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# **BOMBAY**

# **MISSION-HISTORY**

WITH A SPECIAL STUDY OF

## **THE PADROAD QUESTION**



**BY ERNEST R. HULL, S. J.**



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## INTRODUCTION.

### I. PLAN AND SCOPE OF THE WORK.

A SHORT spell of residence in Bombay (starting in 1903) was enough to bring out the urgent need of a standard history of the Church in India. There exists a considerable amount of literature on the subject scattered about, consisting of histories of particular missions, some well documented, some mere sketches; also a bulk of writings on the *Padroado vs. Propaganda* conflict, mostly of a partizan character on either side; and finally a number of biographies, and summary surveys of periods or partial aspects. It soon became obvious that no general history of the Church in India, of a standard character, was possible until the particular histories of all the different parts had been written—and written solidly and well.

As example was better than precept, the idea suggested itself of setting to work on the mission to which I belonged; not as a master of the subject, but as a learner in the very process of writing it. It was to be a pioneer work, to consist of gathering together in sequence all the easily accessible material that came in my way, as a starting point for something better later on. The plunge was made in a series of 43 articles published in *THE EXAMINER* between 1908 and 1910; followed by another series of 15 articles containing the particular history of single places and institutions, published between 1910 and 1915. Subsequent study and observation soon brought further material to light; and the task (undertaken in 1920) of pulling to pieces the Diocesan Archives of Bombay and Poona and rearranging them, made it possible to go over the whole ground again in a more thorough manner of which the present history is the outcome.

The original plan was of a domestic nature to deal with the Vicariate of Bombay from its beginnings to the present day. But it became at once apparent that a very large portion of the history involved a detailed study of the conflict between *Padroado* and *Propaganda*; and this not as a mere local question, but one which extended over the whole of India, and even the entire East. As a consequence the present history has a twofold aspect, the one local and particular, the other universal. In choosing the title of the book I hesitated a long time whether to call it a "study of the *Padroado* question with special relation to Bombay", or "Bombay Mission History with a special study of the *Padroado* question"—the latter alternative prevailing in the end.

The commonly accessible literature on the *Padroado* question divides into two parts. One takes an exclusively *Padroado* standpoint, the other an exclusively *Propaganda* standpoint. The thing wanted was a synthesis which would combine them both; presenting the principles and outlook of the two contending parties in their own terms and according to their own mind, and letting them speak for themselves;—or at most adding such interpretations as the documents require and justify.

In passing judgment on the case an exact distinction has to be drawn between the concrete and the abstract. By the *concrete* I mean the local situation in which the two parties are the living agents; and here, (besides the material facts) the standpoint, the assumptions, the principles taken for granted, and the subjective or psychological element have to be taken into account. By the *abstract* I mean the fundamental principles of theology and canon law which govern the case. These lie indeed within the competency of the historian to state; but the ultimate and final judgment as to whether Rome or Portugal was right, as regards the various issues at stake, would rest with theological experts, and on the authoritative decisions of the Holy See itself in case such decisions should be made.

Dominated by this distinction, my endeavour has been to produce all the relevant evidence on both sides that has come in my way, no matter whether it tells in this direction or that,—with a view of securing first all the facts possible, and secondly all the expressions of standpoint on the part of the Holy See and Propaganda, and on the part of Portugal and the Padroado Bishops and clergy, which contribute to an understanding of the situation and the relations between the two parties. A particular welcome has been accorded to documents on the Padroado side, which have been furnished not only by a large bulk of pro-Padroado pamphlet literature written in the past, but especially by the recently published histories of Fr. D'Sa, and a compilation by Mr. Godinho, to whom my indebtedness is duly acknowledged. Particular care has been taken to dispose of a number of false ideas and allegations which had become traditional, some derogatory to the Padroado and some derogatory to the Propaganda side.

The result of this synthesis is in the first place to enable both sides to take a much more sympathetic view of the actions and motives of their opponents in the conflict, and to make that conflict itself not indeed less distressful, but at least less scandalous. The second result is to clear the atmosphere both of misunderstandings and irrelevances, and to place the real points at issue in a clear and well defined light which is the first preliminary to forming a judgment such as would be worth forming.

The History consists of three parts: (1) General History, running sequentially from 1534 down to the present day. (2) Particular history of single places and institutions. (3) Certain appendices and supplementary studies. The first volume, now issued from the press, covers the earlier portion of the general history down to the year 1858. A second volume will follow in due course as soon as its parts have passed through THE EXAMINER.

Even in its present more matured form I still regard it as a pioneer work, as a starting-point for something better. For the subject can never be worked to exhaustion-point until the following collections of sources have been thoroughly searched: (1) The Propaganda archives in Rome; (2) The archives of Lisbon, Goa and Damaun; (3) The English

Government records in London and in India; (4) The annals of the various religious orders working in these parts, particularly those of the Carmelites, Capuchins and Jesuits.

Subsequent discoveries, improvements, revisions of details, etc., which came in my way after the articles had passed through *THE EXAMINER*, have been incorporated in the present text. Any further data which accrue in the future, will be added in the form of an appendix of notes at the end of the completed work.

It is only fitting to acknowledge the valuable help given me by Fr. Charles Ghezzi, S.J., in translating or summarising Italian and Portuguese documents.

## II. ABOUT THE USE OF DOCUMENTS.

The documents used in this history have been available in various forms; sometimes the original Latin, Italian, Portuguese or French; sometimes *also* an English translation; sometimes *only* an English translation. For convenience of the general reader they have always been reproduced in English. Sometimes an existing English text has been used as it stands, and sometimes checked or improved where the English was faulty. In making translations an idiomatic rather than a literal rendering has been adopted. The most solemn documents are generally given in full; but in most cases the essential passages have been given in full, and the rhetorical or preambulatory matter has been summarised; the idea being to convey the substantial meaning without encumbrances. Care has been taken to convey those points which as it were "make a difference" to the history; and nothing has been consciously omitted which would make a difference, whether against or in favour of either party in conflict. The object of this note is to caution the reader that in case any fine controversial point would depend on the *exact wording* of a document, the wording should be checked by reference to the original before an argument is built upon it.

## III. GEOGRAPHICAL NOTES.

A great believer in charts and diagrams to clarify almost everything under the sun, I have provided the reader with a set of seven small maps illustrative of the period covered by the first volume (1531-1858). They are printed together at the beginning, with some explanatory notes attached to each. As an additional aid to geographical realisation, I add some comparative figures of sizes and distances:—

### I. ESTIMATE OF AREAS.

The present diocesan divisions cover roughly the following areas:—

Goa Archdiocese	.. 270 × 42 =	11,310 square miles.
Damaun Diocese	.. 280 × 42 =	11,760 square miles.
Bombay Island	.. 10 × 2½ =	25 square miles.
Bombay Archdiocese	. 800 × 200 =	160,000 square miles.
Poona Diocese	.. 510 × 110 =	59,400 square miles.

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2,42,500

## II. COMPARISONS WITH EUROPE.

Goa Archdiocese is about the size of Belgium (11,400).

Damaun Diocese is about the same size.

Bombay Archdiocese is larger than the whole of England, Scotland and Ireland (121,000); larger than all Italy and Switzerland (130,000), and more than three-quarters the size of Spain (200,000) or France (206,000).

Poona Diocese is about as large as the whole of England and Wales (58,000) and half the size of Italy (114,000).

## III. DISTANCES OF TRAVEL.

*Padroado Centres* : Bombay to Goa 250 miles by sea; Bombay to Damaun 100 miles by train; Bombay to Diu 175 miles by sea.

*Bombay Archdiocese* : Bombay to Broach 200 miles; to Ahmedabad 310 miles; to Karachi by sea 600 miles and by train 800 miles. Karachi to Quetta 500 miles. Bombay to Quetta 1,100 miles by sea and train, 1,300 miles by train only.

A complete visitation of the Archdiocese, there and back, involves a journey of 3,000 miles—something like the distance across the United States from New York to San Francisco; or that across Europe from Gibraltar to the borders of Siberia.

*Poona Diocese* :—Poona to Bombay 120 miles; to Bhusawal 250 miles; to Sholapur 175 miles; to Gadag 300 miles.

A complete visitation of Poona Diocese by a circular route involves a journey of 900 miles.

Before the railways were opened (between 1853 and 1886) these journeys had to be performed by tonga, bullock-cart, horse or camel. Now there is easy access by railway everywhere. Four places require in addition a conveyance of 5, 7, 8 and 10 miles respectively. One place is 18 miles from a railway, and one is 32 miles away. Motor services have recently rendered access to these places easy.

## IV. PRESENT POPULATIONS.

Diocese	Total Population.	Catholic Population.
Goa Archdiocese .. ..	2,322,422	326,690
Damaun Diocese .. ..	27,600,000	{ 94,333
Bombay Archdiocese .. ..		{ 31,124
Poona Diocese .. ..		{ 24,233
Grand Total ..	29,922,422	479,380
Details of Goa Archdiocese (included above) :—		
Portuguese Territory ..	501,933	289,803
British Territory .. ..	1,820,489	36,887
Grand Total ..	2,322,422	326,690
The two Jurisdictions :—		
Padroado =Goa and Damaun		421,023
Propaganda =Bombay and Poona ..		58,357
Total ..		479,380

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**Seven Maps**  
**Illustrating Volume I**  
**1534-1858**

## MAP No. I.

### THE FOUR MODERN DIOCESES.

THIS is an introductory map of all India showing the general lie of the different districts. The coloured portions represent the Bombay Presidency with Sind and Baluchistan, divided into four Dioceses by the establishment of the Hierarchy in 1886. These Dioceses are :—

(1) The Padroado Archdiocese of Goa (yellow) comprising Goa territory, and also North Canara, part of Belgaum and the South Konkan Coast, all in British territory.

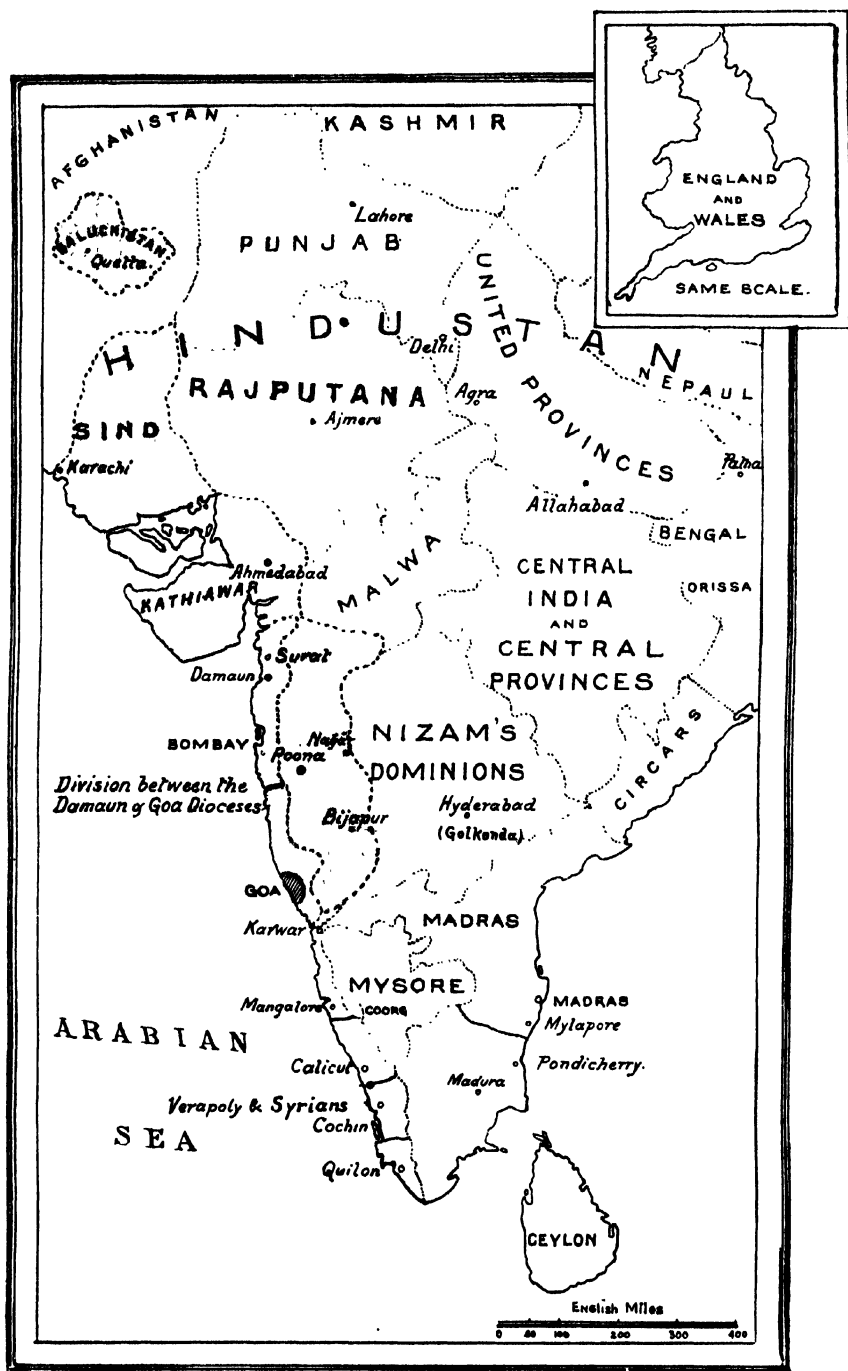
(2) The Padroado Diocese of Damaun (yellow) comprising the Portuguese territories of Damaun and Diu, parts of Gujerat and the North Konkan Coast, as well as personal jurisdiction in Bombay Island.

(3) The Propaganda Archdiocese of Bombay comprising Bombay Island, and then (after an interval of 200 miles) Gujerat, Kathiawar, Sind and British Baluchistan.

(4) The Propaganda Diocese of Poona comprising the remainder of the Presidency, *viz.*, the Deccan plateau inland.

These two Propaganda Dioceses represent the survival of the Old Vicariate of the Great Mogul, while the two Padroado Dioceses represent the survival of the ancient Archdiocese of Goa.

The rest of the map shows roughly the geographical divisions of the country, rather than the ecclesiastical divisions.



