as a suspension of the publication was strongly urged, it did not appear to my brother and me that this could well be refused; and if matters can be so managed that difficulties may be removed, all will be well, and I shall be glad if what has been done may be attended with such an Issue."

The effect of this hesitation on the part of two out of the four vicars apostolic was to destroy the appearance of strong or united action. "I think it will have a worse effect than anything that is done"—such is Rev. W. Pilling's comment. "Those who are so ready to catch at anything" (he adds) "will say that the whole of the business was carried out by Bishops Walmesley and Gibson, contrary to the real opinions of the other two, who therefore dare not publish their proceedings." Bishop Walmesley felt this, and wrote to James Talbot begging him not to delay longer: but without effect.

[1] *Clifton Archives*, vol. iii.

On November 19 and following days, the Committee met to consider the situation. The first business was Dr. Walmesley's request to have his signature withdrawn from the Protestation. This they considered impossible, as the Protestation had already been in the hands of Mr. Pitt and others, and must be accounted, they thought, as a public document. They however directed the secretary to enter Dr. Walmesley's wish in the minute book, so that it might be permanently recorded. They then proceeded to the chief business of the meeting, which was the drafting of a reply to the Encyclical of the vicars apostolic, and to Dr. Walmesley's letter. This occupied several sittings. Eventually they drew out a long letter, which was dated November 25, a copy of which was despatched to each of the bishops on that day. It was composed by Charles Butler, a great part being taken from the letter in his *Red Book*.

The tone of the letter is not otherwise than respectful. The opening sentences especially are couched in terms which seem to indicate the wish of the writers to come to a proper understanding with the bishops, and from that point of view are worth giving in full:—

"My Lords,

"At a meeting of the Catholic Committee, held on the 19th of November, 1789, we took into consideration an Encyclical Letter which you have been pleased to address to us, and to all the Faithful in your Districts, and we now offer, with the greatest deference, to your Lordships, the result of our deliberations.

"Conscious that we never had any other object in view than to procure for the English Catholics who have honoured us with their trust, a release from the numberless grievances under which they have so long and so unjustly laboured, we cannot but lament our misfortune in having incurred the disapprobation of them who from their station in this country, are the natural Guardians of the Catholic Religion.

"Some misconception, we apprehend, must have taken place; and this misconception once rectified, we still entertain the flattering hope that your Lordships, far from raising any impediments to obstruct, will heartily grant us your concurrence

to accelerate the success of our well-meant endeavours in serving the common interests of the Catholic body."

The hope held out by the tone of these introductory paragraphs, is not realised in the body of the letter. Briefly, the Committee simply defend their action throughout. They regret that the bishops should have condemned the Oath without first consulting with some of them; they plead that it had been definitely sanctioned by Bishop James Talbot; and they also regret that in condemning it the bishops should have given no indication of what particular passages they objected to. They argue that the Oath was grounded upon the Protestation, which the bishops themselves had all signed. As to the necessity of having a new Oath at all, they only say:—

"That the Oath of 1778 is a very sufficient test of our Allegiance to the King and Fidelity to Government, we entirely agree with your Lordships; but that it will satisfy at present, when a more ample toleration is applied for, we have not the slightest reason to expect."

It is hardly necessary to follow the rest of the letter in detail. The Committee cover the whole ground from the time of Queen Elizabeth to the date at which they write; they give their usual version of the condemnation of the Oath of Allegiance by Paul V. in 1606, which they stigmatise as "extravagance," adding that, "by some unaccountable blunder, the illustrious Bellarmine . . . confounded an Oath of political allegiance with the Oath against acknowledging any spiritual primacy in the successor of St. Peter". A result of that condemnation, they say, is that "it has left an almost indelible impression on the minds of Protestants that it is a meritorious and necessary part of a Catholic's submission to be guided implicitly by his ecclesiastical superiors, even in concerns avowedly of a temporal nature". They contend that the Protestation and Oath are indispensably requisite to undo this impression. They defend the title "Protesting Catholic Dissenters" as vigorously as before. Finally, they answer the suggestion of the bishops that they should desist from the further pursuit of their object with a direct negative. "For numberless reasons, my Lords" (they say) "that pursuit cannot be dropped. Our business has proceeded too far, it has been laid before the Public, it has engaged the attention of the

Legislature, every circumstance seems to promise it success, and if the Catholics of England lose the opportunity of recovering their civil and religious rights, it is probable they will ever after look in vain for their emancipation."

The letter concludes as follows :—

"My Lords, we have laid with respect our views and proceedings before you. The Protestation, the Petition, the State of the Case,[1] the Bill uniformly rest on a single principle, that the English Catholics reject any pernicious doctrine imputed to them, and while they claim their right of following their conscience in religious matters, can give to Government and the Nation every security of being honest men and peaceable subjects. Upon this single principle, we look with well grounded hopes for relief, and have a firm reliance that your Lordships will co-operate with us in effectuating so desirable a purpose.

"We have the honour to be, with the greatest respect,

"Your Lordships' most obedient, humble servants,

"Chas. Berington.
"Joseph Wilkes.
"Petre.
"John Throckmorton.
"William Fermor.
"John Towneley.
"Thomas Hornyold.

"London, 25 *Nov.* 1789."

Besides being sent to all the vicars apostolic, this letter was also printed and circulated, and with it a manifesto of the Committee addressed to the Catholics of England, giving their account of the whole history of the origin and progress of the negotiations as to the Protestation and the Oath; and a dissertation in answer to the objections that had been raised against them and against the bill which it was hoped to introduce the following session. The Heads of the Bill were likewise printed. The pamphlet ran to fifteen very closely printed

[1] This was a handbill circulated by the Committee. It was afterwards reprinted in the *Third Blue Book*, p. 34.

quarto pages, and being bound in a dark blue or purple wrapper, acquired the designation of "the Blue Book". It was not published, but copies were freely distributed.

Bishop Walmesley considered the issue of the *Blue Book* as an act of defiance, calling attention also to the fact that only seven out of the thirteen members of the Committee had signed it. He attributed its publication mainly to the indecision of the two Bishops Talbot, and wrote once more begging them to publish the Encyclical as they had agreed to at the Hammersmith meeting: but without result. Bishop Thomas Talbot's answer shows that he was becoming disquieted, he wrote as follows:— [1]

"LONGBIRCH, *December* 14, 1789.

"DEAR SIR,

"Notwithstanding our joint concurrence in condemning the Oath, &c., the business, as appears, will certainly be prosecuted in as vigorous a manner as if we had not interfered at all; the consequence of which will in all appearances be as dreadful a schism as happened many years ago upon a like occasion.[2] The explication that has lately been given, and the declaration from some persons high in power, stagger many people in these parts, and make them think the Oath not so objectionable as they at first conceived it to be. Whilst we ought not most certainly to give up any Tittle of our Faith, or for human considerations make a sacrifice of our religion, we ought not to put any unreasonable obstacles to a measure that is deemed greatly to conduce to the public good. What I say here is not suggested by any person whatever; but if a schism and division amongst ourselves could be avoided, it would be a most desirable thing; and I have my doubts whether hereafter we shall not be thought to have been over scrupulous and nice. For the present I will content myself with having thrown out these hints, to which no one is privy but your Lordship. The desire of suspending for a time the publication of our Resolutions seemed to my Brother and me so reasonable a request that we thought it ought not to be refused. I take this

[1] *Clifton Archives*, vol. iii.

[2] This of course refers to the effect of the Oath of Allegiance in 1606 and the sad disputes between Seculars and Regulars.

opportunity to pray you to accept the most cordial wishes of the approaching season from

"Your most obedient humble servant,

"THOMAS TALBOT."

Writing a few months later, he explains more in detail :—[1]

"I before acquainted you with the reasons why my brother and myself never published our condemnation of the Oath. They appeared to me then satisfactory, and as the Committee Gentlemen then declared, and have since frequently declared, that they are willing to use their endeavours to procure an alteration of any exceptionable clauses, I could see no sufficient reason for any future publication; but I have ever maintained that we did right in condemning the Oath as we did. My aim and desire is to promote peace and concord as much as possible, but this no more than yourself at the expense of truth and religion."

So far Bishop Thomas Talbot. What his brother's views were we shall never know for certain; for although during the Autumn he had been better in health, early in the new year his illness returned on him, and ended fatally. The fact was often laid hold of by the defenders of the new Oath, as explaining his having signed the condemnation contained in the Encyclical of the vicars apostolic, which they said was in itself evidence that his powers were failing. Those who knew him more intimately, saw in this line of action his better judgment at length asserting itself over the manifold difficulties with which he was surrounded. Here, however, we must leave the Committee and their disputes, while we turn to other matters connected with the bishop's last years.

[1] *Clifton Archives*, vol. iii.

CHAPTER X.

LAST YEARS AND DEATH OF BISHOP JAMES TALBOT.

1787-1790.

It is a relief to turn from the atmosphere of strife and contention with which the last years of the public life of Bishop Talbot were surrounded, which was so uncongenial to his nature, and which his indecision of character rendered him so unfit to cope with, to his ordinary daily life, and his administration of his district, where his saintliness shone forth, and his passion for works of charity found full scope for its exercise. In illustration of the reverence for "the Good Bishop Talbot" which was felt by all classes alike, we can quote another passage from Milner's Obituary Sermon, which pictures him as he was known to his own flock. In reading Milner's words we must not omit to bear in mind the much more dignified position of the aristocracy, and the greater gulf between them and the common people in those days compared with our own. To accuse a man of being "tainted with democratic sentiments" was considered one of the most serious charges that could be levied against him. The respect for anything of the nature of a title would seem to us more than exaggerated. Bishop Talbot's position, as the close relative of a peer, and especially one of such distinguished lineage as the Earl of Shrewsbury, would naturally have marked him out as one of the most exalted members of the Catholic body, and it is this which gives Milner's comment its force.

"You have all seen him," he said; "you have most of you conversed with him: I appeal to your own experience. When have you observed in him the least symptom of vanity or self-importance on the score of his high descent and illustrious connections? When have you heard a word escape him to

remind you that you were speaking to the brother of the first Earl of the land? What appearance did he wear of his rank of life in his address, equipage, company or employments? You know well that while his heart and his hands were inexhaustibly open to every call of charity and piety, hardly would he allow himself the decencies and necessaries of life, which on many occasions, particularly on his journeys, he exposed to the most imminent dangers both of accident and of sickness, because he refused to expend on himself what he lavished upon others. At no time did he affect to pass for anything beyond a poor ecclesiastic. Every one knows that his delight was to be surrounded by his clergy and the poor, and that he more readily and more frequently would stoop into the sordid dwellings of the necessitous to administer to them comfort and assistance, corporal and spiritual, than enter into the palaces of the great to taste their dainties and participate of their distinctions. With shame to myself must I add that on different occasions of my attending him on his journeys and elsewhere, I have seen him cheerfully and without complaint put up with inconveniences that to me appeared intolerable."

It has been pointed out that notwithstanding the holiness of his private life, Dr. Talbot was never qualified either by temperament or by natural gifts to hold a position which involved taking the lead in public action, still less so at a time of difficulty, when vigorous measures were called for. This he would have been himself the first to admit. His naturally retiring disposition had been emphasised by his own personal history, as well as by the spirit of the times in which his youth and middle life had been cast. The position in which he was placed during the last nine years of his life was a constant trial to him. He was convinced that he had been appointed vicar apostolic only for the two reasons that he was highly connected, and had a certain private income, and that his unfitness for the position was evident to all. In the course of his difficulties with the Committee he became so dispirited that more than once he was on the point of resigning. The following extract from an undated letter written by Rev. William Gibson at Douay refers to one of these occasions:— [1]

"I should be sorry to hear you had any thoughts of resign-

[1] *Westminster Archives.*

ing," he writes, "particularly during ye present troubles that seem to be raised amongst some of our Catholic Gentlemen. I fear; but heartily wish they may end well. Nor shall I ever think you were placed in ye situation you are on account of ye two reasons you mention. Those alone would have been worldly motives, and I am well persuaded your most holy Predecessor was not influenced by such, but he knew your real merit, and ye good use you would make of those advantages; and I think religion is much indebted to you, and has gained many advantages, and has made and is in ye way to make great progress under you, particularly if present troubles do not undo many things."

During the first four years that he ruled the London District, Bishop Talbot continued to live in his lodgings in Little James Street, Bedford Square. In 1785 he moved to Hammersmith, as stated in a former chapter, and lived in the house of the convent chaplain. He was, however, frequently absent for long periods, as he visited the whole of his district every year, and travelling in those days took up much time. Latterly, his health was visibly failing. His memory had become defective, and he had lost so many teeth that his utterance was noticeably affected. The steady increase of his infirmities, while it did not incapacitate him, was sufficiently continuous to warn him that the end could not be far off.

In the year 1787 Bishop Talbot's eldest brother, the Earl of Shrewsbury, died, without issue, and was succeeded by his nephew. Bishop James Talbot received some benefit under his brother's will, and as was to be expected, devoted it all to charitable works. It was indeed well understood that he was certain to do so. In his letter of condolence, Mgr. Stonor wrote frankly to him: "As to your increase of property on this occasion, it is with the public that I am chiefly to rejoice, persuaded as I am that they will be the principal gainers by it". James Talbot survived his brother less than three years; but that period was sufficient for him to put in hand various good works with the money he had inherited. He completed the purchase of the property at Old Hall Green, and enlarged the school, building additions at the north and south ends. He also allocated further sums to the support of missions and other good works. The money was quickly used up, and we find

Old Hall Green Academy.

him begging as before on behalf of the various charities in which he was interested. One special object of his anxiety was the provision of spiritual consolations to Catholic prisoners. Of late greater facilities had been allowed to priests for visiting the prisons, of which he wished to be in a position to take advantage. Lord Petre, with his accustomed generosity, came forward and subscribed £50 a year, and a few others gave smaller sums; but the work was only supported by means of continuous effort on the part of the bishop.

Turning his thoughts to the London churches, Bishop Talbot was anxious to see one or more permanently established in the West end, under the direct control of the bishop, so as to be free from the uncertainty which was always attached to an Embassy Chapel. The following letter of Dr. Hussey, the head chaplain to the Spanish ambassador, dated February 3, probably in the year 1787, explains Bishop Talbot's wishes in the matter:—

"TITCHFIELD STREET, *February* 3.

"MY LORD,

"I have turned over in my mind what you observed relative to the Chapel in York Street,[1] 'that it would be more likely to continue a permanent Chapel for the use of the public by establishing it by subscription than by making it a Spanish Chapel, which in case of a rupture between this country and Spain must be immediately shut, and the public deprived of the benefit of it, perhaps for ever'. This observation of yours, My Lord, did not at that moment make as much impression on my mind as it has since, by reflecting more upon it. As it would be proper that the Chapel be under your own immediate direction, in the same manner as the Chapels at Moorfields and Wapping[2] are, the lease &c. ought to stand in your name, and I shall assign it to you whenever you order me. Many persons in the neighbourhood of St. James have offered their subscriptions, but I told them that none could be admitted until everything was vested in your name, and everything done by your authority only. That then you would appoint a Committee to raise and settle the subscriptions, and that I should do everything to procure them.

[1] *I.e.* York Street, St. James's. [2] Better known as Virginia Street.

"I request your Lordship's answer, and that you will remain assured that your commands shall be cheerfully and sincerely obeyed by

"Your ever dutiful and humble servant,

"T. HUSSEY."

For some reason, this scheme was never carried out. The chapel at York Street was conducted as a Spanish Embassy Chapel until 1791, when the ambassador removed to Manchester Square, then in the outskirts of London, and the Chapel of St. James, Spanish Place, so well known to Londoners for close upon a century, was planned out. When finished, it was supported for a long time entirely by the Spanish ambassador.

Although, however, Bishop Talbot's scheme with respect to the Spanish Chapel came to nothing, a similar project with regard to the Bavarian Chapel was carried into effect. The Elector of Bavaria gave his consent in a letter dated May 2, 1788. It was arranged that he should continue to patronise the chapel, and should pay an endowment of £400 a year; but "that the Spiritual Conduct of the Chapel should to all Intents and Purposes be under the sole guidance of the Bishop of the London District".

A committee was formed under Bishop Talbot as president, and a circular was issued on July 31, 1787, inviting subscriptions. The active co-operation of a committee consisting chiefly of laymen was at that time considered necessary for carrying on any chapel which was not regularly provided for. The idea of supporting a mission out of the ordinary collections, without any endowment or other help, as is now nearly always done, was then unknown. There was, indeed, usually a collection at each of the services, but it was by no means always applied to the support of the mission: more usually the proceeds were distributed among the poor. This was, of course, owing to the fact that most of the missions had fixed endowments, either accruing from funded property, or paid annually, in either case due to the generosity of some nobleman or gentleman of position, who would not wish to call upon the local laity to help in the endowment. Even if all the collections had been

applied to the support of the chapel, however, owing to the small size and poverty of the congregations, the amount would have been wholly insufficient to meet the ordinary current expenses, and the natural method seemed to be to ask a certain number of laymen to guarantee all that was necessary, and to take steps to obtain it by subscriptions among themselves and others. In days when nearly all the existing chapels were under the indirect control of the lay patrons who supported them, the idea of a lay committee of management would no doubt have appeared more natural than it would to us to-day. The system, however, never worked well, and it did not last many years. Difficulties between the committee and the chaplains were of frequent occurrence, and often led to disagreeable incidents which were difficult of adjustment. However, it was at that time the only method of conducting an unendowed mission, and it relieved the missioner of those days of much of the anxiety which his modern successor has to face.

The Warwick Street committee numbered twenty-two members, made up of three chaplains and nineteen laymen, all members of the "parish". It had been intended to appoint as head chaplain the well-known Irish patriot, Rev. Arthur O'Leary, a Capuchin friar, who had recently taken up his residence in London. The reasons for his doing so are shrouded in some obscurity. He had admittedly been of great service to the Government in Ireland, in helping them to maintain order, which he did by means of the extraordinary power of his influence over the Irish peasantry. In consideration for his services, he was rewarded by a pension, though there is some doubt as to when this dates from, and it appears certain that it was not paid regularly until O'Leary brought pressure to bear at a later date. Whether or not this was connected with his determination to abandon all connection with Irish politics and leave the country is still a matter of dispute, and need not concern us here. It is sufficient for our purpose that he came to spend the remainder of his life in London. He had no idea of passing his last years in a state of inactivity, and he gladly accepted the offer made to him. Very soon, however, it appeared that the appointment was unpopular, not, as he supposed, on account of his nationality, but rather from the prominent part which he had played in political strife. As soon therefore

as he learnt that he would not be welcome, he wisely resigned. Afterwards he found a more congenial sphere of work in establishing a chapel for the Irish in London, the well-known St. Patrick's, Soho, which has lasted until the present day. In the meantime, in order to smooth over all party feeling, Bishop Talbot himself became nominally head chaplain of Warwick Street, with the Revv. John Lindow and John Earle as his assistants.

The first trustees of Warwick Street Chapel under its new conditions were Bishop James Talbot, his nephew the new Earl of Shrewsbury, Lord Petre and Mr. John Throckmorton. Three out of the four were thus members of the Catholic Committee, while the fourth, the Earl of Shrewsbury, was in close sympathy with it—a fact not without significance as indicating the real devotion to religion which characterised the members of that body. Yet the "Regulations" for their procedure seem drawn out with especial view to avoiding the mistakes into which the Catholic Committee had fallen, for the absolute supremacy of the bishop in all matters, both spiritual and temporal, is repeatedly insisted upon. For this and other reasons, these Regulations seem of sufficient interest to warrant quoting them in full:—

"I. That the lease of the Premises shall be held in trust for the use and benefit of the subscribers, and Catholics in general; and that the Honourable James Talbot, the Bishop of this District, the Right Honourable Earl of Shrewsbury, the Right Honourable Lord Petre, and John Throckmorton Esq., be vested with the said trust.

"II. That the present Committee be empowered to conduct, manage, and superintend every thing relative to the applying for Subscriptions, taking down and re-building the Chapel, &c. unless it should be found to be the wish and opinion of the Subscribers that a General Meeting be called and a new Committee balloted for who should be vested with the same Power.

"III. That a General Meeting be called annually, in order to choose and appoint a Committee, to consist of the Bishop of this District, who should always be one, and have the Privilege of appointing a Deputy to act for him whenever it should be inconvenient to attend in Person; two of the Clergy,

together with ten Lay Subscribers; which Committee so formed and chosen to have the entire Management and Direction of every Thing concerning the Chapel: the Bishop reserving to himself the absolute power of rejecting every measure which he should declare to be contrary to the faith and discipline of the Catholic Church.

"IV. The Committee to have the privilege of recommending the Chaplains, but that their appointment or rejection should rest entirely with the Bishop.

"V. That in order to raise a revenue sufficient to support the annual expense of the Chapel, the Committee be empowered to rate and let the Seats, at such price per Annum as should raise the Sum wanted; allowing the Subscribers the choice of seats in rotation according to the sum they have subscribed; but should there be more than *one* who have subscribed the same sum, the *Preference* to be given to the *Earliest Subscriber;* and so long as they and their Heirs &c. shall continue to pay the said Annual Rent, the same to be *secured* to them.

"VI. The spiritual Regulations of the Chapel to be left *entirely* to the Bishop.

"(Signed) JAMES TALBOT."

The first appeal for subscriptions was printed and issued on July 31, 1788, when the committee was formed. They held frequent meetings, and subscriptions came in freely, headed by one of £300 from Lord Petre. Sufficient money was obtained to enable the committee to begin building in the spring of 1789. The building put up at that date is still in use, and on the closing of Lincoln's Inn Fields, it will become the oldest Catholic Church in London. The interior has been a good deal altered in succeeding years; but the exterior remains much as it was when first built. Without having any pretence to architecture, it is nevertheless of the greatest interest as an example of the aims and aspirations of those days, for it was considered by those who built it to be a great advance on anything which the Catholics had previously done.

Another important church which was building during the last years of Bishop Talbot's life was the original one near St. George's Fields, the precursor of Pugin's well-known church which is now the cathedral of the diocese of Southwark. The

old church was in the London Road, on the spot now occupied by the South London Music Hall. It was often spoken of as the Borough Chapel, for the mission had been founded in 1787 in a house in Little Bandy Leg Walk, where now Guildford Street stands, close to the Borough. The story of its beginning and early development can be given in the words of the printed address which was circulated by Rev. John Griffiths, the head priest there, appealing for funds, in 1790. It was signed by three priests and twelve laymen who formed a committee under Rev. John Lindow. The following is the text of the opening part:—[1]

"To the Catholic Nobility, Gentry and others.

"We the Committee, whose names are underwritten, for building the Chapel in the Borough, humbly beg leave to lay our present necessities before you, hoping our petition will meet with your hearty support.

"It has been the decided opinion for many years past of many respectable Catholics who have turned their minds to the subject, that a Chapel was absolutely necessary for the inhabitants in the Borough, Southwark, Lambeth, Newington, Walworth and other villages adjacent, since it evidently appeared that ignorance, impiety and irreligion, a neglect of the sacraments, and every lamentable species of spiritual distress pervaded the whole body of the lower class of Catholics in those parts. Hence about three years ago, a house was taken and a room opened, which by some was judged sufficiently large for the purpose. But it was soon found that it would not contain one half of the congregation, and in other respects [it was] very unfit both on account of its situation and ruinous condition. Notwithstanding these disadvantages, the great good that visibly appeared from the first feeble essay, convinced all who were witnesses of it that it was a duty they owed to God and their neighbour to use their utmost endeavours to carry, if possible, a plan of erecting a Chapel into immediate execution. Hence earnest application was made to the late Bishop Talbot, who approved of their zeal, and gave his hearty approbation to the undertaking. He thereupon appointed a

[1] *Kirk Papers* (Oscott), vol. i.

Committee to procure a proper place and to raise subscriptions, both for the erecting a Chapel and house for the priests to live in contiguous to it. A place was procured on the London Road, in St. George's Fields, very centrical to all the above mentioned places, and the most economical plan was drawn for the Chapel and house that could be devised, and agreed to unanimously.

"After the Committee had each of them liberally subscribed in proportion to their abilities, they began to solicit the subscriptions of other well-disposed Catholics, and proceeded till they had collected about five hundred pounds, when they were desired by some of the Catholic Committee to desist, till the Bill for the relief of Catholics had passed the House, which they hoped would be that sessions."

The date here alluded to was the spring of the year 1789, as the Protestation was being signed, and when the king's recovery kept Pitt in power, and had given rise to hopes of an immediate Catholic Relief Bill. The Committee appear to have been apprehensive lest at this juncture the report that Catholics were building a chapel on a large scale in South London might irritate the public mind, and prejudice their case in Parliament. We have seen, however, that before the end of June the introduction of the proposed bill had been definitely postponed for at least a year, and all reasons for suspending the operations at St. George's Fields, if ever well founded, had now vanished; so the work of collecting money was resumed. The delay had, however, acted prejudicially on the minds of the Catholic public, as we learn from the printed appeal, which continues as follows:—

"[The Chapel Committee] therefore waited with patience till June, 1789, when they were given to understand by some of the Catholic Committee that they might proceed. Now they began to be extremely embarrassed, for when they solicited for subscriptions, they were answered, 'let us see you begin to build first, and then we will subscribe. What have you done with all the money you have collected?' And others who had subscribed, began to call aloud for their money being returned again, as nothing was done. The Committee finding themselves in this difficult situation, consulted what was best to be done. They perceived the impracticability at present of raising more

money, and to return the money they had received seemed entirely to abandon the charitable work. For whoever has experienced the fatigue and mortification that unavoidably attends a business of this nature, must be convinced that it would be next to an impossibility either to prevail with themselves or others to reassume the arduous and disagreeable task which had recently miscarried, after such zealous and laborious efforts. Yet they still ardently wished that a charity which promised so much good might if possible be carried into execution. But to begin to erect with only five hundred pounds buildings which were estimated would cost two thousand pounds, seemed not to be conformable with the Gospel rules. However, they were encouraged from all quarters to begin the work, and to rely on Divine Providence for the completion of it. Hence the Committee judged it best to comply with the ardent wishes of their numerous friends and well wishers to the cause, and therefore gave orders to the tradesmen immediately that the buildings might be commenced before the severe Winter season commenced. Some of the principal tradesmen employed, notwithstanding our want of money, have nevertheless, to their honour be it spoken, carried on the work with amazing activity and spirit: insomuch that although neither the house nor chapel are finished, yet the chapel was opened for Divine Service on Passion Sunday, and the vast crowds that thronged to it both on that day and ever since, clearly evinces not only the great utility, but the pressing necessity there was for such an establishment."

In quoting these last words, we are rather anticipating the order of events, for neither the opening of Warwick Street, nor that of St. George's Fields took place in Bishop Talbot's lifetime. So far back as the year 1786 his health had shown signs of failing, and at the end of the report on the *Status Missionis*, which he sent to Rome in that year, he hinted that he might soon have to apply for a coadjutor, and the following year he wrote to Mgr. Stonor as to whether he could reasonably make his application. The latter answered on June 13, 1787, as follows:— [1]

[1] This letter, and those in the following chapter, were copied by Mgr. Stonor in his "Agency Book," which is now among the Southwark Archives at St. George's Cathedral. In most cases (but not in all) the originals are preserved among the Westminster Archives.

"Your reasons for asking for a Coadjutor are too reasonable to meet with opposition here, particularly having granted the like favour to your younger brother; and such is the established opinion of your prudence that I don't imagine any objection will be made here against the person you may think proper to propose. It may prove a more difficult task to meet with the approbation of people with you: of that you will be best able to judge."

On the strength of this letter, Bishop Talbot began to look around for a suitable person for the post. Apparently he at first thought of the Rev. Richard Southworth, the priest at Brockhampton, near Havant, and in his will, made about this time, he expresses his wish that in the event of his dying without a coadjutor, the name of Mr. Southworth may be presented to Rome as a suitable man to succeed him. But he appears to have changed his mind shortly afterwards in favour of Rev. John Douglass, of York, a well-known and highly respected priest. As Mr. Douglass did in fact succeed to the vicariate, we may give here a few details of his past career.

As would be supposed from the name, the family of Douglass[1] was Scotch by origin; but the father of the future bishop had quitted Scotland in 1740, the Stuart cause being then still under a cloud, and settled at Yarum, in Yorkshire, where John Douglass was born three years later. At the age of thirteen the latter was sent "beyond the seas," to the English College at Douay, where he went through his whole course with credit, and earned a considerable reputation as a scholar. Towards the end of his "Divinity," however, his health showed signs of giving way, and a change to a warmer climate was considered advisable. Accordingly, after his ordination he went to the English College at Valladolid, where he acted as prefect, and at first taught classics, later on philosophy. He retained this post until the year 1773, when, his health being restored, he returned to England, and after visiting his family at Yarum, he went on the mission at Linton, in the same county. Three years later, in 1776, he was transferred to York. There we find him when he received the un-

[1] The very natural mistake of spelling the name "Douglas" seems to have been equally common a century ago as it is to-day. Charles Butler and Milner both spell it so, and in our own times Amherst has followed them. The family themselves, however, have always spelt it "Douglass".

expected request from Bishop James Talbot that he should come to London and become his coadjutor, with the right of succession. The request came as a surprise to him, and he determined to seek the advice of his bishop. In reply to his letter, Dr. Gibson wrote on December 21, 1788, as follows:—

"Having very maturely considered the affair betwixt you and Bishop Talbot, I resign you entirely to his disposal in that regard. If he continues to press you, as I presume he will, I think you may consider it as a proof of the will of God; consequently ought to submit, whatever fears or apprehensions you may have. If God lays a burden upon your shoulders, He will support you, if you render not yourself unworthy."

For some reason, the matter did not proceed any further at the time. Probably the public affairs of the next few months absorbed all Dr. Talbot's attention; and very soon after this, his last illness was upon him. Dr. Milner gives it as his opinion that the end was hastened by the anxieties connected with the disputes between the bishops and the Committee, which his meek and gentle disposition was ill fitted to cope with. At any rate, in the early part of the month of January, 1790, his illness had so increased that it became evident that he had not much longer to live. During those days, when he was no longer able to take part in what was going on around him, the events of the last few years came vividly before his mind, and he reproached himself for not having taken a more active course in opposing the doings of the Committee. He told his confessor, Rev. John Lindow, that if it pleased God to restore him to health, the first use he would make of it would be to take stronger measures against the laymen who were trying to usurp the functions of bishops; but it did not please God to restore him. He became gradually worse, and after receiving the last rites from Rev. John Lindow, calmly awaited his end. His deathbed was peaceful and saintlike. Dr. Milner was present, and preaching to his people the following Sunday, described the scene:—

"We beheld him five days ago," he said, "with mixed emotions of grief and admiration. In the very pangs of death, with an open brow and a placid countenance, waiting for the happy moment that was to consign him to his reward, after

having fought the good fight, run his destined race, and preserved the faith. Who that contemplated this scene could have avoided crying out with him who had the happiness of being witness to it, 'Let my soul die the death of the just man, and let my latter end be like unto his'."

Bishop James Talbot died at Hammersmith on Tuesday, January 26, 1790. He was buried in the Baynard vault, in the parish churchyard. As no public Catholic funeral was at that time possible, it was customary to read the Catholic burial service before the body was removed. The only prayers at the burial itself consisted of the Protestant service, which was read by the clergyman. In many cases a Requiem Mass was offered for the deceased; but it was always entirely separate from the funeral, usually not even on the same day. In the case of Bishop Talbot, as in that of his predecessor, Bishop Challoner, a high Mass of Requiem was sung at each of the four chief embassy chapels in turn, at which the clergy and laity were invited to attend. The first was on February 11, at the Portuguese Chapel; the second at the Sardinian Chapel on February 18; the third at the York Street Chapel of the Spanish Ambassador on February 26; and the fourth at the Neapolitan Chapel on March 10. We also read of a solemn Mass of Requiem for Bishop Talbot in the Chapel of the English College at Rome, on Tuesday, February 23, which Rev. R. Smelt describes. "An elegant lofty catafalco was erected for the occasion," he writes; "on the top a mitre &c. were placed. It was illuminated with near fifty wax candles. Mr. Green officiated. Lady Blount and the rest of the family attended. Chevalier Jerningham[1] and others of our country were present."[2]

In taking final leave of this glorious confessor of the Faith, it is proper to record that more than a century later his remains were translated from Hammersmith, and placed in their present resting-place in the chapel cloister at St. Edmund's College. No more suitable spot could have been found than the college which was engrafted on his own humble school at Old Hall Green. His name now lives once more in the place formerly

[1] *I.e.* Mr. Charles Jerningham, brother of Sir William Jerningham of Costessey Park, Norfolk, and an officer in the Austrian army.

[2] *Birmingham Archives.*

his own. The second funeral took place on April 25, 1901, and the ceremonies and circumstance could not but bring to mind the progress the Church has made in this country during the last century. The public procession up the college drive, the Requiem and other rites in the beautiful Gothic chapel of the college, were surroundings which would not have been thought within the bounds of possibility could any one have looked forward at the time when Bishop Talbot ruled the London District. In presence of the professors and students of the college, and of several representatives of his own family, his body was placed in its last resting-place: a modern brass now marks the tomb of the last confessor of the Faith in Penal England.

It is much to be regretted that we are unable to learn more of the inner life of one whom we cannot but regard as a really remarkable man, who through his very retirement and humility exercised a widespread and lasting influence on Catholic affairs. So far as can be ascertained, he never sat for his portrait, as any one else in his position would have done, and we are ignorant of his personal appearance. His whole aim in life seemed to be self-effacement. But the few letters of his which remain, reveal a man of large-hearted charity, of boundless sympathy with the fallen and the unfortunate, and of the most tender personal piety. With all his weakness of character, and even timidity where public action was concerned, James Talbot has left us an example of heroic charity and patience in the darkest days of English Catholics when hope for the future was unknown among them, which those of later and more hopeful times should never forget.

CHAPTER XI.

THE LONDON VICARIATE VACANT.

1790.

On the death of Bishop James Talbot, London was, for the first time for nearly a century, without a bishop. Hitherto there had nearly always been a coadjutor ready to succeed without any interval. This time, to use Milner's words, "whether it is in punishment for our sins, and to give course to those evils with which we seemed to be threatened, or for whatever other cause that pleases the Almighty, we are now, alas! left a flock without a shepherd, at the most critical and momentous period that has perhaps occurred in the history of our Church for two centuries".[1]

For while Bishop Talbot lay dying, Catholic England was working itself up into a ferment over the question of the Oath, nor was even a temporary cessation deemed necessary out of respect for his memory when he died. Meetings continued to be held and pamphlets to be printed without intermission. The first document to claim our attention is a printed petition addressed to Bishop Gibson by the clergy of Lancashire, in the following terms:—

"To the Vic. Ap. of the Northern District.

"My Lord,

"Induced by no other motive than that the Catholic religion may be preserved in all its purity, and the minds of the faithful kept free from all doubts in matters of Faith, we, whose names are hereunto subscribed, earnestly request your Lordship to use all your influence that a new form of Oath, if required by the Legislature, as comprehensive as possible in

[1] Obituary Sermon (*Westminster Archives*).

what relates to civil government, be presented to Parliament, that our allegiance as subjects may be firmly established, and our religious rights preserved inviolate. Would not the Oath taken by the Catholics of Ireland in the year 1774, and approved, as we believe, by the see of Rome, answer this salutary purpose, being deemed sufficient by the Parliament of that Kingdom?

"We are fully convinced that a schism amongst the Catholics of England would give you the greatest concern, scandalise the Christian world, and produce the worst of consequences, not only to the souls of those who break the bonds of unity, but to the property and persons of those amongst us who, from motives of conscience, should refuse to take the Oath now before Parliament; and that a Schism will be the consequence if the Oath be tendered in its present form is beyond all doubt.

"The 'Address to the Catholics of England' has come to our hands, but it does not satisfy the minds either of the Ecclesiastics or laity of this County of Lancaster; few indeed of either will take the Oath in its present form: a large and respectable body of people may consequently be exposed to the rigour of those laws which yet stand unrepealed against us.

"We therefore, in the name of the Almighty, humbly entreat your Lordship in conjunction with the other Bishops, to strike out some other line by which peace and union may be preserved amongst us; prejudices of education, ignorance or malevolence be removed from our Protestant fellow-subjects; and our fidelity to our King and country fully ascertained.

"We have the honour to be, my Lord, with the greatest respect,

"Your Lordship's humble servants,

[Here follow the signatures of fifty-five Lancashire priests.]

"BLACKBROOK, *Jan.* 1, 1790."[1]

This petition, coming from the most Catholic county in England, was very significant. Bishop Gibson, however, required no additional motive to induce him to work against the Committee, as he had done throughout. He issued a vigorous pastoral against them dated January 15, less than a fortnight

[1] The date is strangely misprinted 1789, but is corrected by pen in some copies.

after he had received the clergy's petition. Bishop Walmesley had issued a similar one before Christmas, as an answer to the Committee's letter published in the *First Blue Book*. Both pastorals were written in strong partizan language, such expressions as "glaring misrepresentations," "glossed over with remote interpretations," "a groundless pretence, a far-fetched shift," "delusive but no new artifice" and the like occurring freely throughout. The Committee did not answer as a corporate body, but several of them individually wrote letters of remonstrance. They fastened on two expressions, one in each pastoral, which they frequently alluded to afterwards. Dr. Walmesley had said that they were "Attempting to injure the cause of religion," while Dr. Gibson had spoken of their "Infernal Stratagems". In both cases they considered that the limits of charity and courtesy had not been observed.

The same was felt by others who sympathised in general with the Committee. One of the most important of these was Dr. Strickland, the ex-Jesuit. Even after the Hammersmith meeting he still hoped that peace might be brought about between the bishops and the Committee, and was working for that end. The following from him to Bishop Sharrock indicates the lines on which he thought that a solution might be possible:—[1]

"I had some discourse with several members of the Committee when in town, Lord Petre, Mr. Fermor, Bishop Berington and Mr. Wilkes. They all seemed willing to make such alterations as were necessary to make [the Oath] agreeable to the bulk of that body of men in whose name they negotiated the business, provided it could be ascertained what changes would produce that effect, and those changes did not materially alter the sense intended by the minister. I have reason to believe that they spoke their real sentiments, and in particular Mr. Fermor assured me that he wished some things were more clearly expressed. In these circumstances, I rather think that when the Committee say that they are too far advanced to recede, they only mean that they cannot entirely withdraw their petition with propriety. But this will not hinder them making the alterations which may be necessary. To me therefore, it appears extremely proper (if I may make use of that

[1] This and the following letter are both in the *Clifton Archives*, vol. iii.

expression) that the Bishops should draw up a letter in answer to that of the Committee, particularising those passages of the Oath which they judge it would be sinful in a Catholic to take. I say sinful, because there are many passages in the Oath which are not pleasing and which I could wish were expunged. But the question is not concerning these passages. It may be unpleasant to take them; but it is still more unpleasant, and in my opinion, much more detrimental to religion, to have all the Penal Laws remain in force against us, which must be the case unless we submit to the conditions required of us."

