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THE CHALLENGE OF TOLERATION:
HOW A MINORITY RELIGION ADAPTED IN THE NEW REPUBLIC

A Thesis Submitted to the
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By
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ABSTRACT

This thesis examines the early American Catholic Church and how its first bishop, John Carroll, guided it through the first years of the American republic. The struggles Carroll faced were the legacy of the English heritage of the colonies. English Catholics who shaped colonial Catholic life made the community private and personal in response to the religious atmosphere in the English world. The American Revolution brought toleration for Catholics and they struggled to adapt their hierarchal religion to new republican language. Some congregations went as far as to deny episcopal power, a theory known as trusteeism. Different interpretations struggled to gain prominence and the issue was not resolved until decades after Carroll's death in 1815. Yet the Church he left behind provided a strong base for later immigrants who nonetheless dramatically changed the face of the American Catholic Church.

While the United States used to be thought of as a melting pot, recently it has been more appropriate to call it a salad bowl. Many different groups have come to America and added to American culture, never truly assimilating into the dominant culture. However, all of the different groups have added to the American way of life by being different from the dominant Anglo-Saxon Protestants. At times, these differences have caused conflict because the contemporary “true Americans” have tried to save their culture from being diluted by the inferior culture of these new “outsiders.” This process is still happening, with the influx of Latinos and Latinas making current “true Americans” nervous and anxious to maintain the America they know. This paper, then, is the story of one such group of outsiders and its fight to join mainstream American society in the first days of the American Republic.

This paper shows how unsteady the Catholic Church was in American society in the early republic. While there are millions of Catholics in the United States today and there has even been a Catholic president, this would have been unthinkable two and a half centuries ago. The Catholic Church of the early republic was a small community, unsure of itself and unsure of its toleration. It did not try to shape society by making bold statements and being unabashedly Catholic. The Catholic Church of the early republic surprisingly had much in common with most Protestant churches of that time period in the United States since they all struggled to adjust to the liberty that all Americans now claimed.

In the following generation, immigrants built on the groundwork laid by John Carroll and others in the early American Catholic church. They benefited from the early

struggles of American Catholicism to be accepted in their nation. Yet the Church built by these immigrants varied greatly from Carroll's plan. On top of the austere, English foundation, the immigrants built a grand, Gothic church more in line with the Catholicism they knew in their homeland.

What shaped these first Catholics in English America? Their history is mostly one of a persecuted minority. The first settlers of the English colonies in America were not very welcoming to any outsiders. In Massachusetts, the Puritans had come to the New World looking for religious freedom for themselves, and did not offer it for anybody else. Virginia's founding did not have the religious rationale that Massachusetts did, but it still found religious unity to be the cornerstone of a healthy society. In all of Europe, and especially England, religion and government were connected. The goal of society was the same as the goal of religion: the salvation of souls. Government created laws to force people to behave as they should if they would want to get to heaven. In England, Henry VIII had explicitly combined church and state by naming himself the head of the Church of England. All authority, temporal and spiritual, emanated from him. It was therefore treasonous to recognize any power outside of the king. Especially affected by Henry's consolidation of power were English Catholics. Their religion required them to recognize the power of the pope, if not in temporal matters than at least in spiritual affairs. Yet their king had claimed both realms for himself leaving no room for interpretation. Catholics, then, became traitors to the state because of their religion.

Of course, acknowledging papal power was not the only thing to cause Protestants to abhor Catholics, especially after decades of religious strife. Catholicism became

idolatry--- blasphemous, superstitious, bloody, hypocritical, and ignorant. England's traditional enemies were Catholic, making the average Englishman think that every Catholic was a potential Spanish or French agent. This made it impossible to be both Catholic and English.

Yet some Englishmen tried. They needed to convince their countrymen that they could be loyal to both the pope and the King of England. First, they downplayed the power of the pope by viewing him as a spiritual leader without any temporal power. This was no mean task since the pope still wore a crown and controlled extensive territory in the middle of the Italian peninsula. Clearly it would be hard to remain loyal to two temporal rulers on earth, especially two rulers who were on opposite sides of the European religious wars. They still needed to prove to the king that they could be trustworthy citizens despite their different religious beliefs.

When the first settlers came over from England, they brought with them the English hatred for Catholics. It is not surprising, then, that they probably passed more acts outlawing Catholics than there were Catholics in their colonies, especially in the case of the Puritans in New England. Over time, however, Catholics started to see the potential the colonies had for providing a refuge for English Catholics. In the early 17th century, a Catholic noble who had worked for the crown was granted rights to land just north of the existing colony of Virginia. While Catholics never outnumbered Protestants in this colony called Maryland, it still provided a refuge for some English Catholic gentry. Maryland's Catholics who made up most of the colonial elite eventually passed an act guaranteeing religious toleration for all Christians in the colony. This act was not

one of generosity, however, but self-preservation in the face of a growing Protestant majority that was unhappy with the control wielded by the Catholic proprietor and his co-religious. Maryland's attempts at toleration periodically were interrupted throughout the 17th century until the Glorious Revolution in 1688. Spurred on by events in England, Maryland Protestants were able to rise up against the Catholics who ruled and pass harsh laws forcing Catholicism underground and encouraging conversion to Protestantism.

Pennsylvania and New York also granted Catholics toleration during the colonial period. In New York, the proprietor of the colony converted to Catholicism and then granted toleration to the tiny Catholic community there. Like Maryland, the Glorious Revolution in England and a Protestant rebellion in the colony brought an end to Catholic toleration. Pennsylvania, however, managed to fight attempts by England to end toleration of Catholics in the colony. Many of the Catholics in New York wisely fled to Pennsylvania after the Glorious Revolution. Pennsylvania remained as the only haven for Catholics in colonial history.

The American Revolution changed how colonial society viewed Catholics. Loyalty to the English crown was no longer a litmus test of citizenship. In addition, assistance from Catholic France and Spain helped make Catholics more tolerable to the patriots. Colonial Catholics themselves proved to be able patriots and worthy citizens. One by one, the new state constitutions lifted the old restrictions on Catholics.

With this newfound toleration, Catholics started building the Church denied them in previous years. When the nation elected her first president, American Catholics got their first bishop. Both men set about creating something that was suitable for the new

nation. The bishop, John Carroll, tried at first to create a Catholic Church that was distinctly American. Not only was Carroll leery of dependence on Rome but he also felt that the Church needed to be made to fit better with the temperament of all Americans, both Catholic and not. Carroll always feared the end of religious toleration and worked hard to ensure Catholics did nothing to abuse their Protestant neighbors.

Carroll's vision matched that of the majority of the small Catholic community found in the colonies after the Revolution. They wanted to fit in and be left alone. Most Catholics found in the United States immediately after the Revolution had English roots and were centuries removed from the elaborate pageantry that was once part of their religion. Only later would waves of Continental Catholic immigrants come to the United States and erase the earlier vision of the American Catholic Church.

Not everyone agreed with Carroll. Catholic religious leaders in Europe did not understand the new religious arrangement in America. Some Americans still saw Catholics as outsiders despite their contributions during the American Revolution and subsequent toleration. Some Catholic laymen wanted greater control over church property, especially since they built the church and paid to support the pastor. While most of these lay leaders, known as trustees, had no problem with Carroll's authority, others chafed under his control and at times even openly rebelled. These trustee battles were, in part, the result of episcopal rule coming to a land that had never before known a bishop. Carroll usually showed patience with these recalcitrant congregations but some required him to discipline the priests and laymen involved. Carroll's successors would not handle trustee issues with similar tact and gentleness. These men were less able to

deal with all the stresses that faced them as bishops. Because of these men and the influx of Catholic immigrants following Carroll's death, Carroll's vision of the Catholic Church was lost and replaced by a very different and more European model.

It is necessary to return to England before the colonists landed in the New World to understand the history of Catholics in the early United States. The anti-Catholic prejudice of most English colonists went back to the creation of the Anglican Church by King Henry VIII. This act made Roman Catholicism illegal, forcing some English Catholics to flee to the Continent while others practiced their religion in secret. In addition, most Englishmen saw Catholics as traitors and natural allies of their traditional enemies, France and Spain. While some of the early Protestant colonists also migrated in hopes of escaping the established Anglican religion, they did not believe in toleration for Catholics. In fact, what the pilgrims abhorred most about Anglicanism was its similarity to Catholicism. The religious battles in England continued to be fought in the colonies until the Glorious Revolution granted broad religious toleration to all Protestants in 1689.

King Henry VIII named himself head of the Anglican Church in the 1530s and quickly declared allegiance to the pope treasonous. Henry justified his actions with the idea of Caesaropapism which held that the king is the highest official in his realm in both spiritual and temporal matters.¹ While most Englishmen followed the religion of their king, some remained loyal to the pope. These Catholics either hid their loyalty, fled to the continent, or died for their faith. The Anglican Church moved farther away from Catholicism under King Edward VI who reigned from 1547 to 1553. The next ruler, Queen Mary, tried to make England a Catholic nation again. The result was many Protestant martyrs. However, attempts to “re-Catholicize” the nation ended with her death in 1558. The rule of Queen Elizabeth, which lasted over four decades, not only

¹ See John Guy, *Tudor England*, (New York: Oxford University Press, 1990) for more information, especially chapters four and five.

reversed the changes made by Mary but put the nation solidly and forever in the Protestant camp.

The religious settlement under Elizabeth was far from peaceful, however. The religious battles in England had many different factions, not just Catholics and Anglicans. Some felt that Anglicanism still was too close to Catholicism and pushed for a purification of the Anglican Church. They called themselves Puritans. To the north, the Scots had replaced Catholicism not with Anglicanism but with a less hierarchical religion that became Presbyterianism. Elizabeth tried to incorporate enough from each dissenting group to make the Anglican Church tolerable for each dissenting group. While this policy might seem welcoming, Catholics who did not convert to Anglicanism faced a series of penal laws.

It seems slightly cruel to modern readers that Christians would take such draconian measures against fellow Christians who did not share their exact religious view. For modern Americans, religion is a private matter that involves no one else. It would be one of the greatest losses of our personal freedom if anyone persecuted us because of our religious beliefs. Early modern European society, however, had very different notions about the roles of Church and State. The two pillars of society should be united in the same goal of salvation. Laws should force people to be good Christians; religion should force people to be good citizens.

Indeed, the English felt that experience had shown the prudence of such a policy of unity and the dangers of religious plurality. Under the two kings who succeeded Elizabeth, first James I and then Charles I, the state loosened its grip on religious

conformity. The result was a civil war that ended with regicide and dictatorship.²

Fighting between the different Protestant sects continued until 1689 when, following the Glorious Revolution, William and Mary signed the English Toleration Act that granted religious toleration to all Christians except Catholics.³ It seemed one of the few things all Protestants could agree on was their hatred of Catholics.

