CCHA, Historical Studies, 64 (1998), 27-44

Michael Anthony Fleming and Ultramontanism in Irish-Newfoundland Roman Catholicism, 1829-1850[1]

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In Newfoundland and Canadian Catholic historiography, it is well known that the episcopacy of Michael Anthony Fleming, the Franciscan Roman Catholic vicar apostolic and bishop of Newfoundland (1829-50) coincided with the tremendous growth of institutional Roman Catholicism in the island colony of Newfoundland. It is much less known that this expansion and cultural formation took place in the midst of a bitter intra-ethnic conflict which divided Fleming's St. John's congregation along Irish provincial Leinster-Munster lines, and that this dispute was exploited by the government of Britain in an attempt to control the Irish, and Roman Catholicism, in nineteenth-century Newfoundland. In good measure it was a dispute caused by Fleming's implementation of ultramontanism, the tendency to look towards Rome for centralized control and standardization of practices in the Roman Catholic Church. This conflict and its importance have been obscured by the new culture which had emerged by 1850, and by the historical attention lavished on sectarianism in Newfoundland politics.

The conventional wisdom about Fleming and the Newfoundland Irish was established in 1966 by Gertrude Gunn.[2] Her study, completed during a renaissance in Newfoundland historical scholarship, was based on and informed by perspectives found in Newfoundland governors' papers, and based on reports on Newfoundland sent to the British government's

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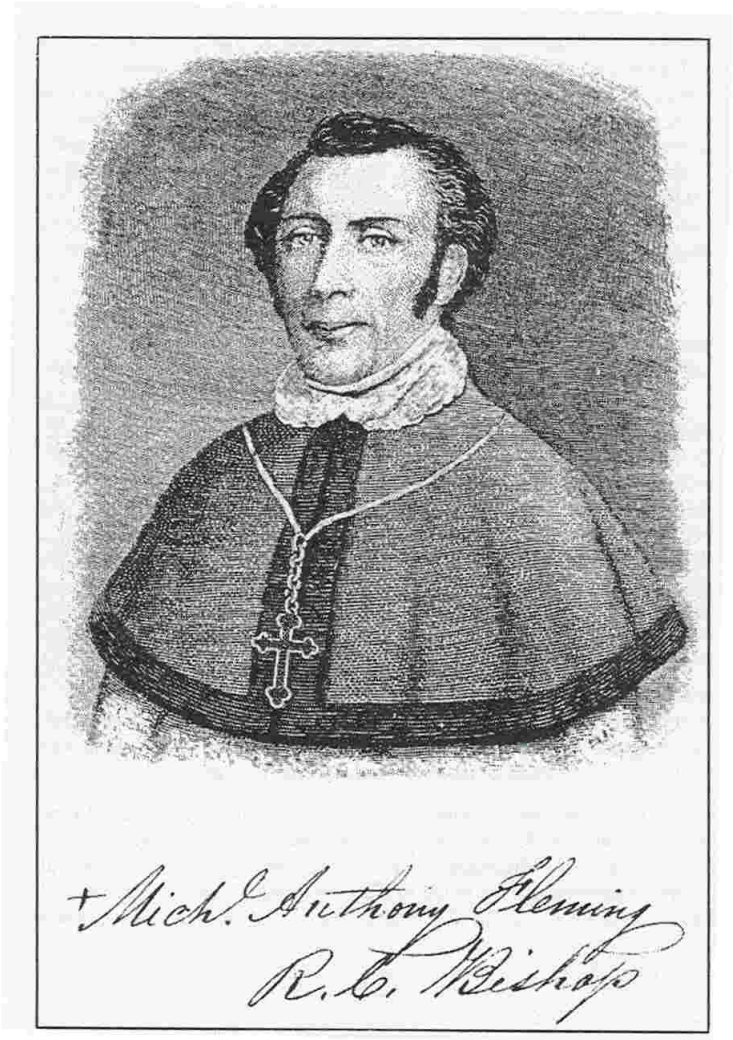
[1] This essay is based on the author's "Conflict and Culture in Irish-Newfoundland Roman Catholicism, 1829-1850," unpublished Ph.D. dissertation, University of Ottawa, 1997. Research for this study was funded by the Social Science and Humanities Research Council of Canada, the Institute for Social and Economic Research of Memorial University of Newfoundland, the University of Ottawa, and the Government of Newfoundland.

[2] Gertrude Gunn, *The Political History of Newfoundland* (Toronto, 1966).



Michael Anthony Fleming, Roman Catholic Vicar Apostolic
of Newfoundland and Bishop of Capasia
Source: M.F. Howley, *Ecclesiastical History of Newfoundland*
(Boston: Doyle and Whittle, 1888), frontispiece.

Colonial Office. Gunn's Irish were portrayed as Roman Catholic rabble rousers engaged in sectarian "war to the knife" with Protestant merchants, British governors, and the British government. A monolithic church, armed with an array of spiritual weapons which included excommunication and burial *extra ecclesia*, kept the Irish in a constant state of terrified subjugation. Unfortunately, this monochromatic and reductionist depiction promoted a political myth of Irish sectarianism. It excused the hegemony of British colonialism and obscured the ethno-religious texture of the Irish Catholic community.

More recently, Gunn's interpretation of the age has been superceded by R.J. Lahey, Philip McCann, and Terrence Murphy. Lahey has pointed out that while there was considerable in-fighting between Fleming and factions within his congregation, and while the British government went to great lengths to get rid of Fleming, his was the age of great social, cultural, and political gains for the Irish in Newfoundland under the aegis of church hierarchy in concert with a network of political allies and supportive congregations.[3] McCann and Murphy explored aspects of ethnicity, trusteeism, and class in Newfoundland Roman Catholicism,[4] but there has not been an exploration of the roots of the turmoil which gripped the St. John's Irish community, namely, Fleming's implementation of the principles of ultramontanism, and Wexford and British government discontent with his agenda.