When, however, the two bishops wrote so strongly, Dr. Strickland confessed that he was pained:—

"Mr. Walmesley's letter to the Committee, which I have just read," he writes, "seems to preclude all hope of reconciliation between him and the Committee. I must own it gave me infinite pain; I could hardly read it without tears. Who can believe that Bishop Berington, Mr. Wilkes, Mr. J. Towneley, Mr. Fermor and the other Gents of the Committee are endeavouring to injure the cause of religion? They have been at much pain and expense to serve that cause, and are men of the most edifying conduct. The imputation is of a grievous nature, and will not without good proof find credit with those who know their character."

Proceeding to consider what the probable outcome will be, he continues:—

"If I may be permitted to judge from what I hear, the Committee will proceed with the bill, after making such alterations in it as will give satisfaction to the greatest part both of clergy and laity; and if the Bill passes in that state, I have little doubt but that nine in ten of all descriptions will adhere to them and take the Oath, which they will then consider as a mere Oath of Allegiance, declaring their religious principles, and in particular the spiritual jurisdiction of the Church, to be in no case irreconcileable with that allegiance. With an Oath of that import only, they will think that the Episcopal or spiritual jurisdiction can have no concern, and if a schism should ensue, it must be attributed wholly and entirely to those who refuse to give that pledge of their allegiance which the Gospel commands, our circumstances require, and common prudence dictates, and who endeavour to hinder others from

giving that pledge by an irregular and unjustifiable extension of spiritual jurisdiction to an object of a nature purely civil."

There were several other protests against the Oath and against the Committee's action similar to that of the Lancashire clergy. One which was printed, is endorsed by Bishop Walmesley with the name "Barnard," from which we may surmise that the latter was the author. Another, more strongly worded, he endorses "Lay Paper". It is dated January 2, 1790, and there is reason to surmise that it was the joint work of Mr. Weld and Lord Arundell of Wardour. But there is no record of either this one or Mr. Barnard's having ever been signed or presented. There was also an anonymous fly-sheet entitled "An Apology for not subscribing to the Oath," dated February 1, 1790, and freely circulated before the meeting of Catholics on the 3rd of that month.

On the Committee's side, Bishop Berington wrote a long and careful answer to the Lancashire clergy. It was never printed; but several copies were made in manuscript, and it was widely read. The most important printed paper on their side, besides their own letter in the *Blue Book*, was an address sent by the priests of the county of Stafford to their bishop, Dr. Thomas Talbot. This was the first corporate act of a group of the clergy who later on acquired unpleasant notoriety under the title of "the Staffordshire Clergy". Yet although their conduct in several instances laid them open to criticism, they were nevertheless men of exemplary life. Their action in the present instance was prompted by loyalty to their two bishops, Dr. Talbot and his coadjutor, who they considered were being hardly treated by their brother bishops. The address was organised by the vicar general, Rev. Anthony Clough, who was stationed at Chillington,[1] in consultation with Rev. Thomas Southworth, the president of Sedgley Park School, and Rev. John Kirk, then chaplain at Pipe Hall, near Lichfield. It was signed by fifteen priests, including the above named, and also Rev. Joseph Berington, the writer. The following is the text of the address:—[2]

[1] Near Wolverhampton, the seat of the Giffard family.
[2] *Clifton Archives*, vol. iii.

"To the Honourable Thomas Talbot.

"My Lord,

"We, the undersigned Catholic Clergy residing in the County of Stafford, at a moment when the minds of many seem agitated, deem it our duty thus to address your Lordship, that the motives that already have influenced our judgments, and hereafter may direct our conduct, be made known to you. But our conduct at all times shall be regulated by your prudent control.

"When the Oath, the present subject of controversy, first appeared, some difficulties, we own, arose in our minds.

"But the liberty we have enjoyed under your gentle and judicious direction permitted us to discuss those difficulties, with cool and temperate minds, uninfluenced by any views but such as the love of truth and order presented to us.

"We had taken the Oath of 1778, and a few months ago, in concurrence with your Lordship, we had signed our names to the Protestation, a solemn Instrument which lies before both Houses of Parliament. It seemed to us that the new Oath did not materially differ from them.

"Deliberately we compared them together, and the result was a conviction on our minds that we who could take the Oath of 1778 and sign the Protestation, might admit the few explanatory words introduced into the new Oath; for the principle and obvious tendency of the three Instruments, in our judgments, were the same. We wish, however, for the peace of others that the Protestation had not in the slightest degree been departed from.

"At this time, an Address to the Catholics of England from the Gentlemen of our Committee was presented to us. We read it; and if any doubts had remained in our minds, they were now completely removed. It told us in what sense the Oath was understood by the framers of it, and what sense it would be proposed to us by the legislature of the country, that a test of civil and social principles was alone demanded from us.

"The names of Gentlemen were signed to this Address of great and high character, whose views to promote our good we know had been most upright, and to whose exertions we felt ourselves much indebted. On the sincerity of their declara-

tions we could rely. But among them, my Lord, were the names of two Gentlemen, whose opinions to us must ever carry great weight. One for his moderate and manly character, your Lordship has chosen to be our future Superior;[1] and the other by his manifold endowments, commanded universal respect.[2] Could we now for a moment suspect that anything adverse to the real interests of religion was designed by such men?

"In the Oath, then, we see nothing demanded from us but a renunciation of tenets which have been falsely imputed to our Church, and which its members have uniformly rejected. This, surely, every state has a right to demand from its citizens; and it may do it in any form of words, provided their legal acceptation be duly ascertained. This, we are assured, is done on the present occasion.

"When the Oath declares that the Church or Bishop of Rome neither has nor ought to have any spiritual authority that can affect or interfere with the ecclesiastical government of this realm as by law established (which we conceive to be the only verbal deviation from the words of the Protestation), we are told that it is only meant to repeat more explicitly the proposition which precedes it, and which all reject; and that by the Ecclesiastical Government as by law established, is understood a branch of the temporal government of the country. But with this temporal government no spiritual authority can have a right to interfere. They are things of different orders, the respective spheres of which should never be confounded. The Catholic tenet which admits the spiritual power of the Pope, and which restrains it, as such, to things of a spiritual nature, is not meant to be affected. That power does not reach to civil concerns; nor can the Church enforce her laws by temporal coercion.

"With regard to the new appellation, 'Protesting Catholic Dissenters' which has offended some, we know that the statutes always adopt a discriminating language: and we are disposed to surrender, for a more just and appropriate name, the odious appellation of Papist.

"As to the provisoes of the bill, we think we cannot dictate to the Legislature how far their indulgence shall extend, and that still we must submit to restrictions.

[1] Bishop Berington. [2] Rev. Joseph Wilkes, O.S.B.

"Such, my Lord, is the candid statement of what has passed in our minds, and of our present conviction, which motives, free from every party view (and which reason, we trust, and conscience must applaud), have contributed to produce. Under this conviction, we judge the Oath not only to be lawful, but that we ourselves should merit reprehension if, when called on by Government to give a test of our civil and social principles, we should refuse to take it.

"And now, my Lord, we will express a hope that our example may conciliate the minds of others, and tend to give us back the blessings of concord.

"With the greatest respect, we have the honour to be

"Your Lordship's most obedient and dutiful servants,

"ANTHONY CLOUGH.
"THOMAS FLYNN.
"GEORGE BEESTON.
"GEORGE MAIRE.
"WILLIAM HARTLEY.
"JOSEPH BERINGTON.
"THOMAS STONE.
"JOHN PERRY.
JOHN CARTER.
JOHN CORNE.
THO. SOUTHWORTH.
EDWARD EYRE.
JOHN WRIGHT.
JOHN ROE.
JOHN KIRK.

"*Jan.* 25, 1790."

In the meantime the Committee had already begun to realise that their only real chance of success lay in arranging some sort of compromise with the bishops. Their attitude is described in a letter from Rev. W. Pilling to Bishop Sharrock in the following words:— [1]

"I had a long debate with Bishop Berington on Thursday. He speaks of the Committee as resolute and determined in their intention of bringing in the bill early in the session. It is, however, agreed that the Oath must be altered. I have by me some corrections by Mr. Butler, which though perhaps in some instances not quite accurate, yet show their willingness to treat upon the business. . . . I asked Bishop Berington if any alteration would be allowed. He answered, 'Let them come forward with the alterations which they demand, and we shall see what can be done'. . . . Some of, I may say, the

[1] *Clifton Archives*, vol. iii.

most learned in London have called on me to see the alterations of Mr. Butler; and although they do not approve of some, and think others defective, they seem to think that all real difficulties would be removed."

The alterations proposed by Mr. Butler became accordingly the basis of negotiation. The chief of these concerned the clause to which, as we have seen, most exception had been taken, limiting the power of the Pope to interfere in matters which might directly or indirectly concern the civil government. This he proposed to restore practically to the form in which it stood in the Protestation:—

"That neither the Pope, nor any Prelate or Priest, nor any Assembly of Prelates or Priests nor any Ecclesiastical power whatsoever can absolve the subjects of this Realm, or any of them, from their allegiance to his said Majesty; and that no foreign Church, Prelate or Priest, or Assembly of Prelates or Priests, or Ecclesiastical power whatsoever hath or ought to have any jurisdiction or authority whatsoever within this Realm that can directly or indirectly affect or interfere with the independence, sovereignty, Laws, Constitution or Government thereof, or with the Rights, Liberties, Persons or Properties of the People of the said Realm or any of them."

In order to arrive at an understanding with the bishops, the Committee invited them to a conference. Dr. Gibson, however, bluntly declined all further dealings with them. He was laid up with gout, and therefore unable to come himself, and he refused to send a deputy. Dr. Walmesley was more obliging, and came to town, together with his coadjutor, Dr. Sharrock. Dr. Thomas Talbot was already there, engaged in winding up his brother's affairs; and Dr. Berington, being a member of the Committee, came as a matter of course. The meeting was fixed for Wednesday, February 3. It was to be an "Open Committee Meeting," and any of the chief Catholics then in town were to be free to attend. Great anxiety was felt as to the result of the meeting, as it was the first time that the vicars apostolic had ever been face to face with the Committee.

The day before the "open meeting," an important gathering of clergy took place at Castle Street, to discuss the whole question, the minutes of which form the celebrated Appendix

IX. of the *Third Blue Book.* Bishop Berington was present, and the names of ten other priests are given as having taken part in the meeting, eight of whom belonged to the London District.[1]

The method followed at the meeting was an unusual one. Questions were put by Bishop Berington to each respectively, while Mr. Archer sat at the table and minuted their answers. The first five questions referred to the Protestation, which all adhered to unanimously. The next was whether in framing the Oath, any essential change had been made. On this there was a difference of opinion, more than half of those present professing to see no difference, while the others considered that the changes were of importance. Then the following words were proposed as an addition to the clause as to the jurisdiction of the Church :—

"Inasmuch as the only spiritual authority which I acknowledge is that which I conscientiously believe to have been transmitted by Jesus Christ to His Church, not to regulate by any outward coaction civil and temporal concerns of subjects and citizens, but to direct souls by *persuasion* in the concerns of everlasting salvation."

This was accepted unanimously, as removing all difficulties in the Oath. Some years later, when these priests were found fault with for subscribing to this clause, they explained that the word "persuasion" was not intended to exclude canonical censures, or the like, but to be a protest against physical coercion. We need not dwell further on the matter at present, however, as the proposed amendment was not taken up, and forms no part of the remaining stages of the controversy about the Oath. We shall have to return to it later on.

The following day the Committee held their "open meeting" at the Crown and Anchor in the Strand. The minutes can be found in Butler, and a short account is given in the *Second Blue. Book.* We cannot but remark on the absence of any

[1] They were Revv. P. Browne, W. Strickland, J. Wilkes, J. Barnard, A. O'Leary, T. Meynell, T. Rigby, C. Bellasyse, T. Hussey and J. Archer. Of these, however, Mr. Barnard took no part in the proceedings beyond avowing his signature to the Protestation, and Mr. Hussey was not present at all. The latter appears to have expressed the same evening his general adherence to the resolutions of the meeting; but there was some misunderstanding about the most important one, for he afterwards declared that he had never seen it.

allusion to Bishop James Talbot, who had been dead only just over a week. His brother, Bishop Thomas Talbot, was present, and the other bishops already specified. The following members of the Committee attended: Bishop Berington and Rev. Joseph Wilkes; Lord Petre, Sir John Lawson, Sir Henry Englefield, Mr. Throckmorton, Mr. Fermor, Mr. Towneley, and Mr. Hornyold. Most of the prominent London clergy also attended, including Rev. James Barnard, the vicar general; Rev. Thomas Hussey, the Spanish chaplain; the well-known Irish patriot, Rev. Arthur O'Leary, who was then also one of the Spanish chaplains; Rev. James Willacy, "Chief Master" of Old Hall Green Academy; Rev. Peter Browne, Dean of the Chapter; Rev. James Archer, the preacher; Rev. Thomas Meynell, afterwards well known for his charitable work on behalf of the French exiled clergy; and Rev. William Strickland, the ex-Jesuit, late President of Liège Academy. Among the laymen who were in town and attended were Lord Arundell of Wardour; Sir Thomas Fleetwood; Sir John Nicholson; Messrs. William Sheldon and Francis Eyre, the future "Mediators"; Mr. Thomas Stapleton, of Carlton, Yorkshire, who was a member of the former Committee; Mr. Henry Clifford, the lawyer of Lincoln's Inn, etc.

As soon as the meeting opened, it was evident that the two vicars apostolic who were present were not of the same mind. The account in the *Blue Book* says that "Bishop Walmesley . . . being urged over and over again to point out the objectionable passages [in the Oath], he declined it, and contented himself with denying to the Assembly any right to require him to inform them of the parts of the Oath he thought censurable or his reasons for thinking them such. The Vicar Apostolic of the Middle District held a conduct totally opposite. He declared his only objection to the Oath was the alteration from the Protestation in that clause that relates to the right of the Pope or the Church to interfere with the temporal or ecclesiastical government of the country, as by law established. That being restored, he declared he should no longer have any objection to the Oath as it then stood."

This was of course the same as Charles Butler's chief amendment; and it was accordingly adopted. A small further change was introduced, by the addition of a few words to the clause

which disclaims any belief in the arbitrary power of the priest to forgive sins, the addition being an insistence of the necessity of sorrow for sin and a determination to avoid it in future.

The Oath thus amended was then put to the meeting, and agreed to almost unanimously, the only actual dissentient being Bishop Walmesley, while Bishop Sharrock, out of loyalty to his chief, refrained from voting. Lord Petre undertook to induce Mr. Mitford to accept the changes voted, and thus the meeting ended. As Bishop Walmesley returned to Bath the following day, he must have felt the gravity of the state of affairs, as well as his own helplessness to remedy it. Yet he never lost hope. "I have asked my Master that this bad Oath may not pass," he would say, "and He will grant my prayer."

In reality, however, even in the South the opinion of Catholics was less unanimous than might have been inferred from the result of the meeting, for many who would have voted against the Oath were not present: in the majority of cases they had not even heard of the meeting, for no invitations were issued. Some of those who were present, also, appear to have hesitated to express their opinions, through anxiety lest the meeting should become clamorous. Thus, for example, Rev. James Barnard, who as temporary ruler of the London District held a prominent ecclesiastical position, immediately afterwards declared against the Oath. And this opinion gained ground almost daily as time went on. In the North both clergy and laity were almost unanimous on that side. The great danger which now seemed imminent, therefore, was a division of Catholics into two parties or factions. The following extract from a letter written by Bishop Sharrock to Charles Butler about a month after the meeting, gives an interesting estimate of the strength of the party opposing the Oath:—[1]

"Though I know not," he writes, "whether the Committee of the Catholics intend to bring their bill into Parliament this session or not, I take the liberty to trouble you, actuated by the concern which the melancholy situation of our affairs gives me. It appears to me that we are much divided, and indeed more so than many are aware of. . . . The Vicars Apostolic of the Western and Northern Districts disapprove of the Oath, even after the alterations of the 3rd of February. I believe I

[1] *Clifton Archives*, Supplementary Volume.

may safely say that a great majority of their clergy will adhere to them. The person vested at present with the chief ecclesiastical authority in the London District[1] unites in sentiment with the above named Vicars Apostolic. Several distinguished clergymen of the London and Midland Districts within the very narrow circle of my acquaintance reject the Oath likewise, and this gives me room to presume that others in these Districts will also reject it. I have not heard what is said of it at Liège, but in France and the Low Countries, as well as at Rome, I hear that our clergy in general condemn it, perhaps I might say unanimously. This weight of authority will undoubtedly have its influence among the lay Gentlemen, and will be strengthened by the opinion of the Bishops in Scotland, if I mistake not; by the positive declaration of the Archbishop of Cashel that he never did nor could approve of the Protestation, that it is dissonant to our religious creed, and that he has not heard that any Prelate in Ireland has approved of it. . . ."

During all this time, a war of pamphlets was proceeding, and they followed one another in quick succession. The Rev. W. Pilling, O.S.F., began with *A Dialogue between a Protesting Catholic Dissenter and a Catholic*, the nature of which is evident from the title. The contents were expressed in his usual strong language. He was answered by Rev. Joseph Reeve, an ex-Jesuit, chaplain to Lord Clifford at Ugbrooke. He espoused the side of the Committee throughout their transactions. He says in his preface that he has had access to the original documents, and, indeed, his pamphlet betrays the fact that it was practically the work of Charles Butler. Several long passages are almost identical with the corresponding passages in the *Red Book*, the same passages being afterwards transferred to the *Historical Memoirs* published by Butler thirty years later. In describing the meeting of February 3, he asserts that the Oath was "unanimously agreed to, with the sole exception of one dissentient voice"—a strange want of candour betraying him to omit the circumstance that the dissentient voice was that of Bishop Walmesley, the senior vicar apostolic, and his own bishop. Later on, also, he shows remarkable confusion of thought, being apparently unable to

[1] Rev. James Barnard.

distinguish between Infallibility and Impeccability. The following are his words:—

"We acknowledge in the Pope no Infallibility whatever. In his words, in his actions, in his writings, in his mandates, in his public and private transactions with men, we believe him fallible like other Princes, liable to passion, to error and mistake. Catholics are not such idiots as to think any man whatever impeccable on earth, nor yet such bigots as to fancy that an order from the Pope to do an immoral or dishonest action can be binding in any case whatever, not even under the colour of its being done for the good of the Church. Far from obeying, in that case they would think themselves bound to resist the Order, nor do they apprehend that their resistance could subject them to any punishment whatever."[1]

The author of the dialogue promptly answered with *A Letter Addressed to the Reverend Mr. Joseph Reeve*, in which he argues once more in a tone more harsh than convincing. He expresses his conviction that all the opinions of a world of laymen "should not weigh a grain of sand in your mind against the dissent of your Bishop"[2]—an argument which might easily have been retorted against the author himself had he found himself then, as he did afterwards, a resident in the Midland District, where both bishops were in favour of the Oath. The pamphlet of the Rev. C. Plowden is better reasoned, though quite as harsh in tone. A pamphlet called *A Second Apology for Disapproving of the Oath*, published in April, 1790, was the work of Rev. Joseph Strickland, a relative of the ex-Jesuit.

Bishop Walmesley thought that notice ought to be taken of the pamphlet of the Rev. Joseph Reeve, in view of his position as a priest of the Western District; for he was defending an Oath which had been condemned by authority, of which condemnation the Holy See had recently definitely approved. He communicated with the Rev. Thomas More, the Jesuit ex-Provincial, who in turn communicated with Mr. Reeve. The latter contended that the Oath which he defended was an amended oath, and not the same that had been condemned; but as Bishop Walmesley refused to accept this explanation, considering that the changes made were not substantial, Mr. Reeve finally

[1] *A View of the Oath*, p. 46.
[2] *Letter to Rev. Joseph Reeve*, p. 15.

retracted his pamphlet, and authorised Mr. More to make this known.

In the meantime, public affairs had taken a new and unexpected turn. Notwithstanding the continued efforts of the Committee, the Catholic question was postponed, a result which may well be looked upon as a special providence; for had the bill run its course that year, there would have been no one to organise any opposition to the Oath as it then stood, and there can be little doubt that a very critical state of Catholic affairs would have been brought about.

It is not entirely easy to say what came in the way of the bill. Charles Butler and Milner both observe a complete silence and there is no allusion to it in Hansard. The only account we have is in the *Third Blue Book*, in the following words:—

"[The Bill] was received by the House in the most favourable manner. That the Catholics were deserving of relief; that relief ought to be granted to them; that it should then be granted to them,—was most emphatically and most eloquently declared from every quarter of the House. In two points only there was a difference of opinion;—whether the form of the bill was proper—and whether the Oath it contained should be continued or altered or entirely rejected and another substituted in its stead? That the form of the bill should be altered seemed the general opinion. To this, besides other objections, there was that of the delay which it would necessarily occasion: but the opinion for an alteration prevailed. The bill was therefore altered, and in this its altered state, it approached very nearly to the form in which we had first drawn it." [1]

This explanation of course accounts for the bill not having been introduced so early as had been expected; but its final postponement to the following session was probably due to another cause, namely the fate of Fox's motion in favour of the Protestant Dissenters. This question had been brought forward the previous year, as we have seen, by Mr. Beaufroy, and the fact that his motion had been defeated by only a small majority made the Dissenters hopeful. Fox undertook to bring their case forward. His motion was simple and drastic—for the full repeal of the Corporation and Test Acts—and he

[1] *Third Blue Book*, p. 7.

proposed it in the name of religious liberty. Butler points out as a significant fact that the petition of the Dissenters had been so drawn out as to include the Catholics in the benefits they asked for, and of course Fox's motion would have benefited them equally with the Dissenters. The date fixed for the motion was March 2. Charles Butler says that it attracted the fullest house for some time past. We are told that Fox made one of his best speeches, and he was seconded by Sir Henry Houghton; but both Pitt and Edmund Burke opposed him, and after an animated debate, the motion was lost by 204 to 105.

After this, it was naturally considered advisable to postpone the bill in favour of Catholics to the following year, before which time there had been a general election. Dr. Walmesley attributed this postponement to the prayers which he had caused to be offered up. He wrote to Mr. Fermor and Sir Henry Englefield in that sense, as follows:—[1]

"SIR,

"The proceedings of the Committee, you see, have not met with the expected success. The Divine founder and Governor of his Church has interposed, and stopt the Oath and bill, which would have proved injurious to his honour and His Church, and been productive here of a schism. He told His Apostles here, If you shall ask me anything, in my name, I will do it. (John xiv. 14.) Grounding my confidence on that promise, I entreated Him very earnestly (and others joined with me) to take the affair into his own hands, and to direct it; and indeed he seems to have heard our prayers. His hand is all powerful, and indeed it came to our assistance.

"Your obedient humble servant,

"CHARLES WALMESLEY.

"*May* 13, 1790."

At the annual general meeting of English Catholics, held on May 6, there was therefore little business to transact. Bishop Thomas Talbot was elected a member of the Committee in place of his deceased brother, this being no doubt intended as a compliment, in recognition of his kind attitude towards

[1] *Clifton Archives*, vol. iii.

the Committee; for it was not likely that he would ever attend the meetings. The meeting passed a vote of thanks to Mr. Mitford, for what he had already done to serve the Catholics, and the Committee were formally instructed "to go on with the Bill in its present state".

Parliament was dissolved on June 20. As a result of the general election in the autumn, Pitt continued in power, with an increased majority, and in the session of 1791 the Catholic Relief Bill was introduced into the House; but by that time a new bishop had been elected, and the Catholic body were in a position to make their voice heard independently of the Committee.

CHAPTER XII.

ELECTION OF DR. DOUGLASS AS VICAR APOSTOLIC.

1790.

It may at first cause surprise to hear that there was no recognised method of procedure for electing a new vicar apostolic. For many years the Stuart claimant to the throne continued to exercise his privilege of nomination. This claim was recognised until the death of the "Old Pretender" in 1765, by which time the restoration of the Stuart family was no longer a factor of practical politics. From that time the election of the English bishops was left entirely in the hands of the Congregation of *Propaganda*. Its members had of course to take some steps to inform themselves as to the suitability of the various candidates; but it rested entirely with them to decide what measures they should adopt. In the great majority of instances the reigning vicar apostolic applied during his lifetime for a coadjutor, who succeeded immediately after his death. Thus, in the London District there had been no election during a vacancy within living memory: the last one had been in 1703. Hence there was some doubt how to proceed. By the Constitution of Benedict XIV. then in force, the vicar general of the deceased bishop became administrator during the vacancy, and accordingly that position was assumed by Rev. James Barnard, upon whom it thus devolved to inform Propaganda formally of the decease of Bishop Talbot, and to take whatever other steps were required for presenting names from which to choose his successor.

The situation became complicated by the action of the Committee. Immediately on the death of Bishop Talbot, they saw their opportunity. If only they could succeed in obtaining the transfer of Bishop Berington to London as the new vicar apos-

tolic, the influence and power of their party would be permanently established. To this end, therefore, they directed all their endeavours during the next few months. For several reasons, under ordinary circumstances, it would have seemed a very proper appointment. Being an Essex man by birth, Bishop Berington naturally belonged to the London District. He had been chaplain at Ingatestone Hall, and was well known to the majority of the London clergy. Many of them were favourably disposed towards him, and wished to have him for their new bishop, not only for personal reasons, but also because they believed that such an appointment would be for the good of religion. In some cases this was a sign of their being in sympathy with the Committee; but in others it was because Bishop Berington was believed to be a mild, peace-loving prelate, who would be more likely than any other to re-unite the two parties, and restore peace to the Catholic body. A certain number, however, saw further into the future, and realised that the election of Bishop Berington would mean the triumph of a party, with results which they hardly dared to contemplate. To them it was clear that the proposed nomination must be opposed at all costs.

It was evident, therefore, that if the question came before the clergy, there would be a contest. But further than that: many of the priests had imbibed the notions put before them by Mr. Throckmorton and others, that they had a right to some voice at least in the nomination, and they proposed to hold a meeting to discuss the question. Mr. Barnard, therefore, in his letter to Rome, asked for guidance, in case the clergy should wish to make any recommendation. Mgr. Stonor's answer, dated February 24, 1790,[1] shows the method of procedure naturally expected:—

"In regard to providing a successor to Mr. Talbot," he writes, "I am persuaded the Congregation will proceed with its usual caution and mature judgment, and proceed to no nomination till they know what is the sense of the Apostolical Vicars and heads of the clergy on the subject. I am sorry you are not like to be unanimous. In case of a scissure, the sentiment of the Apostolical Vicars will doubtless be of the greatest weight: and that the Congregation may easily be

[1] See note, p. 196.

made sensible of. But as for a right of election, or even formal presentation, it is what we cannot pretend to. A recommendation of three or four proper subjects is what has always been sent hitherto. I hope those worthy prelates will proceed in the same way in the present case, and make no doubt but that due regard will be had to authority of so much weight."

Before the above letter arrived, the clergy had already held a meeting. On Thursday, February 18, at the conclusion of the *Requiem* for Bishop Talbot at Lincoln's Inn Fields, they adjourned to 4 Castle Street for that purpose. Thirty-nine priests were present, and twenty-one others voted by proxy, making a total of sixty priests represented—almost, if not quite, all the priests in the district.

At the beginning of the meeting, the Rev. James Barnard announced that in his last will, written with his own hand, and signed on August 2, 1788, Bishop Talbot had requested that Rev. Richard Southworth, of Brockhampton, near Havant, should be recommended to Rome for his successor. This was evidently unpopular with the clergy, and a resolution was passed requesting Mr. Barnard, when acquainting Propaganda with this fact, to add also that at a later date Bishop Talbot had communicated with the Rev. John Douglass, with a view to obtaining his appointment as coadjutor with right of succession. They then proceeded to their "election," and chose Bishop Berington by thirty-nine votes out of sixty. Two other names were added, as the result of further voting—Revv. John Douglass and Peter Browne. The clergy did not go so far as to claim any right of final choice, but contented themselves by sending these three names as recommended by them, for the favourable consideration of Propaganda. They felt so confident of success, however, that they sent a deputation of their own body to inform Bishop Berington of what had taken place, and also to Bishop Thomas Talbot, whom the proposed measure would much concern. He was at that time still in London. Though naturally averse to losing his coadjutor, he was still more so to taking any part in the dispute: he contented himself therefore with sending the account of the "election" by the clergy, and a certificate that "the account and statement of the late general meeting is a very impartial and true one, and may be entirely depended upon".

The whole proceeding just recorded, from first to last, appears to us strange; but in the absence of any fixed method for recommending candidates, it does not seem to have been generally viewed askance. The main object aimed at, the election of Bishop Berington, was afterwards all but attained, and the recommendation of the clergy was in fact an important factor in the decision ultimately arrived at.

Important steps were also taken by the laity to secure the same end. Immediately after the clergy meeting, the Committee prepared a letter to Cardinal Antonelli, Prefect of Propaganda, which they were fortunate enough to be able to forward that very evening, for it was the day for the foreign mail, which then went only once a week. Mr. Barnard's report did not go till the following week, and the Committee had every hope that being first in the field they would secure their wishes before there was time for any effective opposition on the part of any of the bishops. The Catholic peers addressed a memorial to the Holy Father himself. Mr. Thomas Clifford of Tixall (afterwards Sir Thomas Clifford Constable), who was then in Rome, undertook to deliver it; but acting on advice, he waited instead on Cardinal Antonelli. The latter was very affable, and gave many assurances, though incidentally he criticised the action of Bishop Berington with respect to the Protestation and the Oath.

In the meantime, the report of the "election" of the London clergy was transmitted to Rome, and brought before Cardinal Antonelli. Apparently he was at first undecided as to what view to take of their action, but gradually became converted in their favour, as the following correspondence will show. In his first answer to Mr. Barnard, Mgr. Stonor reported that he had informed Propaganda of what had taken place, when "Antonelli replied that this pretension to an election was a novelty, and that the congregation proceeded chiefly on the recommendation of the Apostolical Vicars, and therefore expressed a strong desire that those Prelates would without loss of time send to the Congregation a recommendation of three or four subjects that they think proper for the important charge; on which occasion it is usual to mention in a few words the age and qualities of the person proposed. I hope you will be so good as to signify this to our Bishops, and beg their speedy

concurrence in an affair of so much importance to the public good. Mr. [Thomas] Talbot's District being the nearest to that of London, his opinion will probably be of greatest weight. . . . If you think proper to write also in your name and that of your London brethren, I make no doubt but that proper regard will be had for your opinion."[1]

In another letter, dated March 30, 1790, addressed to Bishop Gibson, Mgr. Stonor speaks more definitely:—

"I answered [Mr. Barnard] a fortnight ago that this was not the proper method of proceeding in the present case; but what the Congregation principally, if not solely regarded, was the recommendation of the Apostolical Vicars. . . . A letter from Mr. Barnard in ye name of his London Brethren would be also of weight, but then he must be careful to avoid the word 'election': those of Petition and Recommendation give no offence."[2]

This was almost the last official letter written by Mgr. Stonor. His health had been breaking for some time past, and after more than forty years of active service in his capacity as agent to the English bishops, he naturally felt that he had earned his retirement. When Dr. Gregory Stapleton came to Rome in 1787, in charge of Mgr. Stonor's two great-nephews, he was asked whether he would like to accept the position of English agent, and seemed inclined to agree; but the scheme was prevented by his appointment as President of St. Omer that same year. After some correspondence, the Rev. Robert Smelt, a priest from the Midland District who had been educated in Rome, was chosen for the post. He arrived in the spring of 1790. The report he gives of his first interview with Cardinal Antonelli is interesting as showing how the latter viewed the state of our affairs at that time. Mr. Smelt writes on April 8, 1790, as follows:—

"I informed Cardinal Antonelli of the method used at the meeting in London; he said it was novel; nevertheless he approved of it, not seeing any other in the present circumstances. I told him the names of the candidates, &c. and the reason why they were not formally presented. He enquired how long Mr. Talbot's will was made prior to his death. On hearing two years, he instantly rejected Mr. Southworth, saying there was

[1] *Ushaw Collections*, ii. [2] *Ibid.*

time more than sufficient to publish his intention and send a postulation hither. To Bishop Berington he had some objections. Being already fixed, why should he be removed? Besides, his name was among the Committee, whose proceedings he had procured from England, and had them translated into Italian. It is true upon enquiry Mr. Berington was not the author. Mr. Berington, he said, must be much beloved by his brethren to have two-thirds of their suffrages. To the other two he said nothing; but when the Postulation came to proper form, it would be laid before the Congregation of Propaganda." [1]

Cardinal Antonelli himself wrote to each of the three vicars apostolic on March 20, asking for their views. Thus the business was then in the same stage as immediately after Bishop Talbot's death, and the efforts to secure Bishop Berington had apparently only resulted in the delay of two months in the election. But in reality, more progress had been made than appeared on the surface. An impression had undoubtedly been created in favour of Bishop Berington, and although the part that he had taken in the Committee's action stood in his way, this was not considered an insuperable objection.

In reply to Cardinal Antonelli's letter, Bishop Thomas Talbot contented himself with a few words on the three candidates selected by the London clergy. He wrote as follows to Bishop Gibson:—

"If this election should be set aside, it would be very agreeable to me, but will not be so to the Gentln. of the London District, who seem to have set their minds much upon Mr. Berington, and in my mind, where clergy and laity agree upon ye same person, and who are well acquainted with him and his sentiments, I can see nothing ridiculous in consenting to his nomination. I have nothing at all to say against Mr. Douglass, and have signified to Propaganda that I think all three are men of merit and virtue." [2]

Bishop Walmesley sent an independent *terna*,[3] Rev. Gregory Stapleton, Rev. John Douglass and Rev. Richard Southworth,[4]

[1] *Ushaw Collections*, ii. [2] *Ibid.*

[3] This is a technical term indicating a list of three names from which one was to be chosen.

[4] These three names are taken from Bishop Walmesley's own copy of his letter to Cardinal Antonelli. The report current in Rome that he had recommended Rev. James Barnard in the first place must have been inaccurate.

the last-named being of course the priest mentioned in Bishop Talbot's will. Considerable further correspondence passed with Cardinal Antonelli on the subject of the Oath and the late events connected with the Committee, and Bishop Walmesley learnt with great satisfaction that the question having been carefully examined, his own conduct had met with approval, and a formal condemnation of the Oath had been decided upon by Propaganda, and confirmed by the Pope himself.

In the meantime the Catholic laymen continued to press the claims of Bishop Berington. A second memorial, signed by the baronets as well as the peers, was forwarded by the nuncio at Paris, who had received it from the Spanish Ambassador in that city. This suggests that it may have been arranged by Dr. Hussey, the Spanish chaplain in London, who was in close sympathy with the Committee. However this may have been, certain it is that the Spanish support introduced a new and very powerful factor into the petitions for Berington's appointment, which for a time seemed on the point of success. Rev. Robert Smelt wrote in this sense on April 8. "How the first Memorial will succeed," he wrote, "I cannot pretend to say; but if the other is effectually supported by the Spanish interest (of which I have some doubt), the memorialists will probably obtain the prayer of their petition. . . . Spanish interest is very powerful here, indeed the only one that prevails. It is the only country except Portugal that is not, at least in some degree, at variance with this court; for this reason, great attention is paid to the Spanish minister, who is said almost to command what he pleases." [1]

Lord Petre was particularly active in Bishop Berington's favour at this time. Early in May he induced Bishop Thomas Talbot to write to Bishop Walmesley begging him to petition Rome for the appointment of Berington, and he followed this up by writing himself to the same effect. No doubt he thought, and probably with truth, that at the stage at which the negotiations had arrived in Rome, a letter from Bishop Walmesley would be decisive. He therefore wrote as urgently as he was able, using language which appears, to say the least, unseemly.

"The minds of men," he writes, "are not in these times disposed to submit to any unnecessary punctilios of the Court

[1] *Ushaw Collections*, ii.

of Rome. If that Court is not sufficiently sensible of the delicacy of her situation, and makes difficulties with regard to the propriety of the clergy recommending that person whom they judge most proper to be their Bishop, and apply to another channel for their information and recommendation, prudence and wisdom would most certainly dictate the second recommendation to be conformable to the first; and agreeable to the wishes of those most immediately concerned."

Further on in the letter, he became still more threatening :—

"My Lord, I am not a new man in the ways of business, and some experience has enabled me to see and foresee. My time and purse have always been ready to come forwards in the support of Catholicity; but if they are to become the sport of Romish punctilios and lust of power, they must be directed to some other line, where I trust in God they will not be improperly employed, though not directly in support of the unreasonable interference of the Court of Rome in this country." [1]

Bishop Walmesley was not the man to be intimidated by language of this kind, even though Lord Petre should carry out his threats—which in fact he did a little later, by withholding the annual pension of £50 which he was accustomed to give to the vicar apostolic of the Western District. However, Bishop Walmesley replied simply that he had already sent his recommendations to Rome, and it only remained to pray that Propaganda might make a wise choice, which should prove to be for the benefit of religion.

It now remains to speak of Bishop Gibson's answer to Cardinal Antonelli, which was a request to be allowed a little time for consideration. The time he asked for was given him, but was never used for the purpose for which it was asked; for immediately afterwards Bishop Gibson's gout returned to him in an aggravated form, and after a short illness he died at Stella Hall, on May 19, 1790.

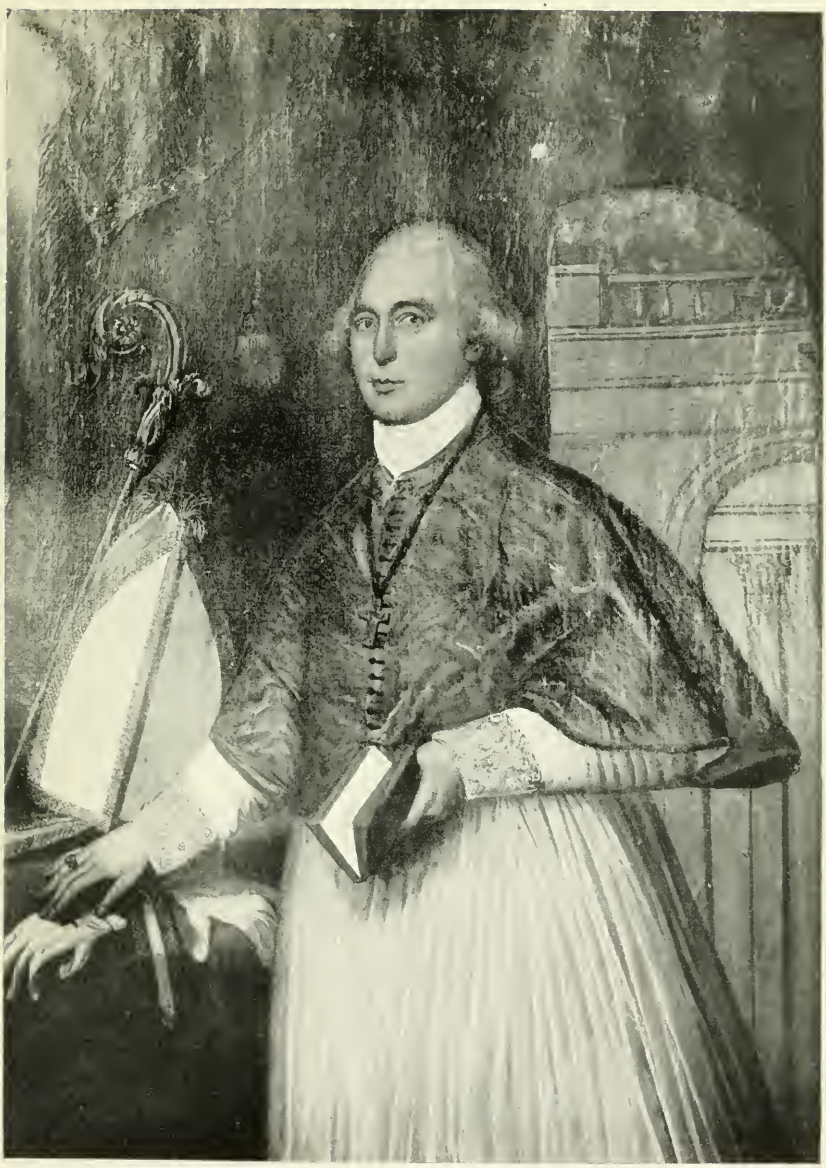
The state of the English Catholics was now critical indeed. There were only two vicars apostolic left, and Bishop Walmesley was practically alone on the orthodox side. Dr. Sharrock, his coadjutor, was inclined to be on the side of the Committee, Bishop Berington being of course openly so.