These stormy waters shaped the small but wealthy English Catholic community. They no longer hoped for a return to a Catholic establishment. Instead, they wanted toleration.⁴ Their ideas about religion changed as well, for they did not recognize temporal papal power and religion became a private matter.⁵ The changes were pragmatic and not necessarily philosophical changes. English Catholics needed to find a way to be loyal to both the pope and their English king while both rulers made similar claims to power.⁶ Therefore English Catholics needed to find a way to accommodate both demands. Likewise, being a small, oppressed minority forced English Catholics to focus on personal spirituality instead of public religion. These changes carried over first to Catholics in the English colonies and later to the early American Catholic Church. These characteristics, however, were lost once massive waves of immigrants came to

² James H. Hutson, *Church and State in America: The First Two Centuries* (New York: Cambridge University Press, 2008), 6-7.

³ *Ibid.*, 48-49.

⁴ Jay P. Dolan, *The American Catholic Experience: A History from Colonial Times to the Present* (New York: Doubleday & Co., Inc., 1985), 70-71.

⁵ Thomas W. Spalding, *The Premier See: A History of the Archdiocese of Baltimore, 1789-1989* (Baltimore: The John Hopkins University Press, 1989), 2.

⁶ In order to be admitted to the political sphere, Englishmen had to swear an oath recognizing the king as the head of the church and of the nation. At times these oaths would include clauses meant just to insult Catholics. See Francis X. Curran, S.J., *Catholics in Colonial Law* (Chicago: Loyola University Press, 1963), 10 for an example.

America and brought with them a Catholicism that was much more public and much more deferential to the pope.

The first English colonists inaugurated the dislike for Catholics in the colonies. The Puritans mentioned above came to the new world looking for religious freedom yet did not provide asylum for other religions. Even if they had been more liberal or modern in matters of toleration, Catholics would have been one of the last groups to gain tolerance from the early Massachusetts settlers. They thought that Catholicism was a corruption of Christianity and that the pope was the anti-Christ.⁷ They quickly created new laws for their colonies to prevent these “pseudo-Christian” heretics from undermining their God-fearing colony. A 1647 law states, “no Jesuit or ecclesiasticall pson ordayned by ye authorities of the pope shall come wthin o^r jurisdiction” with the penalty of banishment for the first offense and death for the second offense.⁸ While the law did make exceptions for priests who might be shipwrecked in the colony or even go to the colony on official business, Catholic priests clearly were not welcome in the new colony. Farther south, the colonists in Virginia had already passed a law making it illegal for “popish recusants” to hold any colonial office. The same law made it illegal for “popish priests” to “remaine above five days after warning given for his departure.”⁹ While the Anglicans of Virginia and the Puritans of Massachusetts did not like each other, they shared a hatred of Catholics.

⁷ James Hennesey, S.J., *American Catholics: A History of the Roman Catholic Community in the United States* (New York: Oxford University Press, 1981),37.

⁸ John Tracy Ellis, ed., *Documents of American Catholic History*, vol. 1, 1493-1865 (Wilmington, DE: Michael Glazier, 1987), 111-112.

⁹ *Ibid.*,1:110-111.

With such harsh laws against Catholicism, it would seem that the Protestant colonists were responding to a clear threat. Yet that was not the case. There were very few Catholics in either of these colonies at that time.¹⁰ Laws like this did not encourage Catholic immigration, either. But just because there were not large numbers of Catholics in the colonies did not mean that the Protestants were safe. The threat was more covert.¹¹ The English colonies saw themselves as Protestant outposts in a Western Hemisphere that was dominated by the Catholic countries of France and Spain. The Spanish had an impressive empire south of the colonies while the French had outposts of fur traders in the north. The small English colonies found themselves in the middle of these two Catholic empires.¹² The colonists felt especially threatened by a Catholic conspiracy following the Glorious Revolution. The dethroned James II ran to France and soon England found herself fighting the European Catholic power. Combine this with whispers that the French had allied themselves with the Native Americans in the area and colonists really felt threatened.¹³ Behind every tree on the frontier could be a ruthless savage armed by the heathen French just waiting to massacre the English.

One colony, however, not only tolerated Catholics but was actually founded by one. Maryland was the vision of the first Lord Baltimore, George Calvert. Calvert had been born to a noble family and had further distinguished himself through his service to King James I. His title was a reward from the king for his service as Secretary of State.

¹⁰ Hennesey, *American Catholics*, 37.

¹¹ J.C.D. Clark, *The Language of Liberty 1660-1832: Political discourse and social dynamics in the Anglo-American world* (Cambridge: Cambridge University Press, 1994), 272.

¹² George M. Marsden, *Religion and American Culture* (Orlando, FL: Harcourt Brace Jovanovich, Inc., 1990), 37.

¹³ David S. Lovejoy, *The Glorious Revolution in America* (New York: Harper & Row, Publishers, 1972), 281-288.

Calvert, however, converted to Catholicism and therefore disqualified himself from public office.¹⁴ Yet King Charles still had enough respect for Calvert to grant him land in the New World.

Before Maryland, Calvert had made a previous attempt at colonization off the coast of Newfoundland. The colony, named Ferryland, had religious toleration and both Anglicans and Catholics lived there peaceably.¹⁵ Yet the weather there was too cold and inhospitable, forcing Calvert to move south in search of a more temperate climate.

Calvert previously invested in Virginia, but he was unwelcome there because he could not take the oath of supremacy required for emigration.¹⁶ He then asked King Charles for a more suitable location for colonization, preferably around Virginia. Sadly, George Calvert died before he could see his dream fulfilled, but his son Cecil Calvert, the second Lord Baltimore, carried on his dream. Calvert named the new colony Maryland after King Charles' French (and Catholic) wife, Henrietta Maria.

The Charter granted by King Charles to the Calverts in 1623 focused more on liberties than on punishments. It did not bind Calvert to the laws of England but guaranteed the colonists usual English liberties. That allowed Calvert and the other Catholics in the colony to practice their religion without violating the terms of the Charter. While the Charter mentions the erection of Anglican churches and chapels, it

¹⁴ There seems to be some debate about the exact order of this. Hennesey claims Calvert lost his job because he could not swear the oath required for his office after Charles I became king. Dolan writes that Calvert converted about the same time he lost his job but never mentions his conversion as the reason for his firing. McAvoy says that Calvert converted in 1624, five years before Charles became king, but never mentions Calvert losing his office. See Hennesey, *American Catholics*, 38; Dolan, *Experience*, 71; and Thomas T. McAvoy, C.S.C., *A History of the Catholic Church in the United States* (Notre Dame, IN: University of Notre Dame Press, 1969), 9.

¹⁵ Hennesey, *American Catholics*, 38.

¹⁶ *Ibid.*

says nothing about houses of worship for other religions. The vague language and latitude given Calvert in governing the colony was an implicit agreement from the crown to allow Catholics to practice their religion in the colony.¹⁷

King Charles, however, had several reasons for granting the Calverts such a liberal charter. In part, it was a reward for years of service to the royal family. But Maryland also had a place in the larger policy of the Stuart kings. It was to be a gesture of peace to the great Catholic enemies of England. At this time, the Stuarts were not as fiercely opposed to France and Spain as previous monarchs had been. Neither Stuart king was highly supportive of Protestant forces in the Thirty Years War, and Charles had even married a French princess, the previously mentioned Henrietta Maria.¹⁸

Lord Baltimore, too, had a couple reasons for settling the new colony. While it could provide a welcome refuge for English Catholics, it could also prove to be a nice investment for Calvert and his heirs. The wide powers given to Lord Baltimore could be (and were) used to his economic advantage. One historian contrasts Maryland with Massachusetts, noting that while religion was foremost in Massachusetts, around the Chesapeake Bay, profit ruled.¹⁹

Even if the crown was more tolerant towards Catholics, Lord Baltimore knew he needed to keep the Protestants in Maryland content. He made sure that the Catholics making the voyage would not publicly practice their religion while at sea. He wrote to his agents that they should “be very careful to preserve unity and peace amongst all the

¹⁷ John Tracy Ellis, *Catholics in Colonial America* (Baltimore: Helicon Press, Inc., 1965), 326-327; Ellis, *Documents*, 1:95-98.

¹⁸ Sydney E. Ahlstrom, *A Religious History of the American People* (New Haven, MA: Yale University Press, 1972), 331-332.

¹⁹ Dolan, *Experience*, 72; Hutson, *Church and State*, 18.

passengers on Shipp-board, and that they suffer no scandal nor offence to be given to any of the Protestants,...for that end,...all Acts of Roman Catholique Religion to be done as privately as can be....”²⁰ The Catholics could practice their religion publicly once they reached the colony. Presumably the distance from the mother country and the wide powers granted the Calverts were enough insulation against anti-Catholic sentiments in England. Yet those same feelings existed in Virginia and even in Maryland.

Lord Baltimore wanted the religions to live together in peace, just as they had in his father’s failed Ferryland colony. But harmony between the Catholics and Protestants of the colony would always remain tenuous. If the English colonies were a Protestant enclave in a Catholic hemisphere, then Maryland Catholics were a Catholic puddle in the Protestant island in the Catholic sea. Protestants, both from Maryland and Virginia, were quick to seize control of the state from the Calverts whenever they could.

The policy of Lord Baltimore did not help the situation, either. While the majority of Marylanders were Protestant, the Catholic Calverts controlled the colony. Other Catholic families, such as the Carrolls and the Darnalls, had extensive estates and made up most of the colonial upper class. As the population grew in Maryland, the social distinction became even sharper: most Protestant immigrants were servants while most Catholic immigrants were gentry. Large numbers of poorer Catholics never flocked to Maryland because the situation in England seemed to be getting better and they lacked

²⁰ Ellis, *Documents*, 1:98-101.

the capital necessary to emigrate. There was no reason for wealthy Protestants to immigrate to Maryland instead of neighboring Virginia.²¹

Maryland's charter gave Lord Baltimore wide power not only over religion but over all other aspects of his colony. Lord Baltimore and his ruling clique maintained their tight grasp on power, making it hard for outsiders (like most Protestants) to gain any power in the colony. Some Protestants did grow rich in Maryland but they were still excluded from power in the colony. This distinction between Catholic and Protestant only helped encourage later Protestant rebellions against the Catholic Maryland elite.²²

Without an established religion, Maryland experienced a de facto toleration of all Christians. When, in 1649, the Catholic ruling class began to lose power, the colonial assembly passed a law guaranteeing religious toleration for all Christians. Furthermore, it made it a crime to call anyone "an heritick, Scismatick, Idolator, puritan, Independent, Prespiterian popish prest, Jesuite, Jesuited papist, Lutheran, Calvenist, Anabaptist...or any other name or terme in a reproachfull manner relating to matter of Religion."²³

While a peaceful society was the goal of this act, it was more pragmatic than idealistic.

For one, it would make the colony more appealing for religious dissenters.²⁴ It also

fulfilled legally the English Catholic goal of toleration, hopeful that different Protestant

groups on both sides of the Atlantic would respect it.²⁵

²¹ Dolan, *Experience*, 73, 79. Maryland seems to be a bit of a catch-22. If Catholics were being oppressed, then a colony would have been very desirable but impossible to charter. If Catholics were being treated better, then a colony would have been possible but not as popular.

²² Lovejoy, *Glorious Revolution*, 72-74.

²³ Ellis, *Documents*, 1:112-114.

²⁴ Ahlstrom, *Religious History*, 332.