Michael Anthony Fleming was born in 1792 near Piltown, Co. Kilkenny. As a boy he sold buttermilk "near old Russell's Crane" in Carrick, a busy *entrepôt* of the Irish wool industry before the Union decimated the trade. As a youth Fleming studied classics with a Protestant clergyman at Stradbally, Co. Waterford, and with the permission of the Catholic bishops of Waterford and Kilkenny, he attended the Protestant grammar school at Clonmel. His uncle, the Franciscan priest Martin Fleming, persuaded him to join the Franciscans. He studied under Thomas Scallan, Henry Hughes, and Richard

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[3] R.J. Lahey, "The Building of a Cathedral, 1838-1855," *The Basilica-Cathedral of St. John the Baptist, St. John's, Newfoundland 1855-1980*, Ed. J. Wallis (St. John's, 1980), 27-43; "Michael Anthony Fleming," *Dictionary of Canadian Biography* (*DCB*), (Toronto, 1988), 7:292-300; and "Catholicism and Colonial Policy in Newfoundland, 1779-1832," *Creed and Culture: the place of English-speaking Catholics in Canadian Society, 1750-1930*, Eds. Terrence Murphy and Gerald Stortz (Montreal: McGill-Queen's University Press, 1993), 49-78.

[4] Philip McCann, "Bishop Fleming and the Politicization of Irish Roman Catholics in Newfoundland, 1830-1850," *Religion and Identity* (St. John's: Jesperson Press, 1987), 81-97; Terrence Murphy, "Trusteeism in Atlantic Canada: the Struggle for Leadership among the Irish Catholics of Halifax, St. John's, and Saint John, 1780-1850," *Creed and Culture*, 126-151.

Hayes[5] at the Franciscan seminary at Wexford. Perhaps by his professors Fleming was schooled in ultramontanism. After ordination in 1815 he was assigned to his uncle's friary at Carrickbeg. He first visited Newfoundland in 1823 to raise money for a new Franciscan friary chapel at Carrickbeg which he and his uncle built. He also embraced the programme of the Irish emancipist O'Connell, who sought enfranchisement for Catholic Ireland, and returned to Newfoundland as a priest under Thomas Scallan, the Vicar Apostolic of the colony.

As an ultramontanist, Fleming was quick to find fault with Newfoundland Catholicism. "Religion," he wrote, "had not gained any one single advantage, neither in the establishment of a School the erection of a Church or the addition of a single Convert ... I saw the Altars dilapidated, the Sacred Vestments torn and soiled ... I saw Mass celebrated in Leaden Ch[alices] Gracious God! ... I saw Priests retiring from the Mission with fortunes and Bishops leaving their families Hundreds of Pounds."[6] Irish provincial factionalism also exposed the practise of the faith to liturgical and theological innovation and manipulation by clergy and lay trustees, and this had social and political costs. "The social bonds," Fleming wrote, "which form the great ties of that peace which unites Christian[s] in a single community, the chains of paternity, of religion and of country were utterly broken; and through lack of spiritual instruction, relative waged war on relative, Catholic on Catholic, Irishman on Irishman, contending senselessly and furiously about the superiority of Leinster over Munster."[7]

As an Irish nationalist, Fleming perceived Newfoundland in the same light as Ireland: the existing penal laws and the British government's tactic of co-opting or "buying off" élites siphoned off leading Catholics, who made social and political liaisons with socially-acceptable Protestants. Newfoundland also had a very small Catholic middle class or gentry from which social or political leadership might come. It was "a country where the executive power was exclusively Protestant and all the offices dependent on the governor from top to bottom were occupied almost exclusively by Protestants, it was but natural that those few Catholics who had become wealthy and who

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[5] In the famous Irish "Veto Controversy," Hayes opposed British government attempts to secure a veto over the appointment of Irish bishops and travelled to Rome to press the point with the pope.

[6] Archives of Propaganda Fide, Piazza di Spagna, Rome (hereafter APF), *Scritture Originali riferite nelle Congregazione Generali* (hereafter SOCG), 1842-1843, Vol. 5, fols 261r-274v, Fleming to Cardinal Fransoni, 27 December 1840.

[7] Archives of the Archdiocese of St. John's (hereafter AASJ), Bishop Michael Anthony Fleming Papers, Fleming, "The State of the Catholic Religion in Newfoundland, Reviewed in Two Letters by Monsig. Fleming, Vicar Apostolic of Newfoundland, to the Very Reverend P. John Spratt, Carmelite in Dublin" (Rome: 1836), first letter, p. 2.

therefore could associate with these important Protestants ... would consider Protestantism a respectable thing and would consider any attempt to oppose it as an indication of a mind *but little enlightened*."[8] Even in the late 1830s, Catholic reformers were able to prepare a table showing that of ninety-nine individuals who drew government salaries, ninety-eight held jobs at the governor's discretion, of whom ninety-four were Protestant.[9] Catholics had been excluded from all government jobs but three. Out of £19,285 paid annually for Newfoundland government salaries, Catholics received only £270 which included Fleming's annual salary of £75. Catholics were excluded from the governor's council unless they were willing to take offensive oaths: none took them.

By the mid-1820s, the most influential social organization in Newfoundland was the St. John's Benevolent Irish Society (BIS), formed in 1806 by Irish Protestants as a non-sectarian benevolent society for sons of Ireland. In 1827 the BIS established the non-denominational Orphan Asylum School (OAS). Six hundred students (but no orphans) registered there in 1828 with an average attendance of under 300.[10] By this time, the BIS's membership had become overwhelmingly Roman Catholic, the OAS's management committee was entirely Roman Catholic, and the school was virtually under Catholic control. However, the OAS management committee – of which Scallan was a member – was opposed to denominationalism, and its constitution timidly prohibited the use of any books or catechisms "containing any matter calculated to excite contempt, hatred, or any uncharitable feeling in any classes, towards persons of a different religious persuasion."[11] Fleming discovered that the committee would not permit the Catholic catechism to be taught, and was aghast when the committee "stood up in opposition to the Priests who attempted to give the children religious instruction" after school.[12]

If supporting O'Connell was no crime in Fleming's book, attending Protestant church services was. When Scallan attended a Church of England service to welcome the Anglican bishop John Inglis to Newfoundland, Fleming took personal offence and later described Scallan's lapse as "countenancing the worship of heretics." Fleming later insinuated that Rome had censured Scallan, and later writers agreed but excused Scallan's liberality towards Protestants as a "mental infirmity" or a "lapse of judgement," but no documents exist in Rome or St. John's to indicate any Roman censure. In

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[8] AASJ, Fleming Papers, *Relazione* (1837), 11.