[1] *Clifton Archives*, vol. iii.

It became a matter of the most urgent importance that the nominations to the two vacant districts should be hastened forward with all possible speed.

Bishop Matthew Gibson had partially foreseen the danger, and had left a sealed letter containing, it was understood, a recommendation as to his successor. His instructions were that it was to be forwarded to Bishop James Talbot, or, in the case of his decease, to his brother Thomas Talbot, who was to open it and send his recommendation to Rome. The names recommended turned out to be Rev. Robert Banister and Rev. Thomas Eyre; but it soon transpired that the person whom the late bishop really wished to recommend was his brother, Rev. William Gibson, the President of Douay. In fact, it appeared that he had already asked his brother to become his coadjutor, and the latter had consented to accept the post as soon as affairs at Douay became sufficiently settled to allow of a change of president. Bishop Matthew Gibson had thought that a request for his brother would come with a better grace from some one else, and the Bishops Talbot had jointly undertaken to propose the measure to Rome in the event of his death.

Bishop Thomas Talbot accordingly sent the recommendations of the late bishop to Rome; but when asked by Antonelli for his own recommendation, he betrayed the fact of having fallen under the influence of some of the Committee party, for he exhorted the Northern clergy to emulate the example of their London brethren, by making a recommendation of their own. The Rev. John Chadwick, the vicar general, had apparently formed a similar scheme independently. In view of the clergy living so far apart as to make a meeting very difficult of arrangement, he wrote, requesting each to send the name of the person whom he wished to vote for, to Bishop Talbot in a sealed packet which no one but the bishop would open. The Northern clergy in general, however, were not much influenced by the new opinions, and very few of them complied with his request. Rome did not hesitate long before arriving at a decision. The recommendations of the late bishop were received by the end of June, and as Bishop Walmesley had also put Rev. William Gibson in the first place, his election was decided upon by Propaganda at their meeting on July 19.



Bishop William Gibson,
Vicar Apostolic of the Northern District, 1790-1821.

The contest about the London District, however, continued. A pamphlet had been recently published entitled *A Letter Addressed to the Catholic Clergy of England on the Appointment of Bishops, by a Layman.* The authorship was afterwards acknowledged by Mr. Throckmorton, and indeed no one else could have written such a pamphlet. To us, indeed, the effect is only amusing, but in the existing state of Catholic feeling there was a serious side to it. The writer contends that all Papal nomination to bishoprics is grounded on abuse, and upbraids the London clergy, who after holding a meeting and electing their candidate, added two other names, and remitted all three to Rome, for the Holy See to choose from. In this he trusts that the Northern clergy will not imitate them, and he calls upon the priests, both of North and South, forthwith to meet and make a final "election". More than this, having conceived the idea that the election of bishops is not valid unless acclaimed by the voice of the people, he concludes that Dr. Thomas Talbot and Dr. Walmesley are bishops without the power of the keys, and suggests as a remedy that the clergy should now proceed to elect them, not as vicars apostolic, but as Bishops of the Midland and Western Districts respectively.

"Do you" (he writes), "in conjunction with the laity of your respective Districts assemble, and choose for your Bishops the persons who now, by a lamentable abuse, preside over you, in virtue of an authority delegated to them by a foreign Prelate, who has no pretensions to exercise such an act of power. They are Bishops of Sees where they have no faithful, you are bodies of Faithful without Bishops. By the laws of the Church they may be elected by you for [your][1] Pastors; they will not fail to accept of the office. They are now aliens, you will make them Englishmen; they are dependent, you will make them free; they are foreign emissaries, you will transform them into English Bishops: they must rejoice in the change."[2]

The remainder of the thirty-nine pages to which the pamphlet runs is in much the same strain. The writer contends that it was not until Rome claimed the right of nominating bishops that the oath which they now take at their consecra-

[1] This is apparently what is intended, though the word "your" is misprinted "their," which makes no sense.

[2] *A Letter*, etc., second edition, p. 22.

tion was required of them, and he denounces it as incompatible with their duty to their country. He concludes as follows:—

"If after this examen, you are convinced that the election of Bishops by Clergy and Laity is a rule of the Church, that the existence of titular Bishops is an abuse which ought to be removed, and that the Oath taken by Bishops at their consecration is a violation of the freedom of the Church and of the duty that we owe to society; I trust you will not permit human motives, the fear of thwarting the prejudices of individuals, nor an indolent acquiescence in established abuses, to prevent your compliance with so indispensable a part of your duty, as is that of preserving your religion free and untainted."[1]

This remarkable pamphlet brought forth at least three replies, Dr. Milner wrote *The Clergyman's Answer to the Layman's Letter on the Appointment of Bishops*, in which he contends that the most that the Church has ever allowed has been a negative or restrictive voice on behalf of the clergy or people. Dr. Strickland wrote a pamphlet, which he published anonymously, entitled *Remarks upon a Letter on the Appointment of Bishops, by a Clergyman.* Lastly, the Rev. Charles Plowden wrote a special appendix, which he inserted at the end of his work entitled *Considerations on the Modern Opinion of the Fallibility of the Holy See*, which was just coming out as one of the fruits of the controversy about the Oath.

Mr. Throckmorton issued a second pamphlet five months after the first, dealing with those who had answered him. The second produced only one reply, by Dr. Milner, the full title of which was *The Divine Right of the Episcopacy Addressed to the Catholic Laity of England, in Answer to the Layman's Second Letter to the Catholic Clergy, with Remarks on the Oaths of Supremacy and Allegiance.*

But in truth, his opponents were taking Mr. Throckmorton too seriously. The lengths to which he went in his pamphlet effectually precluded him from having many followers, and the English Catholics were far too orthodox to be led astray by such opinions. It has often been remarked that when other methods fail, a powerful weapon may be found in ridicule. This was tried in the present case. A circular was published professing to be an appeal to the Committee from "the Ladies,

[1] *A Letter*, etc., p. 38.

Widows, Wives and Spinsters, House-keepers, Cooks, House-maids and other Female Persons professing the Roman Catholic Religion," claiming that they too should have a voice in the election of bishops. They plead that they "constitute one half of that flock, and have given birth to the whole," so that it is a manifest injustice to exclude them from any share in the government thereof, while up to the present they have been "excluded from every duty of the sanctuary except that of sweeping it". And they trust that "when Bishops shall be chosen dependently on their sex, their Lordships will make rules for the Lenten season more suitable to domestic economy" than those which then obtained. Finally, their conclusion is worded similarly to Mr. Throckmorton's :—

"They trust that you will not permit human motives, the fear of thwarting the prejudices of individuals, nor an indolent acquiescence in prevalent abuses to prevent your compliance with so indispensable a part of your duty as that of preserving the rights of one half of the Catholic body free and untainted." [1]

Mr. Throckmorton's pamphlet was read in Rome, and, needless to say, caused a very unfavourable impression. The following letter of Rev. R. Smelt not only describes the state of feeling in the Eternal City, but gives a curious insight into the kind of summary action which was then possible :—

"The proceedings of our people in England have given great offence here," he writes. "Most of the pamphlets lately published found their way to Rome. Cardinal Antonelli got them translated into Italian. The Pope has seen them, and is much displeased, in particular with the 'Layman's Letter,' where he is called 'a foreign Prelate'. An accident lately happened which gave him an opportunity of showing his displeasure to our nation. At the conclusion of the scholastic year in the University, a gold medal is given as a premium for the best Theological Disputation on a particular subject—this year it was 'Utrum Concilia Generalia sunt simpliciter et in re necessaria'. Four of the English College, who had finished the first year's Divinity, concurred [2] with the others. The persons who decide on the merits of the Compositions objected against some of the expressions in two of the English; one contained the

[1] This circular is printed in full in Appendix F, and will well repay perusal.
[2] *I.e.*, competed. The exercise is known in Rome as a *Concursus*.

following:—'Theologi Scholae Gallicanae dicunt &c.' The other, 'Episcopus in sua Dioecesi est judex de controversiis fidei'. The words 'Curia Romana' were deemed insulting, and 'Episcopus &c.' too near allied with the doctrine of the present Bishop of Pistoia in Tuscany, whose synod is under condemnation here. These two dissertations were carried to Cardinal Zelada, the Secretary of State who presides over the University. He showed them to the Pope, who already out of humour with the English, was easily persuaded by some officious people about him that they were propagating their new doctrine under his very nose: in consequence the Secretary of State sent an order to turn them out of the College immediately. Cardinal Corsini, the Protector, endeavoured to compromise the affair, offering to send them to finish their studies at Perugia, a hundred miles distant, at the expense of the College, but the [Pope] answered, 'No, no. Out of my dominions, out of my dominions!' So they were dismissed after thirty-six hours' notice. However, Corsini behaved genteelly and ordered them credit at Leghorn for money, clothes and whatever else they wanted. This proceeding is universally condemned as unjust and cruel. It affected Mr. Stonor so much that he was considerably worse than usual for some days."[1]

We can now conclude the narrative of events connected with the election of a bishop for the London District. For a time it appeared almost certain that the Committee would obtain their desire, and that Bishop Berington would be appointed. Mgr. Stonor wrote a ten-page memorial in his behalf, and Rev. Robert Smelt spoke in the same sense. It was urged in favour of the appointment that Bishop Berington was a *persona grata* to both clergy and laity, and that his presence would be likely to heal the dissensions then prevalent; while Rev. John Douglass was comparatively little known in London. Matters were hanging in the balance, when Cardinal Antonelli wrote to Bishop Walmesley, as senior vicar apostolic, to ask his advice. He answered on July 21, pleading once more against Bishop Berington, giving as his reason the whole history of late events connected with the Committee and the Oath, of which he reminded Antonelli. A further letter followed, under the joint signatures of Dr. Walmesley and Rev. William Gibson, the

[1] *Westminster Archives.*

bishop-elect, dated September 9. In this the suggestion was put forward that in the event of the Rev. John Douglass finding really serious difficulties on his arrival in London, Mr. Gibson would not be afraid to change districts, and himself face such difficulties.[1] A decision was come to by Propaganda before the arrival of the last letter. Dr. Douglass was in fact appointed on August 22; but the appointment was held back for a time, and not finally confirmed until September 15.

As soon as the news of the nomination of Dr. Douglass reached London, the indignation of the Committee party was extreme. The peers had never had either answer or acknowledgment of their own memorial, and at this very time Lord Petre was urging Mr. Barnard to call another meeting of the clergy, with a view to sending a further memorial, when the unwelcome news arrived. The first intention of the Committee was to refuse to acknowledge the new bishop. A deputation to Rome was arranged. The Rev. Thomas Hussey undertook to go, and full instructions were drawn out for his guidance. Dr. Milner, writing with a manuscript copy of these instructions before him, says that Mr. Hussey was "to protest against the appointment which (they apprehend) may have taken place, and which, they add, is as easily revoked as made". He also says that in this document "the subscribers claim an absolute right, on behalf of the clergy, to choose their prelates; and declare those appointed to be 'obnoxious and improper,' threaten to withdraw pecuniary supplies of the mission, and pronounce the object of their choice to be a paragon of all the virtues they number up, 'beloved of God and man'".[2] Lord Clifford, who was then in Rome, assured the authorities that if the election of Dr. Douglass were persisted in, none of the

[1] Bishop Walmesley's copies of these two letters are among the *Clifton Archives*, vol. iii.

[2] *Sup. Mem.*, p. 71. Milner assumes that these instructions refer to the same occasion as those printed by Butler (*Hist. Mem.*, iv., p. 40), and accuses the latter of falsifying the minutes on this and other occasions. It will be seen from what follows that the instructions printed by Butler were those passed at a subsequent meeting, when the first ones were revised and altered. The original of the instructions as finally passed, with the actual signatures of the members of the Committee attached, is preserved at the British Museum, bound in the same volume with the Minutes of the Catholic Committee. Both were presented to the Museum by Charles Butler a few years before his death. The instructions agree in every respect with those printed in the *Historical Memoirs*.

Catholics of London would hold any communication with him. Mr. Henry Clifford wrote a pamphlet which he entitled "Reflections on the Appointment of a Catholic Bishop to the London District," in which he declared his determination to move at the next general meeting that "No other person but Dr. Berington should be acknowledged as bishop of the London District". "Reject the nomination of Mr. D.," he wrote, "refuse to acknowledge him as your Bishop; name Mr. Berington for your pastor; claim him as your own; deny obedience to the mandates of any other, and protest against his proceedings." In the course of his argument, he takes notice of the petition of the cooks and house-maids, and with a curious want of humour, inveighs in bitter language against those whom he calls the "Bishop-making Ladies":—

"The lower part of the female sex was very instrumental in accomplishing the French Revolution. Women procured the Royal sanction to the Decrees of the National Assembly, and had a considerable share in promoting their ecclesiastical reform, and in bringing about the changes which were made in the religion of the State. But is this example to become a precedent? Are we to be guided in our religious concerns by a few despicable females, who by a lame imitation of the fishwomen of Paris, are become the opprobrium of their sex and the disgrace of their religion?"[1]—with a good deal more of the same quality.

The opposition to Dr. Douglass seemed at first likely to spread. Just, however, when it was beginning to assume serious proportions, the whole movement suddenly collapsed, owing to the unexpected action of Bishop Berington, who with straightforward common sense repudiated all pretension to the post of Vicar Apostolic of the London District. He had the following circular printed and distributed:—

"GENTLEMEN,

"The dissensions which have lately prevailed amongst us have, from the first commencement, given me real concern. The desire of putting a final period to such disedifying contests, and the approbation of my general conduct at your late election of a Bishop, induced me, much against my inclinations, to

[1] *Reflections*, etc., p. 63.

submit to the weighty charge if canonically imposed upon me. The affair has terminated, I believe, contrary to your wishes, but much to my satisfaction. The supreme Pastor of the Catholic Church has imposed the burden upon a person who was honoured with a considerable number of votes at your late election, whose merits, of course, are not unknown to you. Mr. Douglass is a clergyman endowed with considerable abilities, much piety, of an universal good character, good sense and prudence, whose views will be solely directed to promote the good of religion, and merit your warmest approbation. I must therefore beg leave to intreat you, by all that is dear to you, by your well-known zeal for religion, by your desire of promoting peace and concord &c. &c. &c. to grant him that same hearty concurrence and generous support which you so liberally promised to,

"Gentlemen,

"Your most obedient humble servant,

"CHARLES BERINGTON."

This letter produced the effect hoped for. It became obviously useless to fight for the election of one who himself disclaimed any right or title to it. Accordingly we learn from a letter of Mr. Barnard that the scope of Mr. Hussey's mission to Rome was changed, and he was deputed to lay the whole question of the present discipline of the Church in England before the Holy See. The written instructions of the Committee were revised, and changed accordingly to the altered circumstances, and were passed in their final form on December 1. The full text of them is given by Butler;[1] but they are of no practical importance, as the mission of Dr. Hussey was never carried out. Butler gives as the reason that the Spanish ambassador refused to give his chaplain leave of absence. Milner, speaking from personal knowledge, says that Mr. Hussey declined to go for conscientious reasons. The two statements are not incompatible. In any case there must have been some difficulty in obtaining the ambassador's leave for what was really a diplomatic mission to be undertaken by his chaplain, and as soon as Mr. Hussey realised the false position in which he would be putting himself, and determined in consequence

[1] *Hist. Mem.*, iv., p. 40.

not to go, he would naturally fall back on the ambassador's unwillingness to explain his change of determination.

The Committee now, having abandoned their intention of endeavouring to get the election of the new bishop cancelled, at their meeting on December 2—the next day after they had passed their revised instructions to Mr. Hussey—passed the following resolution:—

"That Mr. Butler should be directed to wait on Mr. Douglass in the name of the Committee, and to assure him of their respect, and esteem; and to express their hopes of receiving his assistance in their endeavours to serve the Catholic cause, and to testify their willingness to co-operate with him, and render him every service in their power, to contribute to the general good."

This resolution did not reach Dr. Douglass for more than a week. In the meantime, affairs still appearing threatening, as there was some delay before the arrival of the new bishop—due, it afterwards appeared, to a difficulty in finding a substitute for the mission at York—the Rev. James Barnard thought it advisable to prepare a pastoral or circular letter, in his quality of administrator of the district during the vacancy. In this pastoral, he recites the condemnation of the Oath by the vicars apostolic, and then "in [his] own name, and as Vicar General of the London District, and Delegate of the Apostolic See, and in the name of the chief Pastor of the Church of Christ in earth and in the name of Jesus Christ himself," he forbids the Committee and all the Catholics to take any further steps whatever with respect to the Oath until it has been approved by the bishops.

It does not appear that Mr. Barnard ever published his pastoral, for a few days later Dr. Douglass secured a substitute for York, and came southwards. A technical difficulty arose as to his consecration. The natural arrangement would have been for Bishop Thomas Talbot as vicar apostolic of the neighbouring district, and a secular, to have performed the rite; but apparently neither he, nor any other bishop could lawfully exercise episcopal jurisdiction in the London District without a permission which the vicar general was not competent to give. There were reasons making it undesirable that it should take place in Bishop Talbot's own district. The only alter-

native seemed to be to ask Bishop Walmesley to consecrate. He had recently gone to Lulworth Castle in order to consecrate Bishop William Gibson, for a similar reason. Dr. Douglass therefore also proceeded thither.

No country house in England was better known as a centre of Catholic devotion and zeal for religion than Lulworth Castle, near Wareham, the seat of the Weld family. Both park and mansion stand to-day, hardly changed in their condition during the century and more which has elapsed since the time we are speaking of, and they form a striking relic of English Catholicity of former times. The park covers over five hundred acres of ground, well wooded, and with picturesque views of the inland country, as well as of the Dorsetshire Downs, with the sea a few miles away in the background. The castle itself is Elizabethan in character, having been built during the last years of the sixteenth century; but it was still in an unfinished state when Sir Humphrey Weld bought the property in 1641. In close proximity to the castle is the parish church, once indeed Catholic, though except for the tower, the present building is of no great antiquity. On the other side of the mansion, is a strange-looking round building with a large dome, having the appearance of a family mausoleum; and such indeed it is, for many generations of the Weld family lie buried in the vaults beneath it. On entering, however, we find ourselves in a curious round-shaped chapel, which serves for the needs of the Catholic congregation living in the neighbourhood. Its history furnishes us with an explanation of the form and architecture. Mr. Thomas Weld, who succeeded to the property at the death of his elder brother in 1775, was a personal friend of King George III., who visited Lulworth more than once.[1] At that time the only place where Mass was said was in the castle itself, in what is now the dining-room. The alcove can still be seen in the wall, where vestments and sacred vessels could be rapidly stowed away, in case of the intrusion of "informers". The danger of this happening had of course passed away long ago, and Mr. Weld was beginning to think that the time had come when a regular Catholic chapel might be built. Could he but obtain the permission of the king, he thought it would be safe to build one. He therefore put the project

[1] The "royal bedroom" in the castle is still shown.

before his majesty. It is said that the king hesitated, being unwilling to give a formal sanction inconsistent with the law of the land. Eventually he put forward the suggestion that Mr. Weld should build a family mausoleum, which would attract no particular attention, and that he could fit up the interior as a Catholic chapel. This strange scheme was actually carried out. The building was begun in 1786, and opened the following year, the bodies of the former generations of Welds being removed from the parish church,[1] and buried in the vaults underneath the new building. To this day the mausoleum-chapel remains one of the features of Lulworth.

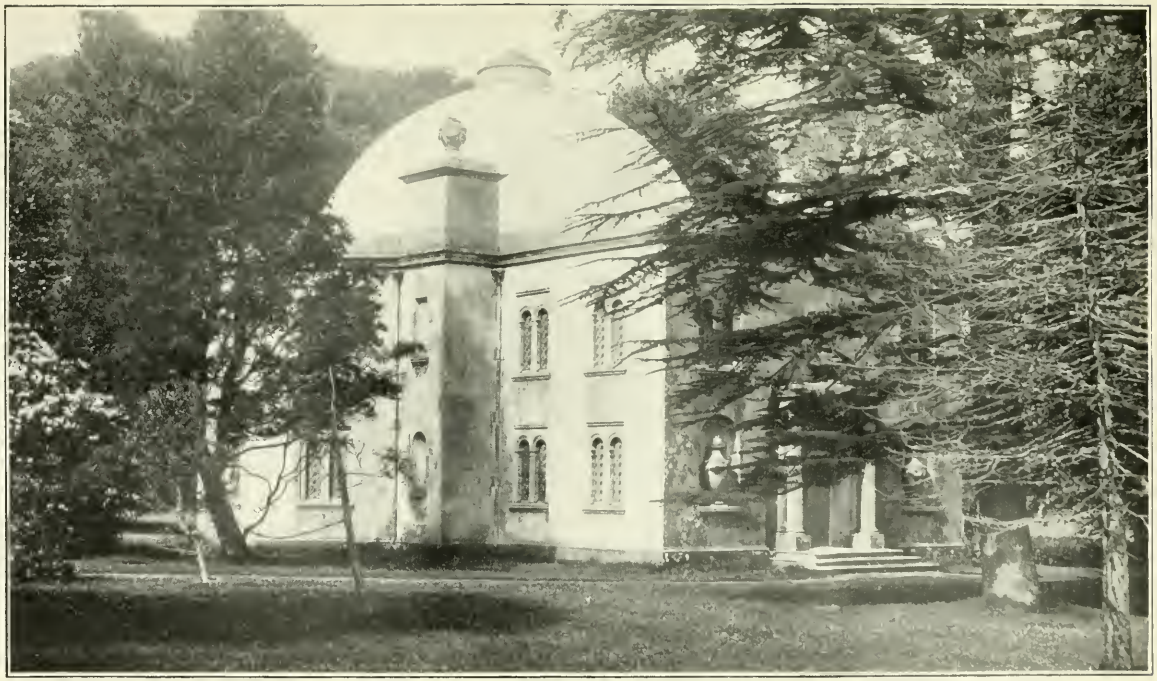
The daily life at Lulworth was entirely typical of that of the old Catholics of the day. Mr. Weld was a rich man; he owned no less than five other estates[2] besides that at Lulworth, and he had a large family of fifteen children. His only ambition was to bring them up devoted to their religion, and to see them all well settled in life. In this he was well rewarded. Two of his daughters became nuns, and one son a priest: and his other children became connected by marriage with prominent Catholic families—Clifford, Petre, Stourton, Bodenham of Rotherwas, Searle and Vaughan of Courtfield.[3] Finally his eldest son, who had married a daughter of Mr. Thomas Clifford of Tixall, after her death became a priest, and, later, a bishop and a cardinal, though his father did not live to see this.

Mr. Weld's own daily life was almost as regular as that of a religious. Besides hearing Mass daily, he recited the office of the Blessed Virgin at fixed hours, and devoted a definite amount of time to meditation, spiritual reading, and other devout exercises. Yet he united all this with the ordinary avocations of a country gentleman, for he was a keen sportsman, fond of shooting and hunting. He had a regular fixed arrangement of hours on days when he went out with the hounds, so as not to allow that to be an excuse for omitting

[1] The hatchments still remain hanging on the walls of the parish church.

[2] These were Leagram, Chidiock, Pylewell, Hodder (Stonyhurst) and Britwell. It was said that Mr. Weld was the largest landowner, with one exception, in England.

[3] Miss Theresa Weld, who became Mrs. Vaughan of Courtfield, was the mother of the late Bishop of Plymouth, and the grandmother of Cardinal Vaughan.



Catholic Chapel, Lulworth.

his devotional exercises. His wife—a daughter of Sir Thomas Stanley, Bart.—was no less edifying, and his whole family were thus brought up in the midst of all the influences that the Catholic religion is capable of exerting over the mind and character of her children.

The Welds had not always been Catholics. According to Oliver,[1] Sir Humphrey Weld, the purchaser of Lulworth, was the first Catholic of the family. During the century and a half that the castle had been in their possession, many interesting Catholic associations had gathered around it, not the least interesting having been in the summer of the year with which we are now concerned, when Dr. Carroll had been consecrated by Dr. Walmesley as first Bishop of Baltimore—which diocese at that time included the whole of the United States. This had been arranged by the special invitation of Mr. Weld, who was ever the staunch friend of Bishop Walmesley, and the loyal supporter of episcopal authority in those troubled times. By his invitation, Bishops William Gibson and Douglass were now to receive consecration under his hospitable roof.

We can picture to ourselves the scene at the two ceremonies. The small round chapel would have been well filled, with a congregation of perhaps two hundred neighbouring Catholics, consisting for the most part of farmers on the Weld estate and their families, and other dependants, including of course the domestic servants. The gallery at the back was reserved for Mrs. Weld and her children, together with the few visitors staying at the castle; in the gallery on the gospel side the singers were grouped around the same organ which is still there, and led by Mr. Weld himself; and in the small sanctuary were the consecrating bishop and the elect, and five priests who assisted at the ceremony, while among the serving boys were Mr. Weld's four sons, one of whom was the future cardinal.

Speaking of the consecration of Bishop Gibson, on December 5, Milner describes the scene as follows:—

"This elegant Grecian structure," he says, "the beauty of which has just been heightened by some new pictures brought from Italy, etc., shone in all the splendour of the costly treasury belonging to it. Its rich sacerdotal habits received an addition

[1] *Collections*, p. 46.

from the princely sacristy of Wardour Castle, and the harmonious organ and choir was tuned to inspire suitable sentiments of reverence and devotion."

He also describes, in words which now sound somewhat quaint, the ceremony, at that time unfamiliar to English Catholics:—

"The awful examen made with a dignity and piety perfectly according with the character of the venerable consecrator [Dr. Walmesley], the humble prostrations, the all-important imposition of hands, the mysterious unctions, multiplied benedictions, joint reception of the adorable species, the speaking investiture of episcopal insignia, majestic inthronation and dignified solemn blessing, all this being accompanied with the most sublime and moving prayers adapted to the occasion, and combined with the liturgy of the tremendous sacrifice performed in all its pomp, could not but constitute a solemnity truly affecting and elevating, which produced the most sensible effects on the persons present, no less than on the elect himself."

Milner himself preached on the occasion, and he did not fail to improve the opportunity, by dealing with the institution of the ecclesiastical hierarchy, and the duty of the faithful to reverence and obey their bishops. The sermon was afterwards published, together with the account of the ceremony from which we have just quoted. Among the visitors he enumerates "the Right Hon. Lord Arundell, the Hon. Mr. Clifford and Lady,[1] Mr. Raymund Arundell, Major O'Brien[2] and Lady, the Right Rev. John Douglass, Bishop-elect who arrived too late to acquire the necessary hability for bearing a part in the august ceremony".

Dr. Douglass's own consecration took place on December 19. Bishop Walmesley being unable to remain, Bishop William Gibson undertook the office of consecrating prelate. The Rev. Charles Plowden preached, and his sermon also was afterwards printed. Like Milner's, it breathes of the difficulties of the time, for it is principally a defence of the episcopal posi-

[1] That is probably Mr. Charles Clifford, who a few years later succeeded to the title as Lord Clifford. His wife was the daughter of Lord Arundell of Wardour.

[2] A former officer of the "Irish Brigade," who was married to a sister of Mrs. Weld.

tion, with an exhortation to the faithful to look to their pastors for direction and guidance.

During the fortnight which elapsed between the two ceremonies, much important discussion took place. For the greater part of the time, three of the four vicars apostolic were together, and in the quiet and seclusion of the Catholic centre of the West, in conferences in the castle and perhaps in walks through the well-wooded parks, or on the Dorsetshire downs overlooking the sea, they formulated their plans and determinations which were to be put into execution in the new year, when the battle would be resumed. The two new bishops spent their Christmas at Lulworth, and had leisure to think over the difficulties before them. The outlook was still dark and ominous enough; but now once more there were bishops at their post, ready to defend the interests of religion, and when, early in January, Dr. Gibson and Dr. Douglass set out on their journey to London, they did so in calm of mind and hopefulness as to the future.

CHAPTER XIII.

SECOND CONDEMNATION OF THE OATH.

1791.

DURING the spring and summer of the year 1791, the crisis to which the events recorded in the preceding chapters had been leading, was experienced in all its force, and was perhaps the most anxious one that Catholics have been through in this country since England became Protestant. We shall have to follow the events during these months in close detail, and almost day by day, for fresh developments often followed each other in rapid succession.

The first point which attracts our attention during the opening weeks of the year is the complete ignorance of the vicars apostolic as to what was taking place. Parliament was to meet at the beginning of February, and they knew that some communications were passing between members of the Committee and the Government, and that a Catholic Relief Bill was confidently hoped for early in the session. But similar hopes had been expressed in the previous year, and nothing had taken place. They might naturally wish to know whether there was any reason to suppose that the hopes stood a better chance of being realised during the session about to begin, and what exact shape the bill and Oath were expected to take. No information, however, was given them. Mr. Butler wrote on December 31, 1790, saying that the members of the Committee would not be coming to town until the opening of Parliament, and that no business would be transacted until then. Lord Petre and Lord Stourton wrote in the same sense; but none of them gave any indication as to the course which the business was likely to take when they did meet, or what prospects there was of the introduction of the bill. This can hardly have been accidental. The ex-

planation presumably is that the Committee did not wish to be shackled by the interference of the bishops in their dealings with ministers, and preferred to let the plans of the Government reach a stage when interference of any kind would be difficult, if not impossible. The bishops therefore had no alternative but to act independently of them. Dr. Walmesley's age and infirmities rendered it difficult for him to take an active part in the contest, and he remained at Bath, leaving the two new vicars apostolic to bear the brunt of the battle in London, though he continued to assist them with his advice by correspondence.

Bishops Gibson and Douglass, therefore, on their arrival in town about the middle of January, forthwith promulgated the second condemnation of the Oath, in the terms upon which they had agreed, in consultation with Bishop Walmesley, during their stay at Lulworth. Apparently the Committee obtained some idea that the condemnation was imminent, for on Saturday, January 23, Mr. Butler wrote to Dr. Douglass that a sufficient number of the members were in London for them to hold a committee meeting the following Monday (January 25), and they were ready to arrange for a conference with the bishops for the next day: adding that he hoped that nothing would be done until the conference had been held. Before these dates arrived, however, the "Encyclical" of the bishops had already been officially promulgated. Most probably Mr. Butler had seen it, for it is dated January 21, and his aim was to obtain its withdrawal before it had been publicly read in the churches. For this, however, he was too late.[1] We learn from the *Second Blue Book* that the Encyclical was read on Sunday, January 24, at Moorfields, and likewise in the chapel of the school at Brook Green, Hammersmith. At Virginia Street, Bermondsey, and the Borough it was not read, and the Embassy Chapels claimed exemption. It was read of course in many chapels outside London, but not till a later date. From

[1] The exact dates should be noted, as they are of importance. The "Encyclical" letter was dated January 21, which was a Thursday. In the Committee's letter to Bishop Douglass (*Second Blue Book*, p. 9) it is stated that Mr. Butler wrote to him on Friday, January 22, announcing the arrival of the members of the Committee in town; but in a footnote the date is corrected to Saturday the 23rd, and it is admitted that before the letter was delivered, the Encyclical had already been promulgated.

the fact of its having been read at even one chapel, however, it became from that day a public document. The following is the text:—

"ENCYCLICAL LETTER.

"CHARLES, Bishop of Rama, Vicar Apostolic of the Western District; WILLIAM, Bishop of Acanthos, Vicar Apostolic of the Northern District; and JOHN, Bishop of Centuria, Vicar Apostolic of the Southern District.

"TO ALL THE FAITHFUL, CLERGY AND LAITY, OF THOSE RESPECTIVE DISTRICTS.

"We think it necessary to lay before you the following Articles and Determinations.

"1st. We are informed that the Catholic Committee have given in, or intends (*sic*) to give in, a Bill containing an Oath to be presented to Parliament, in order to be sanctioned by the Legislature, and the Oath to be tendered to the Catholics of this Kingdom.

"2ndly. The four Apostolical Vicars, by an Encyclical Letter dated October 21, 1789, condemned an Oath proposed at that time to be presented to Parliament, and which Oath they also declared unlawful to be taken. Their condemnation of that Oath was confirmed by the Apostolic See, and sanctioned also by the Bishops of Ireland and Scotland.

"3dly. Some alteration has been made by the Catholic Committee in that condemned Oath; but as far as we have learned, of no moment; consequently the altered Oath remains liable to the censure fixed on the former Oath.

"4thly. The four Apostolical Vicars, in the above mentioned Encyclical Letter declared that none of the faithful Clergy or Laity ought to take any new Oath, or sign any new Declaration in Doctrinal matters, or subscribe any new Instrument wherein the interests of Religion are concerned without the previous approbation of their respective Bishop, and they required submission to these Determinations. The altered form of Oath has not been approved by us, and therefore cannot be lawfully or conscientiously taken by any of the Faithful of our Districts.

"5thly. We further declare that the assembly of the Cath-

olic Committee has no right or authority to determine on the lawfulness of Oaths, Declarations or other Instruments whatsoever containing Doctrinal matters, but that this authority resides in the Bishops, they being, by Divine institution, the spiritual Governors in the Church of Christ, and the Guardians of Religion.

"In consequence, likewise, of the preceding observations, we condemn in the fullest manner the attempt of offering to Parliament an Oath including doctrinal matters, to be there sanctioned, which has not been approved by us: and if such attempt be made, we earnestly exhort the Catholics of our respective Districts to oppose it, and hinder its being carried into execution; and for that purpose to present a Protestation or counter-petition, or to adopt whatever other legal and prudent measure may be judged best.

"Finally, we also declare that conformably to the letter written to the Catholic Committee by the four Apostolical Vicars, October 21, 1789, we totally disapprove of the Appellation of 'Protesting Catholic Dissenters' given us in the bill, and of three Provisoes therein contained, and expressed in the said letter of the four Apostolical Vicars.

"We shall here conclude with expressing to you our hopes that you have rejected with detestation some late publications, and that you will beware of others which may appear hereafter. Of those that have been published, some are schismatical, scandalous, inflammatory and insulting to the Supreme Head of the Church, the Vicar of Jesus Christ.

"CHARLES RAMATEN.[1]
"WILLIAM ACANTHEN.[2]
"JOHN CENTURIEN.[3]

"LONDON, *Jan.* 19, 1791."

It will be noticed at once that the name of Bishop Thomas Talbot is absent from the Encyclical, a fact which the Committee were not slow to comment on. His probable reasons for withholding his signature have been the subject of much discussion: his own explanation being among the *Clifton Archives*, we can settle the question. Bishop Gibson had written to him, formally asking him to sign, and the following is his answer:—

[1] Bishop Walmesley. [2] Bishop Gibson. [3] Bishop Douglass.

"My Lord,

". . . The steps you seem disposed to take do not appear to me to be conciliatory ones, either likely to assuage contentions and animosities, or to stop ye progress of the Bill; the Oath which it holds forth I have already condemned once, I cannot see any good end it can answer to condemn it a second time. If you are declaring your adhesion to ye former condemnation, in this you are to act according to your judgment and prudence. At present I do not know what ye tenour of ye Oath is, how can I therefore reasonably condemn it? It was not originally framed, as I have always been given to understand, by ye Catholics or by ye Committee (as indeed ye tendency and ye words of it easily convince), but by persons in administration who required that form of words, which perhaps our condemnation will not compel them to alter; and if they will annex certain Provisoes when they grant a boon, they will be ye judges how far it will be shackled. For these reasons I do not think it would be expedient at present, or even justifiable, that my name should be tacked to a new condemnation. I desire therefore and wish it may not, nor any copies drawn on my account. Propose a conciliatory scheme, and your Lordship will find a joint concurrent in,

"Your obedient humble servant,

"Thomas Talbot.

"*January* 17, 1791."

In reading this letter, we are struck by Bishop Talbot's apparent inconsistency with himself. He first says that he has already condemned the Oath and that nothing would be gained by condemning it a second time; then he says that he has not seen it, and is consequently unable to pronounce upon it. He apparently meant that he had not seen the amended form: in this he was not alone, for it had never been officially published in the shape it assumed after the meeting of February 3, 1790. From the wording of the Encyclical it would appear that the other three vicars apostolic themselves had not seen it, though they had a general idea of the nature of the amendments, and knew, as Bishop Talbot also must have known, that they concerned chiefly one particular clause. A little later Bishop Talbot seems to have seen a revised copy, and although

he was, as usual, slow to commit himself to an opinion in writing, in conversation he freely expressed his approval of it. In order to obtain a trustworthy and permanent record of this approval, a small deputation of the "Staffordshire Clergy" waited on him at Longbirch on February 14, and the following day they wrote down the substance of what he had said. Bearing in mind that he had expressly refused to give a written opinion, their right to act in this manner might well have been questioned. Their report has been several times published:[1] we give it here in full, as it throws important light on the general situation. The letter was addressed to Bishop Berington, who was then in London.

"DEAR SIR,

"You request to know our opinion of what passed in the public conversation at Longbirch yesterday. We can have but one opinion.

"Mr. T. Talbot repeatedly, in the most unequivocal manner, declared that he approved of the Oath in its present form, which form agreeably to his own requisition had been accepted in a public meeting on the 3rd of February, 1790; that from that approbation he should not recede. That when in a letter he addressed lately to Mr. Gibson in London he spoke of having condemned the Oath, he meant the Oath as it was originally worded, for that he could not mean to say that he had condemned what he had publicly approved. That he even lamented the measures in the condemnation of the first Oath had been so precipitately conducted. That he thought it unnecessary at this time to give any new formal approbation to the present Oath, because his former declaration, he knew, was on the minutes of the Committee, and must be publicly known. That he apprehended besides, should he (as we requested he would) give you a written approbation of the Oath, that it might still more irritate the minds of some men, and tend to widen the unhappy breach. Finally, that he admired the temper and great moderation of the Gentlemen of the Committee, whose views he thought were most upright, and whose zeal to promote the cause of religion, and the interest of their Catholic brethren, merited the warmest commendation.