²⁵ Importantly, the law condemned non-Christians to death. While this law was very important, it is still far away from the modern idea of religious liberty. One historian called the distance between the 1649 Act and modern liberties "immense." Another historian wrote that the Maryland assembly was "beginning to

Calvert experienced Protestant animosity before the first settlers even saw Maryland. William Claiborne, who lived in Virginia, despised Maryland and tried to stop King Charles from even granting the charter. On a smaller scale, both Virginia and Maryland claimed ownership of Kent Island. Claiborne toppled the rule of Lord Baltimore in 1645 after the overthrow of King Charles I. Claiborne not only deposed the Maryland government but also ransacked the property of the Jesuit mission and sent two Jesuit priests back to England as prisoners. Leonard Calvert, the younger brother of Lord Baltimore and his agent in Maryland, managed to regain control of the government in 1647. Claiborne, not deterred by his loss, led another revolt against Maryland in 1654. He claimed that the leaders of the colony denied the power of Parliament and instead recognized Charles II as king. This time Claiborne had the backing of the Puritan English government that had just won the Civil War. Soon after his coup Claiborne passed an act disenfranchising Catholics, looted Catholic property, and even executed four Catholics. Yet by 1658 Lord Baltimore had regained control.²⁶

While Claiborne would not cause any more problems for the Maryland elite, others did. John Coode was elected to the Maryland assembly in 1676 and quickly started to cause problems between Protestants and the predominantly Catholic leadership of the colony. Later, rumors spread that linked Catholics with the Native Americans and French in a plot against English Protestants. Coode and his followers used this as a pretext for taking control of the colonial government. Both sides fought for command of

fumble for articles of peace that would assure a free civil society.” See Hutson, *Church and State*, 21, and Martin E. Marty, *A Short History of American Catholicism* (Allen, TX: Thomas More Publishing, 1995), 69-70.

²⁶ McAvoy, *History*, 12-14.

the colony. The overthrow of Catholic King James II by his Protestant son-in-law William of Orange during the Glorious Revolution sealed the fate of the Catholic leadership.²⁷

Soon after, England experienced broader toleration. Parliament passed an act that granted toleration to all Protestants and colonial officials made policies in the New World match those of the Old. Lord Baltimore lost Maryland because of his religion and the king appointed Sir Lionel Copley Royal Governor. Soon the Anglican Church became the established church in the colony. The Calverts regained control in 1715 after the fifth Lord Baltimore converted to Protestantism. Catholics in the colony did not regain toleration until the American Revolution.

Even the intermittent toleration Maryland Catholics experienced was atypical of the English colonies. In most colonies Catholics experienced persecution akin to the measures of England. When England stepped up persecutions, so did most of the colonies. Besides Maryland, there were only two other examples of toleration for Catholics: Pennsylvania and New York.²⁸

When the Dutch first settled New Netherland, they brought with them their Calvinism. The English gained the colony in 1664 and control of it was given to the brother of King Charles, James, Duke of York. When James (the future James II) converted to Catholicism in 1672, his colony quickly granted toleration to his co-

²⁷ Ellis, *Colonial*, 340.

²⁸ Rhode Island granted religious toleration to all (see Curran, *Colonial Law*, 21 and 35,) but it seems that the Catholic population there was never that great. One author seemed to think that Roger Williams was not tolerant of Catholics and it was wise for Catholics to stay away from his colony. Another author stated that there was no proof that any number of Catholics ever lived in Rhode Island. See Theodore Maynard, *The Story of American Catholicism* (New York: The Macmillan Co., 1941), 87-88, and Sydney V. James, *Colonial Rhode Island: A History* (New York: Charles Scribner's Sons, 1975), 190n.

religious. Like Maryland's earlier act, it extended toleration only to people who "profess faith in Jesus Christ."²⁹ When James became king, he replaced his previous edict with an even more liberal policy granting toleration to "all persons of what religion soever."³⁰

Like Lord Baltimore, James' liberal policy of religious toleration not only served his personal goals but also bettered the fortunes of his colony. Toleration, James hoped, would encourage immigration into the new colony and help trade. No doubt, too, that James needed to be lenient with his policies and keep the Dutch settlers happy. His policy seems to have worked since one of his governors wrote in astonishment of all the different sects in the colony, including Anglicans, Catholics, Lutherans, Calvinists, Jews, and many Quaker sects.³¹

All these groups could not live in harmony, however, as New York experienced a violent change in government following the Glorious Revolution. In 1689, a German immigrant named Jacob Leisler overthrew the governor appointed by James II using a combination of ethnic and religious animosity.³² Unlike the situation in Maryland, there were not many Catholics in New York at this time. Of the Catholics who had lived in New York, however, many had come over to rule the colony for James II. Similarly to Maryland, the colonists revolted against a Catholic tyrant, but maybe not in that order.³³ Once he had gained power, Leisler took measures to maintain control. This included disarming Catholics and sending agents to London to plead his case.³⁴ He tried labeling

²⁹ Curran, *Colonial Law*, 51.

³⁰ *Ibid.*, 53.

³¹ Hudson, *Church and State*, 31-32.

³² Clark, *Language of Liberty*, 246-247.

³³ Lovejoy, *Glorious Revolution*, 106.

³⁴ *Ibid.*, 256 and 274-275.

his enemies as Catholics and communicated with other colonial governments about the threat of a Catholic attack.³⁵ Despite all this energy spent defending himself, his time was limited. His enemies had better connections in England and managed to remove Leisler from power.³⁶ Yet Leisler's downfall did not change much for the small Catholic community in New York, which did not regain all civic rights until the first decade of the 19th century.³⁷

Situated between New York and Maryland is Pennsylvania, the other colony to grant Catholics toleration before the American Revolution. King Charles II granted Quaker William Penn rights to the colony in 1681. Like Catholics and other religious minorities, Quakers were very familiar with persecution under English rule. It is not surprising, then, that Penn's Frame of Government stated that "all persons..., who confess the Almighty and eternal God...shall, in no ways be molested or prejudiced for their religious persuasion or practice...nor shall they be compelled at any time, to frequent or maintain any religious worship, place or ministry whatever."³⁸ Penn even allowed all religions to hold public office, despite pressure from England to prohibit Catholics. Following the Glorious Revolution the crown required Pennsylvania to use the same oath for public office used in England. While Pennsylvania barred Catholics from power, they never passed laws outlawing Catholicism.³⁹

Why was Pennsylvania able to maintain broader toleration than Maryland or New York? First, English leaders accepted Quaker leadership more than Catholic leadership.

³⁵ Ibid., 283-284.

³⁶ Ibid., 361.

³⁷ Curran, *Colonial Law*, 117.

³⁸ Ibid., 50.

³⁹ Ellis, *Colonial America*, 370-372.

England had not been fighting against Quaker kingdoms for the past 150 years. Where Catholics were a threat to England, Quakers were not much more than a nuisance. For example, Quakers gained toleration after the Glorious Revolution while Catholics were the only Christian religion explicitly banned. The Catholic leadership in Maryland and New York, then, represented a much greater threat to England than the Penns did. Geography also played a part. New York and Maryland both had neighbors that were rabidly anti-Catholic: Massachusetts and Virginia. New York and Maryland, then, served as buffers for Pennsylvania.

At the end of the 17th century Pennsylvania was the only colony that maintained toleration for Catholics. Attempts in Maryland had not lasted long and were full of interruptions. New York's toleration for Catholics was even shorter lived. The English world seemed to have finally settled its religious battles after the Glorious Revolution. The biggest loser in the settlement was the Catholic community.

The years between the Glorious Revolution and the American Revolution were not kind to colonial Catholics. Not only was Catholicism the only Christian religion still outlawed in England but there was also a series of wars that pitted England against Catholic France and Spain. These wars did not help colonial Catholics as Protestant clergy were quick to point out the differences in religion. Any battle against a Catholic nation was not only a war of conquest but also a holy war.⁴⁰ Most colonists still saw Catholics as foreigners and anti-Catholic sentiment was rife.⁴¹ Even when Catholics were not being persecuted, they continued to be connected to monarchy and authoritarianism while Protestantism brought liberty.⁴²

The colonies reacted in different ways following the Glorious Revolution. Maryland's government enacted laws that deprived Catholics of civil liberties similar to laws passed in England at the same time. While such laws were often ignored, Maryland Governor John Seymour was not afraid to enforce them. Public mass became illegal, limiting worship to private houses. Also illegal was importing Irish (and therefore most likely Catholic) servants. Catholic parents had to pay a £100 fine if they sent their children abroad for their education. If the son of Catholic parents converted, he was free from his father's control yet his father was still required to support him. If he was the only heir of his father to become Protestant, he would also receive all of his father's property. A Catholic widow could have her children taken away after her Protestant

⁴⁰ Marty, *Short History*, 72.

⁴¹ Clark, *Language of Liberty*, 19; and Hennesey, *American Catholics*, 37, McAvoy, *History*, 36-37.

⁴² Marsden, *American Culture*, 38-39.

husband died.⁴³ All of this was meant to embarrass and humble the Catholics who used to lead the colony.

Maryland's anti-Catholic actions were in part a reaction to the power held by the Catholic minority in the colony at different times. Not surprisingly, a similar reaction took place against the Catholic leaders of New York. After the Glorious Revolution most Catholics had left New York, most likely for the friendlier atmosphere in Pennsylvania.⁴⁴ At times identifying Catholics as the enemy helped unite the diverse Protestant population in New York. While a member of the Dutch Reformed church might have little in common with a Puritan, at least both saw Catholics as terrible enemies to avoid at all costs. The diverse sects of New York could be united by a common dislike of Catholicism. Because of this, New York governors repeatedly gave toleration to all Christians except Catholics.⁴⁵ Things were different in Pennsylvania, where Catholics never were in a position of power.

The Quakers who ran Pennsylvania had fought hard against different laws that England had tried to enforce in the colony. Still, Pennsylvania remained welcoming to Catholics. In 1755, a boatload of French Acadians arrived in Philadelphia, causing some to fear a "popish plot." While others were nervous with the large Catholic population and their supposed connection to "Romish" France, Pennsylvanians never enacted penal measures on the same scale as Maryland.

⁴³ Ellis, *Colonial*, 346-347.

⁴⁴ Jason K. Duncan, *Citizens or Papists?*, *The Politics of Anti-Catholicism in New York, 1685-1821* (New York: Fordham University Press, 2005), 14-15.

⁴⁵ *Ibid.*, 28.

These circumstances helped create a Catholic community that was very small and internal. They kept religion a private affair to not offend the Protestant majority and cause a resumption of persecution.⁴⁶ This was not only a result of the colonial experiences but also of earlier life in England. In both places, it was better for Catholics to create a religious community that was well-disciplined and remained model citizens. The different religious tracts that came out of England reflected this bias towards internal piety over outward signs of religion by focusing on religious meditations and readings that were not dependent on liturgical centers that would be few and far between in the English world.⁴⁷

Strangely, Catholicism managed to thrive in this atmosphere and was able to grow despite the legal impediments and the incentives for conversion.⁴⁸ Wealthy young men and women from this small Maryland community continued to go to Europe, usually for education but sometimes to enter the religious life. These men and women would provide a strong base for Catholicism when it gained toleration.