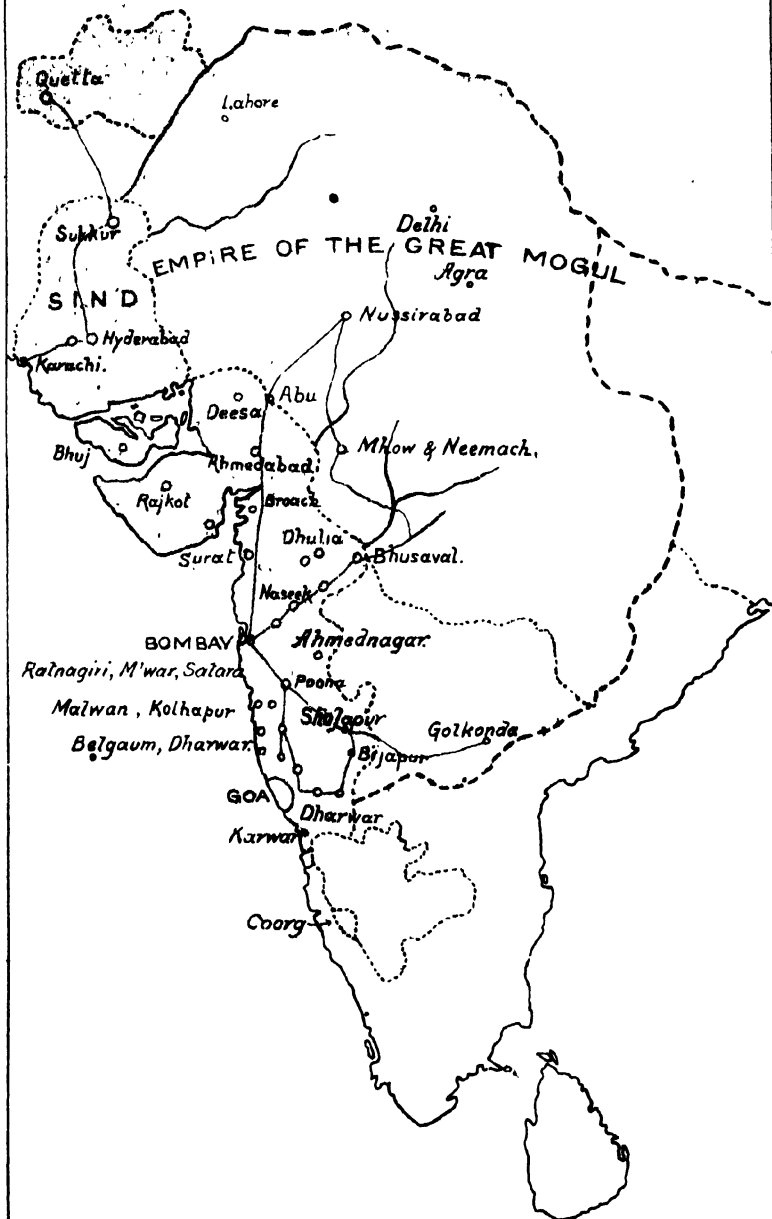


## MAP No. II.

### THE GREATEST EXTENSION OF THE VICARIATE.

THIS map is to be compared with the previous one. It shows (collectively) all the areas and places which were ever comprised within the Vicariate—and therefore the widest extension of our history. But it never had the whole extension at once. At different times portions were added and at different times portions were cut off. The portion coloured pink shows Bombay Presidency with Sind and Baluchistan. The following table shows the growths and curtailments. Places in italics remained to the modern mission in 1886.

Growths.		Curtailments.
1639	<i>Kingdom of Bijapur and the Deccan</i> .. .. .	Assigned to Poona Diocese 1886.
1640	Surat (Capuchins) .. .. .	
1670	Kingdom of Golkonda (Nizam's Dominions)=Hyderabad ..	Capuchins left in 1818.
1696	Empire of the Great Mogul (dotted line) .. .. .	Transferred to Madras 1832, and became a Vicariate in 1845.
1707	Karwar in N. Canara .. .. .	Hindustan portion transferred to Patna 1784.
1720	Bombay Island (taken over by the Carmelites) .. .. .	Transferred to Mangalore 1845 and to Goa in 1886.
1759	Surat (Carmelites) .. .. .	Jurisdiction divided 1794. Made centre of Archdiocese in 1886.
1780	Coorg near Mysore .. .. .	Abandoned to Damaun 1922.
1800	<i>Brouck, Baroda and Gujerat Northwards including Kathiawar</i> .. .. .	Transferred to Mysore 1853.
1818	Ratnagiri and Malwan .. .. .	Assigned to Bombay Archdiocese 1886 with Sind and Baluchistan.
1839	Salsette Island .. .. .	
1843	<i>Sind</i> .. .. .	Only for a short time.
1853	<i>Five churches in Salsette</i> .. .. .	Jurisdiction nominally given.
1853	Malwa (Mhow, etc.) .. .. .	Assigned to Bombay Archdiocese in 1886.
1854	Salsette and Bassein (Assigned to Vicariate of Poona) .. .. .	Assigned to Archdiocese 1886.
1885	<i>British Baluchistan</i> .. .. .	Transferred to Agra 1858.
		Assigned to Damaun 1886 except five churches.
		Assigned to Bombay Archdiocese in 1886.



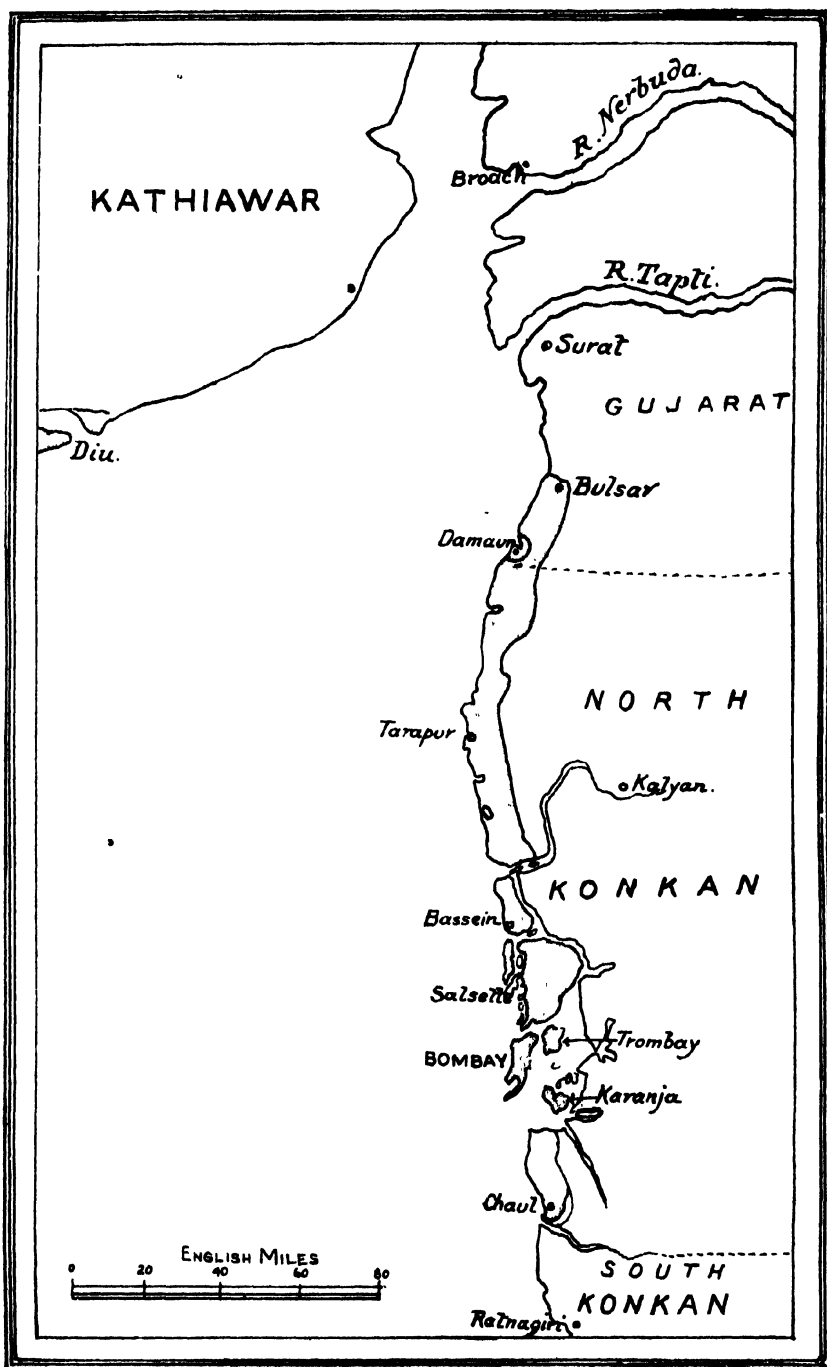
## MAP No. III.

### NORTHERN PORTUGUESE POSSESSIONS.

AFTER the general survey provided by Maps I and II we come to the origins of our history as given in Part I (pages 1—34). This Map shows the territories which were possessed by the Portuguese in early times. Chaul was taken in 1526. Bassein, Salsette, Bombay and Karanja (by treaty) in 1534. Diu in Kathiawar, 1534. Damaun and environs finally in 1559. The coloured portion shows these areas in full, within which the Portuguese Mission activity was so exercised as to cover the area with a considerable body of Christians, which flourish at the present day.

Gradually all these Portuguese territories were lost except two small areas. In 1665 Bombay Island was ceded to the English as a Marriage Dowry to Charles II. In 1739-40 Bassein, Salsette, Karanja, Chaul were taken by the Marathas. In 1774-1800 all these places were in turn taken from the Marathas by the British Power. To Portugal there remained (since 1739) only the two small strongholds of Damaun and Diu.

Under the English the Portuguese or Goa clergy were allowed to remain in Bombay till 1720, when their places were taken by the Vicar-Apostolic of the Great Mogul. The Goa clergy were however allowed to remain in pacific possession of all the other districts formerly Portuguese (Salsette, Bassein, Tarapur, etc.) In a few places the Vicar-Apostolic secured jurisdiction at various times, and this jurisdiction still survives in five places of Salsette (see next Map).



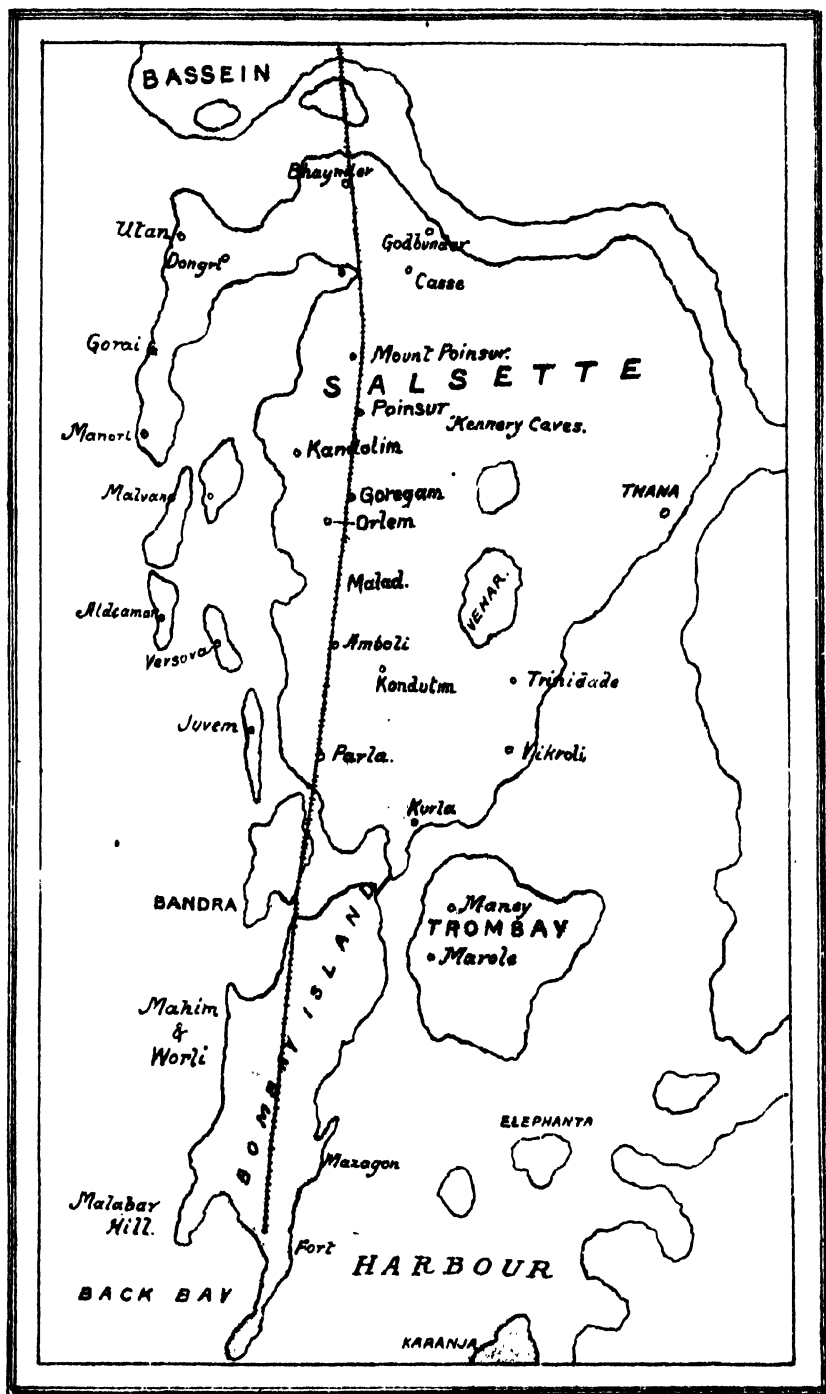
## MAP No. IV.

### BASSEIN, SALSETTE AND BOMBAY.

THIS Map gives a detail of the foregoing, *viz.*, the immediate environment of Bombay island. Bassein had 6 churches in the Fort and 11 churches in the environs. Salsette had about 27 churches. Bombay had 4 churches and 2 chapels. Karanja had about 4 churches. Chaul about 10. These were built for the most part between the years 1534 and 1650; and a few others between 1650 and 1700. Their founders were mainly the four great missionary orders—Franciscans, Jesuits, Dominicans and Augustinians, and afterwards the Hospitallers of S. John of God.

After the Maratha conquest (1739) some of the churches were destroyed and others dilapidated and fell into ruin. When the districts came under British rule (1780-1800) there was a revival and many of the old churches were repaired, or smaller ones built out of the debris. In modern times further renovations took place, and new churches were gradually added. [Details of the churches old and new will be found in Chapter I of the History].

The Vicar-Apostolic obtained in 1839 the authority to extend his jurisdiction over Salsette; but he never secured any general control in that Island. Between 1852 and 1860 five country congregations in Salsette transferred themselves to his jurisdiction and so remain to this day. But for the rest, the Goa clergy always remained in unbroken possession from first to last. In 1886 the whole territory shown on the Map (except Bombay Island) was assigned to the Padroado Diocese of Damaun.



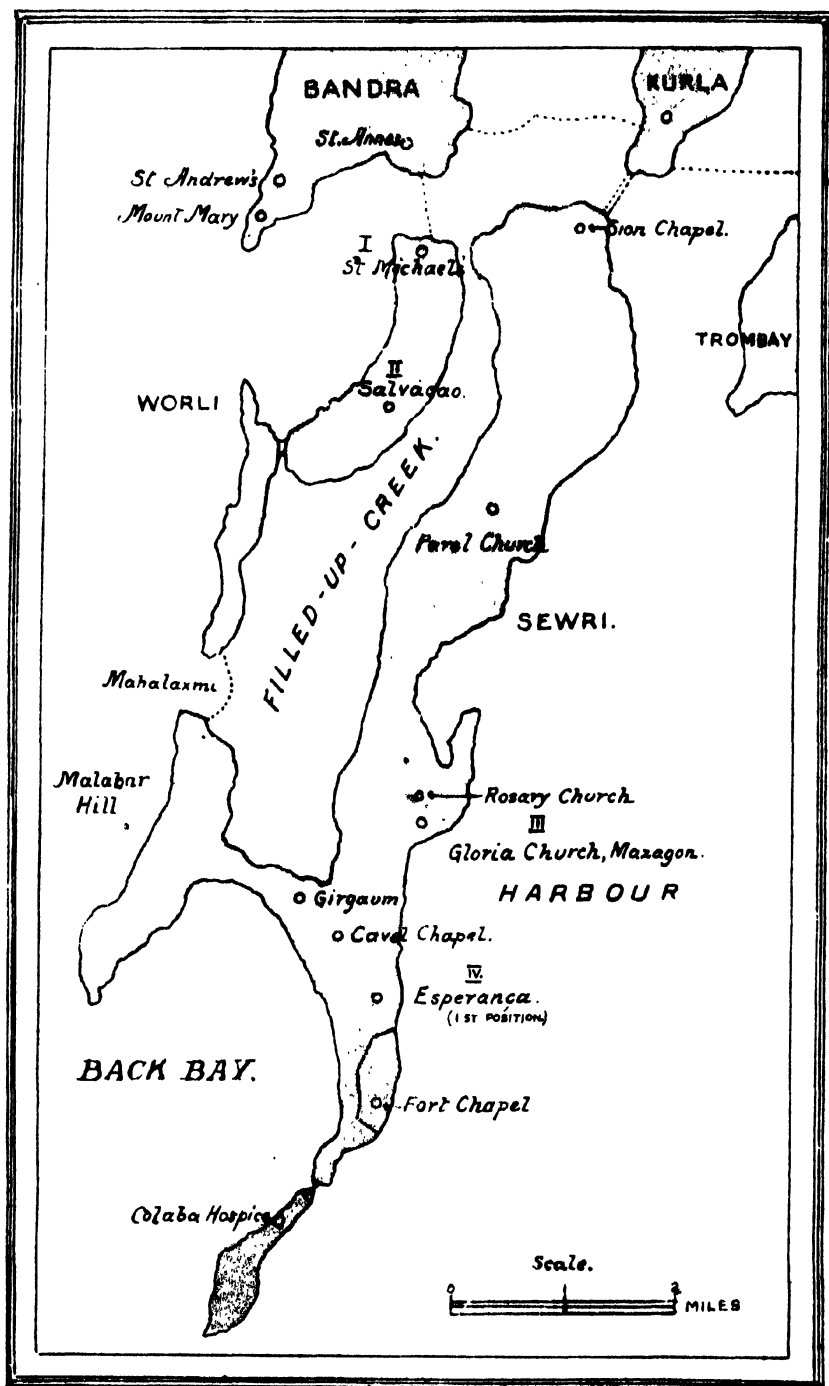
## MAP No. V.