[1] See *Second Blue Book*, p. 18; and *Hist. Mem.*, iv., p. 32.

"Such were Mr. Talbot's sentiments, often expressed before us in the course of the day. And with regard to ourselves, give us leave, Sir, on this occasion to repeat to you our deliberate acquiescence in the words of the Oath; to lament the continuance of the opposition which is made to it; and to testify how much we applaud the general measures which have hitherto been pursued by you and the other Gentlemen of our Committee to obtain from Parliament a further redress of grievances.

"With sincere regard, we remain, Dear Sir,

"Your affectionate and humble servants,

"ANTHONY CLOUGH. JOSEPH BERINGTON.
"THOMAS FLYN. EDWARD EYRE.
"GEORGE BEESTON.

"LONGBIRCH, *February* 15, 1791."

In the meantime, the Committee had recognised that the Encyclical of the bishops was a direct attack on them, and they set themselves to work to answer it. Time pressed. The introduction of the bill was expected within two or three weeks, and it was important, they thought, to counterbalance the effect of the Encyclical before its introduction. Such circumstances were not favourable for producing that calmness of judgment which the occasion demanded, and during the next few weeks a high pitch of excitement was reached, leading to language and action ever to be regretted.

The first answer of the Committee took the form of a letter to Bishop Douglass, bearing date February 2, 1791. As before, the Committee begin more or less respectfully:—

"MY LORD,

"We have seen an Encyclical Letter of the 19th day of last month signed by your Lordship and the Apostolic Vicars of the Western and Northern Districts of England; we understand it was publicly read from the Altar in the Catholic Chapels in Moorfields and the Borough;[1] and that applications were made to have it read in the same public manner in the Chapels of some of the Foreign Ministers.

[1] A footnote is added to the effect that the Committee had since ascertained that the Encyclical had not been read in the chapel in the Borough; but it had been read in the chapel of the school at Brook Green, Hammersmith.

"It contains a censure of the Oath published in the heads of the bill for the relief of Protesting Catholic Dissenters, even with the alterations supposed by your Lordships to have been made in it since that censure was passed—and a censure of our proceedings respecting it.

"Permit us, my Lord, with the greatest deference and respect, to assure your Lordship that your Encyclical Letter makes it evident to us that your Lordships totally mistake the nature and operation of the bill in question, and have been totally misinformed of our proceedings.

"Your Lordships seem to suppose the Oath originated with the Committee: that the appellation Protesting Catholic Dissenters is solicited by us: and that the three Provisoes referred to by your Lordships' letter have the force of new Laws, imposing penalties on Catholics to which they are not now subject; and that those Provisoes were inserted by our requisition. Your Lordships also seem to insinuate that we assume a right to determine on the lawfulness of Oaths, Declarations and other Instruments containing doctrinal matters.

We beg leave to assure your Lordship that nothing of this is true. We hoped our former letters to the English Catholics and the Vicars Apostolic had removed all misconceptions on these heads. But as we find by your Lordships' Encyclical Letter that this has not been the case, we shall now trouble your Lordship with a further explanation of our conduct."

They then proceed to consider the above statements *seriatim*. In proof of the fact that the new Oath did not originate with them, they appeal to the first draft of the bill by Mr. Butler, of which they sent a copy, and which alone they recognise as in any sense their bill: and this contained no new Oath. They contend that the Protestation had been altered in consequence of the criticisms of the bishops, and in its final form it had been accepted and signed by them; that the original Oath had been based on the Protestation, but that the ministers insisted on the importance of uniformity in the wording of Oaths, and that they accordingly retained such parts of the ordinary Oaths of allegiance, abjuration and supremacy as were not contrary to the Catholic faith, and that the theological point of what was or what was not contrary to the Catholic faith, was settled by the ecclesiastical members of the Committee,

two of whom were bishops, one (Dr. James Talbot) being Vicar Apostolic of the London District. And they complain that this was all that they had done when the condemnation of the four vicars apostolic was suddenly issued; when Bishop Walmesley accused them of an attempt to "injure religion"; and Bishop Matthew Gibson talked of their "infernal stratagems".

They next describe their answer to the bishops, and their Appeal to the Catholics of England, both printed in the *First Blue Book*, and give an account of their subsequent negotiations, which we have already described. They also add a few words on the provisoes in the bill, defending their own action, and pointing out that in each of the previous acts for the relief of Catholics, in England and Ireland respectively, some similar provisoes had been insisted on. They repudiate any idea of their having interfered with the authority of the vicars apostolic in spiritual matters, in language which becomes more and more heated as they proceed:—

"My Lord, to accuse is not to prove. On our parts we have produced to your Lordship a most unequivocal instance of our forbearance from interfering in spiritual concerns;[1] and we know it to be impossible for your Lordships to adduce one single instance in proof to support the charge in question, though perhaps the most invidious that could have been devised.

"It is painful for us to enter into a discussion of this nature with your Lordships. At all times we have been ready to meet the Apostolical Vicars; to inform them of our proceedings; to confer and co-operate with them for the public good. Why then, my Lord, precipitate matters? Why circulate this defamatory mandate? Have the Faithful been edified by it? Has it served the cause of religion? Has it recommended Catholics to the favour of the Nation? To those very Chapels from the altars of which your last Encyclical Letter was promulgated, more than one of us have largely contributed."

The remaining part of the letter was devoted to pointing out that the Oath had been in the hands of the ministry since the previous year, and that Parliament was meeting that very day, so that there was no time to lose should the bishops wish for a conference for the purpose of any further explanations.

[1] See p. 154.

The letter was composed by Mr. Butler, and by him, at the request of the Committee, was personally delivered to Bishop Douglass. As a result of their conversation together, it was arranged that the two Vicars Apostolic—Bishops Gibson and Douglass—should meet the Committee in conference on February 8. This conference led to consequences of a lasting nature, so that it will be necessary to give a detailed description of what took place. The minutes of the Committee give information from their own point of view, and from the various episcopal archives we can learn the bishops' view of what occurred. The details given below are collected from both these sources, and also from one or two other contemporary letters and documents.

It appears that at first Bishop Douglass wished to bring with him several of his clergy, as "theological advisers"; but the Committee refused to agree to this, saying that in that case they would call a public meeting, so as to have more laymen present also. They consented, however, to receive Rev. J. Barnard along with the two bishops, and these three accordingly attended at Mr. Butler's chambers, where the conference was to be held. As soon as they arrived it became evident that they were not to be received in any spirit of conciliation. The members of the Committee were already assembled, and they at once began putting a series of questions to the bishops, with the avowed object of criticising their action, while Mr. Butler wrote down their answers. Some of the questions were captious, and the scene was as though the bishops were undergoing cross-examination at a court of law. The following were among the questions asked, "Was the original condemnation published in the Midland or London Districts? Had the Bishops seen the amended Oath when they condemned it? Was the alleged condemnation of the Irish and Scotch Bishops made in their judicial capacity or only by private letters? Had such private letters any authority?" and so forth. A copy of Bishop Thomas Talbot's recent letter, in which he had refused to condemn the amended Oath, was produced, and read. In the course of argument, the question arose as to the meaning of the word "persons" in the clause to which Mr. Barnard had originally objected in the Protestation, and whether the statement in the Oath that the Pope had no power

over the "persons" of Catholics denoted any restriction as to the inflicting of censures. The Committee offered to submit this to two civil lawyers, two common lawyers, and two Catholic lawyers for a joint report. This offer the bishops refused, on the ground that it was not a matter for laymen to decide. The Committee, however, argued that no question was raised as to the nature of censures, but only on the legal acceptation of certain words, and whether they were to be understood as including censures in their meaning. A long argument followed between Sir Henry Englefield and Mr. Barnard, to which the others listened, the vicar general showing exemplary patience, and expounding the theological objections to the Oath as it stood.

The meeting had already lasted over two hours, when Dr. Gibson thought it was time to bring matters to a head. Rising up from his seat, he declared that all this argument was of no importance: the question was, Would the Committee, or would they not, submit? Being asked to put his requisition into writing, he did so—Dr. Douglass concurring—in the following terms:—

"Whether the Committee intend to submit not to proceed further in the business of the bill without the approbation of the Bishops."

At this the members of the Committee withdrew to another room, and after a long absence they returned the following answer in writing signed by all of them:—

"We have the greatest respect for the episcopal authority, and are always disposed to obey its decisions when applied to proper objects, and confined within proper limitations. But we say with St. Leo, 'Manet Petri privilegium ubicunque ex ipsius aequitate fertur judicium'. The requisition of submission made by the two Vicars Apostolic appears in the present instance not grounded in equity. No proof of the proposed Oath's containing anything contrary to faith or morals has been produced. And we cannot acquiesce in the requisition without continuing, increasing and confirming the prejudice against the faith and moral character of the Catholics, and the scandal and oppression under which they labour in this kingdom.

"We therefore refuse to submit to the above requisition, and we give your Lordships notice that we shall appeal from it

to all the Catholic Churches in the universe, and especially to the first of Catholic Churches, the Apostolical See, rightly informed.

"CHA. BERINGTON.	H. C. ENGLEFIELD.
"JOS. WILKES.	JOHN THROCKMORTON.
"STOURTON.	JOHN TOWNELEY.
"PETRE.	THOMAS HORNYOLD.

"Notwithstanding this declaration, we still request your Lordships to say whether you will suggest any addition or qualifying explanation which can be admitted consistently with the Instrument of Protestation signed by the Vicars Apostolic and more than 200 of the Clergy and almost every respectable Catholic in England, and we will exert our best endeavours in negotiating the admission of such an addition or qualifying expression."

The last part of the above was brought in unsigned, but at the request of Dr. Douglass, the Committee affixed their signatures.

At this stage some of the Committee resumed their cross-examination of the bishops. Mr. Throckmorton asked, "Is it lawful for subjects to rebel against or murder the king?" "After a king has been excommunicated and his subjects absolved from their allegiance, does he remain a king as before?" and more of the same quality. After a time, Dr. Douglass refused to answer further, and a little later, he said that he had understood that the conference was to be a friendly one, and as such was not the case, he moved "that question and answer be thrown into the fire". The Committee retorted by asking the bishops to withdraw their requisition. As they refused to do this, the Committee unanimously negatived Dr. Douglass's motion. A further proposal to adjourn for a week, and in the meantime to convene a meeting of all the bishops, was also negatived on the ground that the time could not be spared. The conference therefore broke up, without having achieved any definite result.

On returning home, the bishops decided to summon a certain number of the most prominent clergy to discuss what had taken place. Dr. Douglass also wrote to all the priests of his district, asking their opinion on the theological aspect of the Oath. Many of their answers are still preserved. The great

majority were against the lawfulness of taking the Oath. The priests who assembled at Castle Street numbered fifteen, including three ex-Jesuits, a Benedictine, two Franciscans, and the rest secular priests.[1] They all showed themselves anxious to stand by the bishops, and expressed their loyalty to Rome in an emphatic manner. They considered that the Oath in its present form was unlawful for a Catholic to take, and that the Committee's last appeal was nugatory until they had complied with the requisition of the bishops.

In the middle of the meeting, a new gleam of hope appeared. Bishop Berington called, and being anxious, as ever, to make peace, he begged the bishops and clergy to propose any definite alterations which in their opinion would render the Oath unobjectionable, holding out hopes that the Committee might agree to them. He was probably speaking for them in good faith; but he had mistaken their temper. The bishops immediately sent a deputation consisting of Revv. J. Barnard and P. Donelan, for the Committee too were sitting that morning. Their message was not couched in very conciliatory terms:—

"Are the Committee disposed to accept of such alterations as the Bishops shall think necessary to render the Oath perfectly consistent with Catholic principles? Provided, however, that this accommodation be not understood to derogate from the Encyclical Letter or the authority of the Bishops." The answer was in much the same strain: "That Bishop Berington had not gone at their request, and that while they were and always had been ready to negotiate any addition or qualifying explanation of the Oath which can be admitted consistently with the Protestation, and are and always have been willing to reject everything which can be proved to be contrary to the Catholic Faith, they must refer to the answer delivered by them to the requisition of the two Vicars Apostolic at the meeting on the 8th inst., from which they cannot recede."

The above history is sad reading. From first to last it must have been evident that the two parties were hopelessly unable to understand each other, and that the uncompromising

[1] They were Rev. J. Barnard, P. Browne, T. More, R. Chapman, T. Lawson, T. Talbot, D. Gaffey, J. Lindow, W. Pilling, P. Donelan, J. Greenham, T. Smyth, T. Horrabin, T. Bennet, and T. Varley. Comparing this list with the names of those who attended the meeting on February 2, 1790, we find that Revv. J. Barnard and P. Browne were the only priests who were at both.

attitudes assumed by both effectually precluded any prospect of a settlement. Naturally our sympathies go with the side of authority, and we feel indignant at the insults offered to the divinely constituted rulers of the Church. But there was a large class of Catholics, of which perhaps Dr. Strickland may be taken as the typical exponent, who admitted indeed that the Committee showed disrespect or worse to the episcopal character, and even that their methods in order to gain their own ends were not always straightforward, and yet resented the conclusion that they were men devoid of principle or religion, as their enemies were fond of asserting. They contended that on this occasion at least the Committee men were driven into a very difficult position. The requisition made by the bishops might have been within their competence—though seeing that Bishop Thomas Talbot, who was of equal authority with any of the others, had dissented from the action taken, they did not regard even this as certain. But granting that the three bishops had a strict right to enjoin obedience, and to require the Committee to abandon the whole position they had taken up, this seemed to them an extreme demand on their loyalty. The Committee always showed themselves very sensible of any courteous treatment when they received it, and many regretted that some attempt was not made to come to a mutual understanding, rather than that resort should be had to a definite trial of strength between the two parties. For in this case, although the loyalty of the main body to their ecclesiastical rulers was such as probably to ensure the ultimate victory of the bishops, there was too much reason to fear that it might be, as one of them expressed it, "a victory full of sadness". However, the worst had now come, and had to be faced. There was open war between the Committee and the bishops just at the moment when the Catholic question was about to come on in Parliament: and the anti-episcopal party had the ear of the Government.

The narrative of the progress of the bill in Parliament must be left till the next chapter. Before proceeding to it, we must speak of two results of the late conference, which had serious and lasting effects. These were the issue of the Committee's "Manifesto and Appeal," and the suspension of Rev. Joseph Wilkes, who was understood to be its author.

The "Manifesto and Appeal" was addressed to the Vicars Apostolic of the Northern, Western and London Districts jointly. For strength of language it exceeded all the previous letters of the Committee. Even after making all allowance for the haste in which it was put together, and the moment of irritation at which it was written, it still remains a record of the scandalous lengths to which the party allowed themselves to be driven during the heat of contest. In order to form an idea of the state of affairs, it is necessary to quote extracts at considerable length.

The Committee begin by a profession of faith in unequivocal terms:—

"If the Oath contained an avowal of any point of doctrine or morals contrary to the belief of the Catholic Church, we should think it criminal in us either to contend for its admissibility in the present stage of the business, or to take it at a future time, if it should pass into law. For born and educated in the Catholic Church, we acknowledge ourselves bound by her decrees, and whatever is of faith, by the express word of Christ, or the tradition of His Church, we acknowledge it our duty to believe. In common with every Church in communion with the see of Rome, we acknowledge the supremacy of the Pope."[1]

So far then, the Committee show themselves avowedly Catholics. After a certain amount of further explanation, however, they proceed to criticise the action of the vicars apostolic and defend their own, and here their Catholic sense seems to desert them; for the language they use in addressing their bishops becomes more than unseemly:—

"My Lords, if Christ enjoins submission, he enjoins it when submission is reasonable: and submission must ever be unreasonable when it is not preceded by instruction and reason. Following the precept of her Divine Master, the Church of God, in tender regard to the weakness of her children, has generally condescended to conciliate, has always thought herself bound to instruct. It is a rule with her that the lowest of her children should know of what he is accused before he is judged; and be permitted to defend himself before he is condemned. Such, My Lords, is the spirit of our Divine Master, and such

[1] *Second Blue Book*, p. 13.

conformably to his precepts, is the practice of his Church. How widely different have been the proceedings of your Lordships! . . . In our regard, no preliminaries, either of form or of right, were attended to; no measure of conciliation was used, no instruction was vouchsafed. In which of the articles of the Oath the error attributed to it lay was not pointed out to us; we were not permitted to explain it; no opportunity was given us to defend our conduct. Is it possible to suppose your Heavenly Master inspired a conduct so opposite to his own spirit of prudence, meekness, conciliation and justice; or that your Lordships spoke the language of the Church when you acted in a manner so little conformable to its practice? . . . Surely, my Lords, when your Lordships act with so much precipitancy, when you show such little attention to the forms or substance of justice, when you show yourselves so unconversant with the subjects on which you pronounce your determinations so decisively; when there is so much contradiction in your opinions and so much disagreement among yourselves; it is possible to call in question the irrefragability of your articles and determinations without incurring the guilt of heresy, schism or disobedience." [1]

The above remarkable passage will be enough to convince the reader of the frame of mind of those who drew it up. It will not be necessary to follow the disquisition to which they proceed with the view of proving from history that no one has a right to demand obedience but the Church as a whole—neither priest nor bishop, that is, nor even a General Council unless it be accepted by the body of the faithful; nor need we give their version of the misfortunes of English Catholics during the previous centuries, which are attributed in great part to their "Ultramontane" principles; nor their account of recent events, from which indeed we have already largely quoted. We must, however, give the concluding paragraphs of the manifesto, which are even more scandalous—if such be possible—than those given above:— [2]

"Therefore, my Lord Bishop of Rama, Vicar Apostolic of the Western District; my Lord Bishop of Acanthos, Vicar Apostolic of the Northern District; my Lord Bishop of Centuria, Vicar Apostolic of the Southern District,

[1] *Second Blue Book*, p. 15. [2] *Ibid.*, p. 30.

"YOUR LORDSHIPS HAVING BROUGHT MATTERS TO THIS POINT,

Convinced that we have not been misled by our clergy, convinced that we have not departed from the principles of our ancestors, convinced that we have not violated any article of Catholic Faith or Communion, WE, the Catholic Committee, whose names are hereunder written, for ourselves and for those in whose trusts we have acted, do hereby before God solemnly protest and call upon God to witness our protest against your Lordships' Encyclical Letters of the 19th day of October, 1789, and the 21st day of January last, and every clause, article, determination, matter and thing therein respectively contained; as imprudent, arbitrary and unjust; as a total misrepresentation of the nature of the Bills to which they respectively refer, and the Oaths therein respectively contained; and our conduct relating thereto respectively;—as encroaching on our natural, civil and religious rights, inculcating principles hostile to society and government, and the constitution and laws of the British empire: as derogatory from the allegiance we owe to the state, and the settlement of the crown: and as tending to continue, increase and confirm the prejudices against the faith and moral character of the Catholics, and the scandal and oppression under which they labour in this kingdom. In the same manner, we do hereby solemnly protest and call upon God to witness this our solemn protest against all proceedings had or hereafter to be had, in consequence of or grounded upon your Lordships' said Encyclical Letters, or either of them, or any representation of the Bills or Oaths therein respectively referred to, given or to be given by your Lordships or any of you.

"And from your Lordships' said Encyclical Letters and all proceedings, had or hereafter to be had, in consequence of or grounded upon the same, or either of them, or in consequence of or grounded upon any representations of the said Bills or Oaths or either of them, given or to be given by your Lordships or any of you; we do hereby appeal and call on God to witness our appeal, for the purity and integrity of our religious principles, to all the Catholic Churches in the universe,

and especially to the first of Catholic Churches, the Apostolical See, rightly informed.

"CHARLES BERINGTON.	JOHN LAWSON.
"JOSEPH WILKES.	JOHN THROCKMORTON.
"STOURTON.	WILLIAM FERMOR.
"PETRE.	JOHN TOWNELEY.
"HENRY CHARLES ENGLEFIELD.	THOMAS HORNYOLD."

The "Manifesto and Appeal" was delivered to Dr. Douglass by Bishop Berington and Lord Stourton on February 17. As the letter from the five Staffordshire priests which we have already given, dated February 15, is included, it seems that they waited for that in order to quote it. The Manifesto and Appeal was shortly afterwards printed, together with the Committee's letter to Bishop Douglass, these forming the greater part of the *Second Blue Book.* The other contents included a copy of the Oath as amended on February 3, 1790; and in a footnote, the legal opinion of Serjeant Hill, the eminent lawyer, with respect to the clause alluded to a few pages back, in which he gave his opinion that it could not be construed into a denial of the Pope's authority in spiritual matters.

The Manifesto and Appeal is described by Milner as a "stunning complication of profaneness, calumny, schism and blasphemy"—strong language, but for once hardly too strong. The whole document was in fact so bad that it did more good than harm to the bishops' cause, by alienating public sympathy from the side of the Committee. At least two of the Staffordshire clergy, Revv. George Maire and John Perry, were driven to the other side, and many laymen and priests were scandalised by it. Yet, strange to say, it was more largely signed than almost any other document issued by the Committee, the signatures including two ecclesiastics and eight laymen.[1]

Here we leave the Manifesto for the present, and turn our attention to the dispute between Rev. Joseph Wilkes and Bishop Walmesley, which continued for several years to agitate the English Catholic world, and was one of the chief causes

[1] The only signatures absent were those of Sir William Jerningham and Lord Clifford. The latter was still abroad, in declining health, and he had in fact resigned his seat on the Committee. Lord Arundell of Wardour was elected in his place, but he refused to serve.

which contributed to the bitterness of feeling between the laity and the bishops for more than the period of a generation. Milner always looked upon Mr. Wilkes as the chief author of the theological errors of the Committee, and in view of his being a priest and a monk, he considered him the most blameworthy of all. Bishop Walmesley shared this opinion, and was ready, should opportunity offer, to enforce it by his episcopal authority. Mr. Wilkes lived in the same city, and received faculties from Bishop Walmesley; but he was so well versed in the duties and limitations of his position, that he contrived for a long time to avoid coming into definite collision with his bishop. But at last the inevitable occasion came. At the conference on February 8, the Committee had received a requisition from two vicars apostolic, who acted, it was understood, also on behalf of Bishop Walmesley. They had definitely refused to comply with it, and had notified their intention of appealing to Rome, and throughout Mr. Wilkes acted with the rest. This was regarded by Dr. Walmesley as contumacy, and he wrote in the following terms:—

"To the Rev. Joseph Wilkes.

"Bath, *Saturday, February* 19, 1791.

"As you have evidently refused submission to the ordinances of the Apostolic Vicars, if before or on Saturday next, the 26th instant, you do not make to me satisfactory submission, I declare you suspended from the exercise of all missionary faculties, and all Ecclesiastical functions in my District.

"Let this one admonition suffice for all.

"Carolus Ramaten, *Vicar Apostolic.*"

It should perhaps be explained, that although Bishop Walmesley happened to be a Benedictine, he held no position of authority in the order. Mr. Wilkes's immediate superior was Rev. John Warmoll, the Southern Provincial, who together with Rev. Rowland Lacon, the Northern Provincial, were both subject to Rev. George Walker, the President General. All the Benedictines who acted as chaplains, or missionaries, however, —that is all those residing in England—had to obtain their missionary "faculties" from the bishop in whose district they exercised them. In this manner, therefore, Bishop Walmesley

was enabled to threaten Rev. Joseph Wilkes with suspension. At the same time, he wrote to the Provincial notifying what he had done, and Rev. John Warmoll seems to have approved throughout of the line he was taking.

Mr. Wilkes's answer to the above letter was in much the same style as the letters of the Committee in the *Blue Books*. With all deference he protested that he had never refused submission to his superiors in his pastoral work; but as a member of the Committee, he considered that he was acting in a public capacity, and that he was responsible only to those who deputed him so to act. In any case, he pleaded, it was always lawful to "appeal from the determinations of Apostolic Vicars to the judgment and decisions of other Catholic Churches, especially of the Apostolic See". This form, which was also used in the Protest and Appeal, shows some little ingenuity; for the opinions which Mr. Wilkes and his friends were putting forward were totally opposed to any right of the Holy See to settle disputes among English Catholics; this curious form of wording, representing his appeal to be primarily addressed to all Christendom, saved him from absolute inconsistency.

With respect to the main question of the lawfulness of the Oath, Mr. Wilkes again insisted that the wish of the Committee was for a bill "without either Protestation or Provisoes"; but that the Government would not admit this. However, he said, he was personally determined to refuse to take any Oath which was not sanctioned by the bishops. He concluded once more in terms of respect: "My Lord, though judged by your Lordship unworthy to perform the duties of a Pastor, I still humbly and earnestly beg your blessing and your prayers".

This letter was of course a direct refusal to submit, and accordingly Mr. Wilkes became suspended on Saturday, February 26. The following day, in the chapel at Bath, Mass was said and all the functions were conducted by another Benedictine; and a few weeks later, Rev. M. Pembridge arrived to take temporary charge of the mission. It is due to Mr. Wilkes to add that he submitted to his suspension with obedience, and made no effort to evade it. He continued to go to Mass, but ceased to approach the Sacraments.

It cannot be denied that the measure taken by Bishop Walmesley was a bold one, which could only be justified by

circumstances of an extreme nature. Mr. Wilkes had done neither more nor less than the other members of the Committee. Most of these were laymen, so that no such sentence could affect them. One, Dr. Berington, was a bishop, and therefore could not be suspended. Mr. Wilkes alone was in a position in which such a censure could take effect, and therefore he alone suffered. It was natural, therefore, that the other members of the Committee should feel in honour bound to identify themselves with him in the matter, and should consider that his suspension reflected indirectly upon themselves.

Many others also sided with Mr. Wilkes. His own congregation, who were much attached to him, took his side; a certain section of both clergy and laity throughout the country looked upon this as an additional instance of episcopal "tyranny"; and perhaps worst of all, the embers of the old quarrel between bishops and regulars were re-kindled, for we find some of the latter siding with Mr. Wilkes on the ground that in suspending him without a proper citation or trial, the bishop had infringed the rights of the regulars.

A formal petition was presented to Bishop Walmesley by the congregation of Bath, praying for the re-instatement of Mr. Wilkes, and offering to act as intermediaries, and to give explanations of what had occurred. Dr. Walmesley answered by laying down the following conditions which he considered essential for Mr. Wilkes's reconciliation :—

"1. That he should acknowledge himself sincerely repentant for having acted in opposition to the apostolical vicars.

"2. That he should withdraw his signature from the answer given to the two apostolical vicars on the 8th of last February.

"3. That he should inform the Committee that he has withdrawn his signature.

"4. That he should engage himself by promise never to commit such indiscretions for the future."

To these conditions Mr. Wilkes refused to accede. His position continued to excite much notice, and one suggestion after another was made by his friends, in order to bring pressure to bear on Bishop Walmesley. One of the most extraordinary was put before him in writing by Dr. Strickland, who revived the old cry that Bishop Walmesley had broken his Oath which, with other Catholics, he had taken under the Act

of 1778, and he informed him that some of the Committee would certainly prosecute him if he did not show mercy to Mr. Wilkes. He contended that the Oath which the vicars apostolic had condemned was a civil Oath of Allegiance; they had specified no particular objection of a spiritual nature, but condemned the Oath as a whole; and they had done so by the authority which they possessed as vicars of the Pope: therefore they had co-operated with the Pope in claiming civil jurisdiction in England. The condemnation had been promulgated by two only of the vicars apostolic, of whom one was dead; therefore Dr. Walmesley alone was liable.[1]

It can hardly have been expected that such a threat should produce much effect. The sight of the senior vicar apostolic standing before a Protestant judge to answer the accusation of Catholic laymen, which Dr. Strickland had painted in glowing colours, would only have intimidated one who believed it to be at all possible, which Dr. Walmesley evidently did not.

Another more important movement was set on foot by the Staffordshire clergy, who prepared a written protest, to be signed, as they hoped, by all the priests of England. The collections of signatures, however, took a long time, and in the meanwhile exciting events were taking place in Parliament, which for a time diverted people's minds. Mr. Wilkes was in London, attending the frequent meetings of the Committee, and the eyes of all Catholics were directed to the action of the Legislature. It was not until the question of the Catholic Relief Bill was settled that the Wilkes case came prominently to the fore; here therefore we may leave it until we have followed the course of the bill through the two Houses of Parliament.

[1] See *Clifton Archives*, vol. iv. The letter is not dated, but was written sometime before May 12, when he wrote apologising for it.

CHAPTER XIV.

THE CATHOLIC RELIEF BILL IN THE HOUSE OF COMMONS.

1791.

THE celebrated picture by Karl Anton Hickel in the National Portrait Gallery has left a vivid record of the appearance of the House of Commons which was elected in the latter part of 1790.[1] No more interesting period could be found in all the long history of the House. Pitt and Fox, as leaders of the Government and Opposition respectively, were at their best. The Speaker was Mr. Addington, who afterwards succeeded Pitt as Prime Minister; and among the statesmen whom we meet in connection with the Catholic Bill we find such familiar names as Edmund Burke, always the staunch friend of Catholics, Windham, Dundas, Sir Archibald MacDonald, John Mitford, Wilberforce, etc. The old House of Commons was indeed smaller than the one to which we are accustomed, and the architecture was sufficiently plain to have qualified it to appear among Pugin's Contrasts, side by side with the present House, the construction of which is now generally admitted to have been in great measure the work of his genius.[2] But although the material structure was so different, the main features of the assembly were much the same then as now—the relative position of the Speaker, the clerks, the table of the House, and the supporters of the Government on the right hand, and of the Opposition on the left. We have only to imagine the members dressed in the elaborate costumes of the period, with their faces close shaven, and in many cases wigs on their heads, in order to transform the present House of Commons into that of the time of Pitt.

[1] The actual date represented is February, 1793.

[2] The architect was Sir Charles Barry. Pugin was a clerk in his office, aged then less than twenty-five years.

Photo: Emery Walker.

THE HOUSE OF COMMONS IN 1793.
Painting by Karl Anton Hickel in the National Portrait Gallery.

The date with which we are now concerned was Monday, February 21, 1791, when among the orders of the day appeared a motion for leave to introduce "A Bill to relieve, upon conditions and under restrictions, persons called Protesting Catholic Dissenters, from certain penalties and disabilities to which Papists, or persons professing the Popish religion, are subject". The motion stood in the name of Mr. Mitford, and at the proper time he rose from his place on the front ministerial bench, to propose it. His speech may be quoted in full, as given in Hansard:—

"He lamented that it had fallen to the lot of a person so incapable of doing the subject justice as he confessed himself to be, to bring before the House a motion of such importance: but as the duty had been pressed upon him, he would endeavour to discharge it as well as his abilities would allow, and he trusted he should be favoured with the indulgence of the House.

"Having thus bespoke their favourable attention, Mr. Mitford proceeded to open the grounds on which he rested his motion. He said it was well known that there was great severity in the laws now subsisting against persons professing the Roman Catholic religion, but the extent of that severity was not equally known. In a book which was in almost every gentleman's hands, he meant Burn's *Ecclesiastical Law*, no less than seventy pages were occupied with an enumeration of the Penal Statutes still in force against Roman Catholics, and extracts from most of those statutes were also to be seen in Burn's *Justice.* The present reign was, Mr. Mitford said, the only one (the short reign of James II. excepted) since the reign of Elizabeth, in which some additional severity against Roman Catholics had not been put upon the statute book, and many of the most severe of these acts were in an especial manner directed against the Roman Catholic Clergy. He enumerated a variety of these statutes to show that Papist priests were guilty of High Treason and would suffer death for their offences in their nature trivial, such as persuading others to be of the Roman Catholic religion, etc., etc. After going through a list of these sanguinary laws against the Roman Catholic Clergy, he observed upon the cruelty and inhumanity of persecuting men for acting according to their consciences, and professing

a religion which they had received from their ancestors. He next stated the hardships under which the Roman Catholic laity were placed, declaring that although the 18th of the present King had given them some relief, it by no means went far enough. He recited the penalties to which the lay Catholics were liable for hearing mass, and for not going to church, and for various other offences, and after a circumstantial detail on this part of his subject, reminded the House that at the time these very severe laws were commenced, Queen Elizabeth had been excommunicated by the Pope, and her subjects absolved from their allegiance; that therefore the laws against Roman Catholics were dictated with a spirit of resentment to which their severity was chiefly to be ascribed. He descanted on the supremacy of the Pope, which had, he said, originally been held to be merely spiritual, but that it had afterwards enabled the Pope to interfere in temporal affairs; that Henry VIII. took away this spiritual crown from the head of the Pope and placed it on his own. After commenting on this and other relative facts, and stating the various oaths of supremacy that had from time to time been devised, Mr. Mitford said that the relief that he should propose for the Protesting Roman Catholics would be a bill similar to that which had passed in Ireland for the relief of the Roman Catholics there some years since; and as no ill consequences had been found to result from it, in a country where the Roman Catholics were so much more numerous than they were in this, he should hope the House would see no impropriety in the proposition. He reminded the House of the indulgence that had of late years been shown to Protestants in Roman Catholic countries, and particularly in France by an edict of the present king, long before the late revolution; he could not therefore imagine that the House would be less liberal to those who were known and acknowledged to be as loyal subjects, and as faithfully attached to the sovereign on the throne and the government of the country as subjects of any other description whatever. He concluded with moving that leave be given to bring in the bill."

On Mr. Mitford resuming his seat, the Speaker (Mr. Addington) pointed out that as the question before the House concerned the religion of the country, in accordance with a standing order passed in 1772 the bill would have to be referred to a

committee of the whole House before it could be introduced. This fact, which had apparently been overlooked, rendered that evening's debate of less importance; nevertheless Mr. Windham proceeded to second the motion as had been arranged. After a preliminary apology similar to that with which Mr. Mitford had opened, he proceeded to say that there were only two principles to justify the State in penalising a man for his religious opinions. One was for his own supposed good; this he characterised as persecution. The other was that such opinions might be injurious to society at large, and inconsistent with good citizenship; but in the case of the Roman Catholics, however much people might speak against them, he asserted that their history would not bear out any such allegation. He did not indeed go so far as Mr. Fox in thinking that the State had no right to take cognisance of opinions, but only of actions; nevertheless he thought that in nine cases out of ten it would be practically safe to act on this principle. With respect to the prevalent idea that the oath of a Roman Catholic was of less value than that of a Protestant, he pointed for proof to the contrary to the very fact that no Catholic had ever taken his seat in the House of Lords, for the sole reason that they could not conscientiously take the required oath.

After a few words from Mr. Stanley, member for Lancashire, in which county Catholics were numerous, bearing witness to the general excellence of their conduct, Pitt summed up. He said that the House seemed to be unanimously in favour of the introduction of the bill; but as it had to go before a committee of the whole House, he would defer his own remarks on it until then. This, however, immediately brought Fox to his feet, to protest that there was not the unanimity in the matter which the Prime Minister supposed. For his own part, he was dissatisfied with the bill, not for what it did, but for what it did not do; for it did not go far enough. He would be for repealing the statutes against all Roman Catholics, whether "Protesting" or not. He said that toleration now prevailed in all the countries of Europe, instancing Prussia, France and the United States of Holland. He gave notice, therefore, that he should move the omission of the word "Protesting" and other amendments in committee.

In reply to this unexpected criticism, Pitt spoke a few

words to the effect that although some of the speakers were at variance as to their reasons, they seemed unanimously in favour of the bill being brought in; and therefore he repeated his opinion that further discussion would be more in place at a later stage. The motion for the introduction of the bill was therefore referred to a committee of the whole House, the date fixed being March 1.

We have it on Milner's authority that the above debate and the motion for the introduction of the bill took the bishops by surprise. Until a few days before, they were ignorant as to how soon any bill was likely to be introduced, and to the last moment they hoped that the Committee would obtain a modified form of oath. At the end of the first evening's debate, though they had not seen the text of the bill, its nature became known, as well as the fact that it included the Oath in the form in which it had been passed at the meeting of February, 1790. Indeed, the very title of the bill—"to relieve . . . persons called Protesting Catholic Dissenters"—was enough to confirm their worst fears. It was their duty as guardians of the Catholic religion in England to do their utmost to secure such changes and amendments as they considered absolutely necessary for the integrity of religion. Only a week remained: if any measures were to be effective, there was no time to lose.

The bishops had indeed already taken their first step. As soon as a notice appeared in the newspapers that the bill was to be introduced, Bishop Walmesley wrote in their names to Mr. Weld, begging him to use his influence with Mr. Pitt, who was his personal friend, to inform him of the actual state of affairs, and to induce him to amend the bill. This Mr. Weld readily consented to do, and he wrote the following letter to Mr. Pitt:—[1]

"LULWORTH CASTLE, *February* 18, 1791.

"SIR,

"I have learned from the public news that a motion will soon be made in Parliament for the relief of Roman Catholics. However respectable the persons who are called a Catholic Committee may be, yet as I never did approve of

[1] Mr. Weld's own copy of his letter, which he sent to Dr. Walmesley, is in vol. iv. of the *Clifton Archives*. There is also a copy in a strange handwriting among the *Westminster Archives*.

Mr. Thomas Weld, of Lulworth.

any Committee to represent me, or ever would entrust those who had been chosen by others to transact business with you or any other person in administration in my name or for me, I take the liberty to address you in my own name, and on the part of many others who are circumstanced with respect to the Committee as I myself am.

"I think it a duty owing to my religion and to the government I live under to inform you that the Oath as now proposed to be enacted for ye Roman Catholics is solemnly disapproved of by the heads of our clergy, and it is at the request of our Bishops and of the most respectable part of the Clergy that I presume to mention this to you before the business is carried any further.

"I am also desired by them to say that we are all ready to give every possible proof of our allegiance to Government and attachment to our Sovereign which does not touch on the spiritual power of the head of the Catholic Church or that of its Pastors, but that the Oath in its present form, containing things contrary to Catholic faith, and involving Theological questions foreign to civil allegiance, cannot lawfully be taken by members of the Roman Catholic Church.

"In stating these sentiments of most of our clergy, I venture to say that I express those of a considerable part of my Catholic fellow-subjects, whose signatures the sudden notice of the intended motion in Parliament hinders at present from being collected.

"As the enacting of the proposed Oath would grieve and distress a numerous part of his Majesty's Catholic subjects, may I not presume, Sir, to express a wish that you would either drop ye present benevolent intention of relieving us Catholics by the present intended Oath, or permit it to be so altered that all may be enabled to take it conscientiously and enjoy ye benefit of ye intended act.

"I have the honour to be, etc., etc.,

"THOMAS WELD."

Mr. Weld followed up this letter by coming to London, where he had a personal interview with Mr. Pitt, who received him very favourably, and promised that nothing should be done in a hurry. Nevertheless, the suggestion which he then

made, that there should be two bills, one for the protesting Catholics and the other for non-protesting, was open to obvious objections: for the Catholics would thus have found themselves divided into two groups, with the apparent insinuation that those of one were better and more loyal subjects of the King, but less loyal to the Pope, than those of the other: and the relief given to the "Protesters" would certainly have been more complete than that given to the "Papist" party, as they would have been called.