Since colonial Catholics viewed their religion as a private, internal matter, they repeatedly turned down offers to give them a bishop. In 1765, some colonial Catholics wrote to the English Jesuit superior pleading with him not to consider sending a bishop.⁴⁹ A bishop would connect the small Catholic community to the political battles being fought by Catholicism in Europe. It was in the best interest of the colonists to remain separate from all the intrigue over the Stuart claim to the throne and various anti-Jesuit

⁴⁶ Dolan, *Experience*, 83-84.

⁴⁷ Patrick W. Carey, *The Roman Catholics* (Westport, CN: Greenwood Press, 1993) 14-15.

⁴⁸ Dolan, *Experience*, 90-91.

⁴⁹ Spalding, *Premier See*, 6-7. Almost all of the priests in the colonies were Jesuits. There had been rumors of a Catholic bishop for the colonies as early as 1756. See Ellis, *Documents*, 1:124-125.

factions. Connecting colonial Catholics with the pretender Stuarts could have meant much hardship for the community.

Colonists were angry enough when the Anglican Church tried to send over a bishop for the colonies. The colonists managed to protest enough for the Anglican Church to reconsider. Not only Protestant dissenters but also some Anglicans feared the establishment of British social hierarchy.⁵⁰ If a Catholic bishop tried to come to the colonies, not only would the colonists protest but they could also persecute the small Catholic communities. A Catholic bishop would reinforce all of the negative connotations that colonists attached to Catholicism, including authoritarianism, tyranny, and Old World social structures. The Catholic colonists wanted to separate themselves from the hierarchical and political church that existed in Europe. They hoped that these changes would make Catholicism more acceptable to the Protestant majority and help them survive as a small, unnoticed minority.

When France and Spain lost the French and Indian War in 1763, the British colonies were no longer surrounded by Catholic powers. Britain gained from Spain Florida and from France Canada and all the land east of the Mississippi. Catholics were no longer such a dangerous minority and while penal laws against them remained on the books but were not enforced as harshly.⁵¹ This was the situation for colonial Catholics until after the Revolutionary War.

After 1763, Britain did not know what to do with the large territory she had gained from France. Since it was French, it had an established Catholic Church. Would

⁵⁰ Marsden, *American Culture*, 37.

⁵¹ Marty, *Short History*, 73. Members of the Bourbon family sat on the thrones of France and Spain, the two leading Catholic powers at the time.

Britain attempt to uproot this social institution and implement its own Anglican hierarchy in its place? The answer came in 1774 when Britain passed the Quebec Act.

The act allowed the citizens of Quebec to "...have, hold, and enjoy, the free Exercise of the Religion of the Church of *Rome*, Subject to the Kings' Supremacy..." Instead of punishing these French heretics to the north, the British government actually was giving them broad freedom. In addition, the act defined Quebec very broadly to include territory that the English colonists had previously claimed for themselves.⁵² Protestants in the English Colonies did not receive this act kindly. Letting Catholicism exist legally so close to the English colonies was a sign that there was a deep-seated conspiracy in London to extinguish the freedom of colonial Protestantism. By extending the boundaries of Quebec, it seemed as if the king was even favoring Quebec over the colonies. The colonists were not going to let the mother country promulgate this outrage without letting their feelings be known. In a resolution on September 1774, the colonists called the act "dangerous in an extreme degree to the Protestant religion and to the civil rights and liberties of all America..." They foresaw a time when Canadians, "their numbers daily swelling with Catholic emigrants from Europe," would "be fit instruments in the hands of power, to reduce the ancient free Protestant Colonies to the same state of slavery [Catholicism] as themselves."⁵³ This reinforces the idea of colonial Catholics as foreign in their homeland. Granting religious liberty to Catholics, instead of being a sign of liberality, was seen as an attack on colonial civil liberties. At the same time, the small

⁵² Ellis, *Documents*, 1:131.

⁵³ *Ibid.*, 1:134.

colonial Catholic community had no civil rights. While the community was small, it was not small enough to escape unnoticed in colonial legal records.

The colonists formally wrote to King George III a month later and complained about the various tyrannical acts the British government had perpetrated on the colonists. They included the restrictions Britain imposed following the Boston Tea Party and complaints against the establishment of "...an absolute government and the Roman Catholick religion throughout those vast regions...." regions out west that they had hoped to settle themselves.⁵⁴

Some patriots seized upon the anger following the Quebec Act to foment hatred of Britain. Alexander Hamilton, for one, was not going to let this opportunity for propaganda pass him by. He wrote in a pamphlet: "Does not your blood run cold to think that an English parliament should pass an Act for the establishment of...Popery in such an extensive country?...Your lives, your property, your religion are all at stake." Hamilton was not alone in his anti-Catholicism. Both John Adams and his cousin Sam disliked Roman Catholicism and saw the act as a reason to revolt.⁵⁵ Gaining religious toleration for Catholics was not a goal for these patriots.

These same colonists tried to gain Canada's friendship against the crown. On the same day that they sent their petition to the king, they also sent a note to Quebec that downplayed the rights they had gained by the act and used the example of Switzerland to show that Catholics and Protestants could live together in peace.⁵⁶ Predictably, the note to the inhabitants of Quebec did not get much of a response since they were very pleased

⁵⁴ Ibid., 1:135-136.

⁵⁵ McAvoy, *History*, 36-37.

⁵⁶ Ellis, *Documents*, 1:134-135.

with the freedoms guaranteed by the act. The people of Quebec, including their Catholic bishop, were not impressed by the efforts of their neighbors to the south.⁵⁷

Unlike Quebec, the small colonial Catholic community lacked a leading cleric. There was enough of an outcry from the colonists when there were rumors of a colonial Anglican bishop to deter Catholics from asking for one themselves.⁵⁸ While technically under the supervision of the Catholic bishop of London, his control was weak and his authority was often contested. Rome had never given control of the colonies to the London bishop; nor had it done anything to stop London from exercising control.⁵⁹ Many of the priests in the colonies were Jesuits who were under the control of the English Jesuit superior. When the society was suppressed in 1773, the Bishop of London appointed the former head of colonial Jesuits, John Lewis, as his agent in the colonies.⁶⁰ Yet with the Declaration of Independence, the small church found itself guided by an old priest who did not have the energy to lead it.⁶¹ This neglect and unintentional freedom had consequences later in American Catholic history when the Church gained the beginnings of a hierarchy.

On the eve of the Revolution, colonial Catholics probably numbered around 20,000 out of the 2.5 million people in the colonies. All of the 23 priests who ministered to them were former Jesuits and they were split between Pennsylvania and Maryland where most of the Catholics lived. The small Catholic population contributed much to

⁵⁷ Ellis, *Colonial*, 393.

⁵⁸ Marsden, *American Culture*, 37.

⁵⁹ See Annabelle M. Melville, *John Carroll of Baltimore: Founder of the American Catholic Hierarchy* (New York: Charles Scribner's Sons, 1955), 57, for more information about the weakness of London's claim to jurisdiction.

⁶⁰ Pope Clement XIV had suppressed the Society of Jesus, also known as the Jesuits, in 1773, largely in reaction to pressure from different European ruling houses. The Society was restored in 1814.

⁶¹ *Ibid.*, 58.

the patriots during the war, including not only foot soldiers but also a smattering of officers and other leaders.⁶²

Early on, Congress sent a delegation to Canada in another attempt to win Canada over to the patriot cause. This time Congress decided to be a bit more tactful and intentionally included a Catholic priest in the mission to prove that the English colonies were not unfriendly to Catholicism. The mission, which included Benjamin Franklin and Catholics Charles and John Carroll, failed to win over many Canadians to the patriot side.⁶³ Part of this was the strong role played by the Catholic bishop in Quebec, Jean-Oliver Briand. Briand was under no illusion of how the English colonists felt toward Catholics. He reminded the people of his diocese of the hatred that Bostonians showed for Catholics and the harsh words used by the English colonists to describe the Catholic clergy.⁶⁴ Only one priest acted kindly towards the “missionary” priest Father John Carroll. For his actions, Bishop Briand suspended the French priest.⁶⁵

The Protestant colonists soon had a reason to treat their Catholic neighbors a bit better. In 1778 and 1779, Britain’s traditional enemies, France and Spain, joined the patriots in their fight. Suddenly the position of Catholics changed from enemy to ally. Catholics in general were no longer outsiders in the community. No doubt their willingness to fight against the British helped their cause as well. Some Loyalists derided their patriot enemies for losing their religious convictions in return for support from

⁶² Ellis, *Colonial*, 395-397; and Hennesey, *American Catholics*, 55.

⁶³ Charles Carroll was a member of the Continental Congress. When Congress wanted to show their friendliness to Catholic Quebecois, they asked Charles to invite his former Jesuit cousin John. See Hennesey, *American Catholics*, 64-65.

⁶⁴ Melville, *John Carroll*, 46.

⁶⁵ Hennesey, *American Catholics*, 65.

France.⁶⁶ There was little doubt that the situation for Catholics would change after the Revolution.

The transformation occurred when states rewrote their constitutions. These new constitutions granted Catholics religious toleration and, in the case of Pennsylvania and Maryland, political rights as well.⁶⁷ The rights given to Catholics by Pennsylvania and periodically by Maryland now became law throughout the former British colonies.

Although Catholics were a weak minority after the Revolution, they celebrated their new-found freedom by working to formally create the Catholic Church in the United States, one as independent of Britain in spiritual matters as the new government was in temporal matters. A number of Catholic priests wrote to Pope Pius VI in 1783 to stress the necessity of an American hierarchy independent of Britain. They wrote to “inform Your Holiness that because of the present arrangement in government in America, we are no longer able as formerly to have recourse for your spiritual jurisdiction to bishops or vicars apostolic who live under a different and foreign government.” They continue that to “acknowledge any such person” would cause “offence to the civil government.”⁶⁸ Rome listened and, after consulting Benjamin Franklin, appointed Father John Carroll “Prefect Apostolic and Superior of the missions in the provinces of the New Republic of the United States of North America” in 1784.⁶⁹

⁶⁶ Duncan, *Citizens or Papists?*, 47. Duncan even argues the Benedict Arnold betrayed the Patriot cause not out of greed but out of hatred for Catholicism. See *Ibid.*, 49.

⁶⁷ Dolan, *Experience*, 101.

⁶⁸ *The John Carroll Papers*, ed. Thomas O’Brien Hanley, S.J., vol. 1 (Notre Dame, IN: University of Notre Dame Press, 1976), 68. Hereafter *JCP*.

⁶⁹ McAvoy, *History*, 45-46. Franklin was in Paris on official business. The Catholic hierarchy was used to dealing with governments when making appointments and at times was unsure of how to handle this new, strange republic that had Protestant foundations.

The Catholic community had been shaped by their previous experiences. The Revolution gave Catholics toleration but it did not change their history or temperament. They were never sure of the permanence of toleration. Decades without a bishop left an indelible mark on the small community not used to any ecclesiastical control. As an underground religion, it needed to be unobtrusive in the community. Yet Catholics still needed to justify their position in this new society.