### BOMBAY ISLAND.

THIS map shows a detail of Bombay Island. It originally consisted of seven islands separated by creeks. But in Portuguese times these were mostly closed up, and there remained only a lagoon of marshy land in the middle, partly used for rice fields, but partly flooded by the sea. By about 1800 this lagoon had been reclaimed by the building of causeways, and in course of time was filled in and built upon.

The map restricts itself to the earlier period of the history. It shows the four great churches (St. Michael's, Salvação, Gloria and Esperança) and the two smaller churches (Parel and Sion) which were built by the Portuguese before the English came in 1665. Some later foundations are added, *e. g.*, Rosary Church, Mazagon (1794), Cavel Chapel (1794) and the Colaba Hospice (1823).

From 1634 to 1720 the Portuguese Franciscans and secular clergy were in possession. In 1720 the Franciscans were expelled and the Vicar-Apostolic with his Carmelites took their place. In 1789 the whole island reverted to the Goa jurisdiction, but this act was reversed in 1791 and the Carmelites were wholly restored. Finally, with a view of suiting both parties, the churches were divided between the Goa clergy and the Carmelites, and by this means the famous "Double Jurisdiction" was introduced in 1794. Various conflicts arose between the two jurisdictions; and churches passed from one to the other till 1862, when the *status quo* was established. Finally by the Concordat settlement of 1886 each party was confirmed in possession of what it actually had got. The Island itself was *territorially* consigned to the (Propaganda) Archbishop of Bombay; but the (Padroado) Bishop of Damaun retained the churches then in possession of Padroado, and personal jurisdiction over the congregations attached to them, as well as over subjects of Goan and Portuguese origin coming into the island.





## MAP No. VI.

### THE ANCIENT PADROADO DIOCESES.

THIS map and the following one cover the field of all India, in order to illustrate what happened between 1832 and 1845.

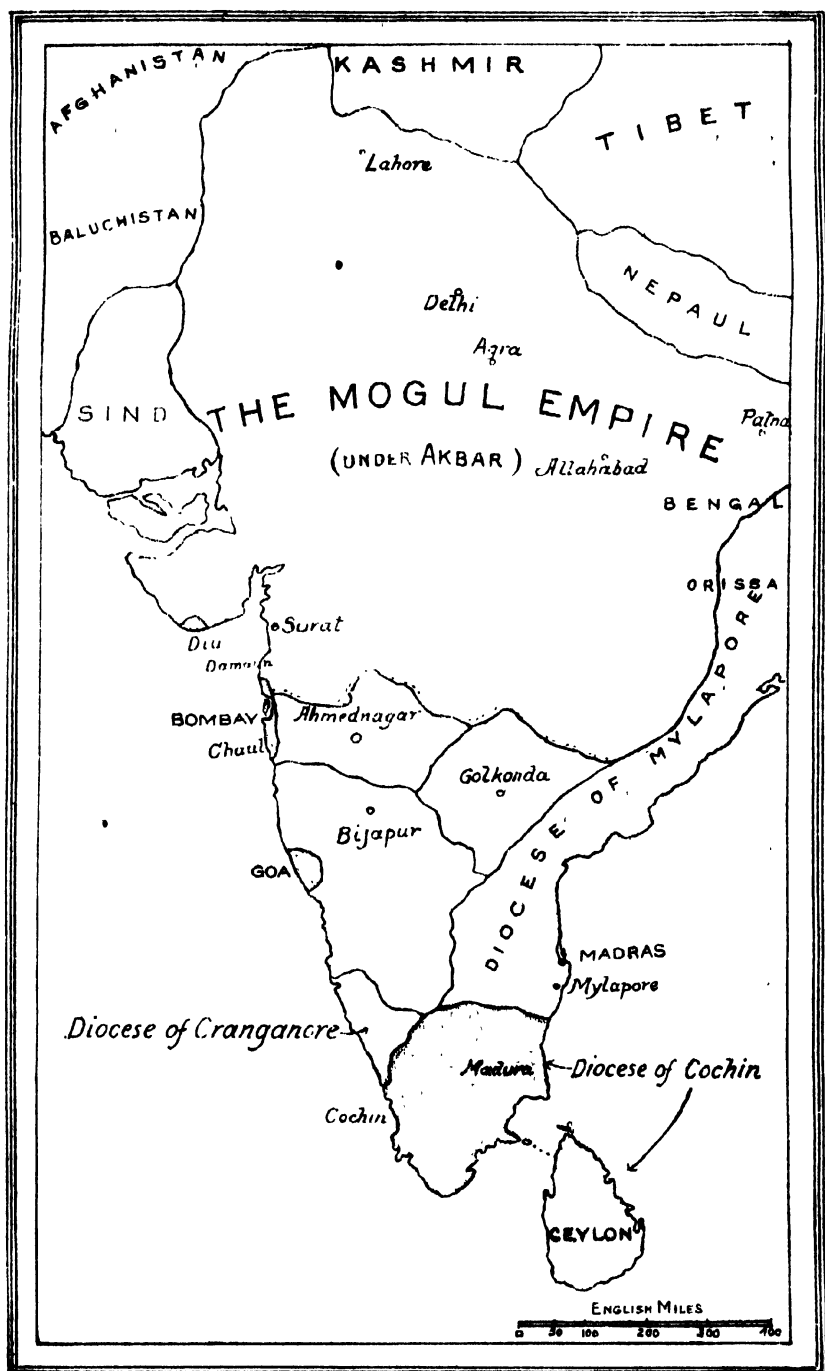
This map shows how in ancient times India was divided up into Dioceses under the Patronage of the King of Portugal.

In 1534 the See of Goa was established comprising vaguely all territory discovered or to be discovered by the Portuguese from the Cape of Good Hope to India, and from India to China.

Between 1557 and 1606 the Suffragan Sees of Cranganore, (yellow), Cochin (red) and Mylapore (yellow) were divided off, and the rest of India remained vaguely to the Archdiocese of Goa.

Between 1637 and 1696 the kingdoms of Bijapur, Golkonda and the Great Mogul were assigned to a Vicar-Apostolic under Propaganda and independent of Goa; and thereby the Holy See intended to curtail the jurisdiction of Goa over these districts. But as no bull of curtailment was issued, the Archbishop of Goa continued to claim jurisdiction over the whole area, and actually exercised it by establishing churches in many places, from which fact many conflicts of jurisdiction arose. In 1669 again the Holy See established a Vicariate Apostolic in Malabar, which gave rise to similar conflicts in the Dioceses of Cranganore and Cochin.

In 1722 or so a Vicariate was also established at Patna which later on took charge of Hindustan; but as the Portuguese had not permanently established themselves in these remote parts, no conflict followed.



## MAP No. VII.

### THE OLD AND NEW VICARIATES.

THIS map shows how between 1832 and 1845 the Holy See added five new Vicariates-Apostolic covering the whole of India with the exception of Portuguese territory.

The ancient ones already existing were :—

(1) The Capuchin Mission of *Patna* (1722) extended in 1784 to Hindustan, and in 1820 divided into Agra and Patna (green).

(2) The Carmelite Mission of *Bijapur, Golkonda and the Deccan* (which now became the Vicariate-Apostolic of Bombay) extending over the Bombay Presidency (red).

(3) The Carmelite Mission of *Malabar* which covered the Native States of Cochin and Travancore, and lay within the old Padroado Sees of Cochin and Cranganore (red).

The new ones were :—

(1) *The Vicariate of Madras* founded in 1832, to which was added Golkonda and Hyderabad, by separation from Bombay (yellow).

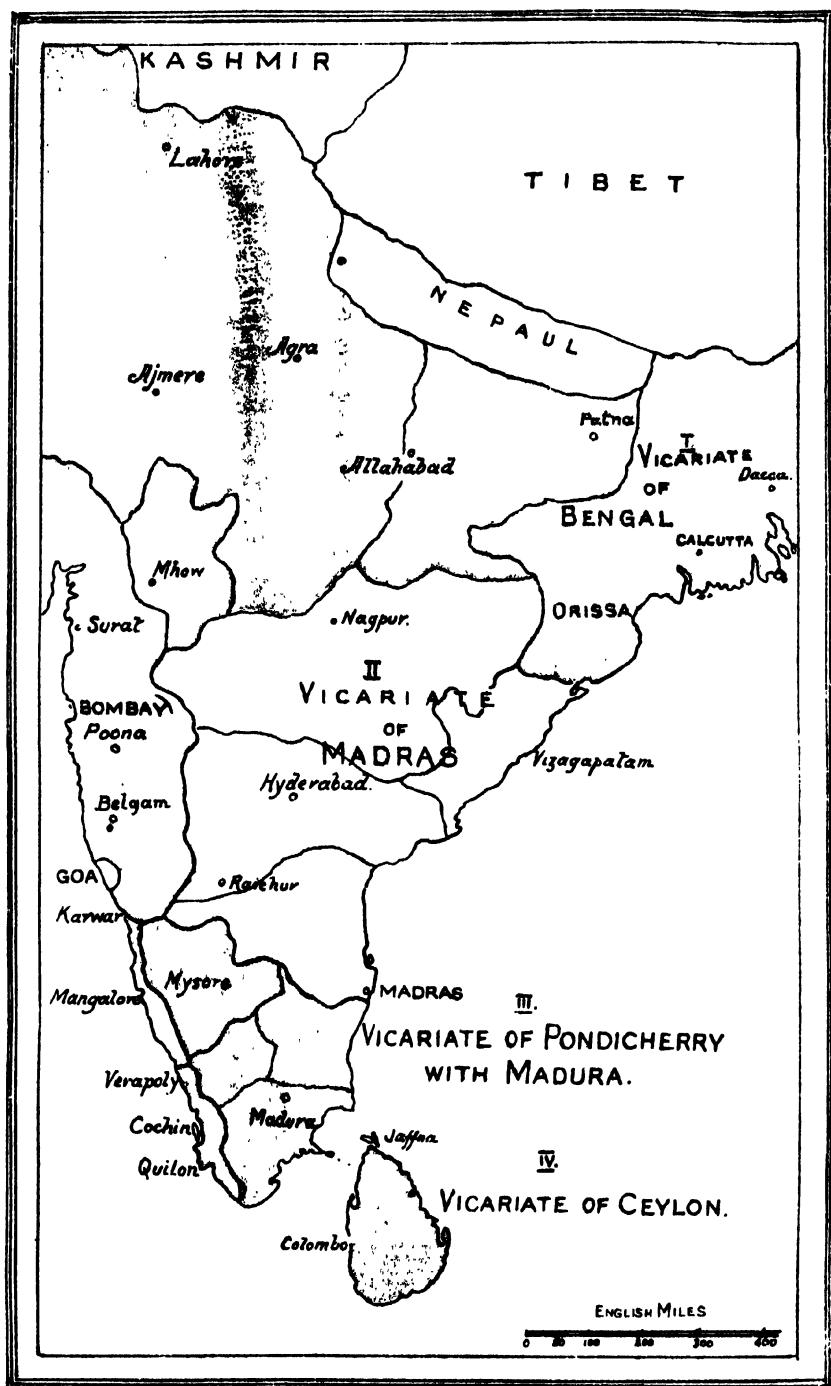
(2) *The Vicariate of Calcutta* and Bengal founded in 1835, leaving out Behar which belonged to the Mission of Patna.

(3) *The Vicariate of Coromandel* which comprised Pondicherry, the Carnatic and Madura (Madura under the Jesuits became a separate Vicariate in 1846).

(4) *The Vicariate of Ceylon* founded in 1836.

(5) *The Vicariate of Canara* (Mangalore) founded between 1839 and 1845.

When these Vicariates had been established, and superimposed on the Padroado dioceses of Cranganore, Cochin and Mylapore, the Holy See issued the *Multa Praeclare* of 1838, which withdrew all jurisdiction from those three Padroado Sees and conferred it on the neighbouring Vicars-Apostolic. The *Multa Praeclare* was completely rejected by the Padroado authorities and clergy. Hence arose a period of what the Propaganda party called the Goa or Indo-Portuguese Schism (1838-1861) a term which the Padroado party absolutely repudiated. The difference was composed by the Concordat of 1857, which in this respect was put into execution in 1862. The *status quo* under that Concordat lasted till 1886.





## PART I. PORTUGUESE MISSION REGIME (1534-1720)

### CHAPTER I.

#### DIU, DAMAUN AND BASSEIN.

THE Portuguese first reached the west coast of India in 1498. For twelve years they engaged in warlike as well as diplomatic attempts to secure a footing at Calicut, Cochin, Cannanore, etc., but with only partial success, till they finally established themselves at Goa in 1510. From this place as a centre they gradually acquired factories and built forts along the coast—at Cochin, Calicut, Cannanore, Tellicherry, etc., to the south, and at Dabul and Chaul to the north (1510—1524). In 1532 they captured Bassein, 30 miles north of Bombay; and in 1534 (the starting point of our history) they secured by treaty with the Bahadur of Gujerat the territories of Bassein, Salsette, Bombay and Karanja. By adding the two out-posts (further north) of Damaun and Diu (1534—1559) they completed the list of acquisitions on the west coast in which we are interested.

As the missionaries everywhere accompanied or followed the conquerors, these dates give us practically the starting point of missionary enterprise in each spot. The missionaries were in the first instance Europeans belonging to the following religious orders :—

(1) The Franciscans, who first arrived in India in 1500, founded a convent at Goa in 1517, and from 1534 were the first to establish churches in Bassein, Salsette, Bombay, Karanja and Chaul.

(2) The Jesuits, who first arrived in 1542, were the second great organisers of missionary enterprise on the western coast from Chaul to Damaun, covering more or less the same field as the Franciscans.

(3) The Dominicans are said to have arrived in India as early as the year 1503; but they did not found a convent till 1548. They worked in Goa itself and in Ceylon, and later on followed the other orders into the districts of the western coast—Bassein, Thana, Karanja, Chaul, etc.