Several other prominent Catholics gave their active assistance to the bishops during the crisis. Chief among these must be mentioned Rev. John Milner and Rev. Charles Plowden, who both came to London at the time, and Mr. Maire of Lartington, Yorkshire, who acted on behalf of many Catholic laymen in the North. The latter organised a formal petition to Pitt, which was signed by many men of influence in that part of the country. He also had interviews with Mr. William Lee, whom he induced to write to Fox, on the strength of his personal friendship with him.

The work done in London is reported by Charles Plowden, in a letter to Bishop Walmesley, dated 4 Castle Street, February 28. "Applications have been made by your Lordships' colleagues," he writes, "to most men in power by letter, and to many leading men in the House of Commons by personal interviews. The main object of these all is to obtain either the Oath of 1778, or the Irish Oath of 1774. Every friend of the cause is making every possible effort." Bishop Gibson records letters signed by himself and Bishop Douglass, and by proxy for Bishop Walmesley, which they addressed to Lord Thurlow (the Lord Chancellor), Mr. Pitt, Lord Grenville (leader of the House of Lords), and Mr. Windham, "the purport of which," he says, "was to assure them in the strongest terms of our allegiance, to convince them that our reluctance to take the Oath arises merely from conscience, and to beg that the Oath of 1778 or the Irish Oath of 1774 may be substituted instead of the present form, which by offending the consciences of many, must frustrate the very intentions of Government by excluding them from the act of Grace".[1]

Milner has himself recorded his own share in the work of

[1] *Clifton Archives*, vol. iv.

those days. Called up from Winchester on Thursday, February 24, to come to the assistance of the bishops, he arrived in London the same evening, and used the following four days in visiting and conferring with some of the chief men in power. Speaking of himself in the third person, he says:—[1]

"He was already known by character to Mr. Burke, who introduced him to Mr. Fox and Mr. Windham. By his advice he also waited on Mr. Dundas, and held a conference with him in presence of Mr. Pitt. He had likewise an introduction to three of the established Bishops, to Mr. Wilberforce, Mr. William Smith and other members of the Legislature, all of whom listened to his arguments with the utmost kindness."

At first, with the diffidence shared by all Catholics of penal times, Milner awaited a formal introduction before venturing to call on a minister. Very soon, however, he became more bold, and acting on Burke's advice, if he wanted to see a minister, he simply rang the door bell and sent up his card: and he testifies in a letter to Bishop Douglass, that he always found them ready to receive him and hear what he had to say.

Milner also had a tract printed, the substance of which he had composed—as he himself tells us[2]—during his journey from Winchester. The title was, *Facts Relating to the Present Contests among the Roman Catholics of this Kingdom, Concerning the Bill to be Introduced into Parliament for Their Relief.* Its purport was to explain the objections to the proposed Oath on the part of the bishops, who were the rightful leaders of the Catholic body, and who were (he contended) in fact followed by the great majority of the laity. "Abandoned as the majority of Roman Catholics are by those Gentlemen who professed to serve them," he wrote, "taken by surprise as they now are on the present occasion, and inferior to those with whom they have to contend in everything except their numbers and their loyalty, they still entertain a hope that if there be anything worthy of the enquiry of the Legislature in the above statement, the enquiry will take place."

In the course of the conferences alluded to, several important persons—including such men as Edmund Burke and Sir Archibald MacDonald (the Attorney-General), and Mr. Mitford himself—did not cease to urge the importance of avoiding all

[1] *Sup. Mem.*, p. 77. [2] *Ibid.*, p. 79.

sign of disunion among the Catholic body. The bishops therefore determined to make a final effort to bring about harmony with the Committee. On the eve of the introduction of the bill, Bishops Douglass and Gibson addressed a joint letter to them, in which they invited the Committee to co-operate with them to obtain the consent of Government to substitute one of the two Oaths (that of the Act of 1778 or the Irish Oath of 1774) in place of that in the bill; failing which, they sent a form of Oath which they were ready to subscribe to, "if (as the last resource) it is prescribed by Parliament".[1] Mr. Butler hastily summoned the Committee to discuss the proposition, and it is due to them to say that they met the bishops in a cordial spirit, and seemed ready to agree to what was proposed. Thus the attempt at least served the purpose of bringing the Committee and the bishops together. It served no other, however, for the vicars apostolic became dissatisfied with their own Oath, sending some suggested amendments; till finally Mr. Mitford refused to bring in the bill unless the old Oath remained unaltered, and wrote a strongly worded protest to Bishop Douglass to that effect. During the remaining stages while the bill was passing through Parliament, the bishops and the Committee acted independently, but they managed to avoid the appearance of open opposition.

Tuesday, March 1—the "day of trial," as Milner calls it—arrived. Though the bill was theoretically in its preliminary stage, practically this was to be like an ordinary second reading debate, deciding on its principle. On the morning of that day, Charles Plowden wrote in good spirits, confident that the numerous representations that had been made must have had some effect. He said that he understood almost all the members to be against the title "Protesting Catholic Dissenters," and that most were anxious to amend the Oath. As a consequence of their discussion with the Committee, the bishops had again withdrawn their Oath, and substituted another, which Charles Plowden describes as "full of big and sounding words to satisfy the public, but truly and rightly applied". Milner tells us that he was personally acquainted with one of the officers of the House of Commons, by whose assistance he succeeded in having copies of his handbill, "Facts

[1] *Clifton Archives*, vol. iv.

relating to the Contest, etc.," distributed among the members. He himself attended that evening, as also did other prominent Catholics belonging to both parties, so that the Strangers' Gallery was crowded.

When Mr. Mitford once more stood up to propose the introduction of the bill, the work which had been accomplished during the last few days was at once manifest, for his speech was mainly devoted to explaining the difference between Protesting and non-Protesting Catholics, and recommending the former in preference to the latter. He said that popular prejudices must be attended to, and he did not ask that Catholics should be appointed to positions of power and trust, but only that they should be allowed to practise their religion in peace. He did not believe that any more loyal subjects existed than those on whose behalf he spoke. At various periods of our history, some Roman Catholics had protested against the power of the Pope to absolve from the Oath of Allegiance, etc. In the reign of Charles II. they were called Remonstrants; now they designated themselves Protesting Catholics, to show that they protested against the doctrines popularly imputed to them.

Fox spoke next, and in accordance with his notice, in order to abolish all distinctions between Catholic and Catholic, he moved as an amendment to insert the words "and others" in the title of the bill, promising further proposals for amendments in committee. Toleration in religion was, he said, the right of all; and with respect to the alleged reasons for the Penal Laws—the dangerous opinions of Catholics—he did not believe in their existence. The real origin of the laws was fear of the Pope's power. In the reign of Charles II. they had been actuated by a fear of getting a Popish king. These fears were legitimate in their day, but all ground for them had now vanished. The Pope had no power; the idea of a Popish King was out of the question; and for a Popish Pretender, if there were Jacobites enough left to go and look for one, where would they find him? In proof of the peaceable behaviour of Catholics, he pointed to the result of the Act of 1778, and to the state of Ireland since their similar Act in 1774. To plead the Gordon Riots as a reason against this bill, would be equivalent to condemning Catholics to Penal Laws in perpetuity. He asked also, what right the House of

Commons had to decide in matters of religion. Some thought that the Pope was infallible; some that a General Council was; but who ever thought that the House of Commons was infallible? He was glad to learn that the Dissenters were in favour of this bill. Personally he objected to Methodist doctrines more than to Roman Catholic; but there were many good men who held one or the other. The tyranny of a majority was the hardest form of tyranny, and in moving his amendment, he pleaded for universal toleration.

Edmund Burke, who spoke next, enlivened the debate with the bright humour characteristic of his nationality, and ridiculed any fear of the danger of Popery. In any case, he asked, why was the Oath under the Act of 1778, which the Catholics had all cheerfully taken, now deemed insufficient? Why heap up oath upon oath? He affirmed that the Catholics who did not protest were as good and loyal as those who did. He had not heard lately that the Pope was going to invade us, or that he was active in rebellions or revolutions. Had the rebellion in America been due to the Pope sending bulls or absolutions there? Proceeding in the same vein, he admitted that in the past England had suffered at the hands of Popes. Pope Julius Cæsar had conquered the whole land; Pope Claudius had been less successful; Popes Domitian and Nero had visited us by their legates, and in the reign of John, Legate Pandulphus had come and done as much mischief as the rest. As to the supposed power of the Pope to dispense with allegiance, his experience of rebels was that they did not trouble his Holiness, but took the power into their own hands. It was the duty of the State to make its subjects happy; how could a Catholic be happy, if every magistrate was an inquisitor, and if he was liable to be hanged, drawn and quartered merely for his religious opinions?

Pitt then proceeded to speak on behalf of the Government. He appealed to Fox to withdraw his amendment, at least for the present, as it would interfere with the passing of the bill. He was willing that both classes of Catholics—protesting and non-protesting—should be relieved, but had not yet decided whether this had better be done by one bill or by two separate bills; for to relieve one party and to let the laws remain against the other party would be equivalent

to re-enacting them, which nobody wished to do: indeed, many of the laws were practically obsolete. Fox expressed his satisfaction at what had fallen from the mouth of the Prime Minister, and agreed to withdraw his amendment, provided it was understood that he did so from motives of expediency, and not on account of any change of opinion on his part.

The Attorney-General (Sir Archibald MacDonald), who followed, emphasised his opinion that those who did not protest were as good subjects as those who did, and had as much right to relief. A paper professing to prove this had, he said, been handed to him as he entered the House, and it seemed well reasoned. This was of course Milner's handbill, of which we have already spoken. The Attorney-General's words therefore put Mr. Mitford on his defence, and he explained that as he had held out hopes of introducing the bill now for two years past, the only form in which he could have consistently introduced it was in the form in which it relieved Protesting Catholics.

Mr. William Smith, on behalf of the Dissenters, added a few words expressing sympathy with the Catholics. He said that the Dissenters were seldom unanimous on any point, but the wish that Catholics should be relieved was a point that did unite them. He hoped to see all Catholics relieved, but whether by one bill or by two was indifferent to him.

Leave was then given, without a division, for the introduction of the bill.

The result of the evening's debate was often afterwards spoken of by Milner as a triumph for the bishops, for they had clearly made their influence felt by the Government. Writing thirty years later, he goes so far as to say that "From this time forward, the fate of the bill . . . may be said to have been in the hands of the [Vicars Apostolic]".[1] This view, however, is not borne out by the knowledge we now possess, for it was not the opinion of those who were in the best position to know, namely, the vicars apostolic themselves: this we can see from their letters to each other. Moreover, at the time it was not Milner's own view: had it been, he would have abstained from his next step as unnecessary, and we

[1] *Sup. Mem.*, p. 80.

should have been spared the long and tedious dispute which followed between him and the Committee. This dispute was the beginning of a life-long disagreement between Milner and Charles Butler, so that it will be necessary to follow it in detail.

It is clear that Milner was apprehensive as to what might occur at the first reading of the bill, which was expected to be on March 8. Writing on May 21, 1792, he explains what was in his mind.[1] "About the time the bill was stopped at the motion of the Attorney-General," he writes, "to allow time for further enquiries, I perceived a compromising disposition in some of the legislators, who were evidently divided between their humanity on the one hand, and their political connections on the other. Every idea of any part of the Catholics remaining subject to the Penal Laws was abandoned; but the prevailing opinion then was that there would be two bills, and that the Protesting Catholics, as they were then called (for they themselves had at that period sunk the title of dissenters), would be the favoured party." With this danger threatening, therefore, and encouraged by the effect produced by his first handbill, Milner prepared a second one, which he entitled, "Certain Considerations on behalf of the Roman Catholics who have conscientious objections to changing their name, and to the form of words in which certain passages appear in the Oath contained in Mr. Mitford's bill, modestly submitted to the Honourable Committee of the House of Commons". In this handbill, he criticised the Oath more in detail, and openly attacked the Catholic Committee. He signed it, "JOHN MILNER, in behalf of three out of four of the chief Roman Catholic Ecclesiastics in this kingdom, and of many thousands of His Majesty's other loyal Roman Catholic Subjects". Together with this, he also prepared another handbill, on which were printed three forms of Oath—that of 1778, the Irish Oath, and the last Oath sanctioned by the bishops—signed by Bishops Gibson and Douglass, and by proxy for Bishop Walmesley. He had both of these distributed among the members of the House in the same manner as before, on the day of the expected first reading of the bill.

The effect produced on the Committee and their sympa-

[1] *Ecclesiastical Democracy Detected*, p. 275.

thisers may be judged from the following letter written to Dr. Douglass the same afternoon :—[1]

'PARLIAMENT STREET COFFEE HOUSE,
"4 *o'clock, Tuesday, 8th March,* 1791.

"MY LORD,

"To our great astonishment, we have this moment found that Mr. Milner had delivered at the door of the House of Commons another handbill, the purport of which tends to disturb that unanimity which at present prevails in Parliament in favour of Catholics; and which handbill we cannot but look upon as the act of an unauthorised individual, and as highly impertinent and personally injurious to ourselves.

"It was with equal astonishment we saw the name of your Lordship and two other Vicars Apostolic in the paper which accompanied it. But as by your own account this liberty was taken with your Lordship's name on a former occasion, we hope that it is no more than an exertion of the same unauthorised assurance on the present.

"We cannot but observe that these are the production of a Clergyman of your Lordship's District, over whom you have consequently an authority.

"We therefore expect you will exert that authority in putting an end to publications so disgraceful to religion, and injurious to the Character of the English Catholics.

"We have the greater confidence in your complying with this request as we have been informed that you have already promised to exert yourself to prevent all such inflammatory productions.

"The whole Committee are not present, but we cannot delay a moment expressing our feeling on the subject.

"STOURTON.
"PETRE.
"J. LAWSON.
"J. THROCKMORTON."

On the following day, a meeting of the partisans of the

[1] The original of this letter is preserved among the *Westminster Archives.*

Committee was held at Norfolk House, and the following letter was written to Milner :—[1]

"LONDON, 9 *March*, 1791.

"SIR,

"We have seen two printed papers which were distributed to the members of the House of Commons, signed by you, in which it is asserted that you act in the name of many thousand of the English Catholics, and of three of the four of the chief of the clergy.

"Not being apprised of any meeting having taken place to appoint you to act in the name of any number of the English Catholics; anxious lest the public should imagine we had sanctioned those printed papers, and not conceiving it possible that a private individual should be so imprudent as to obtrude his sentiments unauthorised on a subject on which so many Catholics are perfectly unanimous, we call on you to produce the names of those under whose sanction you have made such an assertion.

"We are, Sir, your most obedient humble servants . . ."

[Here follow the twenty-six signatures, all of non-members of the Committee. They include one peer (the Earl of Shrewsbury), two baronets, thirteen other laymen, and ten priests. The laymen include Sir Thomas Fleetwood, Messrs. Howard of Corby, William Cruise, Henry Clifford, William Maxwell, M.D., Charles Blundell, Henry Witham, and N. T. Selby. The priests include Revv. William Strickland, James Archer, Thomas Meynell, Charles Bellasyse, etc.]

For some reason Milner did not receive the above letter until late at night, and a verbal message had been left requesting an answer by ten o'clock the following morning. Before that hour arrived, a deputation of two waited on him, requesting him to come to Norfolk House, where the party were assembled, and give his answer in person. To this, however, he demurred, pleading the danger of his words being afterwards misrepresented. He offered to prepare his answer in writing, and have it ready in an hour's time. Eventually, as a compromise, he

[1] This letter, but without the signatures, was printed by Milner in his *Ecclesiastical Democracy Detected*, p. 280. The original, with the signatures attached, is preserved at Oscott.

consented to come to Norfolk House with his written answer at five o'clock that afternoon. He kept his word, and drew out a document in which, according to his own account, "he proved that the great body of Catholics throughout England looked up to their Bishops to procure for them in the existing juncture an unobjectionable and proper form of an Oath, that two parts in three of the London clergy had signified this to them in a formal manner but a few days before, that fifty-three in Lancashire had called upon them in a printed paper . . . to this effect, testifying at the same time that very few of their laity would take the Committee's Oath. Lastly, he produced a formal deputation to him from the Bishops to act as their agent in the present business."[1] The certificate of the bishops was in the following terms:—[2]

"We the undersigned testify that Mr. John Milner has acted as our agent, and on behalf of us, and of those persons who confide in us, for our endeavours to obtain of the Legislature a correct form of Oath. If, however, either by speech or writing he has advanced anything improper (we have confided in him) he alone is accountable, and professes himself ready to answer for it.

"WILLIAM GIBSON.
"And by proxy for CHARLES WALMESLEY.
"JOHN DOUGLASS."

On being questioned, Milner admitted that this certificate had been given to him only after he had already circulated his handbills. It must indeed have been drawn out and signed that very day, for the bishops would naturally have seen no reason to give him a commission in writing before that. This fact was taken hold of by the Committee, and made much of in their printed reply. That reply marked the climax of the dispute, and only the extreme heat of controversy can furnish any explanation of the extraordinary character of the document. It was entitled "State of Facts by the Committee of English Catholics respecting the Oath contained in the Bill for their relief now before the Hon. House of Commons—1791". After giving a short account of their own appointment by the Catholic

[1] *Sup. Mem.*, p. 81. The whole of this long letter is printed in *Ecclesiastical Democracy Detected*, pp. 285-90.
[2] *Eccl. Dem. Det.*, p. 290.

body, and of the origin and history of the Protestation and Oath, they come to the main subject of the paper, in a paragraph of so incredible a nature, that it will be well to give it in full:—

"In a publication called 'Facts relating to the Present Contest among Roman Catholics of this Kingdom concerning the Bill to be introduced into Parliament for their Relief,' signed by John Milner,[2] it is asserted that the Gentlemen of the Committee had abandoned the majority of the Roman Catholics, and taken them by surprise. But the Committee have uniformly acted by the Instructions and have uniformly received the Thanks and Support of their Body. In this paper, John Milner assumes to act in the name of thousands; but when called upon to specify the names of these Persons, in whose trust he acted, he could only produce three names, and confessed he had obtained the appointment of those three persons after the publication of this paper. Of those three names, two had been signed to the Protestation, and we have never heard that those three persons were ever chosen by the Catholic body to transact business in their names. No meeting was ever called for that purpose, and although attempts have been made by them to procure a counter Protestation, never could they obtain any one respectable name to it. . . . It remains with the Wisdom and Condescension of Parliament to determine whether it will accommodate itself to the scruples of a few individuals."

The whole tenour of the above passage may well fill the reader with amazement. The "three persons" whom Milner claimed to represent were three vicars apostolic—the natural rulers of the Church. We can well wonder how persons calling themselves Catholics could question their right to interfere on the plea that no public meeting had been held to invest their bishops with power. Nor is this paragraph the only part of the document to which exception can be taken. Their statement near the beginning that "Scruples are now said to be

[1] *Third Blue Book*, p. 41.

[2] Amherst states (i., p. 176) that in this circular the Committee describe him as "*one* John Milner". If the extract on which he is probably relying (*Sup. Mem.*, p. 310) be carefully examined, it will be seen that this expression is Milner's own wording of what he considered the Committee's meaning. The *State of Facts* was printed in full in the *Third Blue Book*, Appendix VII.

raised" concerning the Oath is to say the least misleading, for it implies that those "scruples" were something new and unexpected. They also repeat their usual assertion that except for the initial declaration of loyalty to the Sovereign, the Oath contains nothing more than was in the Protestation.

The bill, after having been more than once postponed, was eventually read the first time on March 10, and the second time on March 21, in each case without debate; but the Committee stage was put off some days, in order to allow time for the preparation of amendments, and it was understood that the debate would be an important one. In view of this, the Committee imitated Milner's former action, and circulated their *State of Facts* among the members on that day. Together with it, they also distributed a new edition of the Protestation with the list of signatures appended. From this list some three hundred of the actual signatures were wanting, the omissions including the names of Milner and all his congregation. This Milner maintained to have been done on purpose, in order to represent him and his three nameless friends as standing in isolation against the whole Catholic body.[1] Butler, however, protested that it was a pure accident. When Milner called on him to ask for an explanation, he said at first that some of the skins on which the signatures were written had slipped aside in the printing; but afterwards he confessed himself unable to say by what accident it had occurred. There was evidently some heat at the interview, for Butler closed it abruptly by saying to Milner, "I wish you well, but I desire never more to see your face". This incident, however, did not take place till a year later. The omission of the signatures was discovered at the time, and the whole Protestation was reprinted, with the missing signatures inserted, though Milner complained that this was done with such dilatoriness as to be of little service, for the mischief had already been effected.

Before pursuing the fate of the bill in committee, we may pause for a moment. From the first of the letters quoted above, we may gather that the bishops had not been entirely pleased with Milner's action in circulating his original handbill. On the occasion of his second handbill we learn from one of

[1] *Reply to Report of the Cisalpine Club*, p. 7; *Sup. Mem.*, p. 311, and elsewhere.

Milner's own letters that some of them regretted the course he had taken as likely to foment quarrels which it was their wish to allay. Their certificate in his favour expressed accurately their feelings: he had acted as their agent, but he alone was responsible for the measures which he had taken to further their cause; and indeed Milner was the last man in the world to shrink from the responsibility of his own actions. They considered, however, that his continued presence would aggravate the situation, and we learn from one of his own letters that he resigned his agency to Mr. Francis Plowden, the lawyer—brother of the Rev. Charles Plowden—and returned to Winchester. The Rev. Charles Plowden had already gone back to Lulworth. He writes from there on March 21, testifying to the value of the work which Milner had done. "I hear our friend Mr. Milner is retired," he writes; "and however much he is abused, he has certainly the merit and comfort of having yielded essential service. He has frightened the Committee from their first plan, and he has spread information through the Parliament. I hope his active services may be properly represented at Rome."[1]

In the same letter Charles Plowden speaks of Dr. Gibson: "I fear the mitre of your respected colleague is doubly lined with thorns. Letters from the North say that the opposition against him is again revived, at a time when I thought it appeased. His presence may perhaps be necessary there, and while the Committee are so exasperated against him, perhaps your Lordship might think it advisable for him to imitate St. Athanasius by a retreat from London, where he has hitherto stayed in sorrow and tribulation to promote the common cause." The hint here thrown out was shortly afterwards acted upon, and Bishop Gibson started for the North on April 2.

Bishop Douglass was now left almost alone to deal with the questions which might arise, though he was in constant communication with his brother bishops and Milner and others by letter. He must have felt the difficulty of his isolation; but there were some advantages to counterbalance this. He was on better terms with the members of the Committee than the other bishops were, and by his prudence and moderation he was creating a favourable impression. Even Joseph Ber-

[1] *Westminster Archives.*

ington admits that Dr. Douglass was "less reprehensible" than his colleagues. Mr. Charles Butler was a frequent caller at his house. According to an old tradition, he used to come there in Holy Week, to join in the recitation of Tenebrae, as well as at other times, whether to join in similar devotions or on business.

We can now follow the bill through the committee stage, which after being put off several times took place on April 1. Dr. Douglass writes at that time:[1] "The reports are much in our favour, and I am credibly informed that the Gentlemen of the Committee, with their abettors, talk now with great moderation on the bill and Oath, that they are sensible we are in favour with Ministry, etc." At the opening of the committee stage, Lord Beauchamp being in the chair, Mr. Mitford moved that the title "Protesting Catholic Dissenters" should be omitted throughout, and in its place should be substituted "persons professing the Roman Catholic Religion". He said that he did so at the wish of the persons whom he represented, that is, of course, of the Catholic Committee. They appear to have realised that the name was doing them harm, and naturally they preferred to be described as "Roman Catholics". Hence the name which has become famous only as a reproach to their party, now disappeared for ever. The title became "A bill to relieve . . . persons therein described, etc."

It was, however, of little use for the name to disappear, unless the fact also which was denoted by it was changed: everything therefore now depended upon what amendments might be made in the Oath, and whether it could be rendered such that all Catholics would take it. The answer can be given in the words of Dr. Douglass, who writing to Bishop Walmesley, sums up the evening's work by saying, "The alterations in the bill are many, in the Oath few". He enumerates the amended passages: "(1) I do abjure as unchristian and impious[2] that damnable doctrine and position that princes, &c. may be deposed or murdered, &c. (2) And that no person can be absolved from any sin, nor any sin whatever be forgiven without sorrow for past offences and resolution to avoid future guilt. (3) That neither the Pope &c. can dispense

[1] *Clifton Archives*, vol. iv.

[2] The epithet "heretical" was thus deleted as applied to the deposing power, —from the point of view of accurate theology, a not unimportant change.

with or absolve me from the Obligation of this Oath or of any other Oath, Contract, Promise, Engagement or Compact whatsoever made to or with any person or persons whomsoever. (4) And I do &c. that I acknowledge no right, power or authority either in the Pope or in any General Council of the Church upon any pretence whatsoever to authorise, enjoin, order or command any person or persons to do or commit any dishonest, unlawful or immoral act;" this clause being substituted for that about the Infallibility of the Pope. In addition to these changes a new clause was prefixed to the Oath, "I, A.B., do hereby declare that I profess the Roman Catholic Religion". In brief, it may be said that the Oath was distinctly improved, though it remained to be seen whether, even in its new form, it could be accepted by the bishops and the Catholic body. The changes in the bill were of course of less importance, and there were afterwards so many further amendments, that it will be easier to consider it as a whole in its final shape.

The report stage, which was taken on April 8, was almost wholly devoted to a debate on whether Catholics could be allowed to present to livings in the Established Church, in cases where their property would ordinarily give them this right: this was eventually negatived by a large majority. To the greater number of Catholics, it was of course a matter of no importance. The few who agitated for it did so apparently feeling aggrieved that Dissenters were allowed to present while Catholics were not, but it may be questioned whether they could have conscientiously used that right even had Government given it to them.

A further improvement of the Oath was made, this time at the instigation of the Committee, re-introducing the clause bearing on Papal Infallibility, and jurisdiction, but restricting the sense in clear terms. The amended wording was as follows:—

"And I do also in my conscience declare and solemnly swear that I acknowledge no Infallibility, right, power or authority in the Pope, or in any particular or in any general council of the Church, save in matters of Ecclesiastical doctrine and discipline only; and that no foreign church" etc.

The bill was read the third time on April 20, and then sent up to the House of Lords.

CHAPTER XV.

THE CATHOLIC RELIEF BILL IN THE HOUSE OF LORDS.

1791.

WHEN the bill left the House of Commons, it was in some respects more mischievous than on its introduction there. In its original form, its natural effect would have been to divide Catholics into two parties, those who followed their bishops, and would have refused the Oath, and those who followed the Committee, and would have taken it. In its final state, however, it succeeded in dividing the bishops among themselves. Dr. Walmesley considered that the Oath was still such that a Catholic could not lawfully take, and accordingly he prepared a Pastoral, which he proposed to send out, should the bill become law, warning all the faithful of his district against taking the Oath. In this he received the strong support of Revv. W. Combes and Charles Plowden, who were his chief theological advisers. Bishop Gibson wrote in much the same sense. He said that he should refuse to take the Oath as it then stood, and that Bishop Hay had advised him in this sense, though counselling him not to inflict any censure on those who thought differently. A little later on, Bishop Geddes also wrote on the stricter side. Bishop Douglass, however, took an opposite view. "My opinion," he writes, "is that the Oath is now so far amended that it may be taken without injuring faith or truth, though the several clauses of it be expressed in terms very inaccurate and untheological. I think those same clauses may be understood and taken in an orthodox sense, and that the speeches of the several members who spoke on the bill in the House of Commons and declaration of men in power bearing witness to the intention of the legislature clearly encourage us to give that sense to

them as the plain and ordinary sense of the terms." It may be assumed also that Dr. Thomas Talbot would have approved of the amended Oath, since he had approved of it in its original form as introduced into the House. The view favouring the Oath was also expressed by the Irish bishops, who at the invitation of Dr. Troy, Archbishop of Dublin, had met and discussed the matter. Thus on the one side were two English vicars apostolic backed by the Scotch bishops, and on the other were the other two English vicars apostolic, backed by the Irish bishops. The latter view, favouring liberty, would probably have prevailed, but a certain number, especially in the North, would have held out against it.

Happily, however, this did not come about. The bill had still to pass through the House of Lords, and the peers proved friends of the vicars apostolic. The first reading took place on May 3, without debate. In anticipation of the debate on the second reading, Bishop Walmesley wrote to Lord Grenville, the leader of the Government in the Upper House, begging him to do all in his power to prevent the bill from passing in any shape that would offend the consciences of those whom it was intended to relieve. Dr. Douglass also wrote in the same sense, and it was probably due to these two letters that the second reading was postponed several times, and did not eventually come on till May 31. The delay was all in the bishops' favour; for it was now becoming a question whether the bill would pass through the House of Lords in time to be returned to the Commons and passed by them before the end of the session, and the vicars apostolic would have preferred to see the bill drop rather than that it should pass in an unacceptable form.

Communication was also opened up with the Anglican bishops, whose influence in the House of Lords on a question which was chiefly religious might be expected to be decisive. Milner wrote a very carefully reasoned letter, containing a precise explanation of the parts of the Oath objected to, and sent copies to the Bishops of Hereford and Salisbury,[1] with both of whom he had a slight acquaintance. At the last moment, Dr. Walmesley summoned up courage and wrote to Dr. Moore, Archbishop of Canterbury, and begged Dr. Douglass

[1] The original of this letter is in the *Westminster Archives*.

to do the same. Dr. Moore is said to have been the son of a tradesman of Gloucester, and he had made his way through the university by obtaining a scholarship at Pembroke College, Oxford. Though he subsequently obtained high preferment, he does not seem to have ever risen above the anti-Catholic prejudices of his early education. Nor were the Anglican bishops as a body likely to be much more favourably disposed. Their position and antecedents had necessarily brought them face to face with the Catholic position at one time or another, and in deciding against it, we need not be surprised that they should have imbibed prejudices in a greater degree than others. Thus, for example, when Dr. Moore in his speech had to deal with the question of Papal Infallibility, he put forward the remarkable plea that it was not enough that Catholics should limit their belief in such a "pretension" (as he called it) to questions of doctrine, for an infallible Pope could himself define infallibly what was and what was not "doctrine". The fact that this plea was apparently based on a somewhat similar one put forward by the Catholic Committee in the *Third Blue Book* does not make it the less unreasonable. The Bishop of Peterborough, in his speech, showed a morbid fear of the supposed proselytising propensities of Catholics. It was indeed freely said that the Anglican bishops were making a party to defeat the bill, and this impression was strengthened by the known fact that the Catholic vicars apostolic looked upon this as the easiest way out of the existing difficulties. Dr. Walmesley wrote in this sense to the Archbishop of Canterbury, the day before the second reading was to be moved. The following is the text of his letter:— [1]

"My Lord,

"The Senior of the Superiors of the English Roman Catholic Clergy takes the liberty to address your Grace on the present interesting occasion. A few persons of our Communion, called the Catholic Committee, lately presented a Bill to Parliament, now pending in the House of Lords, containing an Oath which three of us (of four Superiors) disapproved as ambiguous in some expressions, and as clashing in some articles with our religious principles. This, as your

[1] *Clifton Archives*, vol. iv.

Grace sees, does not affect our allegiance to Government, which is truly constant and sincere, and we fully pledged it by the Oath we took in 1778. The Oath in question, my Lord, relates to conscience, in which I am persuaded your Grace would not restrain us. Probably the refractory and indecent protests of the Catholic Committee made lately and printed against us have reached your Grace's knowledge, and which I presume you freely condemn. The spirit of unbounded liberty prevailing in this philosophic age cannot certainly be agreeable to your Grace. Some amendments have indeed been made and admitted in the above mentioned oath, but still it is not such as to meet with our approbation, nor have we any apparent hopes of its being made religiously unexceptionable. I therefore intreat your Grace to procure the suppression of the present bill, which favour will remove my pressing anxiety, and will be at the same time a signal proof of your Grace's readiness to vindicate the rights of Episcopacy.

"I am, with confidence in your Grace's protection,

"Your Grace's very humble servant,

"CHARLES WALMESLEY.

"WOOLERSHILL,[1] *May* 30, 1791."

The above letter then represents apparently the highest hope of the vicars apostolic at that moment. They despaired of being able to procure the amendment of the bill, and definitely wished to see its rejection. When, however, their prospects seemed hopeless, help came from an unexpected quarter, from one of the Anglican bishops themselves. This was Dr. Samuel Horsley, then Bishop of St. David's, a man of some distinction, not only as a mathematical scholar and Fellow of the Royal Society, but also as a learned and influential divine. Although he had only been a bishop some three years, he was already one of the most prominent members of the bench. There was indeed little reason to hope that he would use his influence in favour of Catholics. Though a friend to religious liberty, when he wrote a pamphlet the previous year on the case of the Protestant Dissenters, he expressly excepted

[1] The seat of the Hanford family, just within the borders of Worcestershire. Bishop Walmesley was "supplying" there temporarily for Rev. J. Warmoll, O.S.B., the Southern Provincial of the Benedictines.

Catholics from his remarks, considering that their exclusion from Parliament and the services was due to deeper causes than the necessity of taking Oaths to which they objected; "for" (he argues) "if it be supposed that Papists during all this time have been governed by their old principles, no Oaths or Declarations made to Government, which their Church hath deemed heretical, can have bound their consciences". He gives as what he considers the true barriers, "the notoriety of their Popery, and the dread and abhorrence of the principles of the Church of Rome," while with respect to the House of Lords he also adds, that "the sentiments inseparable from hereditary nobility" were in themselves a sufficient reason for their exclusion.

Dr. Horsley's pamphlet elicited two answers, both from members of the Catholic Committee—Lord Petre and Sir Henry Englefield. They had a straightforward argument ready to their hand: let the Government repeal the law requiring the Oath of Supremacy as a condition of entering Parliament, and see whether the reasons given by Dr. Horsley would have any effect in preventing the Catholic peers from taking their seats in the House of Lords. Lord Petre's pamphlet as a whole, however, gave an exposition of Catholicity which would not have been accepted by the majority of the body. In glancing over the pages, such expressions as "the most madly aspiring Popes," "the extravagant pretensions [of the Papacy]" and the like cannot fail to attract our notice. King Philip's expedition against England is spoken of as "supported with benedictions, prayers, indulgences and absolutions on his side, with anathemas and excommunications against his enemies," and so forth.

Unfortunately no record seems to exist to tell us what was the effect of these pamphlets on Dr. Horsley's mind; but from the little we have quoted from his own words, we can well understand that the Catholic vicars apostolic would not naturally have looked to him as their champion. The fact that they communicated with him was curiously enough due to no other than Joseph Berington, who was a strong sympathiser with the Committee. Being, however, a personal friend of Dr. Douglass, and also of Dr. Horsley, and being sincerely desirous, as the Staffordshire clergy as a body always were,

that the bill should be cast into a form acceptable to both parties in the dispute, he drafted a letter for Dr. Douglass to sign, and himself had it conveyed to Dr. Horsley. The letter simply contained a request for assistance in the crisis: this assistance Dr. Horsley gave with an effect which exceeded the most sanguine hopes of the vicars apostolic. His speech in the House of Lords was long afterwards spoken of by Catholics as having turned the scale in their favour. It was printed *in extenso*, and published in pamphlet form: some space must therefore be devoted to an account of it.

The motion for the second reading of the bill was made by Lord Rawdon, in a long if somewhat ordinary speech. The only part which calls for notice is his frank admission towards the end that the bill was imperfect as it stood, for it would be partial in its operation, so that he considered that some amendments ought to be proposed in committee. This came as a surprise to those who looked upon him as the representative of the Catholic Committee. Charles Butler, writing a few days later, says that he was "thunderstruck" by it. The Archbishop of Canterbury followed, and in his short speech made little attempt to conceal his prejudices. He did not openly oppose the bill, but he expressed his doubts whether it would be found practicable to amend it suitably in committee without interfering with some very wholesome laws which existed in favour of the Protestant religion.

It was at this point that Dr. Horsley rose to speak. He is described as a small man, of very dark complexion, with a determined expression, and a deep sonorous voice, and his words were listened to attentively.

"My Lords," he began,[1] "with great charity for the Roman Catholics, with a perfect abhorrence of the Penal Laws, I have my doubts whether the bill for their relief that has been sent up to us from the Lower House comes in a shape fit to be sent to a Committee. My Lords, it is not my intention to make any express motion to obstruct the commitment of it, if I should perceive that measure to be the sense and inclination of the House; but I have my doubts, which I think it my duty to submit to your Lordships' consideration.

[1] The report of this speech, taken from Hansard, was also published at the time as a separate pamphlet.

Photo: Emery Walker.

Dr. Samuel Horsley,
Bishop of St. David's.

"Fixed as I am in the persuasion that religion is the only solid foundation of civil society, and by consequence that an establishment of religion is an essential branch of every well constructed polity, I am equally fixed in another principle that it is a duty which the great law of Christian charity imposes on the Christian magistrate to tolerate Christians of every denomination separated from the Established Church by conscientious scruples; with the exception of such sects only, if such there be, which hold principles so subversive of civil government in general, or so hostile to the particular constitution under which they live, as to render the extermination of such sects an object of just policy. My Lords, I have no scruple to say that the opinions which separate the Roman Catholics of the present day from the communion of the Church of England are not of that dangerous complexion."

Having thus clearly declared his opinions as to the present time, Dr. Horsley proceeded to admit, as a Protestant of that day naturally would, that there had been times when he said that "the towering ambition of the Roman clergy, and the tame superstition of the people, rendered the hierarchy the rival of the civil Government, the triple mitre the terror of the Crown, in every state in Christendom". He said that at the time of the Reformation, the breach with Rome had excited a spirit of intrigue among the adherents of the Papacy against the internal Government, which rendered every Roman Catholic, in proportion as he was conscientiously attached to the interests of his Church, a disaffected, or at best a suspected subject. But those times were now long past. "The ambition of the Roman Pontiff," he said, "by the reduction of his power and his fortunes, is become contemptible and ridiculous in the eyes of his own party, and the extinction of the Stuart family leaves the Roman Catholics of this country no choice but the alternative of continuing in the condition of aliens in their native land, or of bringing themselves under the protection of her laws by peaceable submission and loyal attachment to the existing Government."