Anti-Catholicism still existed after the Revolution. Carroll felt the need even in 1812 to write to a newspaper defending Catholicism from the attacks of a Protestant preacher.⁷⁰ People had not forgotten the animosity they felt towards the religion just because they were citizens of a new nation and no longer colonists of Great Britain. Catholics might have been helped by the in-fighting that took place between different Protestant sects after the Revolution since they were too busy fighting each other to worry about Catholics. The general esteem held for the aristocratic John Carroll also helped make Catholicism more tolerable for the average citizen. Carroll acted as an ambassador for Catholicism and worked with different Protestant clergy on a number of civic projects, including a library and a college.⁷¹ He wanted to prove to other Christians that Catholics could contribute to society and encourage a continuation of toleration.

In addition, Carroll always was careful not to offend the Protestant majority that had recently granted Catholics freedom to worship. He wanted Catholics in the young nation to be on their best behavior around their Protestant neighbors. Carroll stated “In return for so great a blessing” Catholics should first thank God but secondly give

⁷⁰ *JCP*, 3:190.

⁷¹ Spalding, *Premier See*, 59-61.

“gratitude, respect & veneration for them, whose benevolence was the instrument of God’s favor.” He continues, “Your particular circumstances call upon you for uncommon watchfulness over yourselves... The impressions made by your conduct will be lasting impressions; & the opinion...to our holy religion...will have consequences extending down to the remotest times.”⁷² Clearly Carroll was not completely sure of the toleration granted to Catholics. He wanted Catholics to guarantee toleration by being a small but pious group that did not offend the Protestant majority but instead blended in to the Christian atmosphere of the new nation.⁷³

Carroll not only needed to temper the laity but the clergy as well. Priests born and raised and trained in Catholic countries were not always quick to adapt to the new situation in America. As late as 1811, Carroll wrote to his secretary criticizing the actions of a priest, Father John Moranville, who was too fond of grand European Catholic pageantry. Carroll wrote, “We should enjoy rights of conscience & worship, with fortitude, gratitude to God, & respect for our fellow citizens: but surely it was rash, & might have been the occasion of a riot, to go beyond his own limits, and exhibit in a public street the most Venble Sacrament.”⁷⁴ While this might be acceptable in France or Spain, it was not suitable for the streets of Maryland. Not only did it run counter to the English Catholic heritage of the American Church, it could insult and infuriate the Protestants in the area.

⁷² *JCP*, 1:159.

⁷³ Spalding, *Premier See*, 11.

⁷⁴ *JCP*, 3:152-153.

As he stated later, “the preservation of religion in these States depends entirely on the beginning.”⁷⁵ The first generation after the Revolution could do much to ensure (or refute) wide religious toleration. Carroll tried to create a Church that was no longer foreign to most United States citizens. In addition, the first generation could provide the building blocks for future generations of Catholics. In many ways, Carroll effectively provided for the growth of the Church; little did he know how soon its numbers would swell.

When the time came for the growing church in the United States to receive her first bishop, the American clergy insisted that the Pope allow them to elect him. Carroll wrote to his agent in Rome stressing the need for episcopal election. “It will never be suffered,” he stressed, “that their Ecclesiastical Superior...receive his appointment from a foreign state... for the consequence, sooner or later, would certainly be, that some malicious or jealous-minded person would raise a spirit against us, & under pretence of rescuing the state from foreign influence...strip us of our common civil rights.”⁷⁶ Luckily, the pope agreed and allowed the Catholic Church in the United States to elect her bishop and select his see, but just this first time. Subsequent bishops were appointed without much input from the American clergy. But this first time, the clergy were able to elect their own bishop and almost unanimously elected John Carroll.

⁷⁵ Ibid., 1:286.

⁷⁶ Ibid., 1:163.

As bishop, John Carroll faced many internal problems. He had to deal with small congregations, often miles apart and far away from the nearest priest. His clergy was mostly a mixed bag of aging former Jesuits and European cast-offs. While some were wonderful examples of Catholic piety to their Protestant neighbors, others gave a bad face to Catholicism. He found himself at odds with Roman authorities, other Americans, and at times even other American priests.

Roman officials had a European mindset that relied on an established church so they did not bother with trying to accommodate Catholicism to other religions. In the papal brief naming Carroll bishop, the pope warned that people “should not be carried away by every wind of doctrine” but instead “should reject the new and varying doctrines of men which endanger the tranquility of government, and rest in the unchangeable faith of the Catholic Church.”⁷⁷ This language would be acceptable in European Catholic countries but could be dangerous for the small Catholic population in the United States where the majority of people believed those “new and varying doctrines” of Protestantism against which the pope cautioned. Fittingly, Carroll tried to have it omitted when the brief was printed for distribution in the United States.⁷⁸

The episcopal oath was another challenge for Carroll. The traditional oath contained a clause that would have required him to seek out and fight heretics. Again, this phrase would have been perfectly acceptable for the bishops of Paris or Madrid but in the United States, the phrase was out of touch with the religious atmosphere. It would have been easier for Carroll to find a “heretic” than to find a Catholic. To convert all

⁷⁷ Ellis, *Documents*, 163-164.

⁷⁸ *JCP*, 1:454.

these “heretics” could have taken most of Carroll’s time and energy. In addition, Carroll was not one to search for confrontation. Carroll’s oath, then, focused not on converting heretics but on finding salvation for the souls under his care.⁷⁹

Other bishops might have felt more dependent on Europe and the papacy, especially when attempting to set up a lasting hierarchy in a new nation. Yet Carroll often downplayed the connection. Carroll had visited Rome while he was studying in Europe and was not impressed with the city.⁸⁰ Suppression of his beloved Jesuits also made him leery of unlimited papal power and the interference of European Catholic kings in religious matters. Before Carroll’s election as bishop, American Catholics were adamant that their first bishop be an American without connection to the great European Catholic powers.⁸¹ These factors, combined with the French influence mentioned below, helped create a republican church that would be loyal to Rome in spiritual matters yet also have a degree of autonomy in temporal matters to adapt to situations in the United States.

Even with these attempts to detach themselves from their European cousins and show their unquestioned loyalty to the United States, some Americans denied Catholics a place in the new nation. In the early days of the Republic, someone wrote in to a newspaper arguing the distinctly Protestant nature of the United States and hinted at establishing it nationwide. Carroll felt compelled to respond. Carroll argued that religious liberty meant more than just a freedom from fear of persecution but also equal treatment of the different creeds. He showed how denominations who would not

⁷⁹ Ibid., 2:124-125.

⁸⁰ Melville, *John Carroll*, 34.

⁸¹ Dolan, *Experience*, 105.

welcome a Protestant establishment, including not only the Catholics of Maryland but also the Quakers of Pennsylvania and the Puritans of New England, founded the different colonies. Carroll wrote, “The establishment of the American empire was not the work of this or that religion, but arose from a generous exertion of all her citizens to redress their wrongs, to assert their rights, and lay its foundations on the soundest principles of justice and equal liberty[.]”⁸² Carroll understood the composition of the nation and enjoyed its particular situation. Arguments for establishing a church, any church, in the nation would run counter to Carroll’s perception of the United States as the result of the efforts of many different people.

In this way, Carroll wanted the American Catholic Church to reflect American society. He wanted to mold the different nationalities into one cohesive body. While most Episcopalians would be English, and most Lutherans German, the Catholic population was made up of not only English and German but also French and Irish.⁸³ Yet too often animosity developed between two different ethnic groups, especially the French and the Irish. As a result of the French Revolution, many Catholic priests fled their homeland for the safer shores of the United States. Their congregations were usually Irish. The Irish would have preferred Irish priests but there were not enough to meet demand. In addition, their quality usually left some room for improvement.

One example of these problems was the small group of Catholics in Charleston, South Carolina, and the problems they had finding an acceptable priest. The two candidates were Simon Gallagher, favored by the Irish in the parish, and Angadreme

⁸² *JCP*, 2:365-368.

⁸³ John Tracy Ellis, *American Catholicism* (Chicago: University of Chicago, 1970), 51.

Lemercier, the favorite of the French in Charleston. Gallagher had problems with alcohol so Carroll attempted to remove him from the post.⁸⁴ Gallagher complained enough for Carroll to give him another chance.⁸⁵ However, Carroll eventually replaced Gallagher with Lemercier. The parishioners were not happy with the switch and refused to support the French priest.⁸⁶ Carroll acquiesced and allowed Gallagher to return to Charleston, this time with a French assistant. Carroll hoped that this solution would satisfy both the Irish and the French in the city.⁸⁷ Gallagher stayed in Charleston to cause more problems for Carroll and his successors for years to come.

The poor quality and small quantity of priests in the United States helped fuel and even exacerbate this controversy as well as others. One outrageous story came from Pennsylvania. There Father John Causse denied another priest who had labored on the frontier, Father Theodore Brouwers, last rites until Brouwers bequeathed his belongings to him. Father Causse then stayed with the congregation long enough to gain their trust and allow him to withdraw Brouwers' savings from a bank in Philadelphia. Causse took the \$1,146 and used it to buy a traveling theatrical show he named "Jerusalem." Not surprisingly, Carroll banned Causse from the ministry and eventually excommunicated him after he tried to establish a separate German congregation in Baltimore.⁸⁸

⁸⁴ Thomas W. Spalding, *John Carroll Recovered: Abstracts of Letters and other Documents Not Found in the John Carroll Papers* (Baltimore: Cathedral Foundation Press, 2000), 57.

⁸⁵ *Ibid.*, 81.

⁸⁶ *Ibid.*, 82.

⁸⁷ *Ibid.*, 91-92.

⁸⁸ John R. Dichtl, *Frontiers of Faith: Bringing Catholicism to the West in the Early Republic* (Lexington, KY: The University of Kentucky Press, 2008), 50-51. Carroll, however, allowed Causse to come back into the church with the hopes of rehabilitating him to the priesthood mostly because of the shortage of priests in the United States.

Later another priest took advantage of the same Pennsylvania parish. Father Francis Fromm's time in the United States did not start well. First, instead of spending the money Carroll gave him on his passage, he spent it on books and vestments. When he finally arrived at his assignment, he had very little knowledge of English, causing the parishioners to complain. While Carroll took some time to sort out the accusations against Fromm and his counter accusations against the parishioners, Fromm moved out to the Sportsman's Hall parish that had just seen Father Causse (and over one thousand dollars) leave. Fromm convinced the parishioners that he was their pastor. Over time, he began to assert his independence from Carroll's episcopal authority. At one point Fromm accused Carroll of stealing a gold-plated chalice that friends from Germany had sent Fromm through Baltimore. Carroll eventually barred Fromm from ministering, but Fromm was hundreds of miles away from Carroll or his nearest agent. Instead, Fromm ignored Carroll's order and stayed at Sportsman's Hall. He wrote Carroll saying that he could not leave his parish and asked for more items vital to his ministry. Carroll finally assented to Fromm's intransigence and appointed him pastor as long as he would recognize ecclesiastical authority. Fromm, however, claimed he was the rightful pastor not because of Carroll's appointment but because Fr. Brouwers's will gave Sportsman's Hall to any priest who would minister to the congregation there. Since Fromm fulfilled the conditions of the will, he did not think he needed Carroll's approval. The bishop eventually sent another priest to the area, along with letters to Fromm and his congregation explaining his displeasure with Fromm. The renegade priest was ordered to come to Baltimore and explain himself. Fromm, however, claimed that the civil

authorities of Pennsylvania were on his side and refused. The trustees, as executors of Fr. Bouwers's will, thought differently. They claimed that the contract Fromm signed with them prevented him from demanding Bouwers's legacy. Fromm tried to gain support not from the congregation but from area Protestants. Despite his attempts to win over public opinion, Fromm lost his court case. The court ruled that Fromm was not really the pastor of Sportman's Hall because he failed to recognize his superior in the Catholic Church. Fromm appealed the decision and the controversy lasted until Fromm died from the yellow fever in 1799.⁸⁹

Fromm was able to control the Sportsman's Hall parish for so long for several reasons indicative of the problems facing Carroll. First, Carroll and his agents were far away from him. These men rarely had the time and energy needed to personally visit Fromm and other priests living on the frontier. Fromm showed that he would not go quietly, meaning that Carroll needed to devote even more of his precious time to the unpleasant affair. In addition, Carroll was willing to be lenient with him and other truculent priests. Not only was Carroll optimistic about the behavior of his clergy but he also faced a shortage of priests to tend to the widely-spread congregations.