[9] Colonial Office Records, Series 194, Public Record Office, Kew, England, Vol. 103, (Hereafter CO 194/103) fols 20r-21v, "Table Exhibiting the Extent of the *Exclusive System*."

[10] F.W. Rowe, *The Development of Education in Newfoundland* (Toronto, 1964), 37.

[11] *The Newfoundlander,* 13 April 1837.

[12] Rowe, *Education*, 38.

1829, the year before Scallan died, he and two priests consecrated Fleming as coadjutor bishop with right of succession. The Augustinian priest, Timothy Browne, who was Scallan's second choice to be bishop and was fourteen years longer in Newfoundland than Fleming, resented this deeply. Browne began a rumour that Fleming's consecration was uncanonical because two priests had assisted Scallan instead of two bishops, and because Scallan had supposedly been censured by Rome. The rumour of Scallan's excommunication was untrue but it came back to haunt Fleming, and he would later expend much energy dealing with its implications.

From the outset of his episcopacy, Fleming wanted to ensure that all priests and nuns were what he described as *transo attachi*, unattached to any Newfoundland family or faction. In a letter later written to Bishop Walsh of Halifax, who was embroiled in his own trustee controversy, Fleming expressed great satisfaction that Walsh had assumed into his "own hands the direction, control and management of the temporalities of the Church," for

> [O]nce a lay control [is] admitted in small things, the evil grows progressively until the Prelate or the Priest, who at first shirked the trouble, next was startled at the interference of Laymen led on by their own lusts, then alarmed at their dictation are eventually crushed beneath a mountain of their own creation. [These] disorders ... are calculated to shake the whole fabric of the Church to its centre ... I look with ardent hope for the influence of the example you have exhibited to *transo attachi* priesthood, to have a soothing calm upon the wound our Holy Religion has sustained throughout the Americas from this cause.[13]

Transo attachi was thus a means of excluding trustees and clerical families from control over the church's temporal properties, and of consolidating control in the bishop's hands. Exceptions to this rule crept in, such as when Timothy Browne brought his brother with his family from Ireland and installed them in the priest's house at Ferryland, but these probably made Fleming all the more zealous to enact reforms.

Ironically, Fleming himself was not *transo attachi*. Instead, he was embedded in a close-knit Irish-Newfoundland kin group of reformers, and this explains much of his social and political influence, and his popularity. In 1834, his sister Johanna married John Kent, the nephew of Patrick Morris, a Waterford-St. John's merchant and a principal proponent of representative government for Newfoundland. Morris's extended family included his uncle Patrick Doyle, his cousin Laurence O'Brien, and possibly through a connection to the Howley family, the chief reform political strategist, John Valentine Nugent. Led by Kent, this kin group was the backbone of the St. John's Catholic congregation, the heart of the Benevolent Irish Society, and spearheaded the reform movement in the late 1820s in concert with mer-

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[13] National Library of Ireland, Dublin, P.J. Little Papers, file 116-130, document 120, Fleming to Walsh, 22 November 1842.

chants, reformers, and some Protestants like the physician William Carson to secure representative government for Newfoundland.[14] Kent, Nugent, Morris, Fleming's vicar general Edward Troy, and Morris's friend John O'Mara were all from Waterford, which earned them the moniker "wheybellies," even though the patterns of all the reformers' Irish homeland origins were more complex. The reformers dominated the Newfoundland House of Assembly as Liberals from 1837 until the advent of responsible government in 1855. They agitated for the extension to Newfoundland of the elective franchise for Roman Catholics, and for the right of Catholics to sit in the governor's council without having to take oaths insulting their religious beliefs. Fleming and most of his clergy also supported the Irish Catholic nationalist agenda, believing that not to have these rights would lead to the destruction of Irish Catholicism. To support O'Connell's Catholic Association, Fleming and Morris collected a Catholic Rent outside the door of the Chapel in St. John's. Fleming also opposed the taxes on marriages and burials which Newfoundland Roman Catholics and Wesleyan Dissenters were compelled to pay to the Church of England clergy, and for this, he began to enjoy substantial popular support outside of Roman Catholicism.

The political advancement of the Irish reformers, and the development of institutional Roman Catholicism according to Fleming's plan, were stymied by the prior presence and influence of a small Wexford Irish group in Newfoundland society, politics, and the church. Before Fleming came to St. John's, Scallan already had his favourites: Timothy Hogan, a merchant, Patrick Kough, the government carpenter, Michael McLean Little, a small shopkeeper, and others – all of Wexford heritage or connections. They were from older and longer-established families in Newfoundland, and they resented the assertiveness of the Waterford men. Some of the Wexford group were lay trustees of the Chapel Committee, and some were members of the BIS Orphan Asylum Committee.

Their fate was sealed while Fleming was still a priest. Timothy Hogan embarrassed Fleming before Scallan by demanding that the £4000 which Fleming had collected to repair the Chapel in St. John's be turned over to the Chapel Committee. Fleming later wrote that the committee "bought from each other the materials and paid for them any sum which their cupidity suggested to them to demand and in this manner made the money raised for the purpose of promoting the glory of God ancillary to their own love of gain."[15] Hogan, Kough, and Little also opposed Fleming's attempts to introduce Roman

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[14] On the involvement of Fleming and the reformers in Newfoundland political life see Patrick O'Flaherty, "The Road to Saddle Hill," *Newfoundland Quarterly*, 89, No. 3 (Spring/Summer 1995): 21-26; Lahey, "Fleming," *DCB*, 7; O'Flaherty, "Henry David Winton," *DCB*, 8:947-951, and the author's "Conflict and Culture," passim.

[15] APF, *Scritture riferite nei Congressi* (hereafter SRNC), 1837-1841, Vol. 4, fols 270r-271v, Fleming to Fransoni, 21 April 1838.