From all this the bishop concluded that any bill to give general relief would receive his support, but he said that the present bill did not do so. In order to explain its essential faultiness, he proceeded to allude to the disputes among Cath-

olics, with a clearness with which they had not before been spoken of in Parliament. As this brings out the main argument of his speech, it will be well to cite his words:—

"My Lords, this bill is to relieve the Roman Catholics from the Penal Laws, under the condition that they take an Oath of Allegiance, Abjuration and Declaration, the terms of which Oath the bill prescribes. The bill will therefore relieve such Roman Catholics as take this Oath, and none else. Now, my Lords, it is, I believe, a well known fact that a very great number—I believe I should be correct if I were to say a very great majority—of the Roman Catholics scruple the terms in which this Oath is unfortunately drawn, and declare they cannot bring themselves to take it. . . . The majority of Roman Catholics who scruple this Oath are not Papists in the opprobrious sense of the word: they are not the Pope's courtiers more than the gentlemen of the Roman Catholic Committee, who are ready to accept the Oath. My Lords, the more scrupulous Roman Catholics, who object to the terms of this Oath, are ready to swear allegiance to the king, they are ready to abjure the Pretender—to renounce the Pope's authority in civil and temporal matters—they are ready to renounce the doctrine that faith is not to be kept with heretics, and that persons may be murdered under the pretence that they are heretics as impious and unchristian, they are ready to renounce the doctrine that Princes excommunicated by the See of Rome may be deposed by their subjects; but to this deposing doctrine they scruple to apply the epithets of impious, unchristian and damnable. My Lords, they think that this doctrine is rather to be called false than impious, traitorous than unchristian; they say that the language of an oath should not be adorned, figured, and amplified; but plain, simple and precise."

He then further explained why the word damnable was objected to: for it was taken to indicate that those who held those opinions must therefore be eternally condemned. For his part he would hesitate to pronounce such a sentence even of virtuous heathens, as, for example, Socrates, Plato, Tully, Seneca and Marcus Antoninus: what wonder if Catholics objected to say it of Bellarmine or Erasmus?

Dr. Horsley next proceeded to discuss the clause in which it was said that the fulness of even the spiritual authority of

the Pope was denied. We have already considered this clause at some length, but for clearness we may set it out in full once more:—

"I do protest and declare and do solemnly swear . . . that no foreign church, prelate or priest or assembly of priests or ecclesiastical power whatsoever hath or ought to have any jurisdiction or authority whatsoever within this realm, that can directly or indirectly affect or interfere with the independence, sovereignty, laws, constitution or government thereof; or the rights, liberties, persons or properties of the people of the said realm or any of them."

Dr. Horsley pointed out that if the Pope's supreme spiritual authority were allowed, some indirect interference with the civil government would in certain cases inevitably follow: for example, such authority was incompatible with the English law which constituted the King as head of the Church, and even with the validity of Anglican Ordinations,[1] so that a Catholic looked upon him (Dr. Horsley) as no bishop. These principles they could not abjure; the most that they should be asked to swear should be that they would never act upon them to the prejudice of the State, and never do anything that would be construed as hostile to the Government or Constitution. This they had already done in taking the Oath of 1778, and were willing to do again.

It was true, he added, that the Catholic Committee did not admit that the Oath bore the meaning which was objected to. That he would not argue beyond saying that it contained things which he himself, as a Protestant, would refuse to swear. The Catholic Committee, however, in denying that meaning, avowedly accepted the spiritual supremacy of the Pope just as fully as the others did, contending that the Oath as it stood was not incompatible with such acceptance. Thus the contest was one of words. Both parties were equally loyal. Whatever could be alleged against the bishops could with equal truth be alleged against the Committee. There

[1] This is of course an error: the question of Anglican Orders stands on a totally different footing from that of Papal claims. It is well known that Catholics commonly believe in the validity of the Orders of the priests of the Greek Church and even of the Coptic Church of Abyssinia although their Church is not in communion with the Pope.

was absolutely no reason to favour one party rather than the other. He said that the dispute between them had been carried on at first in terms of moderation; but as time went on, the two parties had grown warmer, and hard words had been used on both sides. "The Scrupulous Catholics" (he said) "speak of the writings on the other side as schismatical, scandalous and inflammatory; the Catholic Committee charge the [Bishops] with inculcating principles hostile to society and government, and to the Constitution and laws of the British. My Lords, these reproaches are unmerited, I think, on either side; but they are for that reason stronger symptoms of intemperate heat on both sides." He pointed out that this bill, if passed, could not but inflame the quarrel, for the leaders of the Committee would have the others at their mercy. "My Lords, I shudder at the scene of terror and confusion which my imagination sets before me, when under the operation of this partial law, should it unfortunately receive your Lordships' sanction, miscreants of base informers may be enriched with the fortunes, our gaols may be crowded with the persons, and our streets may stream with the blood, of conscientious men and of good subjects."

As to the possibility of mending the Oath, Dr. Horsley considered that the House of Lords was not competent to do it. The Catholic bishops had condemned the Oath; the Committee were enraged—unreasonably, in his opinion—and a paper had been put into his hands which had the appearance of an appeal to the Pope.[1] What, he asked, was to be thought of offering relief to Catholics on condition of their taking an oath, when they were divided into two parties, of whom one said that they could not take it, and the other were going to write to the Pope to know whether they could take it or not?

In conclusion, Dr. Horsley expressed his regret that the legislature was not content with the Oath of 1778; but as it appeared that they were not, he was afraid that the bill was incurable. Nevertheless, rather than that the Catholics should suffer, in the event of this bill being rejected, he would pledge himself to bring in another the following year, which should be so drafted as to relieve, not one party or the other, but the whole Roman Catholic body.

[1] This was of course the "Protest and Appeal" in the *Second Blue Book*.

The speech of Dr. Horsley produced a great effect on the House of Lords, on account of his evident sincerity and earnestness. But it likewise caused a feeling bordering on dismay among Catholics throughout the country. The sight of a Protestant bishop openly proclaiming the disputes between two sections of the Catholic body could not but fill them with shame. The Committee themselves, perhaps realising that they were in some measure answerable for this state of affairs, tried to throw the blame on Milner. They contended that the handbills, which he had circulated among the members of Parliament, had provided the matter for Dr. Horsley's speech, which was, they said, practically a repetition, "with very little variation," of his last publication.[1] This is, however, unfair to Milner, who could certainly have produced arguments more convincing than Dr. Horsley's. No doubt the handbills were among the latter's sources of information, but they were not the only ones. Milner himself tells us that his letter to the Bishops of Hereford and Salisbury supplied Dr. Horsley with one of his main arguments. Indeed, a very cursory examination of Milner's handbills and Dr. Horsley's speech is sufficient to show that there is really not very much resemblance between them.

The remainder of the debate calls for little comment. All the speakers were more or less favourable to the bill, though some thought that it might be wiser to leave it over till the following session, and to amend it before its re-introduction. Lord Stanhope took the opportunity to proclaim himself the staunch friend of the Catholics, and the Duke of Leeds declared that in his opinion, during the late disputes, the vicars apostolic had been right and the Committee wrong. Lord Fauconberg, who owed his presence in the House to the apostasy of his father, spoke in favour of those who had been his father's co-religionists. Lord Abingdon thought that the amendment of the Oath should be left in the hands of the (Anglican) bishops, who alone were capable of understanding the theological questions involved. The Bishops of Salisbury and Peterborough also spoke, the latter being less favourably inclined to the principle of the bill than any other speaker in either House. Finally, Lord Grenville said that having listened

[1] *Sup. Mem.*, p. 86.

to the debate, he was convinced that the bill could be suitably amended in committee, and at his request the second reading was accordingly voted without a division.

The committee stage was taken on the Friday of the same week; but during the three days which intervened a good deal of private negotiation took place. The acute crisis was over. The idea of two bills had been abandoned, and since Bishop Horsley's speech, the Lords had been practically unanimous that the Oath must either be amended so as to be acceptable to all Catholics, or be set aside and another substituted. After some correspondence, on Thursday, June 2, Dr. Douglass sent what Butler calls his "ultimatum," which was to be shown to the Archbishops of Canterbury and York, as well as to Dr. Horsley and others. In this, after specifying four changes which he considered essential if the old Oath was to remain, he concluded, "It is only on the admission of these amendments which I have distinctly specified into the present Oath that I think it can be rendered generally agreeable to those who hitherto have objected to it. But the Irish Oath I know, could it be admitted in lieu of this, would give universal satisfaction."[1] Dr. Douglass also obtained an interview with Lord Rawdon, who promised to plead for the Irish Oath.

As soon as the House went into committee, the sense of the Lords was evident. Bishop Horsley boldly proposed the substitution of the Irish Oath, and it was forthwith accepted, subject only to a few modifications of form. The words commonly used in Ireland, to "call God to witness and His only Son, Jesus Christ," being unusual in English oaths, were omitted, the initial declaration as passed by the House of Commons, "I, A.B., do hereby declare that I do profess the Roman Catholic Religion," being retained. The few other changes in the bill were for the most part unimportant. There was, however, one which gave rise to anxiety: this was the modification of the succession clause, limiting it to the Protestant line. The new clause was moved by the Earl of Guilford, better known by his former name of Lord North, who had entered the House of Lords on the death of his father a few months before. He said that it was the only circumstance which could render the submission of Catholics to the

[1] *Clifton Archives*, vol. iv.

present Royal Family constitutional. He added that, "No Catholic could be so weak as to suppose that if Parliament should at any future time call a Catholic family to the throne, they would ever be obliged in consequence of their Oath to oppose it". Lord Stanhope, who followed, went so far as to say that the words of the Irish Oath in this article were little less than treason, as they seemed to imply that Parliament could not alter the succession. Bishop Horsley on behalf of the vicars apostolic opposed the clause, but said that in view of Lord Guilford's explanation of the sense in which the words were meant, he would not press his opposition. Lord Grenville, in summing up for the Government, said that after what had passed he hoped that the most scrupulous conscience could have no further difficulty, as they had heard from the authority of that House in what sense they were to support the succession, nothing being meant as bearing on religion. The clause was accordingly passed.

It is noticeable that the Earl of Guilford, then Lord North, had been Prime Minister in 1778, when the former Catholic Relief Act was passed, and as the Oath in that Act contained no similar clause, we naturally look for some reason for his insistence now on its necessity. Milner does not hesitate to attribute it to the influence of the Committee, and he hints[1] in no uncertain language that they had sinister motives for their action. These he explains at length in a letter to Bishop Douglass, now in the *Westminster Archives*. He says that most of the clause, including the essential phrase "being Protestant" is taken from the Oath of Supremacy, and those of the Committee who were Peers intended to take that Oath, in order to take their seats in the House of Lords; and they wished to bring the body of Catholics as far as possible along with them, so as to facilitate their own course. In this, however, he really does them injustice. Many of them were willing to join with Mr. Throckmorton in irresponsible argument in that sense, and we have already seen how they discussed the possibility of an interpretation to the Oath of Supremacy which Catholics might accept: but there is no sign, either then or at any other time, of their having acted on what they said.

As soon as the Oath was disposed of, the Lords proceeded

[1] *Sup. Mem.*, p. 86 note.

to the body of the bill. Here their task was easier, as there was little or no controversial matter to deal with. The Lord Chancellor (Lord Thurlow) indeed proposed an amendment to omit the words allowing Catholics to practise the law, which showed that there was still a large amount of anti-Catholic prejudice remaining. This would of course have defeated one special object for which Charles Butler had worked so long and perseveringly. Notwithstanding the quarter from which it was moved, however, the amendment was negatived by a large majority.

No other changes of importance were introduced. The bill was read the third time on Tuesday, June 7, and returned to the Commons, who probably had not enough interest in it to discuss it further. They simply accepted it as it stood, with all the Lords' amendments. On Friday, June 10, the Royal Assent was given, and the bill became law, and came into operation a fortnight later.

CHAPTER XVI.

CATHOLICS FREE FROM THE PENAL LAWS.

1791.

On Friday, June 24, 1791, the day on which the new Act came into force, it at length became possible to celebrate Mass publicly in England under the sanction of the law. By a remarkable coincidence, this was the actual anniversary of the day on which two hundred and thirty-two years before the celebration of Mass had been prohibited by Queen Elizabeth. Charles Butler has described to us the smile of congratulation with which Catholics would be greeted by their non-Catholic friends after the passing of the Relief Act of 1778, small and partial as the relief was: much more can we imagine the mutual congratulations on the passing of the Act of 1791 which finally buried all the Penal Laws, strictly so-called.

Pastoral letters on the occasion were written by each of the vicars apostolic in their respective districts. The following is the text of that issued by Dr. Douglass:—

"To all the Faithful, Clergy and Laity, of the London District.

"Dear Brethren,

"At length the day is arrived when I may congratulate with you on the greatest of blessings—the free exercise of our holy Religion.

"A humane and generous legislature has seen the oppression under which we have laboured, and by an act worthy of its enlightened wisdom, has redressed the grievances of which we complained.

"As our emancipation from the pressure of penal laws must awaken every feeling of a grateful mind, hasten to correspond on your part with the benignity of Government.

Hasten to give to our gracious Sovereign that test of loyalty which the legislature calls for, and to disclaim every principle dangerous to society and civil liberty which has been erroneously imputed to you.

"Continue to pursue a uniform virtuous line of conduct: 'giving no offence to any man, that our ministry be not blamed'. 'Provide things good not only in the sight of God, but also in the sight of all men,' and let an universal benevolence ever characterise you in the eyes of your fellow citizens.

"Though you be not admitted to an equal participation of rights, continue to show yourselves deserving of that favour: and continue to implore the Divine Blessing on your KING and COUNTRY. 'For the rest, Brethren, rejoice, be perfect, take exhortation, be of one mind, have peace; and the God of peace and of love shall be with you.'

"JOHN, CENTURIEN, *V.A.*

"LONDON, *June* 14, 1791."

We can now proceed to summarise the benefits which Catholics received under the new Act. These were of two kinds: first, they became at liberty to practise their religion, under certain conditions, without incurring the penalties which had till then been in force; and secondly, they were freed from some at least of the disabilities under which they had laboured.

Perhaps the best way to study these effects will be to take a short survey of the state of Catholic life and work during the years which succeeded the passing of the Act. The numerous activities which were in evidence at that time, such as the building of churches and the like, were not indeed all due to the Act, for some of them date from several years before it was passed. They were in many cases the signs of the times, which made the Act a necessity for the well-being of the nation: and rather its cause than its consequence. The Catholic Church in England had in fact now passed its low-water mark and was beginning to expand. Such expansion, however, received a great stimulus when the Relief Bill became law, for many of the causes which had kept it back from that time ceased to operate.

According to the new Act, then, before the existing chapels could be rendered legal and the celebration of Mass in them permissible, two formalities were necessary: the chapels had

to be registered and the clergy to take the Oath about which there had been so much discussion. At many of our older churches in the country the certificate of registration under the Act of 1791 is still preserved among the archives. The Oath could be taken either at Westminster or at any of the Quarter Sessions. The majority of the London clergy took it on the same day, early in July. They went to Westminster in a body, numbering over forty, headed by Dr. Douglass himself. To us it appears a simple formality to have gone through; yet for those times it was not a little remarkable for a company of forty or more to profess themselves publicly as Roman Catholics and priests.

With respect to the chapels, there was a curious proviso in the Act forbidding the celebration of Mass in any building with a steeple or bell. It is not at first sight easy to see the object of this restriction. Possibly it may have been intended to guard against any chance of confusion between a Catholic place of worship and a church belonging to the Establishment. The further restriction that the doors of the Catholic chapels were not to be "locked, barred or bolted" is more intelligible, though it shows a strange suspiciousness still surviving that they might be used for treasonable meetings. Catholics had been so accustomed to keep the doors locked during Mass, to guard against the intrusion of "Informers," that on more than one occasion they fell into serious trouble by infringing this regulation.

Subject to the above restrictions, Mass could now be openly celebrated in a registered chapel, and was legally protected in a special manner: any one who disturbed the service could be bound over to find two sureties of £50 each to keep the peace, or in default, had to pay a fine of £20. Mass could also be celebrated in a private house, provided that not more than five outsiders were admitted. A "Roman Catholic Ecclesiastick" would forfeit all benefit under the Act, if he should "exercise any of the rites or ceremonies of his religion, or wear the habits of his order" in any other place. The exact meaning of these words has been the subject of discussion, since it was under the corresponding clause of the Emancipation Act of 1829, that the Eucharistic procession was prohibited by the Government in September, 1908. The context in which

it stands in the Act before us indicates that it was desired to inhibit any display of Catholic rites outside the places licensed by the Act. It conveys the impression also that the clause was designed to prevent a priest from appearing in the streets in his cassock. This was, however, not likely to occur, for at that time the cassock was looked upon as a purely ecclesiastical vestment, and no one ever wore it off the sanctuary. Dr. Douglass was bolder than his predecessors, and at his own house he wore his pectoral cross openly, but he did not think of wearing his cassock. He had also pontificated in the chapels of the ambassadors ever since his arrival in London at the beginning of 1791, which had never been done before. From the time of the passing of the Act, High Mass, and even Pontifical Mass, became rapidly more common. Public sermons were definitely permitted in all registered chapels, as well as at those of the embassies,[1] and from this time we hear nothing more of the Sunday sermons at the "Ship". In the report of his district which Dr. Douglass sent to Rome in 1796 we find a distinctly more hopeful tone than that of the previous one sent by Bishop Talbot nine years earlier. "In the first place," he begins, "the Church is beginning to flourish in our metropolis, and the number of Catholics is daily increasing. From the fact that the open profession of the Catholic religion is now lawful in England, and that public sermons take place in our Chapels, many non-Catholics are converted to the Faith." One of the most prominent of these converts was Mr. James Yorke Bramston, a lawyer in middle life, who was received into the Church about the year 1792, and went to Lisbon to study for the priesthood. Another was the Rev. Henry Digby Beste, Fellow of Magdalen, Oxford, whose sermon on "Priestly Absolution," preached before the University in 1793, caused something of a sensation. His reception into the Church five years later followed almost as a natural sequence.[2]

Every member of the congregation was also theoretically bound to take the Oath in order to share in the privileges of the Act. The legal obligation of going to church was not abolished, and it was only such Catholics as had taken the

[1] At the Portuguese Chapel there were no sermons except in Lent: but this was not due to any restriction on the part of the British Government.

[2] Lee, *Priestly Absolution at Oxford* (Ed. Longmans, 1874).

Oath who could fulfil that obligation by going to Mass at a registered chapel. In practice, however, very few laymen went through that formality. According to Sir J. Cox Hippisley, in all England not more than 5,000 did so, and this number included the clergy. The chief reason no doubt that so few took the Oath was that there was a fee of two shillings attached to the taking of it, and practically speaking, as Mass was publicly celebrated, there was no likelihood of any question being asked. By an interpretation of the law, many Catholics who drove to Mass considered that they were justified in availing themselves of the legal privilege by which those who were "driving to church" on a Sunday were excused from paying toll at the turnpikes: an exemption which some continued to claim even within the memory of the present writer, that is, probably till the abolition of the turnpikes.

We can now take a short survey of the new chapels or churches built during these years. We can take for our basis the bishop's report to the Holy See, in 1796, already alluded to. From this, and other sources, we learn that at the time the Act was passed a large amount of work was proceeding. In almost every quarter of London new development was in progress. In the West end, the Spanish ambassador was building a church adjacent to the new embassy in Manchester Square, and the street in which it stood took the name of "Spanish Place". The architect was one Signor Bonomi, and the style was Italian. There was a nave and two aisles, with a gallery over each, besides one at the back, so that the seating capacity of the church was considerable. Its general appearance is still remembered, for it continued in use until it was replaced by the present Gothic church less than twenty years ago. In later years, however, the proportions of the building were marred by the addition of a third aisle, and the consequent removal of the side galleries. Even so, the rows of columns of imitation marble on each side gave the idea of spaciousness, and we can imagine that at the time the church was opened its appearance would have been quite imposing, and for the time when it was built, it may well have been regarded as an achievement. It was solemnly opened on Thursday, December 8, 1791, Dr. Hussey preaching on the occasion a sermon which was afterwards printed.

At Warwick Street the new chapel had been opened on March 12, 1790, shortly after the death of Bishop Talbot, but the marble altar was not completed till the summer of 1791, and was consecrated by Bishop Douglass on August 10 of that year. The same church still exists, though it has since been enlarged by a new sanctuary. On the demolition of the old Sardinian Chapel in Lincoln's Inn Fields, Warwick Street will become the oldest Catholic church in London, and the only one which dates back to before the Act of 1791. It was at that time still under the protection of the Bavarian ambassador, so that neither this nor the Spanish Chapel had to be registered.

A few months afterwards, a new mission was planned out for the sake of the poor Irish in London, who congregated in large numbers in the parish of St. Giles, and the neighbourhood of Seven Dials, which was popularly known as "Little Ireland". The scheme was set on foot by a Mr. Olivier, in company with Mr. George Keating, the son of the well-known Catholic publisher. A committee was formed who bought a large entertainment hall close to Soho Square, in which the notorious Mrs. Cornelys used to hold her parties and masquerades, which were much frequented by the fashionable world. The interior was converted to its new use by removing the greater portion of the first floor, the part which remained forming a gallery. The exterior was left untouched and had a totally unecclesiastical appearance, which was considered a positive advantage, for by that means it escaped all public attention. Besides the Irish, and a few of the English poor, there were also a considerable number of well-to-do Catholics who lived in that neighbourhood, which was then not far from the fashionable quarter of London.

The first head chaplain at Soho was Father O'Leary. After resigning the post offered him at Warwick Street, he spent some time as junior chaplain at the Spanish embassy under Dr. Hussey. This arrangement, however, was not a success. Both were distinguished men; but they were of very different temperament, and it was hardly to be expected that one would be able to serve under the other. The climax came on Good Friday in the year 1790, when Mr. Hussey abruptly stopped Father O'Leary in the middle of his sermon,

on the plea that the long service made it imperative that the preacher should not continue beyond a certain limited time. Father O'Leary left the York Street Chapel, and afterwards printed an account of his various complaints against Mr. Hussey. A cousin of the latter, the Rev. G. Robinson, who was also a junior chaplain at York Street, wrote an answer, and afterwards at a meeting held at the house of Bishop Douglass, the two priests came to an agreement; but it was considered advisable that Father O'Leary should seek work elsewhere. He accordingly accepted the position of head priest at the new chapel at Soho, which he retained for the remainder of his life. The chapel was solemnly opened on September 29, 1792, when Dr. Douglass sang the Mass, and Father O'Leary preached.

The sermons of Father O'Leary soon became famous, and they were considered an integral part of London Catholicity. He was usually particularly eloquent on any special occasion, such as a day of national thanksgiving, in which Catholics joined within their own churches. There was also from time to time a "Day of Fasting and Humiliation" ordered when the country was faced with serious dangers. In these also Catholics would join, and though no ecclesiastical fast was observed, there would be a public high Mass and sermon at each of the chief churches.

About the time of which we are speaking, an effort was made to establish a chapel at Westminster: a house was hired in York Street, Queen Square, and a room was fitted up for the celebration of Mass. It continued in use for several years, but did not prove permanent.

Across the river, in South London, work was proceeding at the chapel in London Road, St. George's Fields, which has already been alluded to. Although used for Mass from the spring of 1790, it was still far from finished. The Rev. J. Griffiths continued to collect money during the next two or three years, and on the completion of the church[1] in 1793,

[1] A picture of the London Road Chapel, painted in 1825, is preserved in the Guildhall Library, and was reproduced in *Catholic London a Century Ago* (p. 112). The Gothic window and arches there shown, however, belong to a later date than that with which we are now concerned. The chapel was originally built in the ordinary square style of the day, with sash windows.

there was a solemn opening on Passion Sunday, which that year fell on the feast of St. Patrick, March 17, and was consequently the third anniversary of the original opening of the church.

The ordinary London chapel of those times would appear to us now plain and even bare. On the walls there would be perhaps one or two pictures of sacred subjects, but the only decoration was centred around the high altar, which was then the only altar. The taste of the day did not lend itself to ecclesiastical art, and much of the ornamentation was of a trumpery character, and worthy of the satire which Pugin afterwards bestowed upon it. Nevertheless there was a simplicity which inspired devotion, and in later times caused Cardinal Manning—in whose mind everything Gothic was bound up with Protestantism—to assert that there was no place where he could say his prayers so devoutly as in one of the old Catholic Chapels of England.

The arrangement of the benches was also very different from that which obtains to-day. It was regarded as an axiom that any one who required a seat must pay for it. In the space known as the "body of the church" there were no seats of any kind till well on into the nineteenth century, and then only the roughest possible forms, without backs. Those who could afford to pay went either into the "enclosure" in front, or in one of the galleries, in all of which places seats and kneelers were provided. In some churches there was also a "tribune," or raised platform, on one side of the sanctuary, for the regular supporters of the mission.

There was no font; the baptismal water was kept in the priest's lodgings—for it was only gradually that regular presbyteries, or "clergy houses," as they then called them, came into existence. After the passing of the Relief Act, confessionals were erected in several churches, but the priests had become so accustomed to hearing confessions in their rooms that many of them continued to do so, and it was a long time before the use of confessionals became at all general.

Soon after the passing of the Act, Dr. Douglass took up his residence at No. 4 Castle Street, Holborn—popularly styled "the Castle"—which became henceforward the official residence of the vicar apostolic. When at home, he would

wear his pectoral cross openly, which was considered a great advance on previous custom; but no one ever thought of wearing a cassock, except in church, for long after this. When assisting at High Mass, he used his full pontificals, including mitre and crozier, which again was a great advance on previous practice.

Outside London we find already the beginning of a movement to establish additional missions in towns. The more far-seeing amongst the Catholic body were beginning to realise that if Catholicity was to have any real future in England, the missions at the country seats, which had done such important work in the days of persecution and Penal Laws, must be supplanted by chapels in the actual centres of population. Now that the Penal Laws were abolished the Catholics could not be expected to continue to go out into the country to hear Mass: it was time to bring their religion out into the light of day, and to live down prejudice by actual contact with Protestants. The following letter from Lord Petre to Bishop Sharrock is instructive as showing how this idea was already making itself definitely felt, though it will be noticed that he still assumes that the laity are to be responsible for the property of the missions:— [1]

"BUCKINGHAM HOUSE, *November* 28, 1791.

"SIR,

"I received your proposal relative to the building of a Chapel at Monmouth. The collecting of the Catholics into towns in place of straggling missions has always been a measure much recommended by me. On those, now legal establishments, the Catholic religion must ultimately depend. The middling classes will find themselves more independent, and the Gentlemen will feel themselves at liberty to consult their own convenience in the expense attending chaplains. I shall therefore willingly subscribe fifty pounds, and shall be ready to pay it whenever the trustees for the Chapel think it is wanted. I recommend a considerable number of Trustees, as in these cases the property should not be exposed to drop into a single trustee.

"I am, Sir, Your most obedient humble servant,

"PETRE."

[1] *Clifton Archives*, vol. iv.

A similar mission was established at this time at Gloucester; while at Bristol and Birmingham regular churches had already been built.[1]

Confining ourselves to the London District, we find during the next few years missions established at Portsmouth, Southampton, Newport (Isle of Wight), Cowes, and also nearer London, at Richmond, Greenwich and Chatham. The first of these, at Portsmouth, was established for the sake of a fairly numerous body of Catholics who had hitherto been under the necessity of crossing the harbour on a Sunday, in order to hear Mass at Gosport, where, as we have seen, there was a chapel which had been built by Bishop James Talbot. The priest at that time was Rev. Mr. Marsland, and he was not pleased with the establishment of another mission so close to his own, fearing that some of the subscriptions on which he depended would be diverted to the new foundation. In particular, Mr. Conway, a rich layman who lived in Portsmouth, and who had been chiefly instrumental in bringing about the establishment of the mission there, had before been accustomed to pay a small annuity to Gosport: it was understood that this would henceforth be paid to Mr. Cahill, the Portsmouth priest, instead. Mr. Marsland accordingly appealed to Bishop Douglass, who deputed Rev. Richard Southworth, of Brockhampton, to inquire into the state of affairs. The latter sent two letters by way of report, both of which are preserved in the *Westminster Archives*. The second of them gives an interesting little insight into the methods and difficulties connected with the establishment of a new mission at that date, and from that point of view is worth quoting:—[2]

"BROCKHAMPTON, *February* 28, 1792.

"MY LORD,

"Since I wrote last, I have been enabled to give your Lordship further information relative to the new chapel opened at Portsmouth, presuming you would like to know how, with the blessing of God, it goes on and thrives. I will set down

[1] St. Peter's, Birmingham, was opened somewhere about 1789 or 1790. At Bristol the chapel in Trenchard Street, built by Rev. Robert Plowden, a brother of Rev. Charles Plowden, was opened in June, 1790.

[2] This and the following letters are from the *Westminster Archives*.

some particulars as they occur to me, without observing any particular form in the manner of relating them.

"I have before me a list of the names of 130 Catholics, who either come to their duty or to Catechism and instruction to Mr. Cahill. Now out of these 130 mentioned, only 27 went over to Gosport to prayers. Mr. Conway remembers the time when only one came to Gosport from the Portsmouth side. Mr. Cahill has had many with him besides those above mentioned whom he does not know. There are others whom hitherto he has not been able to prevail upon to come, but hopes in time to bring them to their duty. In fine, he doubts not but the number of Catholics in Portsmouth Common and its environs amounts to several hundreds. I have promised to give Mr. Cahill out of my salary £5 per annum for three years, if the establishment continues; chiefly for assisting the convicts at Cumberland Fort. Mr. Cahill is on good terms with the Captains and Officers there, who allow him to assemble any time he pleases on notice given, the Catholic convicts, in a separate apartment, on land, in one of the little houses or sheds built for the convenience of the workmen and their overseers: so that he is never obliged to attend in the hulks, except in case of sickness, which seldom happens. The facility and convenience of doing duty hereby procured, comparatively to what it formerly was, can only be rightly understood by those who have been in the occasion of such attendance. The number of the Catholics (*sic*) Convicts at present is somewhat more than 20.

"Some little time ago the principal members of the new congregation had a meeting in which each agreed to contribute annually a certain sum towards the support of the Chapel and their Pastor; which including my mite, I find amounts to £27 2 0. Mr. Conway for his share finds board and lodging for Mr. Cahill. A collection is also made every Sunday on a plate, as is customary at Gosport; but with this difference, that at Gosport the collection is designed for the Pastor, whereas the intention of this at Portsmouth is for the relief of the poor; and I am told that several Protestants give in something occasionally. . . . I am, with esteem and duty, my Lord,

"Your Lordship's obedient and humble servant,

"RICD. SOUTHWORTH."

The opposition of Mr. Marsland stood seriously in the way of the success of the Portsmouth work. "Nothing as I can find, discourages Mr. Cahill," writes Mr. Southworth, "but the differences between Mr. Marsland and Mr. Conway, and the continual outcry of the former that Gosport will be ruined. Being of a meek disposition it hurts him to think that he should be co-operating to raise one establishment in order to pull down another." After a few months of friction, however, the differences were happily adjusted. Mr. Southworth writes on August 18, 1792:—

"Mr. Marsland and Mr. Conway were some weeks ago happily reconciled at a meeting in this neighbourhood, with Mr. Couche, Mr. Knight and self. The former drank success to Portsmouth, the latter to Gosport, and the rest of the company success to both. Also as a pledge of good will, Mr. Marsland gave down on the spot the 5 guineas he had promised to the new Chapel; and Mr. Conway on his side gave Mr. Marsland the £8. I am happy to find that a good understanding continues between them."

Crossing now to the Isle of Wight, we find two missions established within a few years of each other, at Newport and Cowes respectively. The benefactress was Mrs. Heneage, a native of the island, being a daughter of Mr. Brown of Gatcomb. Though her parents were Protestants, they sent her to the convent school at Hammersmith, and she was afterwards received into the Church by the Rev. Thomas Talbot at Brockhampton.[1] In 1761 she was married to Mr. Winsor Heneage of Hainton, in Lincolnshire, who died in 1786. In her widowhood, Mrs. Heneage devoted herself to works of charity, and spent all her substance on the support of missions and other pious objects. She resided at Newport, and the mission there is several years older than that at Cowes, having been established in 1791. The chapel of that date is still in use, and is an interesting survival of former times. It is of the conventional square shape, with a gallery round three sides. The house which Mrs. Heneage built for herself is close at hand, separated only by a small garden. The wall screening the whole of this from the street, with its row of trees close

[1] A local tradition says that Mass used to be said in a garret at Sheat Manor, near Gatcomb, the house of the Urry family, to which her mother belonged.

Catholic Chapel at Newport, Isle of Wight.

behind, speaks of days when Catholics had to aim at extreme privacy in their daily life. She died in 1800, and her house has since been united to the clergy house adjoining. The Cowes chapel was built four or five years later, and is also a square building with a gallery. The tabernacle on the high altar is a replica of that formerly in the chapel of the English College at Douay, where the Rev. T. Gabb, who was the first priest at Cowes and superintended the building, had been educated.

Returning to the mainland, we naturally expect to find Milner to the fore at Winchester, and we are not disappointed. In place of the small, inconvenient church which has already been described, by means of money which he collected, he set up what was for those times a good-sized building, which has lasted down to the present day. The cost was something over £1,000. Moreover, he had enough independence of mind to build it in some attempt at the Gothic style, which was at that date little understood or appreciated. In the matter of ecclesiastical art, indeed, Milner was ahead of his time. Besides devoting a considerable space in his *History of Winchester* to a consideration of the subject, he wrote two short works on architecture, one being a criticism of the so-called "restoration" of Salisbury Cathedral by Mr. James Wyatt, on which Pugin afterwards commented so severely, the other on mediæval architecture generally. By a curious coincidence Milner became acquainted with Mr. John Carter, who was the only architect of his day who professed to have made a study of Gothic, and who may be almost looked upon as the precursor of Pugin. Milner first met him almost by chance in Winchester Cathedral, they became friends, and eventually he received him into the Church.

The plans for the new chapel seem to have been the joint production of these two, and Mr. Carter superintended the carrying of them out. Milner has left us his own description of the work in an appendix to the second edition of his *History of Winchester*.[1] Speaking in the first instance of the old chapel, he says:—

"Considerable sums had been expended in altering this building in order to render it more commodious for the pur-

[1] Second edition, ii., p. 241.

pose of a Chapel, particularly in the years 1759 and 1784; nevertheless it was still so inconvenient and at the same time so insecure, that it became necessary in 1792 to take it down to the foundation and rebuild it. This measure being resolved upon, instead of following the modern style of building churches and chapels, which are in general square chambers with small sashed windows and fashionable decorations, hardly to be distinguished, when the altars and benches are removed, from common assembly rooms; it was concluded upon to imitate the models of this kind which have been left us by our religious ancestors, who applied themselves with such ardour and unrivalled success to the cultivation and perfection of ecclesiastical architecture. If the present chapel of St. Peter really has the effect of producing a certain degree of those pleasing and awful sensations which many persons say they feel in entering into it, the merit is entirely due to the inventors of the Gothic style of building, and of its corresponding decorations in the middle ages, which have been as closely followed in the present oratory as the limited finances of the persons concerned in it would permit."

The new chapel being free from debt, Dr. Douglass was able to consecrate it, which he did on the Feast of St. Birinus, December 5, 1792. Milner also established a poor school, the building being erected at the expense of Mrs. Heneage.

Coming now nearer to the metropolis, we find a chapel opened by Dr. Douglass at Clark's Buildings, Greenwich, in November, 1793, intended chiefly for the use of the pensioners, among whom it was said that over 500 were Catholics. A new chapel at Richmond was due to a member of the Wheble family. A chapel was also opened a few years later at Brompton, near Chatham, for the use of the Marines. The following entry in the diary of Dr. Douglass is interesting as showing the feeling still existing against Catholic places of worship:—

"1798. October 25. The Rev. Mr. Plunkett having obtained from the Admiralty Board of Ordinance &c. the grant of a piece of ground at Brompton, near Chatham, for the purpose of building a chapel for the marines &c. the Chapel is begun to be built. The Methodists and their friends oppose the building, and pull down at night what was built in the day. The mischief was done twice. Mr. Plunkett complains to

Catholic Chapel, Winchester.

Colonel Nepean of it. A guard is placed at the building and no further mischief is done by the malevolent. The building goes on well, and a subscription is set on foot for defraying the expenses of it."

On the north side of London we find a chapel building at Shefford, in Bedfordshire, in 1791, and another the following year at Old Hall Green in Herts. The property there had been left by Bishop Talbot to his successor on the sole condition that he was a secular, and Dr. Douglass accordingly inherited it. The school had been hitherto carried on at a loss, the annual deficit being made good by Bishop Talbot himself. Dr. Douglass determined to develop the school, hoping to make it self-supporting. The Rev. James Willacy, who had acted as head-master since 1769, retired in favour of Rev. John Potier, who had been an assistant master since his arrival from Douay in 1785. The new chapel was blessed and opened by Bishop Douglass on Sunday, December 9, 1792, and was to serve both for the school and for the people of the mission.

The reader may naturally wish to know whether any provision for legalising Catholic schools formed part of the Act: curious to say, no definite answer can be given. The Act is not quite consistent with itself on this head. On the one hand, Clause XII. enacts that no Catholic who has taken the Oath shall henceforth be prosecuted "for teaching and instructing youth as a Tutor or Schoolmaster," with a restriction specified in Clause XIV. that he must not "receive into his school for education the child of any Protestant father," which seems to imply that a private school such as Old Hall would henceforth be legal. The next clause is even more definite, requiring that the head master or mistress of every such school must be registered at the quarter sessions by the Clerk of the Peace. Notwithstanding this, however, the following clause enacts: "that nothing in this Act contained shall make it lawful to found, endow or establish any religious order or society of persons bound by monastic or religious vows, or to found, endow or establish any School, Academy, or College by persons professing the Roman Catholic Religion". This was understood to prevent the establishment in England of any permanent college or school similar to Douay or St. Omer; and until matters were precipitated by the progress of the Revolution,

the authorities showed no inclination to move the colleges from their continental homes.

The new Act renewed all former laws as to the disposal of money for what was considered "superstitious purposes," so that it continued to be fraught with grave risk to leave legacies for any Catholic charities, and in some cases these were positively illegal. Catholics therefore continued for long after this to leave such moneys to personal friends whom they would privately instruct as to their application.

In the latter part of the Act the various penalties and restrictions to which Catholics had hitherto been subject are recited and repealed in favour of those who took the Oath prescribed. Peers were once more allowed to come into the presence of the King; but the law forbidding this had practically fallen into disuse long since. Lord Petre had entertained the King at his house more than ten years before; Mr. Weld had done the same, and had also publicly been to court in London. The chapels at the country seats of the peers and other landed gentry had long been tolerated, and even the penalty for sending their children "across the seas" to be educated had not been enforced in recent times. Thus the passing of the Relief Act did not affect them very personally. The levying of the double land-tax was not affected; for this formed part of the ordinary Land Tax Act, and could only be remitted by omitting the clause in future.

In the case of the professional classes, the advantages gained were very real. This was especially the case with those in the legal profession, who were henceforth allowed to practise as "Counsellor-at-law, Barrister, Attorney, Sollicitor, Clerk or Notary". Hitherto Catholic lawyers had exclusively practised as conveyancers. Charles Butler, in his account of his own career, alludes to this fact. He was trained by the eminent Catholic conveyancers Mr. Duane and Mr. Maire, and after the passing of the new Act, he was the first Catholic to be called to the Bar. In enumerating other Catholics belonging to the legal profession, we can take the list of the "Gentlemen of the Law," who formed a sub-committee afterwards in the Cisalpine Club; besides Mr. Charles Butler, we find the names of Messrs. Henry Clifford, William Throckmorton and William Cruise. We may likewise mention Mr. Francis Plowden, the author of

the *Jura Anglorum*, whom we have come across as assisting the bishops during the later stages of the Relief Act in the House of Commons. He afterwards however sided with the Cisalpines against his two brothers, Fathers Charles and Robert Plowden, so that Dr. Douglass openly regretted having employed him.