(4) The Augustinians, who came to India in 1572, and gradually settled side by side with the other orders in the various districts as enumerated above.

The Carmelites did not arrive in India until about 1607. They settled in Surat in 1699, whence they came into connection with Bombay in 1720. The Theatines, Hospitalers of St. John, Capuchins, and Oratorians also belong to a later period. The pioneer work on the north-western coast was therefore divided amongst the Franciscans, Jesuits, Dominicans and Augustinians; so our present task will for the most part consist in enumerating the places in which they worked, and the dates of their various foundations. This will most conveniently be carried out by commencing from the north, and working down till at last we concentrate on Bombay. In carrying out this work we cannot help looking at the past through the eyes of the present, *viz.*, by taking into account the state of these districts as they are now, partly as a survival, partly a revival of the past.

## DIU AND DAMAUN.

(1) *Diu* is a small island standing off the southern point of Kathiawar, 150 miles north-west of Bombay. It was taken possession of by the Portuguese in about 1535. At present it contains about 220 Catholics in two parishes. The first is that of N. S. da Conceição, with the chapels of St. Anne and of St. Francis of Assisi; the other is that of St. Andrew with its sub-chapel of N. S. dos Remedios. Our Lady of the Conception was originally founded in 1601, and to it was attached a college of the Jesuits built in the same year. The other church, that of St. Andrew, was founded in about 1667, and N. S. dos Remedios about the same time. The Dominican Convent of Mac de Deus, founded in 1571 seems to be identified with the Church of St. Dominic now in ruins (Mullbauer, p. 335; Hunter Imp. Gaz. iv. 307). There was formerly a hospital worked by the Order of St. John, founded in the 17th century (Cottineau), also a Franciscan convent, afterwards used as a military hospital (Hunter ib). Mention is also made of a former church of St. Thomas; as well as a church of St. Joseph founded by the Carmelites in 1663 (Mullbauer, p. 346). Diu still belongs to the Portuguese crown and is now under the jurisdiction of the Bishop of Damaun.

(2) *Damaun* is another Portuguese dominion situated about 100 miles north of Bombay. It was first sacked by the Portuguese in 1531 and finally secured in 1559. It consists of a fortified town and a surrounding area of 148 square miles. The total Catholic population now numbers about 2,000. It contains a church of the Holy Name of Jesus built in 1559 (erected into the Cathedral of the Damaun Diocese in 1887); a church of N. S. dos Remedios built in 1607, with three subordinate chapels of various dates; the church of N. S. do Mar, built in 1701, and one subsidiary chapel; the church of N. S. da Piedade built only in 1889, besides a diocesan seminary occupying the old convent of the Augustinians. Turning to more ancient times, however, Hunter says that the Portuguese converted a beautiful mosque into a church, and built eight other places of worship (Imp. Gaz. iv. p. 101). The mission work of the earlier period is given in Mullbauer, p. 106. The Franciscans built here a church of the Holy Ghost in 1559; the Dominicans, another of N. S. das Victorias in 1564; the Jesuits a convent of St. Paul in 1567; the Augustinians a convent of N. S. da Graça in 1599. The Order of St. John had also a hospice founded in 1673 (Mullbauer, pp. 106, 330—340).

Damaun and Diu both stand isolated in our history, and so need not engage our further attention.

## BASSEIN DISTRICT.

(3) *Bassein*, about 30 miles north of Bombay, was taken by the Portuguese in 1532; and shortly after (1534)\* the neighbouring districts, as well as the islands of Salsette and Bombay, were acquired by treaty

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\* It will be useful to realise 1534 as the year when Henry VIII of England broke off his allegiance to the Pope and carried the country with him into schism. It is also the year in which the first companions of St. Ignatius took their vows.

with the Bahadur of Gujerat. The great fort was founded in 1535, and became the official residence of the General of the North. Within its walls the city contained many sumptuous edifices both civil and religious, which latter consisted of five convents,† a cathedral wrongly so-called, in reality a *matriz* or mother church; with six other churches, and one asylum for orphans and maidens (Da Cunha, p. 139). In 1674 Fryer mentions six churches, four convents and two colleges—one belonging to the Franciscans and the other to the Jesuits, who also possessed a fine library (Da Cunha, p. 141). The city was stormed by the Mahrattas in 1739, devastated by them, and abandoned by the Portuguese; after which all the churches within it were gradually plundered of their contents (parts were, it is said, taken by the Catholics and used in other churches) and then gradually fell into ruin. Bassein was taken from the Mahrattas by the English in 1780.

The whole district round Bassein was also scattered over with churches and convents, the former of which have in great part been renovated and are in use (Da Cunha, p. 159). For instance, Agashi, 10 miles north of Bassein, was the first place of this district visited by the Franciscans. Fr. Antonio do Porto as early as 1535 built there an orphanage for the education and maintenance of 40 boys. It was destroyed by the Mahomedans in 1540, while they were besieging Bassein (Da Cunha, p. 159). The inmates fled to Bassein, and the orphanage is not heard of again. In 1634, however, there existed a monastery of the Dominicans; a chapel of St. Lazaro (now in ruins); the parish church of St. John Baptist in charge of the Franciscans; N. S. dos Remedios under the Dominicans—the last two being still in a good state of preservation; N. S. das Mercês built by Fr. Alexio de Menezes, later on Archbishop of Goa, and served by Augustinians (Da Cunha, p. 161); Monte Calvario, under the charge of the Franciscans; the Augustinian church of N. S. da Vida (sometimes called in old documents N. S. de Saude) and the chapel of the Annunciada. All these were situated northward of the fort. Among the churches to the eastward were those of San Thome, San Thiago Major, and Espirito Santo—the oldest among the rural churches, and the only one still retaining its primitive form. All these were under the Jesuits. There is a church of modern date dedicated to San Miguel Archanjo at Purim or Manikpura near the railway station—the original of which also belonged to the Jesuits (Da Cunha, p. 161).

Further north at Tarapur there is now a church under the invocation of N. S. do Rosario, the original of which was founded in 1583. There was also a famous shrine at Danhu. At Palle there was a church under the invocation of Mae de Deus [rebuilt in recent times]. At Nirmol there was a Church of the Holy Cross built in 1580 by the Jesuits, on the site of a sacred tank which had been filled up by the Portuguese to

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† The term "Convent" was in former times used for houses of men as well as for those of women.



put a stop to a pagan fair held in its connection (Da Cunha, p. 162). Other ancient churches at Chikli and Mahim Kelvi, (not that in Bombay but another, 30 miles north of Bassein), are now fast disappearing (Da Cunha, p. 164).

These jottings, which are put down just as they occur in Da Cunha, etc., may be supplemented by two more orderly lists :—First a catalogue of the churches in the Fort, all now in ruins ; and secondly, a list of the churches now in use in the Bassein district outside the Fort—copied from the Goa *Annuario* and the Catholic Directories.

#### CHURCHES IN THE FORT PRECINCTS.

(1) The Matriz (wrongly called the Cathedral). From an inscription over the door we learn that the present edifice was built in 1601 ; but the original structure seems to have been founded in 1546. It was dedicated to St. Joseph. Elsewhere it is called the Church of N. S. da Se. It was the Parish Church of the Fort, served by secular priests.

(2) N. S. da Vida in the citadel, built as part of the fortifications and used by the garrison ; date about 1535.

(3) The Franciscan Church of Santo Antonio founded by Father Antonio do Porto as early as 1534. There was a college in connection with it, and on it were dependent a large number of filial churches in the neighbourhood.

(4) Church and Convent of the Jesuits under the title of the Holy Name. The foundations were laid in 1548. Previous to this the mission-work in and about Bassein had been in the hands of the Franciscans only. St. Francis Xavier visited Bassein three times—once in 1544 and twice in 1548. The adjacent building was the great Jesuit college or seminary for the education of native converts, which had previously been manned by the Franciscans.

(5) The Dominican Church and monastery built in 1583, having several filial chapels in the neighbourhood under it.

(6) The Augustinian Church and monastery founded about 1596.

(7) A church with a "Misericordia" attached ; built after the advent of the order of the Hospitalers of St. John in 1681.

As to the numbers of the religious in Bassein, we are told that in 1634 the Franciscans counted 30, the Jesuits 15, the Dominicans 10, the Augustinians 8, all maintained by the State (p. 241).

#### CHURCHES IN THE BASSEIN DISTRICT.

The coast-land extending from Bassein to Danhu is at present called the "Varado de Baçaim." A varado is a district or portion of a diocese placed under the superintendence of a Vara—an official corresponding more or less to our idea of a rural dean or vicar forane, acting as deputy for the bishop within the district assigned to him. The head-quarters of the Vara of Baçaim is at Papry, near to the old fort. The churches of the district consist of a group distributed over a circuit of three miles, as well as a number of other churches more widely

scattered over the coast country as far as Danhu, fifty-one miles north of Bassein. The present Catholic population of the whole varado amounts to 19,527. The following list of churches is taken from the Goa *Annuario* of 1901, supplemented by the dates of foundations collected from da Costa's Relatorio of 1892 with subsequent revisions :—

## SOUTH GROUP.

- (1) Papry—N. S. da Graça, built in 1565, re-built in 1864.
- (2) Douli—N. S. dos Remedios, built in 1583, rebuilt 1839.
- (3) Sandor—N. S. das Mercês, built 1696, re-built 1834 [*alias*, built by the Augustinians in 1584, made a parish church in 1606, re-built 1856.]
- (4) Sandor—S. Thome Apostolo, built 1575, re-built 1601, enlarged 1889.
- (5) Manikpur—S. Miguel Archanjo, built 1550-1570, re-built 1851.

## MIDDLE GROUP.

- (6) Nirmol—Santa Cruz do Calvario, built in 1856 on the ruins of a Portuguese church of 1580, which was destroyed by the Mahrattas in 1737.
- (7) Nandakal (10 miles north)—Espirito Santo, built in 1573, and re-built in 1910.
- (8) Agashi (10 miles north)—S. Thiago Major, built 1600, re-built later.

## NORTH GROUP.

- (9) Mahim-Khelvi (24 miles north)—N. S. dos Remedios, built on ruins of old Portuguese church (filial to Tarapur).
- (10) Tarapur (41 miles north)—N. S. do Rosario, built in 1583.
- (11) Danhu (51 miles north)—N. S. das Angustias, built in 1570 (filial to Tarapur).

## RECENT ADDITIONS.

- (12) *Palle*—N. S. Mac de Deus (1840-1844).
- (13) *Guiriz*—S. F. Xavier (1916).
- (14) *Koliwada*—S. Peter (1913).

There are certain discrepancies among the lists of Da Cunha and Da Costa, the *Annuario* of 1901 and the Madras *Directories*, which would require careful examination to set right. The above rough list, however, is sufficient to give a general impression :—First, that there were seven churches in the fort, and about eleven churches in the district of Bassein, all built by the Portuguese, and for the most part before the year 1600 ; in the second place, that several of these churches were devastated by the Mahrattas about 1737-1739, while others gradually fell into ruin ; thirdly, that within the last century the most part of the old churches in the district have been re-built or restored, while those in the fort still remain in a state of desolation.

The whole of this western coast area round about Bombay formed part of the Archdiocese of Goa, that See being first established in 1534. Being at a distance of 200 to 300 miles from the centre it was governed

by a Vicar-General of the North, representing the Archbishop of Goa. Down to the Mahratta invasion of 1739 his headquarters was at Bassein; after that date at Thana or Kurla, and later on at Gloria Church, Bombay. This arrangement continued till 1886, when on the establishment of the Hierarchy the whole district, with the exception of Bombay island, became the territory of the newly constituted diocese of Damaun.

## CHAPTER II.

### KARANJA, CHAUL AND SALSETTE.

(4) ACCORDING to the present division of the Damaun diocese, the Varado of Thana comprises not only the islands of Salsette and Trombay, but also that portion of the mainland (North Konkan), which lies to the east of the Varado of Bassein and extends along the sea border below the ghauts, southwards past Bombay island, and down as far as the river Savetri about 70 miles below Bombay. Beginning with the mainland, we find churches at Kalyan and Matheran to the north-east, at Uran in Karanja island about the middle, and at Korlai or Chaul in the south of this district. The churches at Matheran and Kalyan are of recent date (1853 and 1886 respectively). The island of Karanja (also called Uran, across the harbour just opposite Apollo Bander) was acquired by the Portuguese in about 1534. On the hill they built a fort which contained a Franciscan church founded by the indefatigable Antonio do Porto in 1535, with an orphanage for 40 boys. Besides this there was at the foot of the hill a Dominican convent and church which was subordinate to Chaul. The ruins are still to be seen. The present church in Uran was built in 1852. Karanja island was taken by the Mahrattas about 1740, and in turn by the English in about 1774.

#### CHAUL FORT.

Chaul, formerly an important Mahomedan city and seaport, is the most southerly of the settlements with which we are concerned. It lies along the coast about 25 miles south of Bombay. It contained a group of churches and other institutions similar to those at Bassein—the ruins of which are still to be seen. In 1516 the Portuguese had already built a small factory at Rewdanda close by, and in 1521 obtained permission from the Nizam-ul-Mulk to build a fortress, which was completed in 1524. Chaul still remained in the hands of the Portuguese when in 1739 Bassein had fallen; but when the Mahrattas threatened to besiege Goa itself, Chaul was surrendered to them as a sort of compromise. The treaty was completed and the fortress handed over in about 1741. Nearly all the Catholic inhabitants emigrated to Goa in successive bands. In 1818 Chaul passed under the power of the British, together with the neighbouring fort of Korlai.

Of the churches built at Chaul the following list is taken from Da Cunha :—

(1) The Matriz or mother-church built by the Franciscan Fre. Antonio do Porto in 1534. It stands near the shore, and is called N. S. do Mar. It was a small church, but became the centre of a considerable parish and was affiliated to the Franciscan convent of St. Barbara. Afterwards this connection was severed ; the church was enlarged, and became the Matriz, as it was styled.

(2) The church and convent of St. Barbara, built by the Franciscans in 1534.

(3) The church and convent of the Dominicans, built in 1549, and called Our Lady of Guadalupe.

(4) The church of S. Peter and Paul built by the Jesuits in 1580. As early as 1552 the inhabitants of Chaul, who had already the Franciscans and Dominicans amongst them, asked St. Francis Xavier to found a house of the Order at Chaul. St. Francis at first evaded the appeal ; but finally, in 1580, two Jesuit Fathers and two Brothers were sent to them. The Jesuit church and convent at Chaul, however, remained under direct superintendence of the Jesuit College of Bassein.

(5) The church of the Augustinians, founded in 1587, under the title of Our Lady of Grace.

(6) A chapel built to mark the residence of St. Francis Xavier during his stay in Chaul, and called after his name.

(7) Close to this, a small chapel of St. Ignatius now entirely disappeared.

(8) The Misericordia or charitable establishment, said to have been founded very early.

The foregoing were within the walls of the fort, the following outside it :—

(9) Church of St. Sebastian built about 1650.

(10) Church of St. John.

(11) Church of Mae de Deus in charge of the Franciscans.

