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## 6 Trusteeism in Atlantic Canada: The Struggle for Leadership among the Irish Catholics of Halifax, St John's, and Saint John, 1780–1850

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The formative period for the English-speaking Catholic communities of Atlantic Canada was 1780 to 1850. Before that time, a certain number of Irish Catholics had settled in Newfoundland and Nova Scotia, but it was only after 1780 that the total number in any one location reached the level at which viable Catholic congregations could take shape. Increased immigration from Ireland and Scotland, together with the arrival of Catholic Loyalists and disbanded soldiers after the American revolutionary war, ensured that by the turn of the century each of the Atlantic colonies had a significant and rapidly expanding Catholic population.<sup>1</sup> This rapid growth, however, put an intense strain on the meagre resources of the Roman Catholic church in the region. Nova Scotia, New Brunswick, and Prince Edward Island were still under the jurisdiction of the bishop of Quebec, while Newfoundland, like the former American colonies, had been placed under the vicar apostolic of the London District. Neither bishop could effectively supervise or provide for such distant territories. Few stable missions were established, and vast areas went for long periods without the regular services of a priest.<sup>2</sup>

In these circumstances, the task of founding Roman Catholic institutions fell largely to laymen. Lay initiative was especially important in the major towns, such as Halifax, St John's, and Saint John. The growing Catholic populations of these centres were almost exclusively Irish, but while ethnically homogeneous they were socially differentiated, comprising most occupations from merchant to unskilled labourer. Leadership was assumed by the more prosperous members

of the community – merchants, professionals, shopkeepers, and independent artisans – who became the founders and principal benefactors of the new urban churches. The efforts of these men had a definite political dimension, since at the beginning of the period Catholics in each of the Atlantic colonies were subject to one form or another of legal restraint. Before they could establish Catholic parishes they had to obtain the permission of the government. Once freedom of worship was secured, however, lay leaders purchased land, erected chapels, and recruited priests. In the process they became the legal proprietors of church property, since the laws of incorporation, designed to favour the established Church of England, offered no practical alternative to vesting temporalities by civil title in the hands of local trustees.

What began as a matter of necessity, however, was soon transformed into a question of principle, as lay trustees began to see themselves as the “patrons” of their congregations, with all that that implied in terms of proprietorial rights. In two of the major centres in the region – Halifax and Saint John – long and bitter conflicts developed when trustees tried to assert their authority over the temporal and even spiritual affairs of the local church. In the third case – that of St John’s – the role of lay trustees was initially more restricted and therefore less controversial, but lay committees did exist at certain crucial times, and a major political controversy erupted between the bishop and a portion of the laity which reflected many of the issues underlying trustee conflicts elsewhere. Episcopal authority eventually triumphed throughout the region, especially as the spread of Ultramontaniam fostered more authoritarian and centralizing concepts of church government, but this occurred only after a long period of turmoil.

The role of lay committees in the emerging Catholic communities of Atlantic Canada closely resembles the much more famous activities of American Catholic lay trustees. Lay involvement in ecclesiastical matters and attempts by lay trustees to control congregational affairs were so widespread in the United States during the late eighteenth and early nineteenth centuries that trusteeism is usually considered a basic characteristic of American Catholicism during this period. Recently, American Catholic historians have reinterpreted trusteeism by rejecting the clericalist view that it was an unconscionable revolt against legitimate ecclesiastical authority in favour of the idea that it was a natural consequence of the legal and cultural circumstances of Catholicism in the United States. This change has occurred, however, without upsetting the fundamental assumption that trusteeism was a distinctly American phenomenon. If anything, this assumption has

been strengthened. Patrick Carey,<sup>3</sup> who provides by far the most up-to-date and sophisticated interpretation of trusteeism, argues that the movement must be seen primarily as a constructive attempt to adapt European Catholic institutions to the republican environment of the United States by "democratizing" church government. Carey recognizes that comparable examples of Catholic congregationalism can be found elsewhere in the English-speaking world (in English cities such as London and Lancaster, for example, where large numbers of Irish immigrants settled),<sup>4</sup> but he treats them as analogues to the American experience, reserving trusteeism properly speaking for the United States.

The evidence from Atlantic Canada, however, suggests that we are dealing with essentially the same phenomenon and that it flourished in an anti-republican as much as a republican environment. The lay committees of management that emerged in Atlantic Canada were identical in form and function to American boards of trustees. The first to take shape (Halifax) was in existence and engaged in conflict with the clergy as early as the first trustee controversy in the United States (New York). Moreover, the trustees of Atlantic Canada closely resembled their American counterparts in their social background and in their values and attitudes. Drawn from the small but rising Catholic bourgeoisie and from the independent artisan class, they were eager to be accepted in "respectable" society. This encouraged among them a desire to improve the image of Catholicism in the eyes of their Protestant neighbours and a generally accommodating attitude towards the predominant culture. They were deferential in politics and conciliatory in matters of religion. They attended Protestant worship occasionally and gladly accepted Protestant contributions to their church building funds. The very formation of lay committees, inasmuch as it was a conscious imitation of Protestant church polity, reflected their desire to conform to prevailing norms. Like their American counterparts, the lay committees seem also to have emulated Protestant worship by stressing the importance of preaching. They were sincere Catholics but minimized those aspects of Catholic practice, including eucharistic piety, that might be construed as superstitious. Judging by the complaints of the clergy, they attended the sacraments only infrequently. Besides the desire for social acceptance, they may have been influenced in some measure by the "enlightened" spirit of the times, with its stress on tolerance and rationality in religion.

The majority of trustees on both sides of the border, however, were more concerned with building up Catholic institutions than with theological concerns or the devotional life of the church. They were

preoccupied with the ownership of property and with maintaining a privileged status within their congregations. Conflict with the clergy occurred not only when priests and bishops tried to limit their proprietary rights but also when they tried to inhibit their social ambitions by forcing them to cut their ties with Protestants. Class distinctions meanwhile divided them from the majority of their fellow parishioners. Ethnic rivalries also exacerbated trustee controversies, but in Atlantic Canada these tensions developed between congregations of one nationality (Irish) and clergy of another (Canadian or Scottish) rather than within congregations of mixed ethnic background, as sometimes happened in the United States.

The first major centre in Atlantic Canada where laymen assumed leadership of the Catholic community was Halifax. A lay committee was formed there in 1781 for the purpose of achieving relief from the penal statutes imposed a generation earlier by the Nova Scotia legislature. By 1783 Catholic spokesmen had secured the first Nova Scotia relief act, allowing clergy to exercise their functions without risk of punishment and also permitting Catholics to acquire land by deed and inheritance.<sup>5</sup> The same committee purchased land,<sup>6</sup> built a chapel, and recruited as their priest an Irish Capuchin named James Jones.<sup>7</sup> This was done without prior approval from Bishop d'Esgly of Quebec, but d'Esgly not only sanctioned the arrangement after the fact but also named Jones superior of the mission for Nova Scotia.<sup>8</sup> The title "superior of the mission" was used imprecisely, for Jones's appointment did not involve erecting Nova Scotia as a separate ecclesiastical jurisdiction. His powers were really those of a vicar-general.<sup>9</sup> Nevertheless, the intervention of the lay committee had decisively altered the situation of Catholics in the region. Jones was the first English-speaking missionary to serve in Nova Scotia, and the position entrusted to him by the bishop of Quebec recognized the changing nature of the Catholic population of the Maritimes.