One historian thinks that the priest problem, both their quality and their quantity, was the biggest challenge facing Carroll. There was no established behavior for priests in the United States, mostly because they were a small minority in a predominantly Protestant nation. Yet this made their behavior even more important since they would be under the strict scrutiny of people who had deep-set prejudices against "popish" priests. To meet the needs of his flock, Carroll had an odd group of European refugees who

⁸⁹ Ibid., 77-85.

sometimes could not resist the ample freedom and many opportunities for corruption and greed found in America.⁹⁰

Carroll knew that the problem could not be solved by importing more priests from Europe. While he welcomed European priests, the long-term answer had to be priests born and educated in the United States since few European priests understood the republicanism that was sweeping the new nation.⁹¹ Indeed, in Europe republicanism had anticlerical connotations that were not as strong in American republicanism.⁹² A sufficient number of American clergy could solve many problems facing Carroll. Only these priests could truly grasp what it meant to be Catholic and American. These priests would have known and interacted with a pluralistic society their whole lives. They would undermine nativist claims that Catholicism was the religion of poor European immigrants by putting a native face on the ancient religion. To this end, Carroll advocated opening in America a Catholic educational system to culminate in a seminary for those young men inclined to the priesthood.⁹³

Carroll received foreign help while abroad for his episcopal ordination in 1790. He was fortunate to received letters from James Emery, the head of the Sulpician seminary in Paris. The Sulpicians were eager to leave France during the iconoclasm of the French Revolution and thought that the United States might be just the place to move. Carroll was skeptical at first but finally agreed, with the Society of St. Sulpice coming to the United States in 1791. The seminary they founded started slowly, but over time it

⁹⁰ Spalding, *Premier See*, 42.

⁹¹ Dolan, *Experience*, 119-120.

⁹² Marty, *Short History*, 84.

⁹³ Spalding, *Premier See*, 42. See also *JCP*, 2:46.

grew. By 1808, there were 23 men enrolled in the seminary which was starting to give Carroll the priests he needed to minister to the growing Catholic Church in the United States.⁹⁴

These French priests, as well as Carroll's own Jesuit past, would help form Catholicism in the early United States. Historically, the Catholic Church in France denied that the pope had any temporal power over rulers and denied papal infallibility in favor of general church councils.⁹⁵ These ideas, known collectively as Gallicanism, were rejected by the pope but managed to linger, especially in France. This might have made it easier for these newcomers to the United States to adapt to the political situation. They already denied the temporal powers of the pope, making allegiance to a secular government easier. Carroll no doubt had similar ideas.

Another project of Carroll's was Georgetown Academy, the forerunner to Georgetown University. At times, the founders of this school were at odds with the Sulpicians running St. Mary's seminary.⁹⁶ Not only was there a shortage of students in the United States, there was also a shortage of qualified teachers. Some of the would-be professors were wanted as pastors in the far-flung reaches of the diocese. Carroll needed to intervene sometimes to keep both sides at least moderately happy.

Yet Carroll held the growing and rebellious church together. He managed to guide the Catholic minority through the formative first years of toleration. Popes, preoccupied with events closer to home, usually left Carroll and other American Catholics alone. Some of the prejudice against Catholics was disappearing thanks to the

⁹⁴ Spalding, *Premier See*, 42.

⁹⁵ Ahlstrom, *Religious History*, 58-59.

⁹⁶ Spalding, *Premier See*, 38.

noble example not only of Catholics like John and Charles Carroll but also of civic leaders like George Washington. Despite their impact, rebellious priests were but a handful of the dozens of priests in the United States. Over time they would be replaced by competent successors and their exploits would be forgotten.

But all of the problems facing Carroll culminated in the biggest challenge he faced as bishop. Neither Carroll nor his immediate successors could control the problem and it lasted in the United States until the mid 19th century. It was caused by Catholics trying to make their religion more republican and more attune to the social atmosphere in America. That controversy was trusteeism.

Trusteeism was not unique to the Catholic Church; most mainstream Protestant denominations had similar struggles to adapt their religion to the egalitarian and republican ideology so popular after the American Revolution. Congregations started to ignore long-held beliefs and instead favor leaders who were outside of the establishment.⁹⁷ Yet the attempt of laymen to adapt Catholicism was influenced by factors unknown to their Protestant brothers. Unlike most Protestant congregations, the Catholic Church is very hierarchical. Because of this, many Americans connected Catholicism with authoritarianism and monarchy. Most Americans also equated Catholicism with ignorant European immigrants or those eternal enemies of England: France, Spain, and the rebellious Irish. This made it even more important for Catholics to try to prove they were not mortal enemies of republicanism and democracy.

Historians have given different reasons for trusteeism and its longevity. Older historians were more critical and pessimistic about the motives of the trustees. Thomas McAvoy, writing in the 1960s, viewed trusteeism as the result of the unique way Catholicism spread in America. In Europe, the religion spread through missionaries bringing the religion to the people and converting them. In America, the people already had the religion. This meant that the new congregations were just waiting for a priest to come minister to them. This original autonomy, however, was hard to give up and many groups of trustees demanded a say in temporal affairs, such as management of church property. Some groups even wanted control over the appointment of priests. McAvoy

⁹⁷ See Nathan O. Hatch, *Democratization of Christianity* (New Haven, MA: Yale University Press, 1989), ch. 2 and 3.

mentioned the example of the dominant Protestant culture as another factor in encouraging trustees to want more leadership.⁹⁸

John Tracy Ellis, writing about the same time as McAvoy, viewed trusteeism as an unfortunate rebellion against episcopal power. Catholics in the United States were not used to ecclesiastical authority. Many congregations could go months without seeing a priest, much less a bishop. The young nation did not even receive a bishop until 1790, and even then his diocese was much larger than he could effectively administer. His weak influence could not counteract the public intoxication with the ideas of liberty and freedom. Catholic hierarchy and discipline did not seem to match the new American vocabulary, making congregations more likely to govern themselves the same way their Protestant neighbors did. The new state governments, in fact, favored the Protestant model that gave property ownership to laymen instead of clerics. The varying nationalities of the trustees and clergy also played a role since parishioners favored priests of their own heritage, even when there was nothing wrong with their current priest. Some immigrants remembered European institutions that favored laymen and assumed a similar situation existed in the United States.⁹⁹

In another work, Ellis named a few other causes of trusteeism. First, few people in the United States, lay or clerical, understood canon law since there were no Catholic institutions in America where this knowledge could be found. Secondly, some of the priests used trustees to advance their own causes. Often the priests who came to the United States left in Europe a less than perfect record. Finally, tensions arose when

⁹⁸ McAvoy, *History*, 93-94.

⁹⁹ Ellis, *Colonial*, 444-445.

different nationalities vied for control of the parish. It is also interesting that at one point Ellis called trusteeism “this evil.”¹⁰⁰ Ellis and most of his contemporaries defined trusteeism by those examples that caused the bishops the most problems. Ellis clearly believed that the trustees were wrong to push for greater control and that educated and orthodox Catholics would never have tried to steal power away from their bishops.

Some modern historians favored the pragmatic reasoning similar to that used by McAvoy in the mid- 20th century. Yet they also have added their own interpretations. Thomas Spalding wrote that trusteeism was needed in the United States since priests were few. Laymen needed to take control and organize congregations.¹⁰¹ John R. Dichtl wrote that trusteeism had its origins in a reaction by Catholic laymen to both Protestant congregational organization and American preference for republicanism and democracy over crusty Roman and canon law. For Dichtl, however, trusteeism was also a way for bishops to use local laymen to control rebellious priests.¹⁰² There is no doubt about the dubious quality of some of the priests employed by Carroll and this interpretation would explain his initial support of the system.

Historian Jay P. Dolan goes further than any of his contemporaries in not only sympathizing with trusteeism but even seeing it as a missed opportunity for the American Catholic Church to become a liberal and progressive branch of Roman Catholicism. Dolan credits many of the same issues, such as a strong attachment of immigrants to their nationality and a shortage of priests. He thinks the defining factor, however, was the prevalence of republican thought after the American Revolution. Trusteeism, or a more

¹⁰⁰ Ellis, *Documents*, 150-151.

¹⁰¹ Spalding, *Premier See*, 28.

¹⁰² Dichtl, *Frontiers of Faith*, 52-54.

democratic parish with more autonomy, was only one part of the progressive church Dolan found in 1790. Other characteristics of this church were a vernacular liturgy, freedom from foreign interference, and toleration of religious plurality. Dolan found the foundation for this in Enlightenment thought, the colonial experience of Catholics, and the American Revolution.¹⁰³

As proof that this was the intention of not only Catholic laymen but also of the priests and bishops, Dolan points out that trusteeism was not discussed at either the 1791 synod or the 1810 meeting of the bishops. This is clear evidence for Dolan that the American Catholic Church was trying to redefine itself not on an authoritative model based on hierarchy but on a more modern view that focused on the Church's communal nature.¹⁰⁴ Successive waves of Catholic immigrants from Europe in the 1820s, however, swamped the vision of a progressive church laid down by Carroll and his associates decades before.

While Dolan raises some good points, it seems that he wants to combine American exceptionalism with hindsight to create, in some ways, a historical basis for the Church he wants now. The reforms of Vatican II in the 1960s become the universal church accepting the message and reforms initiated by the Early American Church. Carroll is not just the founder of the American hierarchy but is also one of the fathers of modern Catholicism. Yet Dolan's interpretation is far from perfect. Carroll started as a progressive cleric, but as he grew older he became more conservative.¹⁰⁵ Also, the church Carroll governed was not the same church that existed a half-century after

¹⁰³ Dolan, *Experience*, 110-111.

¹⁰⁴ *Ibid.*, 115.

¹⁰⁵ Spalding, *Premier See*, 46.

Carroll's death. By then a large influx of poor immigrants from Ireland and Italy swamped the English character of the church.¹⁰⁶ Dolan attempted to give undue credit to Carroll and the early American Catholic Church and instead undermined the credit they rightly deserve.