#### SALSETTE ISLAND.

(5) Coming now nearer home, we turn to the island of Salsette, where the missionary energy of the Portuguese commenced in the north—the part nearest Bassein.—and gradually spread southwards. Beginning first with Thana, we find that Father Antonio do Porto as usual heads the list with a Matriz or mother-church of St. John the Baptist (or N. S. da Conceição ?) and a convent of St. Anthony built about 1534—twelve pagodas being demolished for its construction. Mention is also made of a convent of the Augustinians with twenty monks ; one of the Jesuits with eleven inmates ; one of the Dominicans with two ; also two chapels outside the town now in ruins :—N. S. da Graça under the Augustinians, and N. S. do Rosario under the Jesuits, built in 1605. All these institutions had long been in existence before the year 1634—most of them dating from the previous century. There was an orphanage, which in

1556 was removed out of town by the Jesuits, who founded in its stead an agricultural settlement a few miles further south under the invocation of the Most Holy Trinity. It was situated in the valley now covered by the Vihar lake; and I am told that some ruins belonging to it are still to be seen submerged in the lake. The road which runs from Kurla to the south of the lake once continued through the valley now covered with water, passed the settlement, and came out northwards where the road from the lake to Thana still survives. At a later date this establishment was removed to a healthier site on the hills, and is now represented by a group of ruins and a chapel of the Trinity near Powai.

Fr. Antonio do Porto also turned his attention to other parts of the island. Coming to Kennery caves in the heart of the mountains, he converted the principal cave-temple into a chapel of St. Michael, and even won over to the Gospel two jogis, who in turn became missionaries among their own caste. Passing westwards he next came to Mount Poinser, where he erected a church in such a way as to make the Brahmanised Buddhist caves serve as a crypt. There was also a college adjoining for 100 orphans. Round the hill a colony of 2,000 converts was gathered—vestiges of whose dwellings still remain to be seen. Mount Poinser seems to have been abandoned after the devastation by the Mahrattas. A few miles to the south is the church of Poinser, and another at Cassi to the north-east. At Ghorbunder was a church of St. John, originally a Mahomedan building, now turned into a traveller's bungalow.

Other churches built by the Portuguese were those of Bainei (Bhainder), Dongri, Utan, Gorai, Kandolim, Nave (Goregaon), Malvane and Manori in the northwest; Ambolim, Versova, Aldeamar and Yarangal in the middle-west; and Bandra, Kondutim, Kurla and Koly-Kalyan in the south—besides (in Trombay) the churches of Mane, Maroli, and a Franciscan church on the hill overlooking the harbour towards the east.

With few exceptions these churches all seem to date from before the year 1600. Some of them were destroyed by the Mahrattas when they took possession of Salsette in 1739. Others gradually fell into ruin; but most of them have been restored at a recent date.

#### BANDRA.

(6) On account of its importance, and especially its intimate connection with Bombay, we have reserved Bandra to the last place. The Jesuits here seem to have had the field entirely to themselves. At some early date not yet ascertained (probably 1570), some Fathers made their first attempt on the village, but met with strong resistance and seem to have been half inclined to give up. However, the advent of Father Manuel Gomes, S.J., a Portuguese born in India, and called the Apostle of Salsette, infused new life into the enterprise. Arriving in 1575, he soon succeeded in making 4,000 converts, whose number in 1591 rose to 6,000; and by the year 1603 all Bandra to a man had become Catholic.

Shortly after the year 1575 a college was founded under the invocation of St. Anne, to which a church of that name was attached. This college assumed the dignity of a university and conferred degrees on its successful candidates. Later on numbers of these pupils found a career in the service of the English Government in Bombay as clerks and secretaries, being the only ones then capable of reading and writing the Roman characters.

Other churches were built by the Jesuits before 1595 at Kondutim (near Marol) and Kurla. St. Andrew's Church by the sea shore at Bandra was built for the fishermen in 1599.

The College and St. Anne's Church stood on the site now occupied by the slaughter-house, on the shore between the causeway and the railway. Before the gate was a fine cross, and seven guns were mounted on the sea-face for defence against pirates. In 1739 the college, church and fortifications were destroyed by the English, with the consent of the Portuguese, to prevent them from becoming strongholds in the hands of the invading Mahrattas. In 1740, after the Mahrattas took Salsette, the missions all over the island were abandoned for a time, and the missionaries retired to Goa. Their places however, were taken by secular priests whom Perron in 1760 calls *Cures Canorinas*—a term which probably means Canarese (i. e. Goan) priests. They were under a Vicar-General of Salsette (appointed by the Archbishop of Goa), who with some "Scholastics of the Franciscan school" resided at Kurla.

The church of Our Lady of the Mount, Bandra, was first built in 1640, and destroyed by the Mahrattas in 1738. The statue, thrown into the sea, was rescued by some Koli fishermen and hidden in a fissure of the rock for six months, after which it was carried in procession to St. Andrew's. In 1761 a new church was built on the site of the former one, and the statue was then restored to its original place. The old church of 1761 was still in use till 1904, when it was pulled down to make place for the present building.

Of the Jesuit college and church of St. Anne not a vestige now remains. The carved cross was transferred to the churchyard of St. Andrew's in 1870.

The Jesuits of Bandra were large land-owners not only in Salsette, but also in the northern parts of the island of Bombay (Parel, Naigaon, Vadala, Mahim, Dharavi, etc.) They held this property in trust as a source of revenue for the support of various missions, such as those of Goa, Cochin, Agra, Japan, China, etc., and various fathers or lay-brothers were appointed as procurators of the same. When in 1665 Bombay was handed over to the English, the Jesuits laid claim to their lands in Bombay, but were refused. The matter gave rise to friction from time to time between the Portuguese and the English—which reached a climax in 1719, when the Government finally declared the property of the Order confiscated to the Crown. Of this we shall see more in our subsequent studies of Bombay island.

## LIST OF CHURCHES.

The following is a list of the churches, old and new, in the Varado of Thana :—

*On the Mainland :—*

- (1) Kalyan—N. S. do Lourdes, built in 1886.
- (2) Matheran—Santa Cruz, built 1853.
- (3) Uran (Karanja)—N. S. da Purificação, built in 1852, on site of old church of 1535 totally destroyed. Two other churches in ruins.
- (4) Korlay (Chaul)—N. S. do Carmo ; an old mortuary chapel built 1558 [1588?], re-built 1802.
- (5) Rewdanda (Chaul)—About eleven old churches inside and near the Fort, as above described, all in ruins.

*In the East of Salsette :—*

- (6) Thana—S. João Baptista [formerly called N. S. da Conceição?], built 1540, re-built 1609.
- (7) N. S. d'Esperança, outside Thana, built by the Portuguese but now in ruins.
- (8) N. S. das Mercês                ditto        ditto.
- (9) N. S. do Rosario                ditto        ditto.
- (10) Kondutim (Marol)—S. João Evangelista, built in 1840. Close by are the ruins of an old church built by the Jesuits of Bandra in 1579.
- (11) Revalet (to the east of Powai)—S. Trindade, built in 1558 but ruined. Close by are the remains of the Jesuit settlement of the Holy Trinity. Modern church built in 1846.
- (12) Koly-Kalyan—N. S. do Egypto, built by the Portuguese, date unknown.
- (13) Sahar—N. S. de Saude, built 1846.
- (14) Vikroli—St. Joseph, built 1910.
- (15) Kurla—Santa Cruz, built by the Jesuits of Bandra in 1580 and re-built in 1848.

*In Trombay Island :—*

- (16) Mane—S. Antonio de Lisboa, built (or re-built) in 1790.
- (17) Maroly—S. Sebastiao, built in 1739.
- (18) Ruined church on the hill at east of the island.

*In the West of Salsette :—*

- (19) Ghorbunder—St. John, now used as travellers' bungalow.
- (20) Poinser—N. S. dos Remedios, built in 1555.
- (21) Mount Poinser—Immaculada Conceição, built in 1544, repaired and roofed in 1910, and used by the orphanage close at hand.
- (22) Dongrim—N. S. de Belem, date unknown. Ruins of a Jesuit church on the hill.
- (23) Utan—N. S. do Mar, built 1547, re-built 1787.
- (24) Baynel (Bhaynder)—N. S. de Nazareth, built 1600 and re-built in 1816.
- (25) Cassi (or Caxi)—S. Jeronymo, built before 1695.
- (26) Gorai—Santos Reis Magos, built (or re-built) 1810.

- (27) Manori—N. S. do Soccorro, built 1559, re-built 1815.
- (28) Ambolim—S. Braz, built by the Franciscans, date unknown.
- (29) Goregaon—(Pahady, Padi or Nave)—St. Thome Apostolo, built 1560, in ruins. More recent church close by.
- (30) Malvane—St. Antonio de Lisboa, early Portuguese, re-built recently.
- (31) Versova—N. S. de Saude, built 1540.
- (32) Aldeamar—N. S. do Mar, built (or re-built) in 1817.
- (33) Arangal—S. Boaventura, built by the Franciscans 1575, in ruins ; otherwise called Reis Magos.
- (34) Parla—St. Francis Xavier, built 1851.

*At Bandra :—*

- (35) St. Anne's Church and College, built after 1575, destroyed 1739, totally disappeared.
- (36) S. Andre—built 1599, re-built in 1864.
- (37) N. S. do Monte—built in 1640, re-built in 1761 and 1904.
- (38) St. Anne (Xellalim) quite recent.
- (39) N. S. do Calvario (Palli Hill)—built in 1890.
- (40) Church at Santa Cruz, built 1890.
- (41) N. S. do Carmo, founded 1892.

Of the propaganda churches in Salsette, Candelim was built by the Portuguese in 1560 ; the rest at Bandra, Juvem, Orlém, Culvem and Mane being of quite recent date, all after 1850.

#### SUMMARY REMARKS.

This elementary sketch—incomplete, rough and sure to be inaccurate in parts—will be sufficient for our purpose. It will convey a general impression of the enormous work done by the Portuguese within the first century of their existence in our parts ; the ruin wrought by the invasion of the Mahrattas, and the revival and restoration which has taken place in modern times. The sketch is purposely short, because its sole object is to make intelligible the various allusions to Bassein, Salsette, Chaul, etc., which will occur in the course of our history of the Bombay Mission.

From the figures already given, we notice that the great period of mission-founding—as indicated by church-building—lay between 1534 and 1600. During this period the vast bulk of the churches now in existence were erected—to say nothing of many others now disappeared or fallen into ruin. Comparatively few churches were built between 1600 and 1650, still fewer between 1650 and 1700, and at most one after that date. After the destruction of churches by the Mahrattas in about 1740, there seems to have been at least half a century of desolation, during which many of the Christian population were reabsorbed into Hinduism. The re-building of old churches, or the foundation of new ones began in quite recent times. We read of one or two built between 1780 and 1800 ; a few more between 1800 to 1850 ; a few more again between 1850 and 1886—when the establishment of the hierarchy gave a new turn to



ecclesiastical enterprise. It is therefore of deep interest to notice how much the Catholicism of Western India owes to the old Portuguese missionaries of the 16th century. [The present Catholic population, tracing their descent from the original Portuguese converts over the whole area from Chaul to Danhu, probably amounts to about 55,000, with another 2,500 at Damaun and Diu—all later converts and immigrants being omitted].

#### MISSIONARY METHODS.

As regards the Portuguese methods of conversion, we are quite accustomed to having it dinned into our ears that they were guilty of making their proselytes by force. The points usually preferred against them by the more careful writers seem to amount to these:—(1) They ruthlessly threw down temples and mosques in the places where they were establishing Christian colonies, and used the site and the materials for building their own churches; and this sometimes, if not always, by means of forced and unrecompensed labour on the part of the pagan people. (2) They marked out certain parish or city-areas within which none but Christians were allowed to reside. (3) They put certain civil disabilities on non-converts in certain parts, and gave certain advantages and privileges to their neophytes. (4) They purchased not only children who were in slavery, but also those whom their pagan parents were disposed to abandon, and brought them up as Christians. (5) They took hold of orphans, even of the better families, and did the same with them. Hence we read under date 1677 that “among the earliest additions to the population of Bombay after its transfer to the English were certain Brahmans from Bandra.” Of their settlement on the Island Mr. Anderson writes:—“From one part of the Portuguese illiberal system the Government of Bombay reaped considerable benefit. Brahmans, whose services were of much value, lived at Bandra in constant fear that when they died their children would be seized by the priests and baptised. Many of them therefore escaped to Bombay. Of those who remained in Bandra some built houses in Bombay, where they left their wives and children as in places of security.” (Materials Vol. III, p. 527). Finally (6) the stringency of the Inquisition. Thus it is mentioned by the Viceroy of Goa, writing in 1727, that “many of those present in the island (of Bombay) had fled hither from your Majesty’s service because of the horror of the inquisition” (Materials Vol. III, p. 305). These various charges proceed not only from English but also from Portuguese writers themselves. It is sufficient for our present general purpose to have mentioned them, if only to show their comparative mildness. After making due allowance for faults, it can at least be maintained that the success of the Portuguese missionary-work was not at all due to physical coercion, but to moral and other legitimate influences; in which however it must be admitted that a certain moral pressure and appeal to worldly interests often played a considerable part.

The drastic code of King John III, out of which non-Catholic historians have made much capital, seems never to have been put into

practice as a whole. The Portuguese never adopted a policy of "thrusting Christianity down the throats of the people at the point of the sword." There was no compulsory baptism or coerced conversion. They did not prevent the private practice of the Hindu or Moslem religions, but only forbade outward and public acts of worship. True, they confiscated mosques and diverted their revenues to the support of churches. They pulled down temples and used their materials for building Christian churches—all of which was drastic and highly questionable, but did not carry with it any enforced conversion. Such proceedings moreover were not universal but local and sporadic, and only took place in certain central areas.

As for personal treatment, they allowed Christians only to live in their forts; they took Christians only into Government service. They taxed pagans, and freed Christians from taxes. Sometimes they vexatiously constrained the people to *listen* to Christian instructions, but did not as far as I know enforce the order by physical violence. They offered to Mahomedan pirates and slave-dealers the alternative of death or baptism; but such miscreants were doomed to die, and the offer had the nature of an act of mercy. They took slaves from the slave-dealers and baptised them as a matter of course, and placed them in Christian families, which was also a work of mercy. All this quite apart from the Inquisition. It was the direct work partly of the Civil Government, partly of lay officers, partly of the missionaries. The Inquisition was quite a small and exclusive bureau with a narrow scope. It had nothing to do with conversions, but only with lapses from religion and with crimes. It had only one house at Goa, and was never established in the outlying centres, where it merely had some "agents." Granted that these agents did sometimes make a nuisance of themselves, such phrases as the "horrors of the Inquisition" seem to savour more of the Protestant nightmare than of historical reality, at least as far as the non-Catholic population was concerned.

### CHAPTER III.

#### BOMBAY UNDER THE PORTUGUESE (1534—1665)

AFTER our general survey of early Portuguese missionary enterprise in the districts surrounding Bombay, we can now turn to Bombay itself. As far as Christianity is concerned, the history of Bombay commences with the year 1534, when it passed into Portuguese hands, together with Salsette, by a treaty with the Bahadur of Gujerat. The group of seven small islands out of which the Island of Bombay was formed, had by this time partly coalesced. Colaba and Al-Omanis still remained to the south separated by narrow channels; but between the islands of Bombay, Mazagon and Parel the creeks had silted up. A broad but

shallow lagoon occupied the centre, invaded by the higher tides, but for the most part consisting of salty marsh. The sea flowed in by a narrow channel between Mahim and Worli, and again between Mahim and Sion; while the deep gulf at Breach Kandy was the only one which always required passage by boat. The land was covered partly by scrub, partly by palms, tamarinds and mangoes, and was partly given over to rice-cultivation. It was scantily inhabited by agriculturalists at Cavel, Girgaum, Parel, Matunga, etc., and by fishermen at Colaba, Mazagon, Worli, Sewri, and generally along the shores. Most of them were Hindus; the rest, especially in Mahim, Mahomedans, who had come hither from the mainland at different times. The Hindus had their temples at Walkeshwar (on Malabar hill), at Sewri, at Mumbadevi on the site of the present Boribunder station—a shrine from which Bombay seems to have derived its name; at Parbadevi in Lower Mahim, at Ghorupdevi near the present Tankbunder, etc.; and there was a Mahomedan mosque in the village of Upper Mahim.