Catholic religious education into the non-sectarian OAS. They were all too "liberal" in their views for Fleming, who in his letters to Rome described them in the discourse of ultramontanism, as "Liberal Catholics" or "freemasons," which denoted one thing in an Irish context, but quite another to Italian cardinals. Morris and the Waterford Irish were somewhat less restrained, and called the Wexford group "yellowbellies," or "Mad Dogs," an O'Connellite term used to designate Catholics who did not support O'Connell's movement. These terms and the ethnic divisions they described persisted in the Irish community in Newfoundland longer than in any other expatriate Irish colony in the British Empire, and they testify to the closeness with which the Newfoundland Irish saw themselves to Irish events and movements, and to the cultural persistence of Irishness in Newfoundland.

When Fleming became bishop he embarked on a thorough housecleaning of his vicariate. He preached against "communicating with heretics in sacred things," he refused the sacraments to Catholic freemasons, and made entering Protestant churches a reserved case requiring his permission. He angered Timothy Browne by adding new clergy and changing parish boundaries, which reduced the clerical income of priests, but he did this in response to a greater demand among the Irish for clergy. Fleming abandoned his episcopal carriage for a horse, and discharged his predecessor's servant. He wrote that "My Episcopal table ceased to resound to the jests of the pampered Officials, the Cellars to pour out wines, even my very clothing became shabby because with limitted [sic] means I founded schools and built churches, and purchased vestments and Mass books and Altar Furniture and Chalices. Need I say after this that I have enemies?"[16] Fleming dismissed the Orphan Asylum Committee and placed the school under his personal care, and disbanded the Chapel Committee.

Wexford-reform tensions, made to seethe by this ecclesiastical reorganization, soon spilled over into Newfoundland politics. In the election of 1832, Fleming supported John Kent, who was determined to see O'Connellite reforms enacted in Newfoundland. Henry Winton of the *Public Ledger* opposed Kent and then fell out with Fleming. Patrick Kough ran successfully against William Carson in St. John's, as a result of mustering the Wexford Yellowbellies against Carson. For the next ten years, through various elections and battles for control of the House of Assembly, and through ructions in the Chapel, the gulf between the Wexford and Waterford/reform factions deepened.

Contrary to the impression left by Gunn, much of the polarization of the St. John's congregation came not at Fleming's hands, but at those of Edward Troy, who was left in charge while Fleming was frequently out of town. In

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[16] APF, SRNC, 1842-1848, Vol. 5, fols 239r-260v, Fleming to Fransoni, 27 December 1840.

May 1833, the *Ledger* reported that Troy refused to administer the last rites to a dying member of the congregation when he was "sent for," and that Troy threatened to denounce anyone who would carry his coffin to the cemetery.[17] The man died, and the Wexford-born carpenter and builder of the OAS, Nicholas Croke, had the corpse removed to the Church of England cemetery where the magistrates ordered it to be buried.[18] Troy also denounced Michael McLean Little in the Chapel as a supporter of Hogan's, and warned the congregation not to patronize Little's business, stating that "Untill McLean Little is made a Beggar he cannot be a good Catholic."[19] In the Chapel before mass on 13 November 1836, a Sunday before an election, Troy was helped by Fleming's manservant Patrick Brawders and John O'Mara in ejecting Thomas Grace and Michael Scanlan from the Chapel. Their crime was that they were supporters of Patrick Kough.[20] Brawders stood before Scanlan's wife and daughter in their family pew and cried out to the congregation that Scanlan's "strumpet of a wife must be off after him," but John Shea came to the ladies' rescue.[21] Scanlan was kicked as he left the Chapel gallery. Outside he complained that he and his family had lived in St. John's for 21 years, but O'Mara violently pushed him. A crowd threatened to assault Scanlan but a priest came from the bishop's residence and escorted him safely off the property.[22] McLean Little later claimed that Troy had preached that the "mad dog Orange Catholics" wanted a religion which "may require them to go to Government House to ask the Governor when they will say Mass; they want an English mass; they want an English priest; they want to do away with confession, and the soiling of their fingers in holy water, and to trample under their feet the cross."[23]

The oligarchs of Government House discovered that divisiveness in the Catholic community could be exploited to help them rule the Irish. They regularly prompted Michael McLean Little to complain to London to have Rome have Fleming removed from Newfoundland. These petitions were

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[17] *The Public Ledger*, 17 May 1833.

[18] Ibid.

[19] CO 194/90, fol 171r.

[20] *The Newfoundlander*, 18 and 20 October 1836 list Scanlan and Grace as supporters of Kough, Gill, and Grieve.

[21] CO 194/97, fols 356r-357r, deposition of Eleanor Scanlan to P.W. Carter, J.P., 26 November 1836.

[22] CO 194/97, fols 353v-355v, deposition of Michael Scanlan to P.W. Carter, J.P., 26 November 1836.

[23] CO 194/97, fol 420r, "Papers Laid Before the Select Committee," p. 15 , Michael McLean Little to Prescott, 31 July 1837, supported by fol 422r, p. 19, depositions of Philip Duggan and Ambrose Shea to C.F. Bennett, J.P., 8 December 1836, and by the testimony of Patrick Brawders, who was charged with assault and battery and fined £25 (see *The Royal Gazette and Newfoundland Advertiser*, 17 January 1837).

joined by governors' despatches, clippings from the *Public Ledger*, letters from Timothy Browne, and testimonials of support for McLean Little from Catholics and Protestants. This upset Troy, who in Fleming's absences denied the sacraments to 28 "Liberal Catholics." McLean Little's response was typical: as soon as Fleming left town, a new draft of his petition would appear, which Colonial Secretary James Crowdy would place before the governor, who sent it to London. The mandarins of Whitehall received a steady diet of reports that Fleming and his clergy had turned the Chapel into "a political clubhouse"; that they had harangued Hogan "from the pulpit" declaring "that grass should grow before his Door if he persevered in opposition," and that Fleming and Troy had been "the Chief Instigators to violence with a bigotted Flock."[24]

While the political storms of the 1830s and 40s played out, the most significant item on Fleming's personal agenda was the replacement of the decrepit wooden Catholic Chapel, a penal building buried on a back-street of St. John's, with a bold new cathedral. In late 1834, through the Irish MP Richard Lalor Sheil, Fleming petitioned the king through the secretary of state for the colonies for a grant of crown land.[25] For the next four years, the Colonial Office, the Department of Ordnance, and especially Governor Henry Prescott in St. John's did everything in their power to delay, obfuscate, and deny Fleming his desired land.