The original lay delegates in Halifax were militant in asserting their rights over the clergy. Styling themselves church wardens, they insisted on control of church property and on a decisive voice in the appointment of additional priests. They offered no clear justification of their claims apart from the notion that as the founders and principal benefactors of the parish they deserved a say in its management. From Jones's arrival in 1785 until 1792 they engaged him in a series of bitter disputes, interfering with his use of the presbytery, challenging his decisions concerning burials in the churchyard, and resisting his attempt to appoint an assistant pastor without their consent.<sup>10</sup> At the height of controversy they also formed an alliance with William Phelan, a priest stationed at Arichat whom Jones was

attempting to discipline for irregular conduct. Matters came to a head in 1792, when, armed with evidence supplied by Phelan, they threatened to take Jones to court over his management of money entrusted to him by the bishop of Quebec.<sup>11</sup> The total failure of this court case seems to have been followed by a period of relative peace, but when Jones was preparing to leave Halifax in 1800 the wardens threatened him with arrest,<sup>12</sup> again on the grounds that he was attempting to misappropriate church funds.<sup>13</sup> Subsequent events proved that Jones was innocent of wrongdoing,<sup>14</sup> but the fact that the accusation was made at all shows how much mistrust existed.

Furthermore, tensions had developed among the Halifax laity, both between the prosperous pewholders and the less affluent majority and between older members of the congregation and relative newcomers. These conflicts rose to the surface in the wake of Jones's departure. For his replacement he had appointed an Irish Dominican, Edmund Burke, on whom the wardens were able to impose their demands for the control of temporalities.<sup>15</sup> As part of their plan to manage church finances, however, they were also determined to change the way in which money was raised from the congregation. Hitherto financial support had come almost entirely from the minority of parishioners included among the founding fathers and pewholders. The wardens wished to redistribute the burden by forcing the rapidly increasing rank and file to participate in a system of compulsory subscriptions. To enforce compliance they denied the rights of parishioners, including burial in the churchyard, to non-contributors.<sup>16</sup> At the same time, they wanted to retain the practice of allowing only pewholders to elect the wardens.<sup>17</sup> These measures sparked an open revolt against their authority from the less affluent parishioners. Leaders for the popular party were found among merchants and artisans who seem to have been excluded from the cliquish committee of management because they had arrived in the city after the parish was established.<sup>18</sup> With the support of at least two hundred parishioners, they proposed a program of reform that would restore a strictly voluntary system of support, give all members of the congregation a vote in elections, and dedicate a much larger share of parish revenues to the relief of the poor.<sup>19</sup>

After an attempt to reach a compromise between the wardens and their opponents had failed, the wardens referred the dispute to Bishop Pierre Denaut of Quebec.<sup>20</sup> This appeal opened the way for the assertion of episcopal authority over the Halifax congregation. Denaut rebuked both lay factions, not just for causing dissension but especially for assuming powers that properly belonged to him.<sup>21</sup> He replaced Edmund Burke as pastor and vicar-general by a man with

the same name, an Irish secular priest with several years experience in Quebec and in the Upper Canadian missions. Acting on the bishop's instructions, the newly appointed Burke arranged the election of new wardens by a procedure even more restrictive than the original one.<sup>22</sup> The new committee met only in his presence and all its decisions had to receive his written approval. Whenever there was a risk that one of their measures encroached on episcopal prerogatives, it was passed with a suspending clause making it subject to the bishop's approval.<sup>23</sup>

Denaut made a pastoral visitation to Halifax in 1803, during which he was able personally to suppress the few traces of lay independence still in evidence.<sup>24</sup> For the time being, clerical authority had achieved a major victory. Burke established himself as a widely respected figure in the Halifax community and remained firmly in control of the congregation for the rest of his term of office. In 1817 he was himself raised to the episcopate and named first vicar apostolic of Nova Scotia.<sup>25</sup> The appointment of a local bishop enjoying widespread popular support neutralized for the time being the forces of Catholic congregationalism.

The 1820s, however, saw a fresh outbreak of controversy in Halifax. The immediate crisis was caused by Bishop Burke's failure to arrange a suitable successor for himself. His death in 1820 was followed by an interregnum of six years during which Nova Scotia was without a bishop and the rapidly expanding Halifax congregation was in the care of Burke's nephew, John Carroll, a newly ordained and very inexperienced priest. Carroll's ineffective leadership allowed the initiative to pass once again to the middle-class laity, who asserted their independence in the face of faltering clerical authority. One witness declared that "Halifax was in an uproar during his tenure."<sup>26</sup>

A new bishop, William Fraser, was finally consecrated in 1827, but his appointment only made matters worse. Instead of moving to Halifax, Fraser maintained his residence among his Scottish countrymen in eastern Nova Scotia. Ethnic resentment now began to play a part alongside strictly ecclesiastical differences, although much more was involved than tensions between Irish and Scots. Fraser placed Halifax in the care of an Irish vicar-general, John Loughnan, who proved very unpopular with the Catholic middle class, especially when he tried to prohibit mixed marriages.<sup>27</sup> Two members of the prominent Tobin family, leading merchants in Halifax, were actually married in the Anglican church.<sup>28</sup> At the same time, middle-class leaders were accused of currying favour with Protestants by minimizing distinctively Catholic practices. Evidently, some of them promoted the use of English in the liturgy and advocated the idea that

hymn-singing and preaching, rather than the eucharistic sacrifice, were the heart of Catholic worship.<sup>29</sup>

Convinced that Fraser was ultimately indifferent to their needs, the Halifax laity persuaded him to apply to Archbishop Murray of Dublin for two additional Irish priests.<sup>30</sup> Murray sent them Richard Baptist O'Brien and Joseph Dease. In some respects, the arrival of Dease and O'Brien marks a new departure for Catholicism in Halifax. Both men proved highly satisfactory to the laity and cooperated with them in promoting the further growth of Catholic institutions. They helped, for example, to plan a second parish for the city (intending that Dease would become pastor) and collaborated with lay governors in founding St Mary's College (O'Brien was appointed first principal). Yet they also acted as an important link between Halifax and the Catholic revival then gathering momentum in Ireland. In particular, they introduced to the city branches of the new voluntary societies that were helping to transform Irish Catholicism. By sponsoring religious education and by promoting popular devotions, these organizations served to increase conformity among the laity to official standards of observance. At the same time, they offered an alternative sphere for lay involvement, one that was ultimately more subject than trustee boards to clerical supervision. When O'Brien and Dease arrived in Halifax in 1839, there were no Catholic confraternities in the city; by the time O'Brien left in 1845 (Dease departed earlier), at least six had been established. Not all can be traced directly to their efforts, but their names often appear alongside those of their lay supporters in lists of officers or in the proceedings of the various societies.<sup>31</sup>

Meanwhile, other important changes were taking place among the lay leaders of the Halifax congregation. By 1840 most of the original trustees and their immediate successors had died or left the city, and they were being replaced by a new generation of merchants and professionals, such as Michael Tobin, Jr, and Laurence O'Connor Doyle. Like the newer clergy, these lay spokesmen were profoundly influenced by the course of events in Ireland. The successful campaign for Catholic emancipation, besides opening up political life to Catholics, increased their self-respect. A new confidence developed in their capacity for collective self-improvement, which was reinforced by other popular movements such as Father Theobald Mathew's temperance crusade. In pragmatic terms, Daniel O'Connell, the Irish "Liberator," had shown how much was to be gained by organizing and mobilizing the Catholic rank and file. Inspired by his ideals and methods, the younger lay activists in Halifax abandoned the purely elitist attitudes and anti-clericalism of their predecessors

in favour of a position as co-leaders with the clergy of a progressive and united Catholic population, whose relative influence in the community was increasing with rapid growth. Most of them were also ardent nationalists, and in 1843 they established at Halifax a branch of O'Connell's Repeal Association.

The final emancipation of Nova Scotia Catholics, which immediately followed the British Emancipation Act, allowed them to participate on an equal footing in local politics. Doyle was elected to the Nova Scotia Assembly in 1832, only the second Catholic to achieve this status. The political power and the unity of Catholics was growing steadily. During the election of 1843, when the Reformers (supposedly the allies of the Catholics) failed to include Doyle or any other Catholic among their candidates for the Halifax city riding, Tobin and other well-known lay spokesmen organized a boycott of the election by Catholic voters which resulted in the defeat of a Reformer by a Tory candidate. Awareness of their new-found strength made Catholic leaders less reliant on the support of sympathetic Protestants and therefore less accommodating to Protestant standards.