When the Portuguese took possession of the island in 1534, their first work was to make capital out of the land by dividing it up into fiefs according to a sort of feudal system, letting out whole tracts to individual Portuguese and native land-owners. Thus Mumbadevi was assigned to a certain Mestre Diogo; Parel, Vadala, Sion and Worli to Manuel Serrao; Trombay and Chimbur to Roque Telles de Mineses; Walkeshwar to a Hindu named Posaji; Mazagon to Antonio de Pessoa, etc. The leases had to be renewed from time to time, except in case of reward for distinguished services, or for the use of churches and religious orders, when the grant was in perpetuity (Edwardes, p. 30). During the Portuguese dominion, Bombay comprised seven villages grouped under two chief stations. These villages were: Mahim, Parel, Vadala and Sion under the Mahim group, and Mazagon, Bombaim and Worli under the Bombay group. But there must have been smaller settlements, such as Koli-war or Cavel, Koli-bhat or Colaba, Naigaon, Dongri, etc. The Portuguese immigrants do not seem to have been numerous; there being at first only eleven families in the Bombay division. Of the native population the Koli and Bhandari castes seem to have been the most numerous,—some of whom were later on organised by the English into a sort of police-army called the "Christian Militia" (Edwardes, p. 33).

Nor was much secular building-work done during the Portuguese period. For some years before 1626 a "Manor house" or Governor's house stood on the spot where afterwards the Castle (now the Supply and Transport Stores at the back of the Town Hall) was built. It was mentioned by Fryer in 1675 as "a pretty well seated but ill-fortified house," while Davies had previously, in 1626, described it as a combined "warehouse, priory and fort known as the Great House" (Edw. p. 32), which the English and Dutch burnt down in the same year. A number of small forts were erected at different points of the coast, but were of

rudimentary construction. The existing forts and watchtowers at Sewri, Sion, Dharavi, Mahim, Worli, etc., were all of English construction; and except for some walls of the great house in the Castle, it is safe to say that there does not exist in Bombay island a single structure which is attributable to the Portuguese.

#### EARLY BOMBAY CHURCHES.

The mention of the word “*priory*” leads us more directly to our present subject—the beginnings of Christianity in the island. For want of proper documents our information on this subject is vague and scanty. The Franciscans seem to have arrived early—possibly before the year 1534. At any rate in that year Father Antonio do Porto is mentioned as having taken a tour from Goa into these parts. As already seen, he certainly founded several colleges and chapels in the districts of Bassein, Salsette, Chaul, etc., and is said to have come also to Bombay (Edwardes, p. 34). It is to the energies of the Franciscans that we owe the building of St. Michael’s, Mahim; Our Lady of Good Counsel at Sion; *Salvação* at Dadar; chapels at Parel and Mazagon; a church of Our Lady of Expectation near the Fort; and (according to Mullbauer) a chapel of St. Bernardino which is not clearly identified. A few words on each of these :—

(1) *St. Michael’s Church, Upper Mahim*, seems to have been the earliest. Da Costa’s *Relatorio* attributes its foundation to the year 1510; but Edwardes with greater probability thinks it was built by Fr. Antonio do Porto about the year 1534.

(2) *N. S. do Bom Conselho at Sion*, a small chapel, which was attached to Parel (Fryer’s account) but later on became a sub-station to Mahim. It was probably built some time after 1600.

(3) *N. S. da Salvação, Lower Mahim*, built by the Franciscans in 1651 (?) with a residence attached; both of which still remain.

(4) A Franciscan chapel was built at an early date at *Mazagon*. The “sacred grounds” are mentioned in the Mazagon Patent of 1572, and subsequent allusions to the church occur in 1596, 1731, 1748, and 1799. It was followed by the church of *N. S. da Gloria* built in 1810; but this in turn was demolished in 1912 and transferred to a totally new site near Byculla station.

(5) *N. S. da Esperança*, built by the Franciscans before 1600 (?). It stood on the present site of the Victoria Terminus, close to a tank belonging (we may surmise) to the shrine of Mumbadevi. In the year 1760 both these objects were removed by Government, and the church is now represented by the Cathedral of *Our Lady of Expectation*, Bhuleshwar.

(6) A Franciscan chapel was built at Parel at some early date. Later on the estates on which this church stood, and the church itself, passed into the hands of the Jesuits of Bandra [some time before 1653, and probably about 1620]. When the Jesuit property was finally confiscated by the Government in 1719, this chapel lay unused for a time; but was afterwards utilised with large additions as part of “Government

house." The chapel still remains embodied in the building, which was recently turned into a Government laboratory, and is now used for scientific research. The designation of the chapel is unknown.

(7) Mullbauer mentions a Franciscan church of *St. Bernardino*, of which nothing can be ascertained. He says that it, as well as *St. Michael's*, *Mahim*, and *Salvação*, were confiscated by the English in 1668. This statement is taken from a MS by Fr. Clement da Silva Eyria preserved at Munich. There seems however to be some confusion in the account. We can only conjecture that the original chapel at Parel may have borne this name.

(8) Finally there was the priory in the Great House of the Governor, on the site of the present Castle. Of this nothing is known except that it was burnt to the ground with the Great House by the English and Dutch fleets in 1626, and was never rebuilt. It was probably nothing more than a domestic chapel of the "Great House," with possibly an Augustinian priest as private chaplain.

#### WHO WERE THE MISSIONARIES ?

It seems quite clear that the Franciscans were the only religious Order engaged in missionary work in Bombay. There is no mention of the Dominicans or Augustinians or any of the other Orders having worked in the island in Portuguese times, or later down to the coming of the Carmelites in 1720. The only exception occurs in the so-called "Jesuit" church of Parel; and even this was originally a Franciscan foundation which, we may surmise, only came into the hands of the Jesuits by the purchase of the estates on which it stood, and which may originally have been Franciscan property. As this is a point of some interest, not treated in the ordinary printed sources at our command, we shall enter into the question somewhat in detail.

In the present documentary evidence, the Jesuits only appear in connection with Bombay island in their capacity of landowners. As we have seen, the Order first came to Bandra a few years before 1575. In that year or later they founded a college, to which they attached a church of *St. Anne* on the site of the present slaughter house. In about 1587 they founded a church at *Condutim* or *Marol*; and in about 1595 another at *Kurla*, both in *Salsette*; besides building *St. Andrew's* and *N. S. do Monte* at a later date. In addition to missionary work in the neighbourhood of *Bandra*, *Condutim* and *Kurla*, they set about acquiring large estates, not only in *Salsette* but also in the northern part of *Bombay* island. These properties were rented out, and the revenues devoted to the support of various missions of the Order; and certain fathers or brothers were appointed procurators for the different funds. Thus in 1594 we read, in the *Litteræ Annuæ* of the Order, of a procurator of the estates of *Japan*, *Cochin* and *Goa*; in 1653 of a procurator for the estates of *Agra College*; and in 1735 of a procurator of the estates of *China*. The locality of these estates is not intimated. In 1613, however, we find an

incidental mention of some property of "Cassabe de Maym, Bandra"; in 1653 of the lands at Parel of the Agra College; and in 1695 of the land "Morclensis," apparently Marol close by the Condutoim church. Only the reference to Parel is clear.

#### THE AGRA COLLEGE ESTATE.

The story of this latter foundation is more or less as follows:—While the Jesuits were engaged in their famous Mission to the Great Mogul, an Armenian (Christian) girl was taken into the harem of the Emperor Jehangir. To her was born a boy who, with the two nephews of the Emperor, was baptised a Catholic. This boy (whose name was Mirza Zulcarnen) wishing when he grew up to endow a Jesuit College at Agra, and at the same time to evade certain difficulties of the Moslem property-law, commissioned the Order to secure a piece of property in Portuguese territory, whose revenues might go to the support of the college. This property was obtained in 1620 at Parel, and seems to have been the estate on which the old Franciscan church stood. This view is supported by the catalogues and the archives of the Order, and also by Tiefertaller writing in 1750. On the other hand we possess a Portuguese valuation of Bombay island compiled by the Viceroy in the year 1727. He mentions as having formerly belonged to the Jesuits the village of Parel with its hamlets Pomalla and Salgado; the village of Naigaon and the hamlets of Ramanavali and Coltem north of Parel; Dharavi; some plots in Mahim; and—"the Village of Vadala with its divisions, Aivadi and Govadi, the property of the Jesuits of Agra" (B. Gaz. Materials, Vol. III, p. 305). Vadala, however, is situated close to the present Leper Asylum in Matoonga, about 1½ miles north of Parel, and cannot be identified with the plot where the church stood.

Our chief question however is, whether the Jesuits took any part in the missionary work of Bombay island. The possession of a chapel at Parel (which they took over from the Franciscans) would so far suggest that they did—at least to the extent of working for the conversion of the natives living on their estates. In confirmation of this we find in the catalogue of 1653 the name of a father who is entitled "Vicar and Procurator of the lands at Parel of the Agra College"; and again in 1678, another father called "Vicar of Parel and Procurator of the Moghul." This Vicar is alluded to in the Government papers of 1676 as "that Jesuit padre at Parel" (Materials, Vol. I, p. 62). He was, however, still reckoned as one of the members of the Bandra College; and we have no means of knowing whether he resided generally at Parel, or whether he only visited the estates from time to time. One thing at least is certain. He was only a single individual missionary living out of his proper "residence"; so that the "*Jesuit College, Monastery or Convent of Parel*," sometimes mentioned (see Maclean, p. 294) is nothing but a myth. There was at most in Parel a parochial house attached to the old chapel, and occupied by one Jesuit priest—and that is all. Hence, with the exception of some local work done by this one Jesuit within the estates of which

he had the temporal care, the whole credit of the conversion of Bombay during Portuguese times seems to be due to the Franciscans alone—and it is in their archives and not in those of the Society that the early Church-history of Bombay island must be sought.

#### THIS VIEW CONFIRMED.

This view, which is put forward tentatively so as to invite confirmation or refutation, is borne out by a large amount of negative evidence of a miscellaneous sort. In the first place, the catalogues of the Society, its annual letters and other records throughout the whole period are remarkably silent about the island of Bombay. When Archbishop Jürgens was in Europe in 1908 he worked carefully through the archives of the Goa Province to which the northern districts of Western India belonged, and produced a most valuable collection of notes about Bassein, Thana, Bandra, etc. But in the whole course of them there is no mention of any house, college or missionary-work done in Bombay island. The very name "Bombay" occurs only twice, and that only to state that it was in the hands of the English. What is, however, most conclusive is the silence of the catalogues between 1552 and 1735, which nowhere mention any house, college or mission-work done in Bombay island—except in the two allusions to the "Vicar of Parel" cited above. The view is also confirmed by the silence of travellers and historians on the subject. It seems certain that no Jesuit set foot on the island before the founding of Bandra in 1575. But even after this date a similar silence is observed. Thus Edwardes (note on page 35) tells us how "a friar (*sic.*) who came from Europe in 1598 to visit the houses and colleges of the Jesuit Society in India, was entertained at Bandra with a sham sea-fight. The father left to be educated at Bandra College four Punjabi converts whom he brought from Chaul, then visited Thana, and founded the church of St. Cecilia at Poinicer (Poinser).<sup>\*</sup> At Bassein he established a seminary called the College of the Purification. From Bassein he journeyed direct to Damaun—the inference being that there were no Jesuit establishments in the intervening country" (Dr. Godinho). This "friar," was the Jesuit father Pimenta [not Dr. Jarric as Da Cunha calls him], whose report, written in 1602, gives an account of Chaul, Bandra and Bassein, but nothing about Bombay. The same applies to the other travellers of various date (Fryer, Careri, etc.) among whom we find mention of various Franciscan churches, and also of the Jesuit church of Parel; but nothing to suggest the idea that the Jesuits occupied any place in the missionary work of Bombay, during the Portuguese period. The same applies to the English period also. For although the English government had frequent dealings with the Jesuits they were always with the Jesuits of Bandra—and this, moreover, not in their capacity as "Padres," but as landowners in Bombay.

<sup>\*</sup> That such a Jesuit church existed is certain. It was visited by Fryer in 1675, and was at Megatan, a large town or village close to Poinser. Of Megatan only a few relics now remain. It seems to have been deserted, and to have become practically obliterated. The church may be identical with that still existing at Poinser (not Mount Poinser) and now called N. S. dos Remedios.

## STATISTICS OF CONVERSION.

As to the statistics of conversion during the Portuguese period, we have nothing in the way even of approximate information. The number of Portuguese who had come into the island were small indeed. Edwardes states that in 1634 there were only eleven Portuguese married settlers in the Bombay portion of the island, who had probably not increased much by 1665. As to the natives, the conversions are said to have been chiefly among the Koli caste scattered all over the island; as also among the Bhandaris, who were perhaps the first to enter the Church. Some of these were organised by the English into a Christian Militia (p. 33) which was retained until the growth of a native army and the appointment of a local police rendered their services no longer necessary (p. 33). The Kolis of Cavel were the first parishioners of N. S. da Esperança on the Esplanade (p. 35). Small numbers of Portuguese were scattered about Magazon and Mahim; and there were communities of converts living on the Jesuit estates of Parel and Naigaon (p. 38). He considers that "the Christian population formed no inconsiderable proportion of the total population of 10,000; and that the Indian converts contributed largely to the rise and development of Bombay." "Thousands of Indian families," writes Dr. da Cunha, "had been converted by the Portuguese to Christianity; and it was from these that the early British government drew its supplies of clerks, assistants and secretaries. They were the first-fruits of the instruction and education imparted to them by the Portuguese priests; at a time, moreover, when there was hardly a Hindu, Moslem or Parsi who could read the Roman characters. And they were the early instruments for spreading the influence of the new rule among the natives of Western India, or the first helpers to the expansion of the British power throughout the country" (p. 45).

This, however, does not give us much guidance as to the actual proportion of converts. The number and size of the churches affords us no definite criterion. If the total population in 1661 was only 10,000, one would hardly expect that the Christians amounted to more than a few thousands—certainly under the half of the people. They must however have formed an important body; for one of the reasons preferred by Antonio de Mello do Castro for not giving up Bombay to the English was this:—"I see in the island of Bombay so many Christian souls, which some day will be forced to change their religion by the English"—a fear which, however, was not in the event fulfilled (Edwardes, p. 45).

The earliest statistics at our service provide the following data:—In 1661 the total population was reckoned at 10,000; in 1664 at 15,000, which in 1673 was said by Fryer to have risen to 60,000; this large increase, if correct, being due chiefly to immigration—but it is probably exaggerated. Other figures place the population in 1715 or 1718 at 15,000. From a statement made to Government in 1733 we learn



that out of this 15,000 about 6,000 were Catholics—which is the first definite figure we have come across. At the taking over by the English in 1665 they were therefore probably not more than 5,000 out of a total of 15,000—not a bad record, being one-third of the entire population.