Successive governors also responded to the unprecedented challenges presented by Irish Catholics to the British ascendancy in Newfoundland by pressing the Colonial Office to initiate what eventually became four appeals to Rome to have Fleming disciplined and removed. But there was an obstacle to this. In seeking to have Fleming removed, the British government broke its own law 5 Elizabeth I, sect. 2, (1563), which prohibited British ministers from engaging in formal diplomatic relations with the Vatican. Matthias Buschkühl has indicated that there were periodic *rapprochements* between London and Rome from the mid-eighteenth century onwards, particularly when London wanted to reduce duties charged on British imports into the Papal States, and once it realized that a substantial British community lived in Rome.[26] But Anglo-papal relations pivoted on Irish issues. London realized that influencing Rome was a key to governing Ireland and controlling the church there. For its part, the Vatican had no objections to relations with British envoys, especially in the aftermath of revolutions in late eighteenth-

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[24] CO 194/85, fol 370r, Cochrane to Stanley, 26 December 1833; fols 377r-379r, Cochrane to Maj. Gen. Sir. A. Campbell, 26 December 1833.

[25] CO 194/93, fols 263r-264v, Fleming to Spring-Rice, 10 June 1835, indicates that the request was sent in December 1834 through Sheil to Spring-Rice.

[26] Matthias Buschkühl, *Great Britain and the Holy See, 1746-1870* (Dublin, 1982), 27 and 67.

century Europe. In exchange for having its way, Britain promised the pope the protection of the Papal States against revolutionaries and the French.[27]

Reports on Newfoundland flooded into London. By the end of 1837 the Colonial Office was swamped with what became known as the Newfoundland question, which was in reality the Irish-Catholic question, which became the Fleming question. A thoroughly frustrated James Stephen, the Under-Secretary, concluded that the problem was overdue for resolution by one means or another. He then made one of the most astounding admissions ever made by a British official on Britain's dependence on the papacy, on its wish to involve the Vatican to have Fleming removed, and on the place and power of ascendant Catholicism in Newfoundland:

> If it should ever be thought right again to apply to the Court of Rome (a humiliating necessity) on the subject, [McLean Little's] enclosure might be added to the proofs against that incendiary Priest. But I suspect that the Pope secretly enjoys the power of keeping a whole English Colony in a ferment which His Holiness alone can quell & which remains a standing monument of the fact that this Protestant Country cannot entirely shake off its dependence even in this nineteenth century on the Papal power.[28]

Britain was legally powerless to remove Fleming from Newfoundland as long as he did not break the law, and as long as he enjoyed the confidence of the pope. Rome had now become London's court of last resort for its Newfoundland problems. For Fleming's own part, by stressing his allegiance to the British sovereign and constitution while defending his own orthodoxy in Rome, he defended himself from treason and ensured that British powerlessness would continue.

In Rome during the last week of December 1837, the British agent Thomas Aubin prepared a confidential summary for the curia of McLean Little's new testimonies against Troy.[29] Pope Gregory XVI read them, and on 5 January he ordered Fleming that his clergy must abstain from interference in politics, and ordered the bishop to suspend Troy from the eucharistic ministry and have him leave Newfoundland.[30] Fleming only received this on

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[27] Ibid., 34.

[28] CO 194/100, fol 33rv, note by Stephen, 30 January 1838.

[29] CO 194/102, fols 57r-64v, Aubin to Abercrombie, 29 February 1838, enclosing confidential statement for the cardinal secretary of state, 28 December 1837.

[30] AASJ, Fleming Papers, document 35, Pope Gregory XVI to Fleming, 5 January 1838; document 37, Fransoni to Fleming, 6 January 1838. APF, *Lettere, Decreti, Brevi* (hereafter LDB), 1835-1838, Vol. 5, *Terra Nova*, fol 120rv, Fransoni to Lambruschini, 6 January 1838 informed the cardinal secretary of state that the pope and Fransoni had written letters, and that copies would be provided to Aubin.

his return to Newfoundland in the summer of 1838,[31] and the British government did not learn of it until late February 1838.

British politicians must have realized that they had nothing to lose by granting Fleming his land, and this was done in April 1838. But they also kept pushing aggressively for Fleming's removal.[32] The bishop soon began to fear that damage to his reputation was being done in Rome behind his back. Perhaps he learned that the papal nuncio to Vienna had been engaged by Britain to lobby Rome for his removal, or that it may have been planned that he get the land grant but never get to return to Newfoundland to see it. So in reply, he wrote a monumental defence of his reputation, revealing "the secrets of my diocese" to the cardinal prefect of Propaganda Fide. It exposed Fleming's own thinking that the cathedral project was the pivot in the development of Catholicism in Newfoundland. The "enemies of our Holy Religion" had been "indefatigably employed" to stop his acquisition of the land and the building's construction.[33] Fleming then recited a litany of the blessed and damned like the yarns of a bard at the court of an ancient Irish high king, casting into relief his accomplishments against the relative neglect of the Newfoundland mission by his predecessors and their clergy. He concluded:

> Thus I have shewn your Eminence that during a period of forty four years the *total* number of priests who were at any time admitted into the mission of the island was only nineteen, but of these nineteen, seven had come into the country as adventurers,[34] *all* of them actually laboring under suspension at the time and every one of the six left it under suspension and the seventh died in the country under excommunication, while the total number brought over immediately by the three Bishops was barely thirteen, of whom four were suspended, four died, two made fortunes and retired to spend them, One is many years insane and only two remain in the country – the Rev'd Timothy Brown and the Rev'd Nicholas Devereux.[35]

O'Donel, Lambert, and Scallan had retired to Ireland with money to live "in indolence for the residue of their days ... bequeathing a criminal inheritance

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[31] APF, LDB, 1835-1838, Vol. 5, *Terra Nova*, fol 780rv, Fransoni to Lambruschini, 6 August 1838, noting that Fleming had not received the pope's letter of January 1838.

[32] For some time the Vatican had wanted a Roman bishop on the British-controlled island of Corfu (Kérkira, Greece). When the British Ambassador to Vienna learned of this, he replied that London would agree if Fleming were removed from Newfoundland. See John Whittaker, "A Tale of Two Islands: Corfu and Newfoundland," *Bulletin of the Canadian-Mediterranean Institute*, Vol. 10, No. 4 (October 1990): 6-7.