In the professional classes in general, however, the Catholics were very sparsely represented. Even in professions to which their religion was not an absolute obstacle, it was always so serious a drawback to success that few of them were inclined to take the risk. There were a few Catholic doctors, who obtained their medical degrees abroad; but their number was always exceedingly small. Those whose circumstances required them to earn money preferred to take to trade, where their religion would be less in evidence, perhaps not even known.

If, however, Catholics were sparsely represented in the professions, in the sciences and literature generally, where the Penal Laws had no more than an indirect effect, they more than held their own. We have often heard Challoner and Alban Butler alluded to as almost the only scholars of note among the eighteenth century Catholics; but this cannot refer to more than the first half of the century. During the last two decades, with which period we are now concerned, there were quite a number of Catholics of eminence in the literary or scientific world, whose names we have already come across individually. Thus, for example, we have in general literature Charles Butler, Rev. John Milner, F.S.A., Rev. Joseph Berington, Rev. Charles Plowden, Mr. Francis Plowden and others; as Mathematicians and Scientists, Bishop Walmesley, F.R.S., Sir Henry Englefield, F.R.S., F.S.A., etc., and one perhaps more generally known than either of these, Rev. John Turberville Needham, F.R.S., who died at Brussels in 1787. And we may perhaps add the name of the Biblical critic, Rev. Alexander Geddes, who even after his suspension continued to regard himself as a Catholic. It may well be doubted whether any body of men of so small numbers as the Catholics of that day could have produced a list of writers comparable to this. Yet much of this work was done under the harassing effect of the Penal Laws, before the passing of the Act.

For the lower classes, living in towns, the benefit under

the Act was very substantial, not only because it enabled them to frequent the churches publicly, but also because a final term was put to prosecutions against them, for henceforth the only effect of instituting such proceedings would have been to give them the trouble of taking the Oath, which would immediately render them immune.

It is hardly necessary to point out in conclusion a few things which the Act did *not* do, in consequence of which it could never be considered as an Act for Emancipation. It remained unlawful for a Catholic peer to take his seat in the House of Lords, or for a commoner to sit in the House of Commons, to which indeed he was never likely to be elected, for Catholics were not even allowed to vote at a Parliamentary election. No Catholic could be a judge, or a king's counsel, nor hold any office of trust under the Crown. Catholics could not hold commissions in his Majesty's army or navy; those who wished for a military life were accustomed to seek it by going abroad and joining the Austrian army. All marriages between Catholics had to be celebrated in a Protestant church. This had been the case ever since the Marriage Act of 1753, which had been passed without any references to Catholics, with a view to preventing runaway marriages. In order to conform to it, Catholics would first go through the ceremony in their own chapel, which would be valid according to their consciences and would confer the sacrament; and then they would go to the Protestant church merely as a civil act, to render their marriage legal. Milner never ceased to complain of the numerous irregularities to which this gave rise; for partly through ignorance, and partly through timidity, Catholics often went to the Protestant church first, and sometimes even omitted the Catholic marriage altogether. Indeed, if the proper order were adhered to, the priest who performed the ceremony incurred some risk, being legally liable to severe penalties, though there is no record of these having ever been enforced. The practice at funerals was much the same, the Catholic service being usually read by the priest at the house of the deceased. A special clause in the new Act forbade a priest to officiate in any cemetery, and the Protestant service would be read there by a clergyman of the Established Church.

So long as these disabilities remained, the Catholic question could not be considered as solved, and soon afterwards fresh agitation arose. But for the moment the surviving disabilities were forgotten, in the satisfaction of the substantial relief afforded by the new Act.

CHAPTER XVII.

CONTINUATION OF THE CONTROVERSY.

1791-1792.

As soon as the Relief Act had passed, many hoped that the contest between the bishops and the Committee might have been laid aside and buried in the past. Those on both sides proclaimed such to be their wish; but unfortunately neither party proved willing to make the necessary sacrifices for this end, and we shall have to pursue the dreary story of mutual misunderstanding and recrimination through another two chapters before we can record even a temporary peace.

There were causes of dispute still outstanding on both sides. On the side of the Committee, the continued suspension of Mr. Wilkes was regarded as a grievance, and it was bound up with the larger question of the status of mission priests in England, and the possibility of the re-establishment of normal Church government, with bishops in ordinary, and parish priests. On the part of the bishops the scandal caused by the Committee's "Protest and Appeal" was strongly felt, and they thought it their duty either officially to condemn it, or at least to notice it in some way, so as to neutralise its effect.

The first of these questions came to the fore at the annual general meeting of Catholics, which was held at the Crown and Anchor, in the Strand, on Thursday, June 9. The vicars apostolic were only invited at the last moment: apparently it had been intended to hold the meeting without them. In the end however wiser counsels prevailed, and four days before the date fixed, an apologetic invitation was sent by Mr. Butler to each of them. Bishop Douglass attended, and Bishop Walmesley deputed Rev. William Coombes to act as his representative. Bishop Berington, who came primarily as a member of the Committee, may be considered as the repre-

sentative of the Midland District; but Dr. Gibson and the Northern District were unrepresented. Nearly two hundred Catholics were present. In view of the fact that the meeting took place only two days after the last debate in the Lords, at a time when those on both sides were wound up to a high pitch of excitement, we cannot be altogether surprised that it was not harmonious. The official minutes were afterwards printed, and separate accounts are still extant from such opposite sources as Rev. Joseph Berington and Charles Butler on the side of the Committee, and the Rev. William Coombes and Dr. Douglass on that of the bishops, and others as well, so that we can form a fairly trustworthy estimate of what occurred; while in the chief division, which Berington calls a "trial of strength," a poll was demanded, and the names can be compared of those who voted on either side.

At the beginning of the meeting, Lord Petre was voted into the chair, and he at once moved the chief resolution on behalf of the Committee in the following terms:—

"That as the Oath contained in the Bill for the relief of English Catholics is not expressed in the words of the Protestation, the English Catholics take this occasion to repeat their adherence to the Protestation, as an explicit declaration of their civil and social principles, and direct the Committee to use their endeavours to have it deposited in the Museum, or some other place of public institution, that it may be preserved there as a lasting memorial of their political and moral integrity."

This motion let loose the flood-gates of controversy, and many spoke in unmeasured terms. Dr. Douglass in his description says: "It is hardly to be conceived what heaps of abuse the Committee and their abettors cast upon us Bishops". Joseph Berington writes that "some plain truths were spoken about the Bishops," which probably indicates much the same. Eventually, after a long discussion, a division was taken, and the motion was carried by 104 against 72,—a majority of 32.[1]

[1] Among the majority appear the names of all the members of the Committee who were present: also, Revv. R. Lacon, Northern Provincial of the Benedictines, J. Berington, J. Archer, T. Hussey, P. Browne, T. Rigby and John Bew: also, Rev. Charles Bellasyse, who afterwards became Lord Fauconberg, and Alexander Geddes, who still considered himself as a Catholic. The laymen include—besides the members of the Committee—one peer (Lord Shrewsbury), three baronets, and a number of laymen of distinction, including Mr. Thomas Clifford of Tixall, Mr. Henry Clifford the lawyer, Mr. William Throckmorton, Mr.

This result was often afterwards spoken of by the Committee and their party as a triumph: yet it showed considerable falling off from that of a year and a half previously, when the voting was almost unanimous on their side. Moreover, this time, although every one knew on which side the sympathy of the bishops lay, there was no question of strict principle involved, and we find among the majority the names of some at least who would not have wished to oppose the vicars apostolic on any vital question. The votes of the clergy present showed an absolute majority (30 against 21) on their side. The name of Dr. Douglass appears simply as that of a single voter, neither more or less prominent than the others.

As soon as the voting was over, the meeting proceeded to the next motion, which consisted of a formal resolution of thanks to Mr. Mitford, Mr. Windham and Lord Rawdon, for their work in Parliament on behalf of the Catholics. This concluded the ordinary business, and Lord Petre vacated the chair. He was replaced by Mr. Thomas Clifford of Tixall, in order that a vote of thanks to the Committee might be passed. This was proposed by Mr. Charles Dormer, seconded by Mr. Henry Errington, in the following terms:—

"That the thanks of this meeting, in the names of the Catholics of England, be given to the Noblemen and Gentlemen of the Catholic Committee for their attentive, judicious and unremitting conduct whereby the Bill for the further relief of Roman Catholics has been brought to so fortunate an issue."

The proposal of this resolution had been anticipated, and Dr. Douglass had called a few priests to his house the previous evening in order to take counsel upon it. Milner tells us[1] that at his own suggestion they agreed to vote for the resolution, provided that it be so amended as to include also thanks to the vicars apostolic for their vigilant zeal in obtaining an orthodox oath. When the time came, therefore, the Rev. James Barnard proposed this amendment, and Milner himself seconded it: but to use Milner's words, it was "silenced by

Cruise, Dr. Maxwell, and of course, Charles Butler. In the minority were Rev. Arthur O'Leary, Rev. W. Coombes, Rev. J. Barnard, Rev. J. Lindow, Rev. J. Willacy, the head of the Old Hall Green School, and the Rev. J. Milner. Sir Henry Tichborne and Mr. Francis Plowden should also be mentioned; but most of the laymen in the minority were not members of the ancient families.

[1] *Sup. Mem.*, p. 87.

unrestrained clamour". He adds that he "continued to remind the chair and the company of the established rule of deliberative assemblies, which requires that a proposed amendment of a motion must be discussed before the original motion itself. But this was all in vain: certain gentlemen who surrounded the chair insisted upon it that the amendment should not be put to the votes, and it was not put to them." The scene appears to have been very stormy, and the laymen did not hesitate to speak against the "Gentlemen of the Mitre," as they sometimes called them, in unmeasured language. Dr. Douglass in a letter to Dr. Gibson describes it as follows:—[1]

"The abuse thrown upon us at the meeting last Thursday cannot be repeated in a letter. It was thrown out in violent declamations. The ground the declaimers took was the Encyclical Letter of 1789, and the repetition of that letter by us in last January; that had the injunctions of those letters been adhered to, the relief now gained would not have been obtained either in this Parliament or at any future period; that those letters were dictated by tyranny; that the Bishops had exceeded their powers; that they had done everything in their power to have the bill thrown out of Parliament; that Mr. Walmesley had a few days ago written to the Protestant Bishops, the Archbishops of Canterbury and York to that purpose, and prayed their protection against a turbulent laity; that he had before suspended Mr. W[ilkes], and if Mr. W. was guilty, they must all be guilty, and two Bishops were members of the Committee, &c. &c. &c. I had prepared my mind to bear it, and it was well I did expect it: not a word escaped me by way of retaliation."

The original motion was then declared carried: but it would seem that the members of the Committee felt that they had been somewhat high handed, for immediately afterwards a vote of thanks was moved to Bishop Douglass, for approving of the Oath, and for his exertions in the Catholic cause. This was proposed by Rev. James Archer, seconded by Mr. John Webb Weston, and carried unanimously. The fact was that the bishops whom they were unwilling to thank were Dr. Gibson and still more Dr. Walmesley, who had suspended Rev. Joseph

[1] *Durham Archives.*

Wilkes: the consideration of the case of the latter occupied most of the remainder of the meeting.

The matter was introduced by Rev. Joseph Berington, who requested that a letter drawn out by the Staffordshire clergy might be read. The letter had in fact been composed by himself. The first part consisted of an elaborate vote of thanks to the Committee. The last part, concerning Rev. Joseph Wilkes, calls for our consideration. It ran as follows:—[1]

"There is one event which has given us real pain, and which we must yet mention. Mr. Wilkes, we understand, who at a public meeting was chosen a member of your Committee, and whom we viewed in a special manner as the delegate of the Clergy, has been suspended from his functions, for the discharge of those duties, to which a public vote had named him. We beg leave to recommend his case to the general meeting now assembled, and entreat that some measure may be adopted by them, the nature and tendency of which their own prudence and sense of justice will best suggest. But should that measure fail of success, the Clergy of Staffordshire pledge themselves to make his cause their own, and doubt not but they shall receive such co-operation from all the clergy of England as shall ensure success to their endeavours in restoring to their Delegate the good will of his Bishop and the exercise of his ecclesiastical functions."

The letter was dated May 2, 1791, and was signed by fourteen priests, that is, all those included in the original list of the Staffordshire clergy except Revv. George Maire and John Perry, who had withdrawn for reasons already stated.

Milner's comment on the presentation of this letter is, that "Never was there an ecclesiastical proceeding more irregular and disedifying". This judgment seems a little hard, especially bearing in mind that among their number were several priests well known for their piety and zeal as missioners. Before accepting so unqualified a condemnation, two considerations at least should be borne in mind. In the first place, Rev. Joseph Wilkes was not a stranger in Staffordshire. He had been on the mission in that county for some years, and had left comparatively recently. He was therefore well known to the clergy in those parts, who may well have considered him

[1] See printed Minutes, copies of which are still fairly common.

as almost one of themselves. If they thought he had been hardly used, they were justified in espousing his cause, and endeavouring "to restore him to the good will of his Bishop," provided that they did so by lawful means. It may indeed be urged that in the measures actually taken they overstepped limits of action which should have been observed; but that is a less sweeping accusation to make. Even this, however, can only be admitted subject to some qualification. They were unfortunate in having as their spokesman one who could write with asperity, and often fell into unguarded statements. Joseph Berington was his own enemy, for his mind was less bitter than his writings, and when he had overstepped the limits of orthodoxy, he was usually ready to explain what he had said, or even, if necessary, to retract. The tone of his writings was often more objectionable than the substance, and the Staffordshire clergy suffered for his imprudences, of which the tone of the above letter is only one instance.

The other consideration to bear in mind is the fact, already pointed out—that the group of the Staffordshire clergy did not come together for the first time over the Wilkes case, but more than a year earlier, in connection with the bill and Oath as originally proposed. The motive which bound them together was respect and attachment to their bishop and his coadjutor, whose characters, they considered, were being indirectly attacked. This fact is a most material one. We may indeed at this distance of time venture to look on Bishop Talbot's action as weak, and as wanting in that courage and vigour demanded by the difficulties of the times, and we may form an unfavourable estimate of Bishop Berington. But all this was far less clear at the time, and the course pursued by the other side was quite sufficient to justify Bishop Talbot's own priests in thinking he was ill-used. And after all, loyalty to one's bishop, even though a mistaken loyalty, is not a motive which can be justly characterised as irregular and disedifying.

Returning now to the meeting, after the reading of the Staffordshire letter, a long discussion ensued, in the course of which Rev. William Coombes was appealed to, as the representative of Bishop Walmesley, to declare the fault for which Mr. Wilkes had been suspended. He answered by citing Bishop

Walmesley's own words, in a letter to him, "Because Mr. Wilkes has rebelled and protested against the divine established government of the Church by Bishops and their authority; a crime not less than schism".

In using this strong language, Bishop Walmesley must have been judging of Mr. Wilkes's state of mind as a whole: he could hardly have meant to apply this judgment to the one act of appealing to Rome from the orders of the two vicars apostolic on February 8, from which in fact his suspension had arisen. Many regretted that the bishop had written so strongly, thinking that it would give a handle to those on the anti-episcopal side. Another stormy scene followed, which can again be described from a letter of Dr. Douglass:—[1]

"Lord Petre," he writes, "moved that Mr. Walmesley and Mr. Coombes were calumniators of Mr. Wilkes. I immediately rose, and begged his Lordship to withdraw the motion. People thickened about us. I entreated Mr. Fitzherbert, Mr. Clifford and others to interpose. After a while, Lord Petre turned to Sir Henry Englefield and others; then returned to the table and gave notice that he withdrew the motion. Mr. Wilkes spoke in his own defence, and very ably."

After this the Committee became the more anxious not to overstep their province, and they decided not to pass any protest, but simply to send a petition to Bishop Walmesley for the re-instatement of Mr. Wilkes.

The meeting concluded by voting £1,000 to Mr. Charles Butler as a recognition of his services, and £100 to Mr. Hope, his head clerk; and they then appealed for a subscription to meet a deficit of £1,560—an amount which speaks eloquently of the lavish manner in which they had spent money in connection with the signing of the Protestation, and other matters. The amount was all but made up in the room, Lord Petre, the Earl of Shrewsbury and Sir Robert Throckmorton each subscribing £100 and eighteen others £50, the remainder being composed of smaller sums. Dr. Douglass's name is put down for £20. This deficit, however, did not include the extra £1,100 voted to Mr. Butler and his clerk, which amount remained to be made good after the meeting was over.

In accordance with the resolution passed at the meeting

[1] *Durham Archives.*

Mr. Thomas Clifford, as chairman, wrote to Bishop Walmesley in the following terms:—

"My Lord,

"As Chairman of the General Meeting of Catholics this day assembled, agreeably to the above resolution, I write to your Lordship humbly in the name of that meeting, to petition that the Revd. Joseph Wilkes, whom your Lordship has suspended from the exercise of his missionary faculties and ecclesiastical functions in the city of Bath, be restored to the same, and this act of attention on the side of your Lordship to the earnest solicitation of the General Meeting, will be gratefully acknowledged by them.

"I am, my Lord,

"Your Lordship's most respectful and obedient servant,

"Thos. Clifford."

Other petitions to the like effect reached Bishop Walmesley. This time even Dr. Coombes pleaded for lenient treatment. The Rev. R. Lacon, the Northern Provincial of the Benedictines, together with his colleague, Rev. J. B. Brewer, visited Dr. Gibson, and induced him also to intercede. Mr. Wilkes himself waited on Bishop Douglass, and as the result of a long morning's conference, he signed the following declaration:[1] "That it never entered into his mind or heart to rebel or protest against the Divine established government of the Church by Bishops and their authority, but on the contrary, he ever has revered the Divine established government of the Church by Bishops, and if he has ever protested against any act of authority by Bishops, it was because he conceived such particular act to have been of a civil and not of a spiritual nature". Bishop Douglass forwarded this, with an urgent petition for mercy, in which Revv. James Barnard and John Lindow joined. "Now that we have gained our point," he wrote,[1] "and have an Oath which (I think) is orthodox, peace among ourselves is the sole object which is wanting, and in order to secure this blessing . . . I do entreat that Mr. Wilkes's suspension may be withdrawn. Mr. Barnard, Mr. Lindow and many of my best clergy join with me in this entreaty, for the sake of pre-

[1] *Clifton Archives*, vol. iv.

serving union among ourselves. . . . For the sake of peace, my Lord, I am willing to overlook Mr. Wilkes's past conduct, in which Bishop Berington is no less guilty (I will not say anything of Bishop Talbot). I am told the venerable Bishop Challoner once withdrew a suspension for the same reason, and I hope your Lordship may find out some means of relaxing authority because of the times, without suffering any real infringement of jurisdiction or lowering its authority in the public esteem."

Bishop Walmesley, however, was inexorable. He answered Bishop Douglass on June 18, in his usual blunt style:—[1]

"Mr. Wilkes's declaration, as conveyed to me in your letter, of the 15th inst., is not satisfactory. He does not there acknowledge his fault, but rather pleads to make himself excusable for his shameful protest, and sets himself up as a judge over his Bishop, by presuming to hold the case to be of a civil nature, while his Bishop held it to be a spiritual object, and pronounced upon it as such."

And to Mr. Clifford he wrote:—

"SIR,

"In answer to your favour of the 10th, I shall be very willing to withdraw the censure of suspension laid on Mr. Wilkes, when he has professed to me that submission the terms of which he is acquainted with.

"I am, Sir, Your humble servant,

"C. WALMESLEY.

"*June* 16, 1791.'

Here then matters rested for a time. Public opinion, however, began to be on the side of Mr. Wilkes. The regular clergy in particular considered that their rights had been infringed, contending that a bishop had no power to suspend a regular without first communicating with his monastic superior, stating the nature of the offence charged against him, and giving him the opportunity of defending himself. Some even said that the bishop had no right to suspend Mr. Wilkes himself; that the most he could do was to request Rev. John Warmoll, the Southern Provincial, to suspend him. Many of the Benedictines sided with their confrère against Mr. Warmoll,

[1] *Clifton Archives*, vol. iv.

and at the Chapter held at Bruges in July—postponed from the previous year—the Rev. G. Walker, the President General, found the feeling so strong that he did not venture to bring the matter forward for discussion. Dr. Strickland wrote in the same sense to Bishop Walmesley, who deputed Rev. Charles Plowden, also an ex-Jesuit, to answer, which he did in his usual strong language. Dr. Strickland therefore next wrote to Rev. R. Chapman, the Franciscan Provincial, begging him to join in taking up a matter in which he considered the rights of all regulars were bound up. Had Mr. Chapman agreed, he was willing to make a formal appeal to Rome against Dr. Walmesley's action.

Mr. Wilkes spent the summer in a tour in North Wales, in company with Mr. Thomas Clifford. On his return in August, negotiations were opened up with Bishop Talbot to receive him into his district, and Mr. Wilkes was advised that the sentence of suspension could only affect Dr. Walmesley's own district. A week or two later, however, the whole difficulty unexpectedly came to an end, by the difference between Mr. Wilkes and Bishop Walmesley being adjusted, under the following circumstances. Several Benedictines being together at Bath on business connected with the administration of their funds, advantage was taken to hold a conference with Mr. Wilkes, who came from London for the purpose, when they induced him to sign the following declaration:—[1]

"The intention of Mr. Wilkes and of the other members of the Catholic Committee in making their Protestation and Appeal on the 17th of February, 1791, was not to encroach on any spiritual authority of the Apostolic Vicars; but merely to obtain from the Apostolic See and other Catholic Churches a decision whether the doctrines contained in the proposed form of Oath were consistent with the Catholic Faith, and whether in requiring the Catholics of England not to proceed any farther in the bill then pending before Parliament without their previous approbation, the Apostolic Vicars did not exceed the limits of their authority. If in wording the Protestation any words were employed of an unguarded nature, or of an offensive tendency, Mr. Wilkes sincerely regrets that imprudence, and is persuaded

[1] The following documents, either the originals or copies made by Dr. Walmesley, are in the *Clifton Archives*, vol. iv.

that every Gentleman of the Committee would join with him in expressing the same regret.

"Present—JOHN WARMOLL. THOMAS BENNET.
WILLIAM COWLEY. MICHAEL PEMBRIDGE."

This declaration was not accepted as sufficient by Bishop Walmesley. As, however, he was himself equally anxious to have the business settled, he took the opportunity of putting into writing the conditions required by him. These were as follows:—

"I require that Mr. Wilkes testify to me sincere repentance for having acted contrary to my ordinances, and in particular I require also that he retract his signature put to the last Protest in the *Second Blue Book;* and let Mr. Wilkes signify this to the Committee. I require moreover that he promise not to approve of any future proceedings contrary to the Ordinances of his Vicar Apostolic."

It will be seen that in these two documents, the "Protest and Appeal," which formed the conclusion of the Committee's letter to the vicars apostolic published in the *Second Blue Book*, appears for the first time in place of the Protest at the meeting of February 8.[1] In thus changing his ground, Bishop Walmesley was in one sense well advised, for the language used in the "Protest and Appeal" was far more scandalous than in the other document. Moreover, the requisition of the vicars apostolic on February 8 was expressed in somewhat loose language: it had been written on the spur of the moment, and many considered that as the wording stood it was a requisition to desist not only from religious, but from political action. The weak point was that the "Protest and Appeal" had not in fact been the cause of Mr. Wilkes's suspension, and he was able to show that it could not have been; for it was not delivered to Dr. Douglass until the evening of Thursday, February 17, and Dr. Douglass having gone out of town on the Friday, had not written to Bishop Walmesley about it for several days; while the letter threatening Mr. Wilkes with suspension was dated February 19.

At first Mr. Wilkes refused to accept Dr. Walmesley's con-

[1] For the "Protest and Appeal," see p. 254. The Protest of February 8 is given on p. 250. It was quoted earlier in the same letter in the *Second Blue Book*.

ditions, considering that he was pledged to the members of the Committee not to dissociate himself from their action; and Mr. Warmoll returned to Woollershill under the belief that the negotiations had failed. Two days later, however, Mr. Wilkes drew out and signed a declaration which though not entirely satisfactory, proved sufficient for Bishop Walmesley to accept. The original, in Mr. Wilkes's handwriting, and signed by him, is among the *Clifton Archives*. It runs as follows:—

"BATH, *September* 10, 1791.

"Mr. Wilkes will renew with equal pleasure and sincerity to the Right Rev. Mr. Walmesley the promise of canonical obedience which he made to the Bishop at his Ordination; and if in his late public conduct, he has in any respect deviated from the duties of that obedience, he is extremely sorry for it. With regard to the Protest delivered on the 17th of February last by the Right Rev. Charles Berington and the Right Honourable Lord Stourton to the Bishop of Centuria in the name of the Catholic Committee, Mr. Wilkes never considered it in any other light than as a solemn appeal to the highest authority in the Church, and now willingly withdraws that Protest and gives up the Appeal. In his future conduct, Mr. Wilkes will study to conform on every occasion to those duties which canonical obedience prescribes to priests relatively to their Bishops.

"JOSEPH WILKES.

"Witness { MICHAEL PEMBRIDGE.
WILLIAM COWLEY."

In accepting this declaration, Bishop Walmesley withdrew Mr. Wilkes's suspension; but after what had occurred, he thought it would be wiser if he could be removed from Bath. Accordingly, he wrote the same day to that effect to his Provincial. Mr. Warmoll in this case, however, demurred, partly on account of the scandal which such a course would produce, and partly because there was no one just then free to replace him permanently at Bath. And immediately afterwards further complications arose.

The Committee party were far from pleased at what was currently spoken of as Mr. Wilkes's retractation. Mr. Butler at

first refused to believe that the rumour was true. A meeting took place at Mr. Throckmorton's house at Weston Underwood, which Mr. Wilkes attended, the others being Bishop Berington, Rev. Anthony Clough, Rev. Joseph Berington, Lord Petre and Mr. Fermor. They all subsequently went to London. As a result of their deliberations, Mr. Wilkes issued a printed manifesto, giving his own version of his conduct. It took the form of a letter to Mr. Thomas Clifford, as chairman of the late meeting, and was dated Weston, September 28, 1791. As this letter led to the re-opening of the whole question we shall have to consider at least the last part of it in detail. After giving an account of the proceedings up to the time when Bishop Walmesley sent him a list of his conditions for taking off the censure, Mr. Wilkes proceeds:—

"To all and every one of these conditions I had insuperable objections, and in particular I could not express repentance for only having discharged what I seriously thought the duties of our trust required. The negotiation was of course broke off. I then declared my intention of having this business carried in proper form before the highest tribunal of the Church, and my undeniable right of carrying it before that tribunal the Right Rev. Mr. Walmesley did not contest, but informed me that he should put in his answer.

"On the following day, the Right Rev. Mr. Walmesley commissioned the Rev. Mr. Pembridge . . . to inquire whether I would testify my repentance *if I had been guilty* of acting contrary to HIS ORDINANCES; and whether without signifying to the Committee that I had withdrawn my signature from the Protest in the Second Blue Book, I would declare that I renounced the Protest. Conceiving my duty of canonical obedience to arise from the promise which I made at my Ordination, I expressed myself willing to repeat that promise, and testify my sorrow *if in my late conduct I had deviated from the rules of* THAT *obedience.* As to *renouncing* the protest, I could not justify myself to the Gentlemen of the Committee, if I made use of such a term; because it would certainly be construed to imply a renunciation of the principle of protesting against and appealing from measures and decisions, which are conscientiously believed erroneous and aggrieving; but as a new turn in the Catholic business had removed

every subject of litigation between the Catholic Committee and the Apostolical Vicars, except as far as I was personally affected, I would willingly for the sake of peace and a reconciliation *withdraw* the protest, and give up the appeal."

Bishop Walmesley regarded this statement as an endeavour to explain away Mr. Wilkes's submission, and he felt bound therefore to take notice of it. This time, he did not suspend him from saying Mass, but withdrew his faculties, which of course involved his ceasing to have charge of the Bath mission. He wrote to him as follows:—

"REV. MR. JOSEPH WILKES,

"As in your printed letter of the 28th of September last to Thomas Clifford Esq. you maintain principles of which I disapprove, therefore I declare your missionary faculties to cease with the twelfth day of this next November, in my District.

"CHARLES WALMESLEY, *Vicar Apostolic.*

"BATH, *October* 29, 1791."

Dr. Walmesley was now convinced that so long as Mr. Wilkes remained in England, it would be impossible to restore peace to the Catholic body. He therefore took the strong course of writing to Rev. G. Walker, the President General, requesting him to recall Mr. Wilkes to his monastery at Paris. After some demur, Mr. Walker acceded to the request, sending his order through the Rev. John Warmoll. Even Mr. Warmoll, however, felt that this was putting Mr. Wilkes's obedience to a severe test. The news of his second suspension had revived all the excitement of which he was the centre, and his abrupt departure from the country would certainly have conveyed the idea that he was being punished severely for a serious canonical fault, whereas the only offence specified was holding opinions of which Dr. Walmesley disapproved. The Bath congregation once more sent a petition in his favour, dated November 12, in which they dwelt especially on the publicity of the punishment, for an offence that was hardly even specified. Dr. Walmesley indeed argued that on this occasion no censure was inflicted; that Mr. Wilkes had no right to faculties in his district, and the bishop was at liberty to refuse them to

any priest without assigning a reason. This view of the case, however, did not commend itself to Mr. Wilkes or his supporters, who maintained that the sudden withdrawal of faculties of which he had till lately been possessed was in no way parallel to a case in which faculties were refused in the first instance, and that what had occurred must necessarily cast a slur on his character. And indeed the other bishops in practice took this view, for when by Mr. Warmoll's advice, Mr. Wilkes applied through the Northern Provincial to be allowed to go on the mission in that district, Dr. Gibson replied that he could not be admitted until he had been "reconciled" with Dr. Walmesley.

In order to arrive at a settlement, Mr. Wilkes suggested that a commission should be appointed, consisting of two secular priests from each District and two Benedictines, to report to the Vicars Apostolic, whose decision should be final. This, Dr. Walmesley considered, was unduly magnifying the importance of the case, and he refused to agree. Dr. Douglass on being appealed to suggested that the Rev. T. Talbot, the ex-Jesuit, might act as mediator: but this also came to nothing, and the suspension on Mr. Wilkes took its course.[1]

Before finally leaving Bath, Mr. Wilkes wrote a long letter to Bishop Walmesley, dated November 20, in which he explained the view which he held of his position, and quoting the directions given by canonists for cases of urgency, he expressed his intention of making a formal "reclamation" before witnesses. In due course, the following day he presented himself at Dr. Walmesley's house, with his "reclamation"[2] written on parchment, accompanied by six of the leading laymen of his mission—Messrs. Henry Dillon, Philip Howard, Henry Fermor, David Nagle, Pierce Walsh and Thomas Canning. In their presence, standing before the bishop, he solemnly read the document, then handed it to Dr. Walmesley and retired. The laymen themselves then produced a written protest, signed and sealed with all formality, and declared their intention of withholding their usual subscriptions to the Bath Mission for the future, and paying the amount to Mr. Wilkes instead. Bishop Walmesley replied by excommunicat-

[1] These facts are taken from letters in the *Downside Archives*.
[2] See Appendix G.

ing them, and a further dispute arose, for the laymen appealed to Rome, and nearly two years passed before a decision was given, this time unfavourable to Bishop Walmesley.

Mr. Wilkes left Bath the same day, and never returned. He retired first to his home at Coughton, in Warwickshire, while Rev. R. Lacon continued his endeavours to procure his admission into the Northern District, undertaking to hold himself responsible to the President General for his remaining in England until the results of these endeavours were known. Eventually Mr. Lacon failed to achieve his object, and on Monday, January 10, 1792, Mr. Walker wrote a second letter requiring Mr. Wilkes to return to his monastery within thirty days; but this requisition also remained unheeded.

It was now the turn of the Staffordshire clergy to take the matter up once more, and they issued a printed Address to the Catholic Clergy of England, dated January 26, 1792. In this they explain that their original remonstrance, to which we have already alluded, was still circulating for signature when they learnt that a reconciliation had taken place between Mr. Wilkes and his bishop; but as a further quarrel had since arisen, they once more returned to the question. They contend that the suspension of Mr. Wilkes is null for three reasons: (1) there had been no proper citation; (2) no sufficient cause for suspension had been given; (3) no "grievous crime" had been committed.

It is noticeable that the Address was not signed by Rev. Anthony Clough, the Midland Vicar General. He was no longer residing in Staffordshire, having left Chillington in consequence of a disagreement with Mr. Giffard, who had recently married a Protestant, and gone to Heythrop, a small country mission in Oxfordshire, under the patronage of the Earl of Shrewsbury. He consented to sign the Appeal to the Catholics of England of which we shall be speaking presently, which was issued almost at the same time, considering that it was necessary in their own defence, but he doubted of the prudence of the "Address," and wished apparently gradually to sever his connection with the Staffordshire clergy.

The Address brought forth two answers. One was Milner's *Audi alteram partem*,—a short composition on a fly-sheet,

dated May 1, 1792; the other was a pamphlet signed by most of the clergy in the Western District, who wished to show their love and respect for their venerable bishop. The author was the Rev. Charles Plowden. He begins by questioning the right of the Staffordshire clergy to consider themselves as a corporate body at all, as they had no canonical existence as such, and declares that the pamphlet is addressed to the priests as individuals. He then goes on to a close argument of the case on the principles of Canon Law, and at the end is printed a letter from Cardinal Antonelli approving of Bishop Walmesley's conduct up to October 18, 1791, the date of the last information he had at that time received.

Here we may leave the question of the Rev. Joseph Wilkes for the present. His refusal to obey the order of his canonical superior who called him back to his monastery introduced a new element into the case, and put him in a much worse position. A few months later, however, he found an opportunity of taking a prolonged holiday. Sir Robert Throckmorton died on December 8, and his grandson, who became Sir John Throckmorton, removed from Weston Underwood to Buckland. Soon afterwards he planned out a tour on the Continent, to Italy and Rome, and invited Mr. Wilkes to accompany him—an invitation which the latter readily accepted. They did not actually start for some months, and we shall find that they were both still in London during the progress of the negotiations of the "mediators," to be described in the next chapter. The following winter was spent by Sir John Throckmorton in Rome, and Mr. Wilkes was with him at least part of the time.

Although Mr. Wilkes had now left Bath, his case was by no means forgotten. It was considered by many as an object-lesson, showing the need of reformation in the method of Church government, and was used as an argument in favour of the establishment of ordinary Canon Law in England, with a regular hierarchy of bishops, and parish priests, who should have all their canonical rights and privileges.

It now remains to say a few words about the other cause of dispute between the bishops and the Committee, for which purpose we must retrace our steps again for a few months. From the time that the "Protest and Appeal" had appeared

in the *Second Blue Book*, the vicars apostolic had always felt that some answer should be made to it, to prevent the scandal which must ensue if it was allowed to pass without notice. They therefore commissioned the Rev. Charles Plowden to write an answer. This was a most unfortunate choice. Mr. Plowden was of course loyal enough, and wrote with the best intention; but his unrestrained violence of language was unseemly in one who wrote as the deputy of the bishops, and caused a degree of ill-feeling which took long to die down. Even Milner considered his language needlessly offensive. Mr. Plowden's object was to discredit the Committee in every way he could, and any language which in his opinion would serve that end was pressed into use. No matter what his strictures concerned, his condemnations were always equally unqualified. Even the grammar and composition of the documents connected with the Committee came in for his condemnation. Speaking of the bill originally drafted by Mr. Butler, he says[1] that "it would have disgraced a junior clerk in a solicitor's office". "The choice of the matter in the Protestation which preceded it" (he adds) "would dishonour the youngest student in theology, and the arrangement, the diction and the grammar of the whole instrument would discredit an usher in a village school."

With respect to the style of writing used throughout the pamphlet, it would be tedious to do more than quote a few typical passages. He calls the members of the Committee "contrivers of mischief [who] began by deceit, . . . and would first have deceived the body of English Catholics, then insulted them, for being overreached, and to rivet them down in error, would have displayed all the terrors of outrageous persecution".[2] He alludes to their letter as "a masterpiece of dissimulation, duplicity and falsehood".[3] Speaking of a clause in the original bill empowering magistrates to tender the Oath to any one who attended a Catholic chapel, he writes as follows:—[4]

"The Committee in the excess of their extravagance had even the hardiness to hope that the present bench of Bishops would concur by their votes to drag Catholic priests and laymen from the foot of their altars to the receptacles of murderers

[1] P. 10, note. [2] P. 65. [3] P. 118. [4] P. 127.

and robbers. The detestable penal clause far exceeds the bitterness of laical malevolence; it could only be conceived or ripened in the breast of corrupted priests. Indeed we do not impute the invention of it to the lay gentlemen of the Committee; their guilt in admitting and defending it is sufficiently enormous, but still it leaves room for compassion. We can pity sinners, but we have not language strong enough for the demon who seduces them. O, let them sink into darkness, let them hide their heads confounded and abashed."

Speaking again of the clergy who had, in his opinion, misled the Committee, he says:—[1]

"We have the sorrow to behold even the sons of the sanctuary rising against the High Priest; we see them siding into parties, in order to wrest from their Prelates that Pastoral Staff, the control of which is so loathed by their seducers."

These passages might be multiplied indefinitely. The Staffordshire clergy, perhaps not unnaturally, supposed that in many of them allusion was intended to themselves. It appears that they were mistaken, and that Mr. Plowden had chiefly in mind Rev. Joseph Wilkes, and in a lesser degree, Bishop Berington. There was nothing, however, to show this, at least in many of the passages, and it was natural that the Staffordshire clergy should think that they had a right to some reparation. They therefore wrote a collective letter to Mr. Plowden on September 28, demanding satisfaction, and sent a copy to Bishop Walmesley, as his ecclesiastical superior. As Mr. Plowden took no notice of their letter, they wrote a second time, on November 2, demanding an answer within fifteen days. That period having elapsed, they drew up and sent to Bishop Walmesley a solemn denunciation of the Rev. Charles Plowden, "as a calumniator, charging him with having published against us accusations defamatory and false," and demanding that he should be cited before his bishop in the manner prescribed by Canon Law. Bishop Walmesley did not answer this directly, but wrote to Bishop Talbot informing him of the letter he had received, adding, "Do me the favour to inform them that I don't admit any such appeal, nor will I have anything to do with such business".

Having failed to secure satisfaction from the bishop, the

[1] P. 151.

Staffordshire clergy issued their famous "Appeal to the Catholics of England," in which they put forward a list of defamatory passages from Mr. Plowden's pamphlet, with their answers to each; and in an appendix they printed a long statement in Charles Butler's name, in the form of answers given by him to their questions, to the effect that the Committee had received no assistance of any kind from the Staffordshire clergy in drawing out the various documents in the *Blue Books*.