Despite the harmony between O'Brien and Dease and the rising generation of lay spokesmen, the two priests were sharply at odds with Bishop Fraser and John Loughnan, who resented their very presence in the diocese.<sup>32</sup> A confrontation occurred over the plans for a second parish in Halifax, which Loughnan saw as a threat to his position. The laity were determined to have Dease as pastor of the new church and wrote to Fraser requesting his appointment. Fraser described their petition as the work of a "few purse-proud Pedlars and Butchers" and rejected it on the grounds that the appointment of clergy was exclusively an episcopal prerogative.<sup>33</sup> Dease afterwards requested and received permission to leave the diocese. A thousand members of the congregation petitioned to have him reinstated.<sup>34</sup> Fraser replied that their petition had been "committed to the flames."<sup>35</sup> Dease's departure, however, was followed by vigorous lobbying at Dublin and Rome,<sup>36</sup> with the result that the Vicariate of Nova Scotia was converted into a diocese and an Irishman, William Walsh, appointed as coadjutor to Fraser. Fraser, who learned about the change through the newspapers, deeply resented the way in which Walsh's appointment had been made, and in this he was supported by a majority of his clergy.<sup>37</sup> Efforts to establish a satisfactory working relationship between the two bishops failed, so that after an interval of two years Rome had to intervene again, this time dividing Nova Scotia into two dioceses, one under Fraser in the east and the other under Walsh at Halifax.

The erection of a separate diocese of Halifax with an Irish bishop at its head was a clear victory for the lay activists. Ironically, however, it marked the end of the system that had given them effective control over parish affairs. Walsh attracted tremendous support among the inarticulate majority of Catholics and quickly emerged as the living focus of a united Catholic community. The lay leaders whose agitation had led to his appointment, and who therefore regarded him as the champion of their cause, offered no resistance when he began to assert his authority. At a meeting held shortly after his arrival, he easily persuaded them to surrender into his hands the management of church property.<sup>38</sup> He also took effective control of St Mary's College by replacing the lay board of regents with seven clergymen.<sup>39</sup> O'Brien was replaced as principal by Father Frechette, a Canadian priest;<sup>40</sup> O'Brien evidently found this arrangement unacceptable, and left the diocese.<sup>41</sup> Walsh consolidated these steps in 1849 by establishing an episcopal corporation whereby he and his successors were recognized as a body corporate for the purpose of acquiring and holding real estate.<sup>42</sup> This method of regulating the ownership of church property, first used at Baltimore in 1833 and subsequently adopted by other American and also some British North American dioceses (Quebec and Saint John, for example), provided the first effective alternative to congregational boards of trustees. Walsh was challenged in the courts, but only by one member of the congregation, who acted largely from personal motives.<sup>43</sup> Given the failure of other laymen to support him, his efforts ended in inevitable defeat. After 1849 socially prominent laymen continued to exercise considerable influence among Halifax Catholics. Their sphere of activity, however, shifted more and more to politics, where they were relatively autonomous, and to Catholic voluntary societies, where they operated within the framework of a solidly episcopal polity.

Another centre in Atlantic Canada where a lay committee assumed leadership of the Catholic community was St John's. In 1783 four Irish merchants operating out of Newfoundland appealed to the governor of the colony for permission to build a Roman Catholic chapel and to invite a priest to come to the island.<sup>44</sup> Having obtained a favourable response, they invited James Louis O'Donel, a prominent Irish Franciscan, to serve as their pastor.<sup>45</sup> O'Donel was willing to do so but was required first to apply to Bishop Talbot, vicar apostolic of the London District, for authorization. O'Donel impressed upon Talbot the need to have not only priestly faculties but also the powers of vicar-general in order effectively to serve Newfoundland.<sup>46</sup> Talbot listened sympathetically to O'Donel's arguments and in fact referred the matter to Rome with a recommendation that the Newfoundland

mission be established as a separate ecclesiastical territory. On 30 May 1784 the Holy See named O'Donel prefect apostolic (or superior of the mission) for Newfoundland.<sup>47</sup> This arrangement preceded by one month the appointment of John Carroll to the same position for the United States<sup>48</sup> and was very likely part of a broader plan on Rome's part to put the North American church on a more independent footing.

Laymen continued to play a role in ecclesiastical affairs after O'Donel's appointment. The names of five Catholic businessmen, for example, appear with O'Donel's on the lease for the chapel site in St John's.<sup>49</sup> Unlike Halifax, however, lay leadership and lay proprietorship of church property did not immediately give rise to controversy. It is not even clear whether a lay committee of management was formed at this stage. Routine administration of parish finances seems to have been left in O'Donel's hands, although he took for granted the need to keep the laity informed about his decisions.<sup>50</sup> This spirit of cooperation, moreover, was based on an underlying unity of purpose between O'Donel and the merchants who recruited him. In seeking a resident priest, they had hoped he would regularize the affairs of the church in Newfoundland, not least of all by banishing the wandering, irregular clerics who had previously infiltrated the colony, scandalizing and embarrassing Catholics.<sup>51</sup> They therefore had a strong incentive to support his authority, and their support was soon rewarded as he chased these clerical vagabonds off the island. At the same time, the Catholic merchants wanted a priest who would share their policy of peaceful accommodation with Protestants and the government. O'Donel fit this requirement perfectly. He was a product of the Catholic Enlightenment, tolerant, conciliatory, and deeply respectful of legitimate civil authority. He was quick to inculcate in his flock respect for law and order, and on this basis constructed a durable alliance with the Protestant authorities. In 1794 eighteen Catholic laymen, obviously well satisfied with his leadership, joined the Newfoundland clergy in successfully petitioning Rome for his promotion to the episcopate.<sup>52</sup> He was the first Roman Catholic bishop appointed to British North America apart from the bishop of Quebec. His episcopal rank increased even further his stature in the Newfoundland community, and the aspiring Catholic bourgeoisie were able to participate indirectly in this added prestige.

The same pattern of harmonious relations between Catholics and Protestants and between the clergy and the Catholic middle class persisted into the terms of O'Donel's two immediate successors, Patrick Lambert and Thomas Scallan. Lambert and Scallan carried on O'Donel's eirenic and accommodating policies and continued to

accept lay involvement as a normal part of congregational life. Lay leadership meanwhile found a variety of outlets, in philanthropic endeavours and politics as well as parochial affairs, with the same individuals taking the lead in all three areas. In the sphere of philanthropy, the key institution in the opening decades of the nineteenth century was the Benevolent Irish Society, founded in the last year of O'Donel's episcopate. Dedicated to poor relief and to educational ventures, the BIS was officially nondenominational in character, but its membership was overwhelmingly Catholic, and Catholic spokesmen assumed an increasingly prominent role on the society's executive with the passage of time.<sup>53</sup> In the political arena, laymen cooperated with the clergy in pressing the government to provide funds for the schooling of Catholic children, to remove restrictions on the performance of marriages by Roman Catholic priests, to admit Catholics to the newly formed Executive Council of Newfoundland, and to extend to Newfoundland the provisions of the Catholic Emancipation Act. Strongly worded petitions were submitted to the government on all these issues, and in the case of the Emancipation Act lay leaders also presided at large Catholic rallies.<sup>54</sup> In parochial administration, a lay committee was formed under Scallan's administration, or possibly even earlier. Little is known of the activities of the committee, except that it cooperated well with the bishop. In 1824 the members passed a resolution assuring Scallan of their total support and pledging themselves always "to abide by his friendly and pastoral advice."<sup>55</sup> This statement may be interpreted as evidence of an exceptionally compliant attitude on the part of the committee, but, especially in light of other information we have concerning Scallan's policies, it might also be taken as an indication that he seldom resisted them.