[33] APF, SRNC, 1837-1841, Vol. 4, fols 267r-274v, Fleming to Cardinal Prefect, 21 April 1838.

[34] I.e., financial adventurers.

[35] APF, SRNC, 1837-1841, Vol. 4, fol 269r.

to their families," while his "predecessors in 45 years brought only 13 priests ... although wallowing in wealth." Timothy Browne was "Laical" and lax; he had fallen "in the street at midnight, returning from a party of bigoted Protestants,"[36] and he was in league with the former members of a lay committee which had misused funds collected to repair the Chapel.[37]

The Colonial Office continued to try through Vienna and Aubin to have the bishop removed, but Fleming's letter was the most urgent and telling of any of the documents he ever wrote. It provided Rome with the best written justification it would ever receive of his work in Newfoundland. It was sufficient to dismiss complaints against him for the next two years, and it marked the climax of his personal campaign to defend himself in Rome, and was followed by two years of the relative absence of the Catholic clergy from Newfoundland political life.

When word of the land grant reached Troy in St. John's, he lost no time telling the congregation, which appeared by the hundreds on the "Barrens" on Thursday, 17 May 1838, to fence and take possession of the land,[38] six weeks before Governor Prescott issued the official certificate granting Fleming and his successors "nine acres, three roods [sic], and thirteen perches more or less" of land.[39] The grant drew hot criticism from the Tory press in Britain and Newfoundland that "barefaced Whig traitors" had "given this Romish agitator over 11 acres of Protestant land" upon which to build "a mess house, a house for the bishop, and priests, and of course ..." (and perhaps worst of all, given the contemporary notoriety of Rebecca Reed's *Six Months in a Convent* and Maria Monk's tales of Montréal nuns) "a convent."[40]

In 1840 another attempt was made to have Fleming removed. Lord John Russell instructed Aubin to force the issue in Rome: unless Fleming was removed, the British government would refuse all grants or salaries to Roman

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[36] *Ibid*. Browne may have been prone to alcoholic bouts; in 1836 he fell off a gallery of a house in Fermeuse while attending the celebrations of 6 January (Twelfth Night), and was ill the next day. See Provincial Archives of Newfoundland and Labrador, MG 920, B-7-2, Robert Carter's Ferryland Diary, 1832-1852, entry of Thursday 7 January 1836.

[37] APF, SRNC, 1837-1841, Vol. 4, fols 270r-271v.

[38] Lahey, "Building of a Cathedral," *Basilica-Cathedral*, 27.

[39] Registry of Crown Lands, Government of Newfoundland and Labrador, Vol. 2A, fols 37r-38r (original registry Vol. 2, fol 134r, no. 227), certificate naming Victoria to Right Rev. Michael Anthony Fleming, 30 June 1838.

[40] *The Public Ledger*, 14 July 1838; Bishop Fleming file of Dr. John Mannion. British and Irish Protestant newspapers were incensed at the land grant; see *The London Standard*, 17 September 1838 on the Boulton affair; and *The Liverpool Standard*, 21 September 1838, on "the atrocious persecution by the Papist rabble of the House of Assembly."

Catholic bishops and priests in all the colonies.[41] It was blackmail. On 20 November 1840 Aubin reported to London that measures were to be taken to satisfy the British government. Four days later, a letter from Fransoni sternly rebuked Fleming, conveyed grave accusations against him, and summoned him to Rome to apologize and account for his actions. Russell and Stephen were informed of Fleming's recall,[42] and Prescott was told that "measures had been taken ... for redressing the evils" in Newfoundland,[43] prompting rampant rumours through St. John's of Fleming's recall and questions of his legitimacy as bishop.[44]

Fleming's response to the Fransoni command was the most astounding of all: he claimed never to have received the letter. Instead, he continued to send refutations of the accusations and condemnations of Browne, and progress reports on the cathedral. Apart from one more unanswered summons, neither the pope nor any cardinal took further measures to summon Fleming to Rome. Perhaps the Vatican was using Fleming as a scourge against Britain for its treatment of the Irish. In 1840 Fleming offered his own analysis of the unwritten policy of successive British governments towards Irish-Catholic prelates in the colonies. They "strained every nerve to obtain even a negative voice in the nomination of Prelates in the Irish Church through the 'Veto.'" British governments made efforts "to obtain something like that control over the Colonial Prelates which they failed in obtaining in Ireland .... our Government despairing more of being able to stab Religion in Ireland are solicitous to cramp it in the Colonies in order to plant upon its ruins the symbols of their own adulterous creed."[45] For *Propaganda Fide*, Fleming, and the Irish clergy, Newfoundland was a colonial laboratory, a testing ground for ultramontane Roman Catholicism. If it could succeed there, it could succeed anywhere in the new world. Within a few years the charges against Fleming were forgiven and forgotten. The clergy abstained from politics, and Fleming got to stay in Newfoundland and build his cathedral, and expand and consolidate the cradle-to-grave Irish-Catholic world in St. John's.

Obstacles presented to church control of Catholic education by various educational acts, and financial temporizing by the House of Assembly

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[41] CO 94/109, fol 12rv, Stephen to J. Backhouse, 16 July 1840. While Parliament made all grants on an annual basis, this still would have been a substantial threat.

[42] For this process see CO 194/110, fol 43v, Cowper to Palmerston, 25 November 1840, transmitting copy of Aubin's report; *Ibid*., fols 41r-42v, Leveron, Foreign Office to Stephen, 7 December 1840, noting the intention of Stephen to only tell Prescott that matters "were in train."

[43] CO 195/19, p. 345, Russell to Prescott, 10 December 1840.

[44] Lahey, "Fleming," *DCB*, 7:297.