## CHAPTER IV.

### BOMBAY UNDER THE ENGLISH (1665-1720.)

A GENERATION before Bombay was formally ceded to England, the English had already had their designs upon it. The English East India Company, founded in 1600, had secured a factory at Surat in 1611; and as early as 1625 the Court of Directors had proposed to take Bombay from the Portuguese by force. The following year an agreement was made between the Dutch and English fleets to attack the island together and then divide it. It was (as we have seen) during this attack that the Great House, with its “warehouse, priory and fort” were burnt down; after which exploit the combined fleet for some reason or other abandoned their project. In 1640 Bombay was spoken of in English circles as “the best place on the West Indian coast”; and in 1652 the Surat Council actually proposed that Bombay and Bassein should be bought from the Portuguese. The project however was finally achieved by the Marriage Treaty of 1661 between Charles II and the Infanta of Portugal, by which Bombay was ceded to the British as part of the marriage-dowry. According to the terms of the treaty, “the inhabitants of the island (as subjects of the King of Great Britain, and under his commands, crown, jurisdiction and government) shall remain therein and enjoy the free exercise of the Roman Catholic religion in the same manner as they do now; it being always understood, as it is now declared once for all, the same regulations shall be observed for the exercise and preservation of the Roman Catholic religion in Tangier and all other places which shall be ceded and delivered by the King of Portugal into the possession of the King of Great Britain, as were stipulated and agreed to on the surrender of Dunkirk into the hands of the English; and when the King of Great Britain shall send his fleet to take possession of the port and island, the English shall carry instructions to treat the subjects of the King of Portugal in the East Indies in the most friendly manner, and shall help, assist and protect them in their trade and navigation there.”

#### ARTICLES OF DELIVERY.

On the arrival of the British fleet great difficulties were made about fulfilling the treaty. The matter was finally settled in the year 1665 by a lengthy instrument of delivery drawn up by the authorities of Goa, and signed by Humphrey Cooke, the then Governor of the English fleet. It should however be added that Humphrey Cooke had no authority to enter

into any such agreement of terms; and King Charles II, writing to the Viceroy of Goa in 1676, expressed his intention of clearing up the matter with the King of Portugal "by whose justice we doubt not [that] our Sovereign rights on the Fort and Island of Bombay and their dependencies will be vindicated from that very unjust capitulation to which Humphrey Cooke was forced to submit at the time when that place was first transferred to our possession; which capitulation neither he, Humphrey, was empowered to come into, nor any one else to impose upon him in contravention to a compact framed in so solemn and religious a manner. We therefore are determined to protest against the said capitulation as prejudicial to our Royal Dignity and derogatory to our right."

Still, as the Articles of Delivery were never officially superseded, and were regularly quoted in later times, it will be useful for our history to reproduce the following extracts:—

"That the English gentlemen shall not interfere in matters of faith, nor will compel the inhabitants of the said island of Bombay, neither directly nor indirectly, to change their faith or to go and attend their sermons; and shall allow the ecclesiastical ministers the exercise of their jurisdiction without the least impediment—being a condition mentioned in the articles of peace under which the delivery of the island is ordered to be made. And if at any time anything contrary is done, it is understood that the whole agreed upon and promised shall be violated, and that the right of the island shall fall again to the Crown of Portugal."

In agreeing that the English should not admit any deserters from the Portuguese dominions, it was specified that "in case any of the deserters should be willing to change his religion and pass to the confession of the English gentlemen to prevent their being restored to us, the English gentlemen shall not consent thereto; and the same shall be observed on our part with regard to those that may desert to our countries."

In the third place:—"The parish priests and monks or regular clergy that reside in Bombay shall have all due respect paid to them as agreed upon; and the churches shall not be taken for any use whatsoever, nor shall sermons [*i.e.*, Protestant sermons] be preached in them; and those who may attempt it shall be punished in such manner as to serve as an example." [*Bombay Gazetteer*, Materials, Vol. I, p. 19].

From this last clause we discover the existence not only of regulars but of secular clergy in the island. The regulars, as we have already seen, were exclusively Franciscans—except for one Jesuit Father belonging to the Bandra residence, who in 1653, and again in 1678, is described as "Vicar of Parel." There were at this time six churches in existence in the island: St. Michael's, Mahim; Sion; Salvação; Parel; Mazagon; and Esperança (near the Fort) all of which were Franciscan foundations. Of the number of Franciscans in charge of these churches we have no information; and the origin and number of the secular clergy is also unrecorded. We know that the Seminary of Santa Fé was founded at Goa in 1541 by secular priests and afterwards taken over by the Jesuits; and

the Seminary at Rachol was founded in 1610. There seems also to have been a seminary for secular clergy at Bassein at an early date. In the year 1570 the rural churches outside Bassein Fort were for a time given over to the charge of native secular priests—a similar experiment being tried in Salsette; but at what date, or from what college, or in what numbers the secular clergy came into Bombay island we have not yet discovered. Neither are we informed in what way the ranks of the secular clergy were recruited under British rule—presumably they were trained at Goa.

#### COOKE'S CONSPIRACY.

During the first few years Bombay was governed from Surat. The management of the transfer by Humphrey Cooke having given dissatisfaction to the authorities, it was proposed to disown the terms of the acquisition. Cooke was put on his trial for mal-practices, and condemned to banishment from the island. Thereupon he betook himself to Goa; and after some attempts to get himself reinstated, came to Bandra in 1668, where, it is said, he was entertained by the Jesuits, who encouraged him in his scheme for proceeding with an armed force for the capture of Bombay from the English (Da Cunha, Bassein and Chaul, page 81; Nairne, *The Konkan*, p. 54 citing Bruce II, 213; also *The Miscellany of Western India*, p. 106). Hearing of this, the English Government is said to have declared all the property of the Jesuits confiscated to the Crown, and to have taken possession of the churches in the island. This story is not found mentioned in the materials collected in the *Bombay Gazetteer*. It occurs in the *Miscellany of Western India*, 1850, which says that "Cooke proceeded to Bandra to accomplish his purpose with the assistance of the Jesuits" (p. 106); and on page 3 we are told by Friar Navarette, on the faith of a report which reached him at Manila, that "in 1668 the English at Bombay overthrew the churches, and cut in pieces the pictures of the altars"; but "whether this arose through religious zeal, or in punishment of the Portuguese, there is the absence of all testimony" (p. 3). Mullbauer also (p. 329) says "the churches of St. Bernardino (?), St. Michael's and Salvação were confiscated by the English in 1668." This "statement (says Father Bochum in a MS. note) is one which I have not verified. It is given by Father Clemente da Silva Eyra in his *Noticius do que Obrario os Padres de S. Francisco da Provincia do Apostolo S. Thoma* of the year 1722-1724 contained in a MS. in the hands of Dr. Kunstman in Munich." We have met with the story elsewhere, but must leave it for further investigation. Certainly among the complaints made by the Portuguese a few years later there is no mention of churches having been taken or damaged by the English; and we think that part of the story is probably a mistake, with perhaps some microscopic foundation of fact from which it started.

#### ENGLISH RELIGIOUS POLICY.

The general policy of the English was one of toleration as regards those who were actually Catholics; but there was the greatest jealousy of

attempts to make new conversions—at least among Europeans. Thus in 1671, we read in Aungier's proposals the following :—"Whereas for want of English women many of the English and other Protestant soldiers sent out do marry with Portuguese *mesties* (half caste women) natives of the island who are Roman Catholics ; by which means the children of the same Protestants are through their fathers' neglect brought up in the Roman Catholic principles, to the great dishonour and weakening the Protestant religion and interest—Wherefore for the preventing of the evil consequences which may in time accrue therefrom, that the Company would please not only to encourage the sending out of English women, but also to establish a standing order that the children of all Protestant fathers be brought up carefully in the Protestant religion, though the mothers thereof be Roman Catholics ; and that severe penalties be inflicted on all Padres who shall endeavour to baptise the said children, or in any way attempt to inveigle or entice them away from the Protestant faith" (*B. Gaz.*, Materials, Vol. 1, p. 45).

This restriction is singularly illustrated by an incident which occurred in the year 1687, and is reported in the Government papers in the following terms :—"On April 13th the Deputy Governor and Council wrote to the Governor and Council at Surat :—"Since our last there has happened a business of ill consequence. The Portuguese Padre of Bombay, by name Frea John de Gloria, did in his own parish church [apparently N. S. Esperança near the Fort] christen or receive into the society of the Romish religion one Nathanael Thorpe, son of Lieutenant Thorpe, deceased. The Padre of his own accord came to the Deputy-Governor to beg his pardon for making a Roman Catholic Christian. But withal confessed that the said Thorpe did come to him to be made a Christian several times before he did it. Upon hearing the same the said Thorpe, when apprehended by the Deputy-Governor and brought to examination, confessed that the Padre did tell him that it was much better for the good of his soul to live in the Roman Catholic religion than to live in the English church, with many other circumstances and arguments to draw him from his natural obedience to his king and religion. This by several statutes is made high treason ; namely the 23rd year of Elizabeth, and the first chapter ; the 3rd of James and chapter the 4th, treat largely of the same ; and many more lay down the heinousness of the crime. By all it is judged high treason for any one to persuade or withdraw any subjects from their obedience to their king, or to reconcile them to the Pope, or to draw them to the Romish religion for that intent, or move them to promise obedience to any other State, or to procure, council or aid them that do it, is treason. Now may it please Your Excellency, this being a weighty thing to be considered and much more to be suffered, we have legally apprehended the said Padre, who is now in safe custody until Your Excellency further orders about him. We presume Your Excellency will have the matter stated according to the canons of the Church by our Padres here, and remit the same by

this conveyance. The Padre was committed prisoner to the County Jail in the Bazaar [This prison was in the Mapla Por building, the shell of which still stands at the corner of Parsi Bazaar Street and Gunbow Lane, Fort] by Judge Vauxe on 11th instant (April 1687) and laid in the room where Thorborn was. And yesterday by the earnest intercession of the Padre of Mahim and a strange Padre, the Deputy-Governor, Mr. Stanley, and Mr. Jessop ordered him to be removed from the common jail to his own parish church, where he is confined with a guard over him, to see that he do not escape nor act in the church until Your Excellency's pleasure be known what shall be done in this matter" (*B. Gaz.*, Materials, Vol. III, p. 527-8). What was the outcome of the affair we do not know.

The same rule is mentioned as being still in force in 1763, when Niebuhr wrote that although toleration of worship was generally permitted, "Government allows not the Catholic priests to give alouse to their zeal for making proselytes. When any person chooses to become Catholic (Roman) the reasons must be laid before Government; and if they are judged valid he is then allowed to profess his conversion." (Cited in *Miscell. of W. India*, p. 19). This difficulty was raised only against making European converts, it would seem; for Ovington in 1689 writes that "the Portuguese were permitted the free exercise of their religion, and the liberty of erecting public chapels of devotion. The Gentiles too, as well as Christians are permitted the freedom of their religion" (*Miscell.*, p. 3).

#### FRYER'S ACCOUNT.

Fryer, who visited Bombay about the year 1674, writes of the churches as follows:—"At the end of the town looking into the field where cows and buffaloes graze, the Portugals have a pretty house and church [N. S. de Esperança] with orchards of Indian fruit adjoining. On the backside of the towns of Bombaim and Maijim are woods of Coccoes, over against which lies Masseggoung (Mazagon), a great fishing town... Here the Portugals have another church and religious house belonging to the Franciscans [the original of Gloria church]. Beyond it is Parel, where they have another church and demesnes belonging to the Jesuits—to which pertains Sion. At Maijim the Portugals have another complete church and house [St. Michael's].—At Salvesong [Salvação], the farthest part of this inlet, the Franciscans enjoy another church and convent (p. 68). The people who live here are a mixture of most of the neighbouring countries; most of them fugitives and vagabonds, no account being taken of them; the others perhaps invited hither, and of them a great number, by the liberty granted them in their several religions, which are here solemnised with variety of fopperies—a toleration consistent enough with the rules of gain, though both Moors and Portugals despise us for it... Our present concern is with the Portugal, Siva Gi and the Mogul. From the first is desired no more than a mutual friendship; from the second an appearance only; from the last a nearer commence... The Portugal, as in league with

neither [of the two others], thinks it a mean compliance in us to allow either of them countenance, especially to furnish them with guns and weapons to turn upon Christians, which they wisely make an Inquisition crime" (ib. p. 70).

#### CAUSES OF FRICTION.

From the first, the English relations with the Portuguese were always somewhat strained. In the first instance the Portuguese authorities had demurred to the handing over of the island; and in the second place, there was much haggling as to what the island of Bombay comprised. The English seem to have tried to include Salsette and Karanja as well; the Portuguese seem not to have contemplated even Mahim or Colaba. In effect the British managed to secure at once the whole of our present island except Colaba, then separated by a creek. The right to this also was, however, acquired "by a deed which (says Douglas) was wrested from the Portuguese by Aungier in 1676" (p. 74).

From time to time some further causes of disagreement arose. In 1678 an English sergeant was murdered by the Portuguese in Bandra; whereupon the English, demanding satisfaction, "sent word to the Padre Superior of the College of Bandra that, seeing the said murder was committed in their jurisdiction, we expect justice from them; for such bloody violences cannot be put up without satisfaction" (Materials, Vol. I, p. 61). On the other hand the Portuguese complained of the protection given in Bombay to a Malabar pirate pursued into the harbour by the Portuguese. A third cause of friction was the erection of Portuguese custom-houses at Bandra and Trombay.

A fourth is reported as follows:—"We have perused the Viceroy's letter to you touching the Padres run away from Goa. For that we have been sensible of some inconveniences caused by such vagabond Padres, who leave their cloisters on purpose to lead licentious lives in Bombay, and besides are apt to encourage the people to all disorder and disaffection to the English Government; we think good that if such Padres are up on the island, you give them convenient notice to repair to Chaul, or where else they may please to dispose of themselves, for that we are not well satisfied with their continuance in Bombay" (Materials, Vol. I, p. 63-64).

Another point of dispute arose from the Portuguese claims to lands in Bombay. We have already seen in the previous section that at the time of the English acquisition the Jesuits of Bandra held large properties in Bombay island, and among them seems to have been a warehouse in the Fort. But on revealing their claims to the English, the Government refused to entertain them. Thus in February 1671, we read in a government paper:—"Touching the Jesuits' demand of the warehouse by the Custom-house, we desire you to give them notice that we cannot surrender any ground or house to them until further orders from the Company." In the following month the Surat Council says:—

“What we wrote concerning the Jesuit pretences we still confirm, and cannot allow of the delivering to them of their houses until further orders from England. What was surrendered to other people was on examination and due probation of their titles by the commissioners authorised to that purpose. As the Jesuits refused to appear before the commissioners, protesting and appealing home to the Hon. Company for justice; and as we have sent home all papers referring to that business, we cannot determine or make any end with them until we hear further from our masters. Seeing that the first commission is fallen by reason of the death and departure of the commissioners, we shall not trouble ourselves to erect any other commission to humour the Padres’ unreasonable and subtle designs” (Materials, Vol. II, p. 432). The question was then shelved for a time, but in 1686 came to the fore again, in the following terms :—“As to the Padres of Bandra and others that belong to the Portuguese nation, a notice is given to the Chief Justice, who will take care that no such estates be anyways alienated. But this will be of bad consequence. For if the inhabitants of this island be hindered from attaching one another’s estates, they will never pay their debts, and one will starve another. We therefore pray you further directions as to the inhabitants of the island, who are most under nomination as Portuguese (Materials, Vol. I, p. 97).

The question was fraught with considerable consequences. In the terms of transfer it had been provided that “any person possessing revenue at Bombay either by patrimonial or crown lands, shall possess them with the same right and shall not be deprived of them, except in cases which the Laws of Portugal direct, and their sons and descendants shall succeed to them with the same rights,” etc. (Materials, Vol. I, p. 19). But these terms, having been undertaken by Humphrey Cooke without proper authorisation, were informally disregarded by the English government, who therefore decided “that the claims of the Jesuits, though admissible by the Portuguese usage, were not to be held valid in an English settlement” (ib. p. 36). Later on in 1720, when the Board saw that “the practice of Portuguese and other foreigners making land-purchases in the island had been prejudicial to the Government, it was unanimously resolved that no person who is not an inhabitant of the island shall for the future purchase any estates; and a proclamation was issued by beat of drum accordingly” (ib. p. 158). This was locking the stable door after the horse had been stolen. However it was not on these, but on purely political grounds, that Government justified its measure of the previous year (1719) of finally confiscating the property of the Jesuits in Bombay island.