There is no doubt, too, that some lay trustees and the clerics they supported did not want to form a more modern church but instead wanted to gain power for themselves. The low quality of some of the priests only exacerbated the problem. At least a few priests found republican language a convenient cover for their own ambitions.

Another modern historian, Patrick Carey, had the best approach to trusteeism. Like other historians, he viewed trusteeism as the result of a number of circumstances. Catholics were few and far between in the new Protestant nation, both making it difficult to establish ecclesiastical control and making the scattered Catholic population more open to Protestant ideas. These Catholics wanted to disprove the common assumption in Protestant thinking that connected Catholicism with monarchy and absolutism. The trustee system allowed lay Catholics to prove the compatibility of their religion and democracy. The election of trustees, and the energy spent on the elections, was meant to show how the old religion could adapt to the new circumstances in the United States.¹⁰⁷ But the most important influence on trusteeism was the separation of church and state in the new nation. Since the secular government made the distinction between temporal and

¹⁰⁶ Hennessey, *American Catholics*, 102.

¹⁰⁷ Patrick W. Carey, "The Laity's Understanding of the Trustee System," *The Catholic Historical Review* vol. 64, no.3 (Jul., 1978): 366.

spiritual matters, lay Catholics expected their religious hierarchy to do the same.¹⁰⁸ Even the language used by the trustees was reminiscent of the language used by the founding fathers. The republican vocabulary became another way that trustees proved to their Protestant neighbors that Catholicism was compatible with the new American environment.¹⁰⁹

In his writings Carey made sure that the trustees were not portrayed as a small group rebelling against episcopal power. He pointed out that most trustees saw themselves as orthodox Catholics and often had the support (through elections) of the majority of the congregation.¹¹⁰ Trusteeism, then, “was a theological, as well as a cultural, moral, social, legal, and disciplinary problem.”¹¹¹ It was not a simple problem of Catholics in the United States being unfamiliar with a bishop. The problem ran much deeper than that. It is little surprising, then, that it took so long for the American hierarchy to finally quell it.

Carey admitted, however, that some people misused trusteeism for their own gains, including ethnic conflicts, anti-clericalism, and the trustees’ desire to control property. Trusteeism could also help Catholics seem more “American” in the public sphere, an important factor since Catholic businessmen would depend on good relations with their Protestant neighbors to succeed. Bishops and priests in the United States faced

¹⁰⁸ Patrick W. Carey, “Republicanism within American Catholicism, 1785-1860,” *Journal of the Early Republic*, Vol. 3, no. 4 (Winter, 1983): 414.

¹⁰⁹ *Ibid.*, 436.

¹¹⁰ Carey, “Laity,” 374, 359.

¹¹¹ *Ibid.*, 372.

none of these problems, making it easier for them to insist upon a more conservative and authoritative Catholicism.¹¹²

In many ways, Carey's definition was just a more thorough explanation of how Catholics tried to adapt their church to the republican and democratic ideals of the day. These trustees were not bad Catholics but were just trying to adapt to the situation of the church in a new and sometimes hostile environment. Carey's view of trusteeism as a way Catholics adapted the separation of church and state to religion is very helpful since it identifies a specific republican ideal that lay at the heart of trusteeism and clarifies how trustees could be both good Catholics and hated by their bishop. Other trustees, however, effectively ran their congregations without coming in conflict with their ecclesiastical superiors.

Trusteeism was a national problem caused by local factors. Rarely did one group of trustees try to contact another group. Each case was isolated. Carroll and his successors could not solve the problem by removing one ideological leader from the church. Each group had its own leader, or even leaders. Carey points out two issues, however, that dominated trusteeism. One was the power of the trustees as laymen to appoint their pastors. The second one was the control of church property by laymen.¹¹³ Catholics had to have seen their Protestant neighbors control both of these aspects of their own churches. Neither adaptation violated any specific tenet of Catholicism but instead encroached upon power that traditionally was held by the bishop. These two issues serve as the crux of the argument in the following trustee battles.

¹¹² Carey, "Republicanism," 435-436.

¹¹³ Ibid., 414.

Yet Carey's definition of trusteeism has limitations, too. While he is correct that trusteeism was a local issue, he does not give any credit to Carroll and other clerics who were more receptive to changes in the Church. Carroll was not against trusteeism per se, but he was against the attempts of some trustees to usurp his power. As will be shown below, not only laymen but also clergy actively tried to adapt the Catholic Church to the republican ideals popular after the Revolution.

No Catholic clergyman could better combine Catholicism and republicanism than John Carroll could. In one of his letters he even stated that he had, "contracted the language of a republican."¹¹⁴ He was very supportive of the new government and the freedom it brought. Carroll had personal connections with some of the founders of the new nation; his cousin Charles Carroll signed the Declaration of Independence and John's brother Daniel signed the Constitution. John Carroll himself went on an expedition to Canada during the Revolution at the request of Congress. During the War of 1812, he supported the government despite his personal misgivings. At the end of his life he prayed for the protection and prosperity of the new nation.

Especially early on in his bishopric, Carroll was a progressive cleric who wanted to accommodate his beloved religion to his beloved home. Initially, he was even supportive of trusteeism. It would be unfair, then, to view trusteeism as a simple battle between democratic and progressive laymen and their stogy, old, authoritative bishop. Instead, these conflicts should be seen as competing visions of American Catholicism with both sides trying to get the right combination of "Rome" and "United States."

¹¹⁴ *JCP*, 1:65.

One of the first congregations where trustees caused problems was St. Peter's in New York City in 1785. The congregation split into two groups, one led by Father Charles Whelan and the other led by Father Andrew Nugent. Fr. Whelan had been the priest at St. Peter's but some of the trustees wanted him replaced with someone who had better preaching talent. The arrival of the charismatic Fr. Nugent only solidified the resistance to Fr. Whelan. Whelan defused the situation by leaving the city. The trustees, however, were not satisfied with Nugent for long and brought charges of impiety against him in 1787. The trustees' complaints, combined with evidence that Nugent had been suspended by his former bishop because of his behavior, led Carroll to suspend Nugent from his ministry. Nugent refused to obey. According to Carroll's account, "As soon as [Nugent] discovered that I intended to replace him with this [other priest] he wrote a letter threatening that this appointment would not take effect, and that he would not permit [him] to enter his sanctuary or celebrate Mass at his altar." When Carroll came to New York to settle the schism in person, Nugent and his followers would not let him into St. Peter's Church unless Carroll promised not to mention Fr. Nugent in his sermon. Neither Carroll nor Nugent would budge. According to Carroll, Nugent eventually "charged his accusers with perjury" causing some of the parishioners to "accuse him of the gravest misconduct." "A tumult ensued, abusive language, most unbecoming the sacredness of the place, was exchanged between him and others." Eventually, Nugent and his followers denied that Carroll had any power as ecclesiastical superior since the pope, a foreign power, appointed him to the position. Carroll and his followers left the ruckus and Carroll said mass instead in the chapel of the French legate.¹¹⁵

¹¹⁵ Hennesey, *American Catholics*, 76-77; *JCP*, 1:283.

Because of this incident, the state government intervened and arrested Nugent. “That wretched Nugent was found guilty by the Jury guilty of a riot. His counsel pleaded, that being the lawful pastor, he could not be guilty of a riot in going to take possession of his Church; that the person, who deposed him received his jurisdiction from the Pope that is, a jurisdiction contrary to the laws of N. York. This plea was overruled; and verdict given against him.”¹¹⁶ Clearly, Fr. Nugent did not rebel against John Carroll and his authority because he truly believed in the language and philosophy of the American Revolution. He was just another priest who tried to take advantage of the need for priests in America and use it to his advantage. It must have been reassuring for Carroll that the New York civil authorities did not see the pope or his agents as foreign leaders whose authority was contrary to the laws of New York. Yet the negative image promoted by troubling priests like Nugent made Carroll nervous. Thankfully, Nugent’s replacement in New York, Fr. William O’Brien, did not cause any problems for Carroll.

Perhaps the most complicated trustee battle started the same year the conflict in New York erupted. Three German priests arrived in Philadelphia in 1787. One, Father Laurence Graessl,¹¹⁷ came because the previous pastor in the city contacted him about ministering to the city’s German Catholics. About the same time, two brothers, Fr. John Charles Helbron and Fr. Peter Helbron, arrived in the city.¹¹⁸ The two Fathers Helbron, especially John, quickly gained support among some of the laymen of the congregation despite lacking the necessary credentials from Carroll to minister. Some of the Germans

¹¹⁶ *JCP* 1:332.

¹¹⁷ Sometimes written as “Gräsl,” “Grössl,” “Graessel,” or even “Cresler.” See V. J. Fecher, *A Study of the Movement for German National Parishes in Philadelphia and Baltimore (1787-1802)*, Series Facultatis Historiae Ecclesiasticae (Rome: Apud Aedes Universitatis Gregorianae, 1955), 6 n 6.

¹¹⁸ Some sources spell their last name “Heilbron.” See Fecher, *Study*, 3 n 1.

wrote to Carroll asking him to replace Fr. Graess'l with Fr. John Helbron. Carroll refused, stating that Fr. Graess'l came to America following the plea of the former pastor. In addition, the other priests at the parish preferred Graess'l to Helbron. Some of the Germans were still undaunted and wrote back to Carroll complaining about Graess'l's inexperience, especially when compared to Fr. John Helbron. If nothing else, the Germans said they could support both priests. Carroll, however, stood by his original decision.¹¹⁹

These unhappy Germans soon bought a plot of land just outside the city with the intention of starting a new parish in Philadelphia independent of the existing parish, St. Mary's. Despite his misgivings, Carroll allowed the group to build a church, writing to the pastor of St. Mary's "that when a number of people...request my approbation to build a church, I cannot refuse...a work which may terminate in the honour of God." Carroll had heard from one of the other priests in the town that the leaders of the new church, to be called Holy Trinity, acknowledged Carroll's authority in spiritual matters.¹²⁰ Carroll also wrote to the Germans forming the new parish to ensure his support but voiced his concerns about the financial stability of the parish and the danger of causing a split in the Catholic community in the city between the two congregations. Carroll foresaw problems, however. He warned the Germans, "As you undertake to raise your church at your own charge, and with [your] own industry, it is probable, you may have it in view, to reserve to yourselves the appointment of the clergyman, even without the concurrence of the ecclesiastical superior. On this matter I request to hear again from you, as I

¹¹⁹ Fecher, *Study*, 8-10.