The entire situation in Newfoundland began to change in 1823, with the arrival of Michael Anthony Fleming. Fleming served six years as curate to Bishop Scallan in St John's before becoming his coadjutor in 1829 and his successor as vicar apostolic in 1830.<sup>56</sup> He was a young man even when he succeeded to the bishopric, and like the newer clergy in Halifax he reflected the new expansive mood of Irish Catholicism. In Fleming's case, this took a particularly uncompromising form, more confident but also more sectarian and more authoritarian in spirit. Almost from the outset, he quarrelled with the leaders of the Catholic laity. For example, while Fleming was still Scallan's curate, he collected a large sum for the purpose of enlarging and improving the chapel. He wanted to retain control of these funds, but the parish committee insisted this was their prerogative. The committee appealed to Scallan, who forced Fleming to turn over the

money to them. According to Fleming, they then squandered it by making useless alterations to the church.<sup>57</sup>

While the control of temporalities was an important issue for Fleming, the underlying cause of his quarrels with lay leaders was their relationship with Protestants. On this issue there was a growing division among the laity themselves, precipitated partly by Fleming's policies but due also to a growing polarization in Newfoundland society. As Philip McCann has observed, the social cleavage in Newfoundland was along religious, ethnic, and economic lines,<sup>58</sup> with Irish Catholics forming a vastly disproportionate share of the labouring class. Fleming identified closely with the poor. He was incensed, however, by the behaviour of a small, influential circle of Catholic merchants who, in his view, would do anything to ingratiate themselves with the Protestant elite. In his bitter attacks on this group, he referred to them variously as "pretended liberals," "indifferent Catholics," or "Orange Catholics." He took special exception to their habit of participating in Protestant worship. After going to Mass on Sunday morning, he reported, they routinely attended a Protestant service at night. They rejected and even ridiculed distinctively Catholic beliefs and practices, including the Real Presence and the use of holy water.<sup>59</sup> In his reports to Rome, Fleming placed much of the blame for fostering and condoning this behaviour on Bishop Scallan. Scallan, he said, often appeared at important Protestant funerals or at Protestant services to mark official events in full ecclesiastical dress, thus "countenancing the worship of heretics."<sup>60</sup>

Another conflict between Fleming and the laity occurred over the Orphan Asylum School. This charitable institution was founded three years after Fleming's arrival in St John's by the Benevolent Irish Society. A number of prominent Catholic laymen, including some of the so-called "liberals" (Timothy Hogan and McLean Little, for instance), were appointed to the school's board of directors.<sup>61</sup> Since the BIS was officially nondenominational in character, a formal policy had been adopted of excluding from the curriculum religious books or catechisms that might arouse sectarian feelings.<sup>62</sup> All of the teachers and most of the students, however, were Roman Catholic, and Fleming was outraged that these Catholic pupils should be denied religious instruction. He tried personally to teach catechism in the school, but was "pre-emptorily forbidden" to do so by a majority on the board of directors. Forced to instruct the students outside of school in the evenings, he nevertheless succeeded in preparing several hundred of them for First Communion. Some of the lay spokesmen, however, appealed to Scallan to prevent Fleming from holding a public procession for fear such a display would offend

Protestants. Scallan as usual acquiesced in their wishes, and Fleming was limited to a private ceremony. Still, he regarded the eventual outcome of this incident as a major victory. Having shown how much could be accomplished by regular instruction of disadvantaged children, he promptly convoked a meeting of the principal financial sponsors of the Orphan Asylum School, who apparently overruled the policy of the board by giving Fleming a free hand to teach religion.<sup>63</sup>

Fleming's ability to impose his will on his Catholic opponents was greatly strengthened when he succeeded Scallan as bishop in 1830. New sources of conflict also developed, however, as political tensions were added to the ecclesiastical differences that already existed. In 1832 Newfoundland was granted its first representative assembly. During the ensuing general election Fleming threw his support behind three candidates for the St John's riding, two of whom (William Carson, a Unitarian, and John Kent, a Catholic) were sharp critics of the ruling oligarchy. Against the reform candidates, the Catholic "liberals" supported one of their own circle, Patrick Kough, who represented mercantile interests.<sup>64</sup> The results of the election were inconclusive in the sense that both Kent and Kough were elected, while Carson went down to defeat. Fleming was attacked for interfering in politics, however, by his Catholic critics as well as by Henry Winton, Protestant editor of the *Public Ledger*.<sup>65</sup> Furthermore, in a by-election of the following year, Fleming again endorsed Carson over one of the Catholic "liberals," Timothy Hogan. When Hogan accused Fleming of exercising undue influence and withdrew from the contest on this account, most of the Catholic population boycotted his business until he issued a public apology.<sup>66</sup> A Catholic crowd also demonstrated against Winton for his continued attacks on the bishop, gathering outside his house on Christmas night. The garrison had to be called out to suppress the demonstration, and a number of participants were bayoneted.<sup>67</sup>

After 1833 the anti-Fleming forces among Catholics became more isolated from their co-religionists. Fleming enjoyed the support of the vast majority of priests (many of whom he had recruited directly from Ireland) and also of the great bulk of the laity. Father John Thomas Troy, Fleming's high-handed vicar-general, took the lead in denouncing the dissidents and in stirring up feeling against them. At one stage (whether at Troy's instigation is unclear) a placard appeared in the chapel identifying seven merchants as subscribers to the *Public Ledger*, by now the symbol of opposition to Fleming, and calling for a boycott of their businesses.<sup>68</sup> This measure was so effective that five of the denounced individuals publicly apologized

and severed their connections with the newspaper.<sup>69</sup> Virtually the only support lay dissidents enjoyed within the Catholic community came from Father Timothy Browne, a long-time missionary in Newfoundland who was engaged in a dispute of his own with Fleming.<sup>70</sup> Fleming's lay opponents shared their grievances with one another and endorsed one another's complaints to the ecclesiastical authorities in Rome.<sup>71</sup> In 1841, when Browne travelled to Rome to submit and defend his case in person, his trip was paid for largely by donations from the anti-Fleming Catholics and from sympathetic Protestants.<sup>72</sup>

The more isolated Fleming's opponents became from their fellow Catholics, the more closely they identified themselves with the government. In 1835, for example, McLean Little, one of the principal members of the group, submitted a formal protest to the governor of Newfoundland, asking him in effect to protect him against Fleming and Troy.<sup>73</sup> He and other like-minded Catholics, he said, had been mercilessly persecuted for refusing to accept clerical direction in politics, with the result that their rights both as Catholics and British subjects had been denied. Government officials in turn used such evidence of clerical tyranny as part of a campaign of their own against Fleming. Depicting him as a threat to the stability and good order of the colony, they attempted first to have him censured by Rome and then to have him removed from office.<sup>74</sup> The breaking-point in their relations came in 1840, when Fleming again intervened in an election.<sup>75</sup> This led indirectly to the setting up of a Select Committee of the House of Commons to investigate the situation in Newfoundland. In effect, the committee was an inquiry into Fleming's activities, relying heavily on hostile testimony from Catholic dissidents. The report of the committee was a major blow to the cause of political reform in Newfoundland, as it resulted in the restriction of the franchise and the introduction of an amalgamated house of nominated and elected members.<sup>76</sup>

Proceedings against Fleming at Rome, however, were entirely unsuccessful. Although Pope Gregory xvi personally insisted on the removal of Troy,<sup>77</sup> Fleming was not only continued in office but in 1847 his vicariate was raised to a regular diocese. By that date, independent lay opinion in St John's had completely given way to episcopal leadership. Fleming enjoyed enormous support among the Catholic populace, manifested not least in their contributions (both physical and financial) to the building of his cathedral.<sup>78</sup> This close identification with the people was the key to his success. Even the Catholic bourgeoisie, however, had never been unanimous against him, for Fleming's political allies, such as John Kent, came from essentially the same social background as his Catholic opponents.