The Appeal was of course the composition of Joseph Berington, and like most of his works was much canvassed for its alleged theological inaccuracy. In particular, one passage in the Appeal gained for itself notoriety, and was commonly spoken of as the "Staffordshire Creed". The passage in question forms part of a protest against the accusation of unorthodoxy. It runs as follows:—

"We know as others do what our faith is, and in that knowledge we have learnt to distinguish what is human from what is Divine. We believe our Church to be an infallible guide in all that appertains to salvation. Of this Church we believe the Bishop of Rome to be the head, supreme in spirituals by Divine appointment, supreme in discipline by ecclesiastical institution; but in the concerns of state or civil life we believe him to be no governor, no master, no guide. We believe that the jurisdiction of Bishops is of Divine origin; bu that that jurisdiction is distinctly defined, that its limits are all known, that is, that its exercise must be circumscribed within the sphere, and be conformable to the rules of established order. We believe that the priesthood is from Christ, the rights of which are as sacred as those of the pontifical and of the episcopal order, and that the forms of ancient practice which must ever be revered, have sanctioned the exercises of those rights and marked their limits."

The part of the above chiefly traversed was that in which it is stated that the Bishop of Rome is supreme in discipline "by ecclesiastical institution". Berington admitted that this passage was "loosely worded," though he contended that it was capable of an orthodox interpretation. We shall return to this point in a later chapter.

The next development of the situation was that the Committee determined to take action as to Mr. Plowden's pamphlet.

At their meeting in February, 1792, they drafted a letter to each of the four vicars apostolic, in which they complained of Mr. Plowden's language, and begged to know whether the bishops confirmed his statement, that he was their spokesman.[1] The letter concluded with the following vehement appeal:—

"My Lord,

"We apply in the most solemn manner to you. We are charged with crimes of a very serious nature; you owe it to us as Christians either to undeceive the public with regard to the opinion they must conceive your Lordship forms of us, and leave to Mr. Plowden the shame of having thus abused your Lordship's respectable authority, or candidly to say that such are your sentiments in our regard. We shall then endeavour to vindicate ourselves from the accusations brought by your Lordship against our moral as well as civil character.

"We are, my Lord,

"Your most obedient humble servants,

"Petre. John Throckmorton.
"Henry C. Englefield. Thomas Hornyold.

"Lincoln's Inn, *2nd February*, 1792."

To this letter the three bishops who were acting together returned the following unceremonious reply:—

"My Lord and Gentlemen,

"In answer to your favour of the 2nd instant, we beg leave to say:

"That we do not conceive ourselves under any obligation to give any declaration whatever concerning Mr. Charles Plowden's pamphlet.

"Charles Walmesley, V.A.
"William Gibson, V.A.
"John Douglass, V.A.

"London, *February* 1, 1792."

It is due to Bishop Douglass to add that, although he

[1] The correspondence on this matter was printed in the *Third Blue Book*.

signed the above letter, he did so unwillingly: had he been left to his own judgment, he would have written less curtly.

Bishop Thomas Talbot's answer to the Committee was, as would be expected, in complete contrast with the above. It ran as follows:— [1]

"LONGBIRCH, *Feb.* 6, 1792.

"DEAR SIR,

"My most sincere and hearty wish and desire has constantly been to promote and preserve concord and harmony, peace and charity among ourselves; and I think I can truly say with the Apostle, 1 Cor. xi. 16, 'If any man seem to be contentious, we have no such custom, nor the church of God'. You may therefore assure the very respectable Gentlemen of the Committee that I never employed, commissioned or desired Mr. Plowden or any one else, to utter or express anything derogatory to them, or any of their connections, either individually or collectively. Could any conciliating measure be devised, an end be put to all feuds, contentions and animosities, and everything contrary to peace, charity and brotherly love be buried in entire oblivion, I should very much rejoice, and would most willingly concur in any scheme that could effectuate this most desirable end, and that could make us with one mind and with one mouth glorify God and the Father of our Lord Jesus Christ.

"Why should the small body of Catholics now in England, who by your endeavours and the liberality and indulgence of an enlightened and beneficent legislature have obtained a more free exercise of their religion, why should they become more disunited than ever and more addicted to quarrels and disputes? As a minister of the Gospel of peace, I have a right to put these questions, and to use my utmost endeavours to bring about peace and reconciliation with all discordant members of our holy Faith and Communion. I firmly believe that all that are at variance most sincerely wish to be united again in the bands of friendship, cordiality and brotherly love. Shall then some punctilios, or some overweaning attachment to an over-hasty resolution or step, obstruct a measure which would be attended with the most happy consequences? Though

[1] *Third Blue Book*, p. 21.

this letter is not much to the purport of your letter, and I much fear not to any purpose at all, yet being so full of what I so much wish, I could not refrain from committing my hasty thoughts to writing.

"With respectful compliments to all the Members of the Committee, I am their and

"Your most obedient humble servant,

"THOMAS TALBOT.

"CHARLES BUTLER ESQ."

During the next two months, nothing further took place; but it was known that the Committee were engaged in preparing a *Third Blue Book*, to be issued before they dissolved, for their term of office would end at the General Meeting in May. There seemed too much reason to apprehend that the meeting would be the reverse of peaceful.

CHAPTER XVIII.

THE MEDIATION.

1792.

HAVING explained the nature of the principal questions which were agitating the Catholic body at this time, our task in the present chapter is the more grateful one of recording how the better feelings of those concerned eventually asserted themselves, and the evils anticipated were avoided. This result was in chief part due to the work and self-sacrifice of three Catholic laymen, who became known as the "Gentlemen Mediators". These were Mr. John Webb Weston, of Sutton Place, Guildford; Mr. Francis Eyre, of Warkworth, in Northamptonshire; and Mr. William Sheldon, of Brailes, Warwickshire. They undertook their office at the request of a few Catholics who met at Mr. Weston's lodgings, 127 New Bond Street, on April 28, 1792.

In order to understand the exact bearing of the mission which the Mediators undertook, we must recall to mind a few details of the situation. The annual general meeting of English Catholics was to take place on May 3, and grave apprehensions were expressed on all sides lest the various controversies which we have been considering should lead to serious dissensions. Sir Henry Englefield had given notice of a motion "expressive of the disapprobation of the body at large both of Mr. Plowden's book and the conduct of the Vicars Apostolic when called upon by us to disavow the calumnies contained in it".[1] Milner says that he had been engaged in preparing his speech for over two months, and was determined to press his motion to extremes. On the other side, Mr. Francis Plowden intended to move a resolution pledging the Catholics of England

[1] *Buff Book*, p. 14.

to acknowledge no other bishops than the vicars apostolic appointed by the Holy See. It seemed also almost certain that the third question, the case of Mr. Wilkes, would be raised, though it was not known in what precise manner, or by whom. Another more practically urgent matter to be discussed was the future of the Committee itself; for it was about to dissolve, and the question would arise whether it should be reappointed. Mr. Weld of Lulworth collected a certain number of influential signatures to a paper declaring against the reappointment of any Committee whatever. The question, however, practically settled itself, for the members of the Committee decided not to seek re-election. In order to perpetuate their principles, however, they formed themselves into a society to which they gave the ominous name of the "Cisalpine Club," which held its first meeting on April 12, just three weeks before the general meeting. Of this we shall be speaking presently.

The other questions which were likely to be raised were argued at length in three publications issued at this time. One was a new edition of Sir John Throckmorton's former pamphlets on the appointment of bishops, in which he avowed the authorship of the original one, at the same time adding some additional matter. Another was the Address of the Staffordshire Clergy to the Catholic Clergy of England, which was republished by the Committee, in which the case of Rev. Joseph Wilkes was presented from his own point of view. The third was their own manifesto, the *Third Blue Book*, to which we must devote a little more space.

It consisted of a "Letter to the Catholics of England," in six parts or sections, amounting in all to twenty-eight quarto pages. In the first section they give a short sketch of the history of English Catholics since the Reformation, ending with the circumstances of their own appointment in recent times. In the second section, they trace the fortunes of the late bill, beginning with the memorial to Mr. Pitt, followed by the appeal to the foreign Universities, and then by the issue of the Protestation, the drafting of the bill and Oath, and its reception in Parliament, continuing the narrative to the point when the bill received the Royal Assent. From this account we have already had occasion to quote several times. In the third section, they boldly "offer some observations on [their] contest

Photo: Emery Walker.

SIR HENRY ENGLEFIELD, BART., F.R.S.

with the Apostolical Vicars". They begin by citing the example of Robert Grosseteste, as showing that there are possible circumstances in which resistance to ecclesiastical authority may be even a duty. They then pass to a short apologetical paragraph, defending their own action, in the following words:—

"We have invariably professed, that we never conceived an idea of departing in any one single instance from the belief or the acknowledged rules of the Catholic Church; and consequently we have uniformly disclaimed the most distant intention of encroaching upon any one privilege belonging to the Episcopal dignity.

"In matters of fact, we were convinced that the Apostolical Vicars were mistaken.

"We knew that they had misconceived the nature of the business which we were conducting, and had misstated our proceedings in it.

"We conceived, besides, that they had extended their authority to objects which came not within their competency. An implicit deference to orders, which equally at first sight and upon reflection, struck us as unwarrantable, would in our judgment have greatly prejudiced the most essential interests of the body of English Catholics, and have justly subjected ourselves to an accusation of relinquishing the duties of a public trust."

After this, the Committee devote several pages to once more discussing the Protestation and the Oath as originally worded; not omitting to call attention to some little difference of opinion even after the late Act had become law, which prevented some of the bishops from expressing a formal approbation of the new Oath for at least several weeks. They defend their opposition to the requests of the two vicars apostolic on February 8, 1791, as follows:—

"Did we refuse to submit to a requisition made by Mr. Douglass and Mr. Gibson not to proceed in the business of a bill before Parliament without their approbation? It was because we could not but deem that requisition an undue exertion of authority. It encroached upon our rights as Englishmen, for we acknowledge no power that can restrain the subjects of these realms from applying to the legislature in a constitutional manner.

"Consider, we entreat you, my Lords and Gentlemen, what must have been the effects of our compliance. Your bill was lost. Every penal and disabling statute, which the wisdom and humanity of Parliament have lately repealed, would still have continued in full force against you. Your disgrace too would have been complete."

The fourth section is devoted to the correspondence that had passed between the Committee and the bishops as to the Rev. Charles Plowden's pamphlet in answer to the *Second Blue Book*. The subject is introduced in the following terms:—

"You have probably heard of some defamatory pamphlets in which your Committee has been treated with little regard, and you approve, no doubt, of our inattention to their contents.

"One alone we think it may now be necessary to notice. The ravings of enthusiasm we can easily overlook, and the calumnies of unauthorised individuals we know how to despise; but the writer of this libel assumes an authority which claims attention and respect. He tells the public that he 'writes at the request of three Apostolical Vicars and conceives himself to be speaking their language'. He certainly does not peak the language of lenity, of conciliation or of truth.

"His misrepresentations are neither few nor unimportant.

"He dashes the foam of his declamation on all those English Catholics who have approved or co-operated in the measures of your Committee, and your very votes of thanks he cavalierly treats as futile compliments for lost reputation."

In the remainder of this section, the Committee proceed to recite their correspondence with the vicars apostolic on the subject, which we gave in the last chapter. In the fifth section, they answer some of Mr. Plowden's accusations. They then conclude with a short sixth section, containing a formal leave-taking:—

"It remains for us to present you, my Lords and Gentlemen, our most sincere thanks for the obliging and kind support we have received from you on every occasion during our five years' appointment, and our grateful acknowledgments of the many honourable testimonies of approbation which our conduct has received from you. These will never escape our memory or our gratitude.

"As individuals our services are at the command of all and every of you. As a Committee we shall meet no more. We therefore surrender our trust into your hands; happy in our consciousness of having on every occasion endeavoured to discharge it well, and in the approbation you have constantly and uniformly been pleased to bestow on our endeavours.

"My Lords and Gentlemen,

"We have the honour to be, with the greatest respect,

"Your most obedient humble servants,

"CHARLES BERINGTON.	JOHN THROCKMORTON.
"STOURTON.	JOHN LAWSON.
"JOSEPH WILKES.	WILLIAM FERMOR.
"PETRE.	JOHN TOWNELEY.
"HENRY CHARLES ENGLEFIELD.	THOMAS HORNYOLD.

"LINCOLN'S INN, *April* 21, 1792."

The letter was followed by ten appendices, as the official documents of the dissolving Committee, most of which we have met with in the preceding pages.[1] They make the Third and last *Blue Book* larger than either of the predecessors.

Matters were in this state when the private meeting to which allusion was made at the beginning of the chapter took place. Its nature and scope can be summarised in the following extract from Bishop Douglass's diary:—

"1792. A certain number of pious gentlemen, alarmed at the danger of schism which appeared on all sides, assembled at Mr. Weston's lodgings, No. 127 New Bond Street, on Saturday, April 28, and came to the following resolution:—

"That John Webb Weston, Francis Eyre and Wm. Sheldon Esquires should wait on the Vicars Apostolic and the Committee and endeavour to prevent any speeches, discussions, &c. on the 3rd of May, at the general meeting of the Catholics

[1] The following is a list:—

(*a*) Memorial to Mr. Pitt in 1778. I. Address of Catholic Peers and Commons to the King in 1778. II. Draft of original bill by Mr. Butler, revised by Mr. Hargrave (1788-89). III. The Protestation, with list of signatures. IV. Petition based on Protestation. V. The Case of the English Catholic Dissenters. VI. Laws respecting the presentation of Roman Catholics to Ecclesiastical Benefices. VII. "State of Facts," in answer to Milner's handbill. VIII. Letter of Bishop Walmesley after the Hammersmith Meeting, October, 1789; IX. Minutes of the Meeting of Clergy at Castle Street on February 2, 1790.

of England held at the Crown and Anchor Tavern in the Strand, and to promote peace in the body Catholic.

"They waited previously on the Vicar Apostolic of the London District and also on the Committee, and settled preliminaries."

From another source we learn the names of those who took part in the meeting at Mr. Weston's lodgings. They numbered nineteen—six priests and thirteen laymen,—including Revv. William Strickland and Thomas Meynell, the ex-Jesuits; Rev. William Cowley the Benedictine; Rev. Thomas Rigby, afterwards well known at Lincoln's Inn Fields; Mr. William Jones, who had been a member of the first Committee; as well as the three above-named mediators themselves. They classed themselves together on the plea that "From not having taken a decided part in the present unhappy contest, they may be considered as unprejudiced on either side". They soon became the nucleus of a third party among the Catholics, who professed to be independent of the disputants, though Milner testifies that as time went on they approached steadily closer to the bishops, and away from the Committee.

The mediators went to work without delay. It was arranged that the bishops and the Committee should each send them a written statement of their respective grievances, so that they might see whether any steps could be taken to accommodate them; and in the meantime, both parties undertook to refrain from any act that could be considered hostile, especially from making speeches of a controversial nature at the coming general meeting. They kept their word, and the meeting passed off quietly. Dr. Douglass in his diary describes it in the following words:—

"On the day of the meeting, Lord Petre moved that John Webb Weston Esq. take the chair. Bishop Douglass seconded the motion.

"Chairman made a short speech on his inability to acquit himself well, and praying the indulgence of the meeting.

"The state of accounts considered.

"Second motion, for a piece of plate (*viz.* a cup valued at £500) be presented to Mr. Mitford. Passed *nem. con.*

"Third motion, Vote of thanks to the Committee, couched in the following words: 'That the thanks of this meeting, in

the name of the Catholics of England, be given to the Noblemen and Gentlemen of the Committee, for their constant attention and unremittent exertions in the execution of the trust committed to them, and which is now brought to a happy conclusion'. Passed unanimously."

As soon as the meeting was over, the mediators returned to the work which they had in hand. The Committee had already written, on April 30, stating their grievances as follows:—[1]

"GENTLEMEN,

"According to your desire, we take the liberty of stating the following grievances which we think ourselves authorised to complain of.

"First, the depriving Mr. Wilkes of his faculties, which we consider as an attack made upon our characters and conduct.

"Secondly, the publishing of the answer to the *Second Blue Book*, by the Rev. Charles Plowden; in which the author asserts that he wrote it at the request of three of the Apostolic Vicars; and that he conceives himself to be speaking their language. As we consider this work as a libel upon us, and many other respectable gentlemen professing the Catholic Religion, we think ourselves justified in requiring from the Apostolical Vicars a disavowal of it.

"Although the gentlemen who have united themselves for the laudable purpose of promoting union amongst the Catholics should fail in obtaining the two points above mentioned, we beg leave to express our hopes that they will exert their endeavours to procure that in future the ecclesiastical government exercised by Catholic Bishops in this country may be settled according to the known rules and canons of the Catholic Church, by which the clergy may possess the rights of parochial clergy.

"With great respect, we have the honour to be, Gentlemen,

"Your most obedient humble servants,

"PETRE. JOHN TOWNELEY.
"JOHN THROCKMORTON. THOMAS HORNYOLD.
"HENRY-C. ENGLEFIELD.

"LINCOLN'S INN, *April* 30, 1792.

"*N.B.* Mr. Wilkes was present."

[1] The following letters are taken from the *Buff Book*.

The mediators next applied to the vicars apostolic for their corresponding statement, which they gave, we are told, with great reluctance, and only on condition that it should not be shown to others. They appended the following note:—

"The Bishops influenced by sentiments of peace and paternal affection for the several individuals of their respective flocks, were and are willing to waive these and other grievances, as far as they are personally concerned, provided they are left to exercise unmolested that spiritual jurisdiction which they have received from the Church, and which no worldly inducement can prevail upon them to part with or compromise."

In consequence of their request, the grievances of the bishops were never made known, and all the discussion was based upon those of the Committee cited above.

The question as to Mr. Wilkes was the first to be considered. Bishops Gibson and Thomas Talbot had come to town early in May, and together with Bishop Douglass held a conference with the mediators on the 12th. The bishops considered that Mr. Wilkes ought first to obey the orders of his superiors and to retire to his monastery: as soon as he had done this, they promised to unite with the mediators in a letter to Bishop Walmesley to bring about a reconciliation. They proposed the following as the easiest form of retractation on the part of Mr. Wilkes, which they could hope to induce Bishop Walmesley to accept:—

"I thought I did right in the part I have taken as a member of the Catholic Committee, and that I acted according to conscience; but since my Bishop and my religious superior say that I have erred, I submit to their determination."

When this form of retractation was read to the Committee the following day, it was "unanimously and decidedly rejected," and so it appeared that the matter was at an end. In order to complete the account of this part of the business, the following two letters must be added. The first was understood to be the substance of what was agreed upon between the Committee and the mediators at the conference; the second is Bishop Walmesley's answer.

THE MEDIATORS TO BISHOP WALMESLEY.

"MY LORD,

"In the progress of our earnest and humble endeavours to promote the restoration of peace and union in the Catholic body, which your Lordship has been so obliging as to approve and applaud, and for the attainment of which you have so charitably offered your co-operation, we beg leave to inform you that we find the situation in which you have thought proper to place Mr. Wilkes proves at this moment, and we fear will for ever prove, an insurmountable barrier to the great and important object we have in view. It is therefore with inexpressible grief that we are forced to give you this information, and we beg leave to add that we can expect no extenuation of it, but from the moderation and prudence of your Lordship. Far be it from us even to presume to suggest measures which necessity may require to be taken at this critical moment. We only beg leave to say that the Gentlemen of the late Committee seem to make Mr. Wilkes' cause their own. They conceive him to be a martyr to it, and therefore appear resolved to support and have his character vindicated in the eyes of the world, which they do suppose has suffered and still does suffer from the insertion of some words made use of in your last suspension of that gentleman. This (as we have remarked) they grievously complain of; and in order to counteract those bad impressions which they fear may be prejudicial to his character, they ardently hope, with us, that your Lordship will use your good offices to get him admitted into some other diocese at a future period, when presented by his superior as is customary. We have nothing more to add at this moment than to say that when this difficulty is removed, no other obstacle, we flatter ourselves, will obstruct peace and union in the whole body. With grateful thanks for the honour of your obliging letter, we beg leave to subscribe ourselves,

"My Lord, &c.

"JOHN WEBBE WESTON.
"FRANCIS EYRE.
"WILLIAM SHELDON.

"LONDON, *May* 14, 1792."

BISHOP WALMESLEY TO MR. FRANCIS EYRE.

"SIR,

Not only myself, but the whole Catholic body are certainly obliged to you gentlemen for your generous exertions to restore peace and union among us. As far as is consistent with my duty, I am ready to concur in promoting that desirable end; and on that ground I must beg leave to observe, 1st that when I had taken off Mr. Wilkes' censure of suspension, I supposed that in what related to him, peace was restored, and it might have been so, had he not renewed in his letter to Mr. Thomas Clifford the same reasons of complaint which he had given before. 2ndly that the withdrawing of Mr. Wilkes' faculties in my District was a spiritual affair between him and me; not belonging to any other persons. 3rdly Mr. Wilkes' maintaining certain principles which I disapproved, I expressed as the reason of my withdrawing his faculties, and that was done in order to satisfy him and all others, though I was not bound to give any reason at all, either by ecclesiastical law or by practice of the mission. Moreover, I allowed him fourteen days for reflection, during which interval in a conference with him, I explained to him specifically the principles I found fault with; but Mr. Wilkes offered no submission, and chose to let the sentence take place. Now let us also take notice that Mr. Wilkes has been some time under absolute re-iterated orders from his Regular Superior to retire abroad; his conscientious duty was to obey those orders, and while he remains in that predicament, I refuse all interference with him. But if at a future period his Superior should judge it proper to send him on the mission, I shall make no objection to his being admitted into another District.

"This statement, I hope, will be deemed satisfactory, and am with much regard and esteem, Sir,

"Your very humble servant,

"C. WALMESLEY.

"BATH, *May* 17, 1792.

"FRANCIS EYRE ESQ."

We can now proceed to the second question raised by the Committee, respecting the authority of Rev. Charles Plowden's pamphlet. This led to a certain amount of divergence of opinion among the vicars apostolic; but eventually the three who were concerned agreed to the following answer:—

"Although we did request the Rev. Charles Plowden to answer the *Second Blue Book*, we left the method and manner to him, and therefore without difficulty disavow any language contained therein which appears to derogate in the least from the character and reputations of the Gentlemen of the Committee, or any other Gentlemen of the Catholic Body.

"CHARLES WALMESLEY.
"WILLIAM GIBSON.
"JOHN DOUGLASS."

The third point raised by the Committee, though not put into the form of a grievance, was really intended as such. This was the question as to the Ecclesiastical government of the country. It was no doubt raised with special reference to the case of Mr. Wilkes, which, as has been said, they considered a striking example of insecurity of tenure, and a difficulty which would have been avoided, they thought, had the vicars apostolic and missionaries been bishops in ordinary and parish priests respectively. The former of these reforms might have been possible enough, for as Cardinal Manning has pointed out, it would have been "as possible to have four or eight dioceses as to have four or eight Vicariates".[1] But the creation of parish priests would have involved first the erection of parishes, and in the state in which England then was, this would have been a much more difficult thing than the Committee supposed. A "Parish Priest" could not have been a "Chaplain" at a country seat, which at that time was the position of the majority of the priests of England. The division of the country even into definite missionary districts was still far off in the future, and the establishment of regular parishes has not even yet been accomplished. Milner indeed speaks contemptuously of the whole proposal. "These laymen" (he says) "did not understand the ecclesiastical business they

[1] *Pastoral Office*, p. 224.

had embarked in. They wished our scattered missionaries to be changed into Parish Priests, before there were any parishes founded for them to govern! They were all of them to be alike Rectors without any Vicars; like an army of Officers without any soldiers." [1]

The Bishops were anxious, however, not to appear unwilling to listen to the Committee's proposals, and three out of the four finally agreed to the following joint answer, Dr. Walmesley alone dissenting:— [2]

"The Vicars Apostolic conceive that as this subject requires the most mature deliberation, it is impossible to give any other answer in the moment, than that they will give it their very serious attention, and report their opinions thereon to Messrs. John Webb Weston, Francis Eyre and William Sheldon in the course of three months, though they fear that such a measure is not practicable under the present circumstances.

"THOMAS TALBOT.
"WILLIAM GIBSON.
"JOHN DOUGLASS."

The above answers were presented by the mediators to the Committee at a conference on May 23. They afterwards described the Committee's attitude and manner of speaking as moderate and reasonable, notwithstanding the forebodings which many had indulged in; nevertheless, the Committee found great difficulty in agreeing as to an answer. In the end the conference broke up without any decision having been come to, but late in the evening the Committee sent the following letter to the mediators:—

"GENTLEMEN,

"In answer to the communication with which you favoured us from the Vicars Apostolic, we beg leave to say that their disavowal respecting Mr. Charles Plowden's pamphlet is quite satisfactory. It must now be considered as merely the production of Mr. Charles Plowden and (as we have de-

[1] *Sup. Mem.*, p. 98.

[2] Dr. Walmesley sent his own answer independently, to the effect that such a measure was not practicable.

clared in our last letter) it has been our constant resolution not to notice the production of any individual.

"With respect to the affair of Mr. Wilkes, we must beg leave to state that we must still consider him as suffering for his adherence to the Committee. We do not pretend to say that we have any right to interfere with Mr. Walmesley in granting faculties to or withdrawing them from his clergy; if such acts are done by superiors contrary to justice in the present state of the mission, it is not for us to point out a remedy; but as we cannot view the suspension of Mr. Wilkes in any other light than as a mark of Mr. Walmesley's disapprobation of the Committee; and as we are sure that imputations on his moral character have been propagated in consequence of his suspension, we must deny the justice and propriety of the measure, though we do not at all contest the right. And we conceive ourselves justified in requesting of the other Vicars Apostolic a full vindication of Mr. Wilkes' moral character from any aspersions cast on it in consequence of Mr. Walmesley's censures, and a declaration of their disapprobation of Mr. Walmesley's conduct, if it shall be found to have been in violation of the established rules of the mission.

"If the Vicars Apostolic will not in these, or some other equivalent terms, vindicate Mr. Wilkes, his business must be considered by us as standing precisely where it formerly did, and we must feel ourselves now, as before, bound to support an injured and oppressed man.

"We are happy to learn that the Vicars Apostolic of the Midland, London and Northern Districts have taken the future ecclesiastical government of the country into consideration, and will report their opinion of it to you.

"It only remains for us to repeat (what we have often declared) that we never interfered, or intended to interfere, with the spiritual authority of the Church or her ministers.

"We are much obliged by your communications and exertions on this occasion. We return you many thanks for them, and we assure you that (except in what we have stated respecting Mr. Wilkes) we are not conscious of any cause of difference between any of the Vicars Apostolic and us; and we shall be at all times happy to co-operate with them in any measure of

general utility, or which may be thought likely to produce general harmony among Catholics.

"With great respect, we are,

"Your most humble servants,

"PETRE.	WILLIAM FERMOR.
"HENRY C. ENGLEFIELD.	JOHN TOWNELEY.
"JOHN THROCKMORTON.	THOMAS HORNYOLD.

"LINCOLN'S INN, *May* 23, 1792."

On the receipt of the above letter, the mediators may well have congratulated themselves on the result of their labours. There was not indeed a complete understanding between the bishops and the Committee, for the Wilkes case still remained unsettled; but in all other respects the points raised had been fairly met, as the Committee had admitted in their formal letter. They were also able to add two additional results which they had effected, which they stated at the conclusion of their report, which had best be given in their own words. The first related to the origin of the Oath, about which the mediators write as follows:—

"In the course of this negotiation we had an opportunity of seeing and laying before three of the Vicars Apostolic the original bill prepared by order of the late Committee, and also the second bill with the several alterations, and particularly the variations in the Oath which have been the unfortunate cause of so much difference of opinion. These were produced, with such incontrovertible evidence that those alterations, and particularly the variations in the Oath, were not framed or proposed by the Gentlemen of the late Committee, that we feel ourselves called on, both by candour and impartiality to declare, that we were perfectly convinced that the Vicars Apostolic seemed to us satisfied and that we really hope no doubts will any longer be entertained on that subject."

The other point alluded to concerned a rumour that Mr. Butler contemplated writing a history of the late disputes, which could not but revive feelings of irritation on both sides. The mediators applied to Mr. Butler, who answered: "That he has no such intention, and that he entirely coincides with us in opinion that this or any other publication that has the remotest

relation to the controversies now happily terminated, would be exceedingly improper". And perhaps more important than either, the Rev. Joseph Wilkes had at length left town, in order, as they believed, to obey his superior, and retire to his monastery. On Wednesday, May 29, the mediators gave a dinner party at Blenheim's Coffee House, to celebrate "the day of peace".

Their rejoicings, however, turned out to be premature; for when they circulated their printed report, the Committee took grave exception to some of their statements, and the concluding negotiations were unhappily marked by an unpleasant tone which had hitherto been absent. We must follow them out, at least in brief, to their conclusion.

The first letter showing the dissatisfaction of the Committee was written by Sir John Throckmorton, on May 31. He complained that in their report the mediators had omitted any account of such negotiations as had proved abortive, and therefore, for example, the form of submission proposed for Mr. Wilkes and its rejection by the Committee had not been mentioned.

In order if possible to meet their views, the mediators at once stopped the issue of their printed report, and called in all copies that they were able to. The same afternoon they held a conference with the Committee at Mr. Weston's lodgings; but the further they proceeded the more difficult the members of the Committee became. The following day, the latter sent a formal letter, in which they adopted a threatening tone, expressing their intention to issue a public answer to the mediators' report, unless it was altered suitably to their demands. They complained bitterly that no reparation had been offered to Mr. Wilkes's character, and that no word of acknowledgment had been made by the vicars apostolic of all the work done by the Committee on behalf of the Catholic cause. They called for the publication of all documents relating to the late negotiations, and accused the mediators of writing to Bishop Walmesley a letter "essentially different" from that drawn up at the meeting.

This last insinuation gave offence to the mediators, who refused to have any further dealings with the Committee as a corporate body. Letters of civility were interchanged with

Lord Petre and other individual members, but no further conferences took place between them.

Nevertheless, in order to leave no stone unturned, the mediators wrote further to the vicars apostolic, saying that in their opinion the cause of peace would be greatly forwarded if, as they had previously suggested, the bishops could see their way to write an answer to the Committee's former letter of May 23, expressing good wishes for the future in general terms. They even took it upon themselves to ask Mr. Francis Plowden to draw up such a letter for consideration. Bishop Walmesley at first persisted in his refusal to take any further action, but after a time, he consented to sign a letter drawn up by Bishop Douglass, which ran as follows:—

"GENTLEMEN,

"We are happy to find from the letter with which you favoured us, that the Noblemen and Gentlemen of the late Committee continue to declare that they never intended to interfere with the spiritual authority of the Church or her ministers. This, their repeated declaration, appears to us an earnest of future peace, and we are encouraged by it to hope that they will re-consider their protest against and appeal from our Encyclical Letters, and recall an instrument the spirit and language of which have so grievously wounded that spiritual authority, and given so much scandal to the faithful.

"We, on our parts, shall at all times be happy to co-operate with any member of the Catholic body in such measures as may be thought of general utility, and likely to promote peace and harmony amongst us.

"To you, Gentlemen, we feel the greatest obligations. Your candour and zeal throughout the whole of your Mediation have impressed on our minds the highest idea of your virtue: and we beg leave to assure you, that we remain, with the truest esteem, Gentlemen,

"Your much obliged and very humble servants,

"CHARLES WALMESLEY.
"WILLIAM GIBSON.
"JOHN DOUGLASS.

"*June* 16, 1792."

It will be seen that in this letter the bishops return to the

"Protest and Appeal". It may be doubted whether they were prudent in raising a fresh question at so late a stage, or even whether they were justified in so doing, for although the Protest and Appeal had been mentioned in the original list of their "grievances," these had never been published, and the bishops were commonly supposed to have accepted terms of peace without reference to it. It appears that Dr. Douglass hoped that, by merely putting it forward as desirable that there should be some retractation, without making any definite requisition, he would succeed in inducing the Committee to comply. Dr. Walmesley expressed his doubts on this, which unfortunately proved well founded. The mediators, who still refused to hold any further conference with the Committee, forwarded them the letter of the vicars apostolic. They answered within forty-eight hours, in a letter—the last they ever issued as a corporate body—which for strength of language and bitterness of tone recalls the *Blue Books* and other documents of the past. We shall give one extract to serve as a specimen of the style they thought fit to adopt:—

"With respect to the recall of the Protest and Appeal desired by the Vicars Apostolic" (they write), "we continue in our former sentiments of the measures against which we protested, and from which we appealed.

"As to the Appeal, the Oath which was the subject of it being dropt, and another substituted in its stead, we did not of course pursue the appeal. But we continued, and we still continue, in asserting our right to appeal from any ecclesiastical sentence which we conscientiously believe erroneous, informal or unjust.

"The Protest we cannot recall while the Encyclical Letters remain unrecalled. We conceive the Vicars Apostolic in those letters, as also in their requisition to us at our meeting, proceeded on an opinion that they have a right to condemn an Oath or any other measure which they take upon them to say is of a spiritual nature, without even a specification of the particular matter objected to, or showing the grounds of their censure; and that an Oath containing doctrinal matters though perfectly orthodox, and though the taking of it would be highly beneficial to individuals or to the body at large, cannot be lawfully taken without their previous approbation.

"Intrusted as we were by the Catholics with an important concern, we find it impossible for us to submit to these determinations of the Vicars Apostolic without betraying that trust. We therefore protested and declared our intention of appealing from the exercise of any act of authority that should enforce such principles."

In the latter part of the letter, the Committee show a tendency to go back upon what they had formerly accepted, and they express themselves as dissatisfied with the answer of the vicars apostolic as to Mr. Plowden's pamphlet, and call upon the mediators to vindicate their reputations. The letter was signed by the same five as before and with this the negotiations came to an end, except only that the vicars apostolic had yet to send their final answers as to the possibility of the restoration of a hierarchy in England. In view of the attitude now adopted by the members of the Committee, however, there was now less reason to make so great an effort to meet them, and the answers of the bishops, when they came in, were short, and to the effect that the measure was not at present practicable.

Before finally winding up their business, the mediators amended their printed letter in accordance with the wishes of the Committee, and prefixed an account of the correspondence which led them to do so. Their publication became known as the *Buff Book*, from the colour of the wrapper used.

Although the later correspondence would seem to indicate that the peace that at one time seemed to have been arrived at had receded further than ever, it would appear that the members of the Committee did not view it altogether in that light. Charles Butler wrote a short account of it thirty years afterwards, for the third edition of his *Historical Memoirs*, and he sums up the result as follows:—[1]

"Thus by the interference of these respectable mediators and the gentlemanly and Christian disposition of the parties principally engaged in the discussion, the contention was happily terminated; on each side the word of peace was spoken, and silence promised. The peace thus spoken and the silence thus promised have been observed inviolate, both by the Committee and their adherents, and by the three objecting Prelates."

[1] *Hist. Mem.*, iv., p. 59.

A further, though indirect, result of the mediators' work remains to be mentioned. Through their influence, an understanding was come to between Rev. Charles Plowden and Rev. Joseph Berington, representing the Staffordshire clergy. A conference took place at Castle Street on May 9, 1792, in the presence of Rev. John Milner, Rev. Charles Bellasyse, Rev. Richard Southworth and Mr. Charles Dormer. Both Mr. Plowden and Mr. Berington thought it necessary to explain at different times that they did not read each other's writings.[1] At the conference, Mr. Plowden declared that in writing against Mr. Berington he had not been actuated by personal resentment, but solely by a sense of duty. With respect to his *Answer to the Second Blue Book*, he signed the following declaration :—[2]

"In the seventeen propositions or passages from the *Answer to the Second Blue Book*, I declare upon my honour, that I did not mean to allude to the gentlemen who have signed the Appeal to the Catholics of England.

"I declare, moreover, that in declining to answer the letters of the said Gentlemen, I was influenced by motives which I deemed prudential, and that I was therein guided by the advice of persons of great respectability. I declare that my refusal to answer their letters did not originate in any motive of disrespect, resentment, contempt, slight or ill will.

"Ita est. CHARLES PLOWDEN.

"CASTLE STREET, *May* 9, 1792."

On the following day Mr. Plowden had a conference with Bishop Talbot, who had come to town to meet the mediators, and assured him that he had never had any intention to "blister" his character; at his request, Bishop Talbot signed a declaration that he accepted his statement. Mr. Plowden then wrote to Joseph Berington asking for a similar declaration.

[1] "Excepting two tracts which I had once hastily perused at their first appearance many years ago, I had never read a page in any of his works" (*Remarks on the Writings of Rev. Joseph Berington*, by Rev. Charles Plowden: Introduction, p. ix).

"[Rev. C. Plowden] assailed me in a pamphlet of some length, denouncing all my errors. I have never read it, nor ever shall" (*Memoirs of Panzani*, by Rev. Joseph Berington: Preface, p. xxxix).

[2] *Kirk Papers* (Oscott), vol. ii.

The following was drawn out by Berington and afterwards signed by all the Staffordshire clergy:—[1]

"As you solemnly declare that, in your *Answer to the Second Blue Book*, you had no intention to injure the character of Bishop Talbot, We, with a readiness equal to that with which you signed your declaration in Castle Street, are disposed to admit that you had no such intention. You have declared that you did not mean to bring any accusation against us, and as we conceived that through us the blow was aimed at Bishop Talbot, the whole business is thus brought to a conclusion."

It remains to add the Rev. Charles Plowden was not willing to accept this statement in its entirety, and three months later, on August 8, he wrote a letter to Joseph Berington in which he admitted that although he had not meant to blame the Staffordshire clergy in connection with the composition of the *Blue Books*, he *had* intended to blame their action in taking the side of Mr. Wilkes against his bishop. He printed and circulated a letter addressed to the Catholics of England, defending himself against the charge of libelling the Catholic Committee and the Staffordshire clergy. The letter was dated September 6, 1792, when he was on the eve of leaving England for Liège. It ended with the following paragraph, which were the last words of the controversy:—[2]

"I end with observing that the crimination which has most feelingly affected me is contained in the Appeal of the RR. Gentlemen of Staffordshire, where they say, p. 21, that my principal aim was to blister the character of their Right Reverend Prelate. I mention this merely for the sake of adding that His Lordship has graciously and readily signed a declaration that he does not believe that I had any such design; and that the RR. Gentlemen of Staffordshire have since very obligingly signed a similar acknowledgment by which they acquit me of such a malignant intention. I take this opportunity to express my sincere thanks to them for having done me this justice; and in taking leave of this controversy, I willingly intrust to my brethren the Catholic Clergy, nobility and gentry, the decision of a question highly interesting to me,

[1] *Kirk Papers.* [2] *Westminster Archives.*

whether upon the evidence produced in the Third Blue Book my name ought to be delivered to posterity as that of a calumniator and libeller of the late Committee.

"I am, my Lords and Gentlemen,

"Your most obedient and humble servant,

"CHARLES PLOWDEN.

"*September* 6, 1792."

END OF VOL. I.

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