[45] APF, SOCG, Vol. 5, 1842-1843, fols 261r-274v, Fleming to Fransoni, 27 December 1840.

gradually made Fleming determined to create his own Catholic education system in order to reinvent Irish Catholicism in Newfoundland. The Irish scholar Kevin Whelan has argued that the provision of Catholic education in Ireland by the indigenous teaching orders of the Mercy and Presentation sisters, and the Christian Brothers became a main focus of Irish Catholicism between 1770 and 1830, and it was "an essential component of the artillery of the revised Tridentine Church"[46] which developed in Ireland in the 1830s and 1840s and began to develop in Newfoundland Catholicism in the 1850s and 1860s. In 1833, Fleming had brought to St. John's a convent of the Irish sisters of the Presentation of the Blessed Virgin, established under his superiorship, in order to teach the poor. Throughout the 1830s and the early 1840s there was a rising demand for Catholic education in St. John's. Irish-Newfoundland students went to school in greater numbers, because their parents saw the new educational opportunities as a means of social mobility. However, for a decade or so, little or no advanced education was offered. During an illness and convalescence during the winter of 1839 the bishop finalized plans to establish a new Catholic institution, a convent of the Sisters of Mercy in St. John's. The Sisters of Mercy were founded in Dublin in 1830 by the Irish heiress and convert to Catholicism, Mary Catherine McAuley, who wished her famous "walking nuns" to be unbound by the rule of the cloister as were the Presentation sisters, and therefore free to walk the streets and care for the poor.[47] From the outset, the Sisters of Mercy in Newfoundland were a family affair with close ties to the reformers and Fleming. Like O'Connell, Fleming was a friend of McAuley's, and his niece Anne Fleming was a Mercy sister.[48] In July 1839, with Fleming's sponsorship, Mary Ann Creedon (John Nugent's sister-in-law), entered the Dublin Baggot Street convent as a postulant on the condition that she would return to Newfoundland to work as a sister.[49]

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[46] Kevin Whelan, "The Regional Impact of Irish Catholicism, 1700-1850," *Common Ground: Essays on the Historical Geography of Ireland,* Eds. William J. Smyth and Kevin Whelan (Cork, 1988), 266.

[47] A "nun" was a religious woman who took solemn vows binding her to observe the rule of the cloister, while a "sister" took simple vows permitting her to work outside the cloister in the community.

[48] Sister M. Paula Penney, RSM, Archivist, McAuley Hall, St. John's to the author, 5 July 1996.

[49] Peter Neary, "Marianne (Mary Ann) Creedon, 1811-1855," *DCB*, 8:184; *The Correspondence of Catherine McAuley 1827-1841*, ed. Sister M. Angela Bolster, R.S.M. (Cork, 1989), 140, McAuley to Sister M. Teresa White, Galway, 27 July 1840 described "Doctor Fleming" as "my bishop" who was "quite pleased with his child" Creedon. Mercy International Archives, Dublin (hereafter MIA), last will and testament of Catherine McAuley, 11 November 1841, noted Creedon's postulancy at Baggot Street.

Unlike in Ireland, Fleming did not intend that the sisters devote themselves to the poor. Rather, they were to use their own superior educations to educate a Catholic middle class. Fleming had a specific problem for Creedon and the Mercy sisters to address in St. John's: "from the aping after gentility, particularly amongst those who wish to be considered as respectable Catholic young ladies," he wrote, "you would be astonished to behold their eagerness to show themselves off at a Protestant ceremony, or to marry any little Protestant that may present himself."[50] With the daughters of well-to-do and Liberal Catholics in mind, Fleming believed the cure for the exogamous siphoning off of Newfoundland Catholic women by Protestant husbands was the religious education of Catholic female children, and Creedon was to be the agent of change. A pension school run by the sisters of Mercy for young women would "raise the character of Catholicity" and "give it a position in public estimation that it had not before."[51] Fleming wanted the Mercy Sisters to create a Catholic middle class. Nevertheless, his intention to have Creedon, a young inexperienced postulant, take charge of the Newfoundland convent was opposed by the Dublin convent, and possibly as a result, the professed Sister Mary de Pazzi Delany of Baggot Street was the first to offer herself for a Newfoundland convent,[52] even though she never went to Newfoundland. In June 1840 Fleming again visited Baggot Street and pressed McAuley to establish a convent in St. John's,[53] but the opening was delayed until 1842.

On 4 May 1842, three Mercy women – Sisters Mary Ursula Frayne, Mary Rose Lynch, and Mary Frances (Ann) Creedon – left Dublin for Newfoundland.[54] It was the Mercy order's first foundation in North America, and the second (after Birmingham) outside Ireland. Sister de Pazzi Delaney, the new superioress of the Baggot Street Convent, had appointed Ursula Frayne to be superioress of the group.[55] According to their own wishes, the sisters began to visit the sick and to get to know the people of St. John's soon after their arrival, and the St. John's congregation was very receptive to the ministrations of the "walking nuns."[56] John Nugent, a teacher himself, was enraptured with visions of schooling for children delivered by Dublin women who would

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[50] AASJ, Fleming Papers, Fleming to Dr. O'Connell, 19 February 1844, "State of Religion in Newfoundland."

[51] Ibid.

[52] MIA, Sister M. Teresa Austin Carroll, R.S.M., *Leaves from the Annals of the Sisters of Mercy*, (London, 1889), 3:11.

[53] MIA, notes on the Newfoundland sisters of Mercy.

[54] MIA, Carroll, *Leaves*, 15-17.

[55] MIA, Sisters of Mercy in Newfoundland file, copy of excerpt from Maree G. Allen, R.S.M., *The Labourers' Friends* (North Melbourne, Victoria, Australia, 1989), 6.

[56] Michael Francis Howley, *Ecclesiastical History of Newfoundland* (Boston, 1888), 373.

"pour into the ears of lisping babes in the distant wilds of North America the salutory lessons of virtue and religion."[57]

In February 1843 Fleming wrote Archbishop Daniel Murray of Dublin that he had finished building a new Mercy convent, and that the sisters had moved in and were "doing wonders among the better class of people in the way of Instruction and visiting the sick of all classes."[58] John Nugent's sister Maria joined the three sisters as a teacher in the Mercy school. She had previously been a novice in the Presentation Convent before sciatica forced her to reside with her brother. Her profession as Sister Mary Joseph Nugent into the St. John's convent on the feast of the Annunciation, 25 March 1843, was the first profession of a Sister of Mercy in North America.[59] For the regular curriculum of the first class of forty-two female students, the sisters taught reading, writing, arithmetic, grammar, geography, history, and the "use of the Globes." Students' parents paid extra for Italian, music, and French.[60] Mary Joseph Nugent's educational prowess allowed the sisters to offer a substantial curriculum, particularly in music, and in 1843, the sisters accepted their first piano pupil at £1.5s per quarter.[61] Despite the return later that year of Frayne and Lynch to Dublin, the Mercy Convent and School created a musical and cultural dynasty which turned out star pupils, teachers, and performers for the next 150 years. While Fleming intended the Mercy sisters' educational work to reinforce his conceptualization of gender and the class roles of women, the women themselves were not reticent about choosing their own path. The Mercy School provided an *entrée* into the upper and middle class for some young working class women, and contributed to the making of an indigenous Newfoundland Irish Roman Catholic middle class. In a sense it repealed British colonial, cultural, and educational control, and asserted Irish-Catholic educational and intellectual independence.