Like the new lay leadership in Halifax, they were prepared to cooperate rather than compete with the clergy. In sum, Fleming was the first clear example in Atlantic Canada of an Ultramontane bishop, uncompromising in religion but progressive in politics, whose popular clericalism signalled a new alliance between prelates, priests, middle-class reformers, and the Catholic rank and file. This united Catholic body was more self-reliant and confident of its strength but also more susceptible to authoritarian forms of church government.

Saint John was a third example of a centre in Atlantic Canada where laymen assumed a position of leadership in the emerging Catholic community. The first evidence of a lay committee there dates from 1793, when four Catholic spokesmen sought and obtained permission from Governor Guy Carleton to bring a priest to the city.<sup>79</sup> These efforts faltered, however, and no serious steps were taken towards organizing a congregation until the arrival in 1814 of an Irish Dominican named Charles Ffrench. Having arrived in British North America the year before, Ffrench had been stationed by Bishop Plessis of Quebec at Bartabog on the Miramichi River. On his own initiative, he visited Saint John and launched a project to build a church. His efforts to raise money for this purpose took him to both St John's and Halifax, where his "charity sermons" were rewarded with donations totalling several hundred pounds.<sup>80</sup> Since the Saint John congregation was still very small, the sums he collected seemed excessive, and this, combined with his absence from his appointed mission, earned him a reprimand from Plessis.<sup>81</sup> The lay representatives of the Saint John Catholics were delighted by his success, however, and in 1815 they applied to have him appointed as their resident priest.<sup>82</sup> Plessis replied that he was unable to comply with their request, since Ffrench had indicated his intention of leaving his diocese for the United States.<sup>83</sup> On 28 May 1816 he appointed another Irish priest, Paul McQuade, whom he had recruited from Albany, New York.<sup>84</sup>

Like Halifax, Saint John had church wardens who, as the legal proprietors of church property,<sup>85</sup> insisted from the outset on a decisive voice in the administration of the parish. Plessis's refusal to appoint Ffrench, which stemmed from the genuine belief that he wished to leave for the United States, was interpreted by the trustees as insensitivity to their wishes.<sup>86</sup> This misunderstanding sparked a controversy that racked the Saint John congregation for the next decade. The trustees resisted not only McQuade<sup>87</sup> but any clergyman whom they regarded as a rival to Ffrench. When McQuade resigned owing to lack of financial support<sup>88</sup> and was replaced with a Canadian missionary, J.-E. Morissette, ethnic tensions exacerbated the conflict.

Two parties emerged among the laity, one supporting Morissette, the other determined not to have a French-speaking pastor.<sup>89</sup> Morissette bombarded Plessis with complaints<sup>90</sup> and pleaded for a transfer.<sup>91</sup> The wardens renewed their efforts to obtain the appointment of Ffrench, who had temporarily withdrawn to the United States. But Ffrench had already become involved in another, widely reported trustee conflict in New York.<sup>92</sup> Meanwhile, evidence came to light that he had been guilty of sexual impropriety during his tenure at Bartabog.<sup>93</sup> In the face of mounting evidence of irregular conduct on his part, Plessis stiffened in his refusal to appoint him.<sup>94</sup>

Initially Plessis attempted to resolve the difficulties by replacing Morissette with yet another Irish priest, Michael Carroll. Like Ffrench, however, Carroll was found guilty of irregularities – in his case the problem was drunkenness.<sup>95</sup> This led Plessis to reinstate Morissette,<sup>96</sup> which only heightened tensions in the congregation. Both Morissette's supporters and opponents were by this time represented on the committee of wardens, but his opponents enjoyed far greater popular support.<sup>97</sup> Increasingly, they took on the character of an "Irish party," agitating for a clergyman of their own nationality.

For the time being Carroll remained their nominee, evidence of misconduct notwithstanding, but there is reason to believe that he owed his popularity largely to an alliance he had formed with Ffrench. Ffrench had made his way back to the city by this time, and Plessis suspected he was the real instigator of opposition to Morissette.<sup>98</sup> When Carroll died suddenly in 1824, Ffrench attended him at his deathbed.<sup>99</sup> Shortly afterward the congregation met and "elected" Ffrench as pastor.<sup>100</sup>

The attempt to elect their own pastor was a high point in the lay agitation at Saint John. Nevertheless, Plessis refused to take any cognizance of such proceedings and issued a stiff reminder that it was the bishop's prerogative to appoint clergy.<sup>101</sup> Ffrench defied Plessis by officiating at Saint John without authorization,<sup>102</sup> and a rumour circulated briefly that he intended to apply to Rome to have New Brunswick removed from Plessis's jurisdiction.<sup>103</sup> This scheme, if it ever existed, came to nothing. By steadfastly refusing to grant Ffrench even temporary faculties, Plessis eventually convinced many of his supporters that their cause was hopeless. In May 1825 the wardens reversed their policy and informed Ffrench that in view of Plessis's refusal to give him licence to exercise his priestly functions they would no longer permit him to perform divine service in the chapel.<sup>104</sup> Plessis appointed a new pastor, Patrick McMahan, and dispatched a trusted Maritime missionary, William Dollard, to prepare Saint John for his arrival.<sup>105</sup> Dollard's intervention, followed by

McMahon's arrival as a duly authorized priest, destroyed the last traces of support for Ffrench. After a brief attempt to operate a school in Saint John,<sup>106</sup> he left the city for the last time to take up a position in the United States.<sup>107</sup>

Even though Ffrench's departure removed a major source of conflict, disturbances continued to divide the congregation. Controversy shifted to the method of choosing trustees. On the instructions of the new bishop of Quebec,<sup>108</sup> Bernard-Claude Panet, McMahon had appointed five wardens for life.<sup>109</sup> This caused widespread disaffection and led to demands for the election of wardens "in the sacred name of liberty."<sup>110</sup> Meanwhile, John Carroll, the young priest who had succeeded Edmund Burke at Halifax, arrived in Saint John in 1827 to replace McMahon. With his support,<sup>111</sup> spokesmen for the congregation persuaded Panet to permit the introduction of the Halifax electoral system whereby twenty-five pewholders were chosen as electors to select six wardens.<sup>112</sup> This limited concession to democracy, although achieved against the wishes of the existing trustees, seemed to alleviate tensions briefly.

In 1829, however, a major change in church government occurred in the region with the appointment of Angus Bernard MacEachern as bishop of Charlottetown with jurisdiction over Prince Edward Island, Cape Breton, and New Brunswick. In 1832 MacEachern visited Saint John and found that Carroll's relationship with the new wardens had soured to the point that he refused to have anything more to do with lay committees.<sup>113</sup> The congregation was in such an uproar over financial matters that MacEachern had to spend the entire winter in Saint John in an effort to restore order. He appointed new wardens and issued instructions governing their relationship to the clergyman and their handling of church revenues.<sup>114</sup> Carroll responded to this initiative with a stream of invective, questioning MacEachern's authority over New Brunswick and declaring he would never be governed by a Scottish bishop.<sup>115</sup> He was supported in his resistance to MacEachern by a portion of his flock, largely on the strength of appeals to national sentiment. MacEachern quoted him as saying: "Irishmen look to yourselves, and appoint your own Officers, and do not allow yourselves to be put down by a miserable Scotchman."<sup>116</sup> Nevertheless, with backing from Bishop Panet, MacEachern eventually drove Carroll from the city and replaced him with William Dollard. MacEachern also implemented new regulations that confirmed the role of church wardens in parish administration but placed them firmly under the control of the priest.<sup>117</sup>

This direct exercise of episcopal authority inaugurated a decade of relative peace in Saint John. Genuine stability was achieved, however,

only after one more round of controversy had taken place. The central figure in the early stages of this final conflict was James Dunphy, who succeeded William Dollard in 1832 as parish priest. Dunphy was an "uncompromising advocate of clerical supremacy," and he tried in various ways to undermine the role traditionally assigned to lay wardens.<sup>118</sup> A crisis occurred in 1841 over plans to build an additional parish in the city when Dunphy insisted that the property be registered in the bishop's name rather than held in trust by a committee of parishioners.<sup>119</sup> The Catholic merchants who were leading the fundraising drive dissolved their own committee in protest and published an account of the proceedings that was highly critical of Dunphy.<sup>120</sup> This development met with immediate protests from members of the congregation, including some members of the building committee.<sup>121</sup> Matters were further complicated when Dunphy quarrelled publicly with his assistant priest, William Moran, who enjoyed the support of a portion of the congregation.<sup>122</sup> The situation in Saint John was so volatile that it is not always easy to determine which laymen belonged to which faction. Prominent figures, such as the merchant Thomas Watters, who had previously supported episcopal authority against the renegade Charles Ffrench, now found themselves part of an anti-episcopal minority as they resisted MacEachern's appointee, Dunphy. The change seems to have been due to Dunphy's direct attack on lay ownership of church property, not the immediate issue in earlier conflicts in Saint John. The majority of the congregation, however, once supporters of the charismatic (if disreputable) Ffrench, were now just as squarely behind Dunphy, the new symbol and embodiment of their group identity.