¹²⁰ *JCP*, 1:291-292.

conceive, it may involve consequences to Religion of the most serious nature.”¹²¹

Eventually, Carroll appointed Grass'l pastor of Holy Trinity against the wishes of the trustees. The trustees still did not accept Grass'l and instead elected John Helbron as their pastor.¹²² Fr. John Helbron even wrote to Carroll defending his election. At one point he urged Carroll to appoint him pastor to avoid conflict.¹²³ Through all of this, Helbron continued to function as pastor of the new parish, even giving himself the title “Pastor of the Church of the Holy Trinity.”¹²⁴ Carroll eventually came to Philadelphia in an attempt to settle the controversy. The trustees offered their own settlement that skirted the trustees' right of appointment but instead included offers to have Helbron publicly acknowledge Carroll as his superior. Carroll, however, wanted Helbron to move beyond the vague terms of the trustees' offer to recognize Carroll's authority to appoint pastors.¹²⁵ After more negotiation, Carroll eventually issued an ultimatum to Helbron: submit or be suspended. Helbron submitted and Carroll finally appointed him pastor of Holy Trinity in early 1790.¹²⁶ Fr. John Helbron soon left for Europe to try to raise funds for building Holy Trinity. Carroll feared that Helbron left to become bishop for German-Americans.¹²⁷ In the mean time Helbron named his brother, Fr. Peter Helbron, to his position while he was gone. Fr. John never returned but instead lost his life in France

¹²¹ *Ibid.*, 1:277.

¹²² It is unclear what Grass'l did after the controversy. Eventually he was named coadjutor with John Carroll but died of yellow fever before he could be consecrated.

¹²³ Fecher, *Study*, 17-18.

¹²⁴ *JCP*, 1:383.

¹²⁵ Fecher, *Study*, 25-26.

¹²⁶ *Ibid.*, 30-32.

¹²⁷ *JCP*, 2:22.

during their Revolution.¹²⁸ While Holy Trinity was now at peace, the ideas behind the feud had not been resolved.

Soon the trustees reasserted their right to appoint their pastor. In 1796, Father John Goetz came to Philadelphia and at first agreed to be an assistant to Fr. Peter Helbron. The trustees ignored the appointment and elected Goetz Helbron's assistant by their own authority. They later wrote to Carroll informing him of their decision and asking for his approval. These same actions started the problems with John Helbron. Soon Peter Helbron, Goetz, and Leonard Neale¹²⁹ had a disagreement that ended with Neale banning Goetz from preaching. The trustees claimed it was because Helbron was jealous of Goetz's preaching ability but Neale refused to tell the trustees the reasoning behind the suspension. The trustees then took matters into their own hands. They claimed that their charter allowed them not only to appoint pastors but also to pass regulations for their priests to follow. They presented twenty-six articles to both priests and while Helbron refused to sign, Goetz never hesitated. After Helbron's second refusal the trustees dismissed him.¹³⁰ Fr. Peter Helbron then moved to a chapel in the city and took with him most of the religious paraphernalia needed for services. He claimed that it

¹²⁸ Peter Guilday, *The Life and Times of John Carroll: Archbishop of Baltimore (1735-1815)* (New York: The Encyclopedia Press, 1922), 647-649. Most sources are hazy on the exact sequence of events. McAvoy denies that Carroll ever gave the Germans permission to build and seems to combine both the Heilbron and Goetz problems into one schism. Hennessey says little about the controversy but alludes to the continuing problems in the city of brotherly love. Likewise Ellis says little about this controversy but says it was the start of long-term struggle. Even Fecher, *Study*, has to assume certain actions taken by Helbron, Grass'l, and the trustees. See McAvoy, *History*, 56; Hennessey, *American Catholics*, 83; Ellis, *Colonial*, 438-439; and Fecher, *Study*, chap. 1.

¹²⁹ Neale was a former Jesuit and Vicar General in Philadelphia at this time. Before this drama ended he would be co-adjutor with Carroll. When Carroll died in 1815, Neale became the second Archbishop of Baltimore. He did not live much longer, however, and died two years later.

¹³⁰ Fecher, *Study*, 36-38.

was his duty to keep the important articles since he was the rightful pastor. Eventually Carroll transferred Helbron to Sportsman's Hall.¹³¹

About this time, another priest, William Elling, arrived at the parish. It seems that the trustees wrote to Elling to replenish their supply of church goods taken by Helbron. Instead of just sending the articles, Elling came as well. The newly-arrived priest claimed that he had every right since Carroll wrote to him earlier telling him that he could pick his own parish. Carroll only said this because Elling seemed never to be happy with the appointments given to him. When Elling arrived in Philadelphia, he managed to convince the trustees to let him stay and run a school that would help bring in money for the parish.¹³²

After Helbron left, the trustees elected Goetz as pastor of the parish. Neale attempted to better the situation by writing a letter to Holy Trinity. It was followed by a legal writ forcing the trustees to show why Peter Helbron should not be pastor of the parish. In court, the trustees argued that they were free from the bishop's control and that recent history proved that. For example, John Helbron preached without Carroll's consent. When John Helbron left, the trustees never elected his brother Peter pastor. Therefore, Peter Helbron was never pastor of Holy Trinity, making it very easy for the trustees to elect Fr. Goetz.¹³³ Carroll had had enough of both Goetz and Elling and excommunicated both in early 1797. The trustees' lawyers seized this opportunity and

¹³¹ Ibid., 41.

¹³² Ibid., 44-45.

¹³³ Ibid., 45-46.

charged Carroll, along with Neale, Helbron, and another priest, with contempt of court. Soon after, the Neale/Helbron faction let the case go.¹³⁴

This case has so much drama and contention but ends with a whimper. Later in 1797 Goetz lost the support of the trustees and left Philadelphia.¹³⁵ The trustees, after briefly entertaining thoughts of joining a schismatic German parish in Baltimore to form a German diocese, eventually wrote to Carroll asking for reconciliation. In early 1802 Elling and the trustees finally submitted to Carroll, ending the schism.¹³⁶

While Holy Trinity might have been the longest trustee battle for Carroll, other examples awaited Carroll and his successor's. Through it all Carroll tried to maintain dignity and peace within the Catholic Church. Public battles such as these only embarrassed the small community. Carroll did not want to humiliate his previous foes; instead, he wanted old wounds healed as quickly and as easily as possible. His successors would not have the same patience or tact when dealing with later trustee battles.

¹³⁴ Ibid., 47-50.

¹³⁵ It is unclear why he left. Either he fought with Elling or he drew a knife on a widow and found it in his best interest to leave. See Ibid., 51, *n.* 41.

¹³⁶ Ibid., 51-5

These struggles took their toll on Carroll. Modern historians hypothesize that the problems Carroll had with the clergy made him more conservative. Jay P. Dolan saw Carroll moving away from the spirit of American independence and towards a greater dependence on Rome in spiritual matters.¹³⁷ Carroll saw the excesses of the French Revolution made in the name of “republicanism” and now had more authority as bishop. Yet while these factors influenced Carroll and his contemporaries towards a more traditional view of the Church, there is no doubt that the trustee problems that haunted the early bishops in the United States made them more leery of republicanism and more fond of the security of tradition. When Carroll died in 1815, the American Catholic Church was already becoming more conservative. Carroll no longer thought about vernacular services and trusteeism had proven to be both a blessing and a curse. However, the move to conservatism would not be complete until waves of Catholic immigrants left an indelible imprint on the structure of the Catholic Church in the United States beginning in the 1820s.

Carroll’s coadjutor and successor, Archbishop Leonard Neale, was not nearly as forgiving to new interpretations of Catholicism. Before becoming bishop Neale had been in Philadelphia and had not handled the trustee problems well. By the time he took control of the Archdiocese of Baltimore following Carroll's death, Neale was already a weak old man. When he died two years later, Ambrose Marechal succeeded him. Marechal was one of the first Sulpicians to come over from France and was familiar with America. While he was an improvement over Neale, he still lacked the vision and control of Carroll. Trusteeism continued to be a problem for both Neale and Marechal

¹³⁷ Dolan, *Experience*, 113.

and festered throughout the history of the growing United States Catholic Church. Trusteeism did not stop causing American bishops headaches until the 1850s, and vestiges of trusteeism lasted into the 20th century.¹³⁸

Rome began asserting itself more forcefully in America as well. After popes no longer needed to worry about Napoleon they could focus their attention on other matters, including management of dioceses in the United States. Carroll had been the only bishop elected, but as bishop, Rome allowed him to nominate different clergy for the new episcopal positions. After Carroll's death the American bishops lost this privilege. When Marechal complained to Rome that he had no say in the appointment of his suffragan bishops, Rome did not seem to care.¹³⁹ Rome trusted Carroll's reports on the condition of the American Church. For example, Rome complied when Carroll wanted his expansive and growing diocese to be split into other sees. Yet Rome created two new sees against the wishes of Marechal and then proceeded to fill them with two Irish prelates who had never set foot in the New World. Maybe, too, Rome decided that the situation for American Catholics was not as delicate as it once was, meaning Rome could stop treating the United States as a special case.

The flood of Catholic immigrants no doubt made the United States a more important area for Catholicism as well. No longer was the Church the mere splinter of an already small congregation called English Catholicism. Starting in the 1820s, it was the destination of thousands of Irish, Italian, and German immigrants.¹⁴⁰ For many, the Catholic Church might be the only recognizable institution from their mother country.

¹³⁸ Cary, "Laity," 358-359.

¹³⁹ Hennesey, *American Catholics*, 91.

¹⁴⁰ Dolan, *Experience*, 128-131, *passim*.

The influx of immigrants helped accelerate the transition of colonial/Carroll Catholic Church from a small, progressive institution into the large, conservative organization that helped millions of immigrants become “American.”

Despite its short life span, the early American Catholic Church deserves study. Catholics in the new republic had disadvantages that no other religious group in the United States had. The Englishmen who made up the bulk of the population in the colonies had a deep-seated hatred for Catholicism that was older than the colonies themselves. Centuries of warfare with Catholic nations only solidified the feelings of most Englishmen, both in England and in the colonies. Most colonies reflected this intolerance with the measures they passed barring the almost nonexistent Catholic population from public life and usually public worship. The Catholic community that developed during these years, then, was small but vibrant. It did not rely on grand processions or the benevolence and protection of the government. Instead it was a very private religion that could live underground and blend into the existing Christian, but Protestant, fabric of the colonies. When toleration did come after the American Revolution, Catholics were eager to build churches and practice their religion in public. Yet there were growing pains. Catholics were unsure of how to practice their religion in this new society. Some were unsure of the permanence of the toleration so recently gained. Others were too sure in the promise of liberty and felt that any attempt to bring order or hierarchy to anything in the United States was against the law. Most lay trustees just wanted some say in the governance of their churches, churches that they themselves had built, either through their own labor or by raising the necessary funds. Plus these

Catholics needed to show their Protestant neighbors that they, too, were Americans free from the yoke of European powers. Their first bishop, John Carroll, ably guided the Church through these troubles. His administration was far from perfect and already had started to stray from Carroll's earlier goals by the time of his death.

The early bishops of the United States had to take competing views and cast them into a church that was acceptable to both Roman ecclesiastical and American civil authorities. Their flocks knew more about persecution than they did about episcopal rule. Yet Carroll and his successors brought together a diverse group of Catholics from all over Europe and helped make them the American Church. Maybe the best analogy for the first and second generation of United States bishops would be dog walkers that have their hands full with many different dogs of all shapes and sizes, pulling them in many different directions. These men managed at least to control most of these dogs; Leonard Neale and Ambrose Marechal seemed to be pulled along and embarrassed by the different groups within the Church. Still, these men managed to maintain some control over the Church and to prevent it from falling apart. Their legacy became the foundation for the later American Catholic Church that was built by the different immigrant groups that came to the United States.

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