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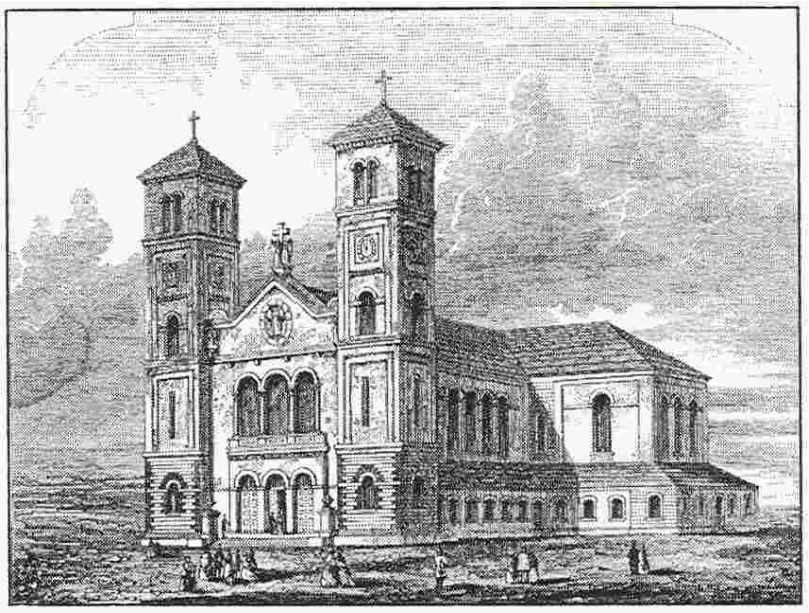
[57] *The Newfoundland Vindicator*, 14 May 1842.

[58] Dublin Diocesan Archives, Murray Papers, file: "32/1, Addenda," letter 201, Fleming to Murray, 7 February 1843.

[59] Mary Williamina Hogan, RSM, *Pathways of Mercy* (St. John's, 1986), 28. The Sisters of Mercy school did not formally open until May, Fleming later reported that children had been taught there since March, and this most likely would have begun around the time of Nugent's profession. See APF, SRNC, 1842-1848, Vol. 5, fol 778r-789v, Fleming to Fransoni, 26 November 1846.

[60] MIA, Newfoundland file; AASJ, Fleming Papers, Fleming to Dr. O'Connell, 19 February 1844, "The State of Religion in Newfoundland"; *The Newfoundlander*, 31 May 1843.

[61] Paul Woodford, *"We Love the place, O Lord": A History of the Written Musical Tradition of Newfoundland and Labrador to 1949* (St. John's, 1988), 31.



C. Henecy, "The Catholic Cathedral of St. John the Baptist
erected at St. John's Newfoundland by the Right Rev^{d} D^{r}
Fleming Bishop of Caspasia [sic] V.A. of Newfoundland 1841"

Ultramontanism played an important part in Fleming's dismissal of the Mad Dogs from educational control, and it also informed the construction of Fleming's cathedral in St. John's. A century-long debate has swirled around the issue of who was the architect of Fleming's cathedral. No previous argument, however, has taken into account Fleming's letters to Cardinal Fransoni and the pope indicating that financial, climatic, and most importantly, ideological reasons informed his choice of a continental architect. The bishop wrote Fransoni that he had "finally adopted the plans furnished me by Mr. Schmidt the Architect of the Danish Government resident in Altona" which would enable him to build "a most extensive Cathedral, a House for the Bishop and Clergy, a convent," and schools "at an expense far less than by the plans of the English or Irish Architects I could expect to raise buildings of little more than half their magnitude."[62] With Roman ultramontanism specifically in mind, Fleming delighted in informing the pope that he had chosen Schmidt because he had taken his architectural education in Rome.[63] The cathedral complex was calculated to provide a cradle-to-grave Irish-

[62] APF, SRNC, 1837-1842, Vol. 4, fols 336r-343v, Fleming to Fransoni, 27 November 1838.

[63] APF, SRNC, 1837-1842, Vol. 4, fols 330r-335v, Fleming to Pope Gregory XVI, 24 November 1838.

Catholic environment in order to meet, give permanence to, and legitimize Fleming's religious, political, and social agendas. It was a superbly-crafted statement of the new power, place, and legitimacy of ascendant Catholicism, and of the Irish and their culture, in Newfoundland colonial society.

By the late 1840s the bark of the Mad Dogs had become worse than their bite, and some were eventually reconciled with Fleming. In turn, he sought reconciliation with his enemies before his death in 1850, and spent his declining years engrossed in building the cathedral. Timothy Browne discredited himself in Rome, and some Waterford "wheybellies" were bought off with jobs and patronage. But the base metal of factional rivalry within the Irish-Catholic community in St. John's was transmuted into a new, more permanent, and vibrant Catholicism, an Irish-Newfoundland culture based on O'Connell-inspired nationalism. Social and cultural deference to British colonial officials were cut short by Irish nationalism with a desire for political independence, and the slow rise of an educated Catholic middle class. Irish-Catholic educational achievements and equality of political participation eventually muted the extremes of ultramontanism on one hand, and the creeping British ascendancy on the other. These were achievements of which no other nineteenth-century Irish-Catholic community outside or inside of Ireland could boast. By the end of Fleming's life, the great projects of public education and cathedral-building had captured and united the imaginations of Newfoundland Mad Dogs and reformers, and left the Englishmen of the Colonial Office standing in the noonday sun.