Clerical authority was strengthened even further in 1842 when New Brunswick was removed from the unmanageable Diocese of Charlottetown and placed under the supervision of Dollard as first bishop of Fredericton. Nevertheless, the disaffected Catholic minority in Saint John continued to agitate against Dunphy. Following a public meeting in November 1843, twenty-three parishioners petitioned Dollard for Dunphy's removal from office.<sup>123</sup> Dollard chose instead to transfer his own residence to Saint John in an effort to restore order. Upon his arrival he was presented with another petition, signed by twenty dissidents, not only repeating the request for Dunphy's removal but also demanding guarantees for the election of church wardens and the control of parish finances by the pewholders.<sup>124</sup> At this stage, Dollard decided to settle the question of church temporalities once and for all by the formation of an episcopal corporation. His decision preceded the same development in Halifax by five years. The incorporation bill encountered stiff opposition from Catholic

merchants in Saint John and from some members of government.<sup>125</sup> In 1844 it was turned back by the Legislative Council.<sup>126</sup> In 1845 it was obstructed in the House of Assembly.<sup>127</sup> Finally, in 1846, it was passed into law.<sup>128</sup> In the midst of the controversy, 112 Saint John laymen petitioned against the measure. The bishop's supporters, however, responded with a petition of their own bearing 1400 signatures.<sup>129</sup> After 1846 all church property was vested in the Roman Catholic bishop and his successors, and the legal basis for the claims of lay wardens was destroyed.

By the middle of the nineteenth century, therefore, full episcopal authority was established among Catholics in St John's, Halifax, and Saint John, the three most important centres of population in Atlantic Canada. The precise course of events that led to this result varied according to the situation, but common elements can be discerned in all three locations. The fact that local controversies were part of a broader pattern gives them their significance. Not only did events in the major towns of Atlantic Canada resemble one another, but they were also similar to contemporary developments in the United States. Lay spokesmen in British North America were just as actively involved in ecclesiastical affairs as their American counterparts, and their involvement took essentially the same form. They also were drawn from the same class of aspiring merchants, professionals, and independent artisans, and their social ambitions made them just as strongly inclined to conform to the standards of the dominant culture. Although some American trustees (but by no means all)<sup>130</sup> undoubtedly appealed to republican principles to justify their actions, thus lending their approach a peculiar American colouring, this does not mean that trusteeism as such was exclusively American or republican. Demands for a measure of ecclesiastical democracy have a broader context than adaptation to American values. Lay trustees in British North America lived in the midst of, and sometimes participated in, campaigns for constitutional reform. They did not consciously link this political struggle to controversies over ecclesiastical government; their notion of democracy, like that of American trustees, clearly reflected the ideas of the times. Democracy for both groups meant the acquisition of power by the middle class through representative institutions based on the rights of property.

Trusteeism, or Catholic congregationalism, was characteristic of a certain phase in the development of Roman Catholic communities in the English-speaking world. It occurred when large numbers of Catholic immigrants poured into cities where the institutional framework of the church was inadequate to receive them, where clergy were in relatively short supply, where episcopal government was weak, and

where the principal means of financial support was the contributions of the emerging Catholic bourgeoisie. It was a product of time and circumstance as much as place, reflecting conditions in the Catholic diaspora, not only in the United States. Its importance lies largely in the insight it gives us into the experience of the first few generations of Catholic immigrants as they laid the foundations of ecclesiastical life. For all the rancour and controversy associated with their activities, lay trustees succeeded in providing basic parochial institutions for themselves and for their less prosperous co-religionists. The decline of trusteeism, however, signalled the beginning of a new era. Approximately in the middle of the nineteenth century, a process of institutional expansion and elaboration began that saw the rapid creation of a wide array of Catholic social agencies, educational institutions, devotional societies, and philanthropic organizations. Unlike the formative period, this phase of development depended principally on the initiative of bishops and priests. Leadership in the Catholic community had passed to the clergy, whose authority was stronger than ever. Middle-class laity could still play a role, but only to the extent that they accepted clerical supervision.

## NOTES

- 1 The Catholic population of Newfoundland, which can be estimated at 3500 in 1775, had risen to approximately 5500 in 1786 and 8500 in 1795. See Alison Earle, "From the Governors' Returns: Showing the Distribution of Roman Catholics and Protestants in the Various Communities," Religion in Newfoundland Archive (RNLA), Memorial University of Newfoundland, 13-000-00. (I am grateful to my colleague Hans Rollmann for furnishing me with this unpublished paper and other materials from RNLA.) In 1816 the total Catholic population of mainland Nova Scotia was 8500 and that of Cape Breton, 7000. See Edmund Burke to the Sacred Congregation for the Propagation of the Faith, 12 Feb. 1816, Scrittura Riferite nei Congressi, II, fol. 261, Archivio della Sacra Congregazione de Propaganda Fide (APF). The first statistics available for New Brunswick and Prince Edward Island date from 1829, when the Catholic population of the former was said to be 21,500 and of the latter, 12,500. See APF, fols. 248-61, *Acta* of the Sacred Congregation for the Propagation of the Faith, 1829.
- 2 Terrence Murphy, "The Emergence of Maritime Catholicism: 1781-1830," *Acadiensis* 13, 2 (spring 1984): 31-3.
- 3 Patrick W. Carey, *People, Priests, and Prelates: Ecclesiastical Democracy and the Tensions of Trusteeism* (Notre Dame: University of Notre Dame Press

- 1987). The preface to this book provides a good overview of the historiography of trusteeism, and an extensive bibliography is also included.
- 4 *Ibid.*, 35ff. For a fuller discussion of Catholic congregationalism in England see John Bossy, *The English Catholic Community, 1570-1850* (London: Darton, Longman and Todd 1975), 337ff.
  - 5 Public Archives of Nova Scotia (PANS), RG1, vol. 222, nos. 91-3, John Muldowney et al. to Governor Hughes, 5 July 1781, John Cody et al. to Hammond, undated, and John Cody et al. to Governor Hammond, 2 July 1782. For the first relief act see *Statutes of Nova Scotia*, 23 Geo. III, c. 9.
  - 6 Archives of the Archdiocese of Quebec (AAQ), Nouvelle Ecosse (NE), II, 29. Indenture between John Muldowney et al. and William Meaney, 16 Oct. 1782.
  - 7 AAQ, NE, II, 2, John Muldowney et al. to James Jones, 24 May 1785.
  - 8 AAQ, Registre D, fol. 95, D'Esgly to Jones, 20 Oct. 1787.
  - 9 See Terrence Murphy, "James Jones and the Establishment of Roman Catholic Church Government in the Maritime Provinces," *Canadian Catholic Historical Association, Study Sessions* 48 (1981): 26-42.
  - 10 AAQ, NE, I, 37, Jones to Bishop Hubert, 24 March 1792.
  - 11 *Ibid.*
  - 12 AAQ, Angleterre, I, 20, Jones to [John Stealing], 9 May 1801.
  - 13 AAQ, NE, II, 55, Bartholomew Sullivan et al. to Bishop Denaut, undated.
  - 14 AAQ, Evêques de Québec, III, 73, J.O. Plessis to Denaut, 4 Sept. 1800.
  - 15 AAQ, NE, III, 57, Edmund Burke, OP to [Plessis], 15 May 1801.
  - 16 AAQ, NE, II, 19, extracts from the proceedings of a meeting of parishioners, 17 Aug. 1800.
  - 17 AAQ, NE, II, 37, E. Phelan et al. to Denaut, 25 Aug. 1801.
  - 18 On the exclusion of relative newcomers see *ibid.* For the leaders of the popular party see AAQ, NE, II, 26, John Sands et al. to Burke, 7 March 1801.
  - 19 *Resolves of the Delegates Appointed by the Congregation of the Roman Catholic Church in Halifax To Make Amendments in the Bye-Laws and Regulations of the Temporal Affairs of the Said Church* (Halifax: Gay and Merlin [1801]), copy in AAQ, NE, II, 34.
  - 20 AAQ, NE, II, 37, John Stealing et al. to Denaut, 25 April 1801.
  - 21 AAQ, Registre F, fol. 69, Denaut to the Catholics of Halifax, 8 Sept. 1801.
  - 22 Archives of the Archdiocese of Halifax (AAH), Wardens' Minute Book, fols. 23-4.
  - 23 *Ibid.*
  - 24 AAQ, NE, II, 57, Denaut to the [wardens and] electors, 28 June 1803.

- 25 R.A. McLean, "Edmund Burke" *Dictionary of Canadian Bibliography: 1801-1820* (Toronto: University of Toronto Press 1983), (DCB), v, 123-5.
- 26 Angus Bernard MacEachern, as quoted in A.A. Johnston, *A History of the Catholic Church in Eastern Nova Scotia*, 2 vols. (Antigonish: St Francis Xavier University 1960, 1971), II, 78.
- 27 Terrence M. Punch, "The Irish in Halifax, 1863-1871: A Study in Ethnic Assimilation" (MA thesis, Dalhousie University 1976), 126.
- 28 Ibid.
- 29 *Letters of Hibernicus* (Pictou, NS: The Observer 1842), 105-7.
- 30 Michael Tobin, Sr, et al. to Fraser, 12 July 1838, copy in AAH, Wardens' Minute Book, entry for 17 July 1838, and Fraser to Archbishop Murray, 20 July 1838, copy in *Letters of Hibernicus*, 115.
- 31 See, for example, Archives of the Archdiocese of Halifax (AAH), Fraser Papers, I, 47, minutes and accounts of the St Mary's Catechetical Society, and the report of a meeting of the Association for the Propagation of the Faith, *Register*, 21 Jan. 1845, 19.
- 32 See undated notes in the hand of Bishop Walsh, AAH, Walsh Papers, IV, unnumbered document.
- 33 AAQ, NE, VII, 126, Fraser to Archbishop Signay, 13 Sept. 1842.
- 34 AAH, Fraser Papers, 9, Michael Tobin, Jr, to Fraser, 18 Nov. 1841.
- 35 AAH, Fraser Papers, 4, Fraser to Michael Tobin, Jr, 20 Nov. 1841.
- 36 Johnston, *History*, II, 182-4.
- 37 AAQ, NE, VII, 126, Fraser to Signay, 13 Sept. 1842, and AAH, Walsh Papers, I, 3, Clergy to Walsh, 28 May 1842.
- 38 AAH, fols. 114-15, Wardens' Minute Book.
- 39 AAQ, NE, II, 121, Father Frechette to Signay, 8 Nov. 1842.
- 40 Ibid.
- 41 AAH, Walsh Papers, III, 235-6, O'Brien to Walsh, 31 Aug. [1842] and "Sunday."
- 42 An Act to Incorporate the Roman Catholic Bishop in Halifax, 31 March 1849, *Private and Local Acts of Nova Scotia* (Halifax: Richard Nugent 1851), 80-2.
- 43 AAH, Walsh Papers, I, "Carten Excommunication."
- 44 Raymond J. Lahey, *James Louis O'Donel in Newfoundland, 1784-1807: The Establishment of the Roman Catholic Church* (St John's: Newfoundland Historical Society 1984), 6.
- 45 Archives of the Archdiocese of Westminster (AAW), O'Donel to Talbot, 14 Jan. 1784, printed in Cyril J. Byrne, ed., *Gentlemen-Bishops and Faction Fighters: The Letters of Bishops O'Donel, Lambert, Scallan, and Other Irish Missionaries* (St John's: Jespersen Press 1984), 37-8.
- 46 Ibid.
- 47 Lahey, *O'Donel*, 8.
- 48 Ibid., 9.

- 49 Indenture between John Rogers and James O'Donel, Andrew Mulleney, Garret Quigley, William Burke, Edward Cannon, and Luke Maddock, transcript in RNLA, 10-003-07.
- 50 See Archives of the Archdiocese of Dublin, Troy Papers, 1, 109, O'Donel to Troy, 24 Dec. 1789, printed in Byrne, ed., *Gentlemen-Bishops*, 98-101, where O'Donel speaks of his having delivered an account of the chapel debt and annual expenses to the congregation. See also Public Archives of Newfoundland and Labrador, GN2/1/A16, 500-1, O'Donel to Gambier, 13 Oct. 1802, printed in Byrne, ed., *Gentlemen-Bishops*, 197.
- 51 AAW, James Keating et al. to Talbot, 14 Jan. 1784, printed in Byrne, ed., *Gentlemen-Bishops*, 37-8.
- 52 Brother Edmund Burke et al. to Pius VI, 20 Nov. 1794, printed in M.F. Howley, *Ecclesiastical History of Newfoundland* (Boston: Doyle and Whittle 1888), 196-9.
- 53 *Centenary Volume, Benevolent Irish Society, St. John's, Newfoundland* [St John's, 1906].
- 54 See, for example, the petitions contained in Public Record Office (PRO), Colonial Office (CO) 194/66, fols. 182-3; 194/67, fols. 88-94 and 258-60; 194/69, fol. 507; 194/71, fols. 290-3; 194/76, fols. 221-2; 194/80, fols. 280-1 and 376. See also *The Newfoundlander*, 31 Dec. 1829 and 28 Jan. 1830.
- 55 Scallan to Walsh, 29 Oct. 1824, printed in Hans Rollmann, "Gentlemen-Bishops and Faction Fighters: Additional Letters Pertaining to Newfoundland Catholicism from the Franciscan Library at Killiney (Ireland)," *Journal of the Canadian Church Historical Society* 30, 1 (1988): 3-19.
- 56 Raymond J. Lahey, "Michael Anthony Fleming," DCB, VII: 1836-1850 (Toronto: University of Toronto Press 1988), 292-300.
- 57 Fleming to Capaccini, 13 June 1835, enclosed in PRO, CO 194/92, 91-8. I am grateful to Bishop Raymond Lahey for supplying me with this and other important documents relating to Fleming's career.
- 58 Phillip McCann, "Bishop Fleming and the Politicization of the Irish Roman Catholics in Newfoundland, 1830-1850," in Terrence Murphy and Cyril J. Byrne, eds., *Religion and Identity: The Experience of Irish and Scottish Catholics in Atlantic Canada* (St John's: Jespersen Press 1987), 82.
- 59 PRO, CO 194/92, 91-8, Michael Anthony Fleming, *Relazione della missione cattolica in Terranuova nell'America settentrionale* (Rome 1837), 15, and Fleming to Capaccini, 13 June 1835.
- 60 Ibid.
- 61 Noel A. Veitch, "The Contribution of the Benevolent Irish Society to Education in Newfoundland from 1827 to 1875" (MEd thesis, St Francis Xavier University 1965), 38.

- 62 Ibid., 50-1.
- 63 Fleming recounts the entire course of events concerning the Orphan Asylum School in his *Relazione*, 8-9, and in Fleming to Capaccini, 13 June 1835, PRO, CO 194/92, 91-8.
- 64 McCann, "Bishop Fleming," 85.
- 65 Ibid., 87, and Lahey, "Fleming," 293.
- 66 Lahey, "Fleming," 293.
- 67 Ibid., 294.
- 68 PRO, CO, 194/90, fols. 167-77, Little to Prescott, 9 March 1835.
- 69 Ibid.
- 70 Raymond J. Lahey, "Timothy Browne" DCB, VIII: 1851-1860 (Toronto: University of Toronto Press 1985), 106-8.
- 71 See Archives of the Sacred Congregation *de Propaganda Fide* (APF), S.C. Am. Setten. 5 (1842-8), fols. 375r-7v, Simms to Acton, 1 June 1843; and Browne to Acton, 31 July 1843, APF, S.C. Am. Setten. 5 (1842-8), fols. 388r-gr.
- 72 Fleming to DeLuca, 2 April 1842, APF, S.C. Am. Setten. 5 (1842-8), fol. 77.
- 73 PRO, CO 194/90, fols. 167-7, Little to Prescott, 9 March 1835.
- 74 Lahey, "Fleming," 294-7.
- 75 Ibid., 296, and McCann, "Bishop Fleming," 92.
- 76 McCann, "Bishop Fleming," 93.
- 77 Lahey, "Fleming," 296.
- 78 Ibid., 297.
- 79 Thomas Sealey et al. to Governor Thomas Carleton, undated, and Jonathan Odell to Charles Brannen, 6 May 1793, printed in D.G. Bell, ed., *Newlight Baptist Journals of James Manning and James Innis* (Hantsport: Lancelot Press 1984), 250-1.
- 80 AAQ, NE, IV, 95, Burke to Plessis, 30 Aug. 1814; Royal Gazette, St John's, Nfld, 17 Nov. 1814; AAQ, Nouveau Brunswick (NB), VI, 143, Ffrench to Plessis, 30 May 1815; AAQ, Terre Neuve (TN), I, 47, Ewer to Plessis, [?] Dec. 1815, printed in Byrne, ed., *Gentlemen-Bishops*, 293-4.
- 81 AAQ, Registre des lettres, VIII, 352-3, Plessis to Ffrench, 26 Aug., 1815; AAQ, NB, VI, 144, Ffrench to Plessis, 20 Oct. 1815.
- 82 AAQ, NB, II, 1, John Toole et al. to Plessis, [?] Nov. 1815.
- 83 AAQ, Registre H, fol. 116, Plessis to Catholic inhabitants of Saint John, 26 Feb. 1816.
- 84 AAQ, Registre H, fol. 118, Plessis to McQuade, 28 March 1816.
- 85 AAQ, NB, VI, 143, Ffrench to Plessis, 30 May 1815; and AAQ, NB, II, 9, McQuade to Plessis.
- 86 AAQ, NB, VI, 4, John Toole to Plessis, 25 April 1816.
- 87 AAQ, NB, II, 10-10a, Bernard Kiernan et al. to Plessis, [Feb. 1817] and 25 March 1818.

- 88 AAQ, NB, II, 21, McQuade to Plessis, 7 May 1818.
- 89 See, for example, Thomas Watters et al. to Plessis, [16 July 1824], and Daniel O'Sullivan et al. to Plessis, 10 Oct. 1824, NB, II, 50 and 53. The former petition was in favour of Morissette, the latter opposed to him.
- 90 AAQ, II, 28–30, Morissette to Plessis, 23 July and 27 Aug. 1821, [Sept. 1821].
- 91 AAQ, NB, II, 35, Morissette to Plessis, 2 April 1822.
- 92 AAQ, *Registre des lettres*, x, 74–6, Plessis to Connolly, 6 Sept. 1820, and Plessis to Fontana, 7 Sept. 1820.
- 93 AAQ, *Registre des lettres*, ix, 189, Plessis to Ffrench, 26 March 1817; AAQ, NB, VI, 149, Morissette to Plessis.
- 94 AAQ, *Registre des lettres*, x, 362, Plessis to Connolly, 23 Feb. 1822, and Plessis to Morissette, 24 Feb. 1822.
- 95 AAQ, *Registre des lettres*, xii, 80–1, Plessis to Michael Caroll, 20 Sept. 1824.
- 96 AAQ, *Registre des lettres*, xii, 81, Plessis to James Gallagher et al., 20 Sept. 1824.
- 97 A petition opposing Morissette's reappointment and denouncing the "few calculating and self-interested individuals" who had supported it bore twenty-two columns of signatures. See AAQ, NB, II, 53, Daniel O'Sullivan et al. to Plessis, 10 Oct. 1824.
- 98 AAQ, *Registre des lettres*, xii, 128, Plessis to Morissette, 29 Oct. 1824.
- 99 AAQ, NB, II, 59, Ffrench to Plessis, 2 Dec. 1824.
- 100 AAQ, NB, II, 60, Peter McNamara et al., 15 Dec. 1824.
- 101 AAQ, NB, II, 60a, Plessis to Catholic inhabitants of Saint John, undated.
- 102 AAQ, NB, VI, 162, Dollard to Plessis, 5 Feb. 1825; and AAQ, NB, III, 105, Gagnon to Plessis, 23 Feb. 1825.
- 103 AAQ, NB, II, 70, James Gallagher et al. to Plessis, 30 March 1825.
- 104 AAQ, NB, II, 73, Peter McNamara et al. to Ffrench, [c. 5 May 1825].
- 105 AAQ, NB, II, 74, Dollard to Plessis, 9 June 1825.
- 106 AAQ, NB, II, 77, McMahon to Plessis, 4 Oct. 1825.
- 107 AAQ, NB, II, 87–8, McMahon to Plessis, 31 Oct. 1826 or 4, 12 Dec. 1826.
- 108 AAQ, *Registre des lettres*, xiv, 34–5, Panet to William Watters et al., 6 April 1829.
- 109 AAQ, NB, II, 95, William Watters et al. to Panet, 17 Feb. 1829.
- 110 Ibid.
- 111 AAQ, NB, II, 96, John Caroll to Panet, 18 Feb. 1829.
- 112 AAQ, *Registre des lettres*, xiv, 34–5, Panet to William Watters et al., 6 April 1829.
- 113 AAQ, NB, II, 104, MacEachern to Panet, 29 May 1823.
- 114 AAQ, *Ile du Prince Edouard (IPE)*, I, 125, MacEachern to Catholic inhabitants of Saint John, 21 April 1832.

- 115 AAQ, NB, II, 104, MacEachern to Panet, 29 May 1832.
- 116 Ibid.
- 117 AAQ, IPE, I, 126, MacEachern to church wardens, 20 June 1832.
- 118 On the conflict between Dunphy and the Saint John wardens see T.W. Acheson, *Saint John: The Making of a Colonial Urban Community* (Toronto: University of Toronto Press 1985), 101-5.
- 119 *New Brunswick Courier*, 26 June 1841.
- 120 Ibid., 3 July 1841.
- 121 Ibid., 26 June and 24 July 1841.
- 122 Ibid., 24 Sept. 1842, 4 and 11 Nov. 1843, and 10 and 24 Feb. 1844.
- 123 Archives of the Diocese of Saint John (ADSJ), Dollard Papers, 520, parishioners to Dollard, 28 Nov. 1843.
- 124 ADSJ, Dollard Papers, 535, parishioners to Dollard, 7 Oct. 1844.
- 125 *New Brunswick Courier*, 10 and 17 Jan., 7, 14, and 28 Feb., 7 March, and 10 April 1846.
- 126 Ibid., 6 April 1844.
- 127 Ibid., 5 April 1845.
- 128 *New Brunswick Statutes*, 9 Vic., c. 72.
- 129 Acheson, *Saint John*, 103.
- 130 Carey, *People, Priests, and Prelates*, 154.