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## CHAPTER V.

## EXPULSION OF THE PORTUGUESE CLERGY (1720.)

THESE and other causes of friction leading to suspicion and ill-feeling reached a climax by the year 1715. It seems that early in the century the Government had discovered certain treasonable dealings with the native chief Kanhoji Angria of Janjiri, carried on by a Brahmin named Rama Kamati, one of the leading Hindus of Bombay, with the object of introducing the enemy into the island, to subvert and extirpate the English power. In what way the Portuguese, and specially the Portuguese clergy of Bombay island, were implicated in the affair, does not appear in the published papers (Materials, Vol. I, p. 144 seq.). A document dated 1720 shows that the Bombay Council "complained of the practice of the Portuguese priests stirring up the Roman Catholics of Bombay to oppose the orders of Government." But the same complaint had already been made much earlier. Thus we read in a despatch of Aungier under date 1676:—"As we understand that some Padres were more busy than became them in this affair, in casting out evil slanderous reports to the encouragement of the inhabitants, we require you to give a strict account what Padres they were and what they did, and particularly of that Jesuit Padre at Parel and the Padres of Mahim, that we may give such directions as are necessary therein for preventing the mischief they may do us. If you know any of the inhabitants that seem to side with the Portuguese in this affair, give us notice of their names; and if anything of proof can be made against them, we would have you proceed severely with them" (Materials, Vol. I, p. 62). The same charge, it will be remembered, had been insinuated against the "runaway or vagabond Padres from Goa" about whom the Portuguese themselves had lodged a complaint (see last section).

## SCHEME OF EXPULSION.

We have not the least means at our disposal for investigating the truth of the accusations and suspicions here recorded,\* but in any case the matter was so effectively represented to the Board of Directors that they resolved to put an end to the situation, by expelling the Portuguese clergy and calling in the Carmelites of Surat to take their place. "The Directors brought to notice the success which had attended Governor Pitt's arrangement in Madras, under which some class of Catholic clergy which he could trust were made supreme, on the understanding that they would support the Government, and keep the Governor informed of any designs of rival clergy hostile to Government interests." As a sidelight on this subject, it was remarked that "the reasons and motives for introducing the Vicar of the Great Mogul were—to counter-balance the power of the Portuguese Jesuits, between whom and the Bombay Government a

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\* We see no improbability however, in such charges. From the very first the Portuguese protested against the English occupation of the *whole* of the Island, contending that they had a right only to the southern portion. Viewing the English as usurpers, they would feel justified in encouraging those who tried to oust them.



struggle which lasted several years was in progress." In a despatch dated Feb. 21 (1715) it was written that "to prevent the Portuguese priests from having too great influence in Bombay, ecclesiastics of different orders should be encouraged and rewarded" (Materials, Vol. III, p. 528 note).

The Bombay Government laid its plans carefully and secretly before taking action. Acquainted as they had already been with the Carmelite Fathers at Surat, they entered into negotiations with their head, the "Vicar-Apostolic of the Great Mogul" as he was called [a title which will be explained later] and invited him to take charge of the Bombay churches. Naturally the Vicar-Apostolic could do nothing in the matter without the consent of the Pope. So in 1717 or thereabouts he despatched Father Anastasius of St. Mary to Rome to report on the situation and ask for instructions. The answer, given apparently some time in 1718, was to the effect the Vicar-Apostolic might take charge of the churches provisionally, and so far as the Archbishop of Goa was prevented by the English Government from exercising his jurisdiction in Bombay. [The exact terms of this permission will be discussed later].

The Government of Bombay, while waiting for this answer, prepared meanwhile a solemn proclamation, dated October 3, 1718; said to have been in Latin, but only an English translation has been preserved in the following form :—

"I Charles Boone, President for the Honourable Company of England trading to the East Indies, Governor of the Castle and Island of Bombay by his most Sovereign Majesty of Great Britain, salute in all that will see this.

"Know all men that whereas by the eleventh article of the Matrimonial Pact approved and concluded in the year of our Lord 1661 between the most sovereign King of Great Britain, Charles the second and the most Faithful King of Portugal Affonse, the Island of Bombay with all its jurisdictions, Privileges, Dominion, and the Principal and absolute Right was transferred and confirmed by the said King of Portugal upon the said King of Britain, it was permitted in the said Cession in the article aforesaid, that the inhabitants of Bombay could publicly exercise and enjoy the Roman Catholic Religion; and as the said Island, its Ports, etc., were transferred and confirmed for ever by the said King of Britain to the Honourable Company of Merchants of England trading to the East Indies, whereby they are the only owners and Proprietors :—

"I the President and Governor aforesaid, to whom the Guidance and Government of this Island is committed by the said Company of Merchants of England trading to the East Indies (it being permitted by the most Sovereign King of Great Britain George, to the Christians of this Island to exercise the Roman Catholic Religion and regularly and securely to perform the Public Prayers or Orations among them) with approbation and consent of my Council do give you, Senr. Frey Mauricio de Sta. Thereza Bishop of Anastaziapoly, an ample Liberty to remain and exist on this Island with six priests that you shall nominate, and do hereby

grant you leave entirely to exercise your Episcopal Duty with the Presbiters your subjects; and you are to conduct yourselves quietly and peaceably, with equity and justice conforming yourselves to the constitution of this Island; and I do hereforth prohibit every person not to cause any Molestation or Impediment to you or any of you in performing your Duty; and doing on the contrary shall be subject to such punishments that I and my councillors and the Governor and Councillors for the time being will think proper to inflict.

“Signed with the Honourable Company’s seal and given under my hand, In the Castle of this Island on the 3rd day of October, In the year fifth of the Reign of our Sovereign King of Great Britain—George, And in the year of our Lord 1718.

“By order of the Honourable Charles Boone, Esqre., President of the Honourable Company of Merchants of England trading to the East Indies, Ormuz, Persia and Arabia and Governor of His Majesty’s Castle and Island of Bombay.

SIGNED: HUDAENUS PHILIPS, Secretary.”

The Vicar-Apostolic, in response to these intentions, drafted the following form of undertaking, addressed to Government:—

“We having been notified by the Hon’ble Charles Boone, Esq. that it has pleased his Britannic Majesty and the Hon’ble East India Company through just motives to take the spiritual Government of Bombay and Mahim out of the hands of the Archbishop of Goa, and Portuguese Padres, which spiritual Government was delivered unto me and other missionaries subject to my orders, and always to remain with us and with our successors: Should this our resolution, and his Majesty’s and Company’s orders meet with the approbation of our superiors, we declare that we will take charge of the churches upon this Island and officiate in them in the same manner that the Portuguese Padres have done hitherto. We protest and swear, that we will neither meddle nor busy ourselves in anything concerning the Government, nor in any other thing that might any way prejudice the interest of his Majesty or the Hon’ble East India Company. We shall, as far as lies in our power, strive to render the Christian inhabitants Faithful and Loyal Subjects to his Britannic Majesty and useful servants to the Hon’ble Company—That we will make no reform nor alteration in spiritual affairs without first acquainting the Governor and Council of it. As we take charge of the said churches, with the intention that the Christians shall be duly instructed in the Roman Catholic Religion, in the true worship of God, in their obedience and loyalty to his Britannic Majesty and Hon’ble East India Company, we humbly request that the Hon’ble the Governor and Council will permit a free and uninterrupted exercise of the Roman Catholic Religion in the same manner as it has been hitherto upon this Island. We also beg the favour of their protection against those that might in any manner interrupt them in their ecclesiastical ceremonies; and at the same time it may please their honors to

issue an order in his Majesty's and Hon'ble Company's Name to that purpose, which will make them quite easy, respected and happy.

We are, etc.,

D. F. MAURICIO DE S. THEREZA, BISHOP.  
 F. PEDRO DE SS. TRINIDADE } MISSIONARIES."  
 F. ELISEU DE S. JOSEPH }

Both these documents, however, had the nature of private preliminaries, which were never published. For some reason or other the execution of the plan was even then postponed for eighteen months. When at length everything was ready and the Vicar-Apostolic had come to Bombay for the purpose, the Governor held a consultation on May 13th, 1720, and placed the Directors' despatch before the Bombay Council, suggesting that in accordance with its advice, authority over the Rome Catholics should rest in a bishop sent from Rome (Materials, Vol. I, p. 152). The consultation continues :—

"The Italian Bishop being furnished with proper powers to take upon him care of the Roman Catholics on the island, the President now proposes to the Board removing the Portuguese Padres, agreeable to paragraph 107 of the Right Honourable Company's general letter by the *Addison*. He lays down several ill-consequences that have risen from the Portuguese Padres being permitted to reside in Bombay, as reaping the benefit of the labours of our people and carrying it into foreign countries ; stirring up the Roman Catholics to sedition, especially when we have any dispute with the Portuguese, by inculcating notions into them that they ought not to fight against their religion ; and adding that the prelates of the Portuguese countries seemed so little to regard their priests sent to Bombay that the very scum of the priesthood had been their pastors for some time. And he proposes supplying the places of the Portuguese with the said Italian bishop and some priests of the Carmelite Order now on the island, on their swearing allegiance to the King, and undertaking that they will not, directly or indirectly, teach, preach or practice anything contrary to the interests of the Right Honourable Company, and that they will in all respects pay a due obedience to the Governor and Council for the time being. This was unanimously approved and agreed to. Ordered that the Secretary provide orders and a proclamation accordingly."

#### THE TAKING-OVER.

On the very same day (May 13th, 1720) a proclamation was published requiring the inhabitants of the Roman Catholic religion to pay the same obedience to the Bishop Don Frey Mauritio D'Sancta Teresa and the priests appointed by him as they formerly paid to the Portuguese bishops and priests ; and orders were issued to the Portuguese priests to leave the island in twenty-four hours (Materials, Vol. I, p. 152-153). The following is the text of the proclamation just referred to :—

"The Hon'ble Don Charles Boone, President of India, Persia and Arabia by the most Illustrious Company Governor and Commander Gen-

eral of the Island and Castle of Bombay and its dependencies by his most serene Majesty.

"Whereas the said president hath for various good and justified motives, with the advice and consent of his Council, thought convenient to remove the Roman Catholic Padres of the Portuguese nation of this Island of Bombay of his most serene Majesty, and to appoint for the just and regular exercise of that religion to the most reverend Bishop Anastaziapoly Don Fr. Mauritius de Santa Thereza, and likewise with such Padres as he may choose with consent and approbation of the said President and Governor, to execute in their places all the accustomed functions, rites and ceremonies ; the said President and Governor doth by these presents command and ordain all and every the inhabitants of this Island of Bombay and Mahim who profess the faith of Roman Catholics to observe and obey the said Bishop and the Padres his subjects in the same manner as they formerly observed with the Portuguese Bishops and Padres, under the fine of being incurred in such penalty as the said presidents and Governor shall think proper to impose ; and that it might be so known to them and that none should pledge ignorance, it is passed under the seal of the most illustrious Company.

Given in this Bombay Castle and published at the sound of the drum at the public and accustomed places of this Island and affixed at the market of the said Bombay this 1<sup>st</sup> 1/2<sup>th</sup> May 1720. God save the King.

"By order of the Most Excellent the Hon'ble Charles Boone, President of India, Persia and Arabia by his most illustrious Company Governor and Commander General of the Island and Castle of Bombay and its dependencies by his most serene Majesty.

JOHN HORNE, Secretary."

Three days later the Italian Bishop and his priests took the oath required of them, in the following terms :—

I. "I Don Mauricio de S. Thereza Bishop of Anastaziapoly Apostolical Vicar General of the Grand Mogol's Empire, as also of the Island of Bombay and its dependencies ; do make oath on the H. Evangelist, that at all times I will pay implicit obedience to his Britannic Majesty, that I will not directly or indirectly insinuate nor maintain anything whatever contrary to the honour and dignity of his Britannic Majesty, nor to the interest of the Hon'ble East India Company, that I will pay due obedience into all orders issued by the Governor and his successors at all times, that I will teach the Roman Catholic faith in its purity without making any alterations whatsoever. Given under my hand this 1<sup>st</sup> 1/2<sup>th</sup> of May 1720. DON F. MAURICIO DE SA THEREZA, BISHOP."

II. "We F. Pedro de SS. Trinitade and F. Eliseu de S. Joseph, Apostolical Missionaries and Vicars of the churches of the Island of Bombay and Mahim, do make oath upon the H. Evangelist, that at all times we will pay implicit obedience unto his Britannic Majesty ; that we will not directly nor indirectly insinuate nor maintain anything what-

soever, contrary to the honour or dignity of his Britannic Majesty nor the interest of the Hon'ble East India Company; that we shall pay due obedience unto all orders issued by the Governor and his successors at all times; that we will teach the Roman Catholic faith in its purity without making the least alteration whatever. Given under our hands this 1<sup>st</sup> day of May 1720.

F. PEDRO DE SS. TRINIDADE, }  
F. ELESEU DE S. JOSEPH, } Missionaries."

#### THE PORTUGUESE PROTEST.

On hearing of these proceedings Louis Gonsalves de Camara Coutinho, Portuguese General of the North, addressed from Bassein the following letter to the President and Governor :—

"The surprising resolution that your Honour has taken to banish to this side all the parish priests of your Island, is what I much admire and wonder at, by reason of the weighty charge the Bishop Don Frey Mauritio has taken on him in offering with his assistants to administer the sacraments, they not having the necessary powers. I consider on this particular that your Honour has been misinformed or moved thereto by some high resentment. This I judge not only from the expulsion of these religious, but from the scandalous manner in which it was done, which I also judge from the assurance given me that your Honour has passed orders that no priest of the Portuguese nation shall come to your island. As I am at present obliged to send two learned prudent priests to treat on this important affair, I hope, on your Honour's consideration of the weighty circumstances thereof, you will permit them to come in your presence and there to dispute and discuss the point of royal patronage and the ecclesiastical jurisdiction with the Bishop."

To this letter the Governor Mr. Boone replied as follows :—

"I little expected to have received from your Honour an expostulation on the justice of my proceedings against the parish priests late of this Island, much less to have my conduct thereon questioned, as you have pleased to do in your letter of the 31st May 1720 N. S. Yet being resolved as much as in me lies to prevent a misunderstanding and to cultivate the friendly correspondence I have always desired to hold with your Honour, I shall, as a fresh instance thereof, acquaint you that this proceeding was not only the just effect of their own misbehaviour and the earnest longings of the people in general but also a strict command from my superiors, agreeable to the orders of my sovereign Lord King of Great Britain who is supreme in all causes and over all persons resident on this land. To this I presume your Honour is no stranger, though you have thought fit to make mention of any royal personage which I have no power to admit or suffer to have any control or jurisdiction here, and my resolutions herein are strictly conformable to the articles stipulated by the two sovereigns crowns on the delivery of Bombay, as your Honour may perceive by the enclosed copy of the article of the treaty of marriage. Whoever insinuated to your Honour

that those priests were sent ignominiously or scandalously off the island have represented that action in a very injurious manner. The guard that attended them on that occasion was to prevent a disturbance, which one of them endeavoured to raise in the minds of the people whom he indiscreetly strove to stir up to sedition. As this circumstance has been unfairly represented to your Honour, so I find a misconstruction is passed on other parts of the resolutions I have taken. I will, however, assure your Honour I never meant to hinder any of the people of your nation or subject to you having free access to this island and residing as long as they think fit, more especially such as shall be (conformable to the limitation) that I cannot permit them to neglect, (namely not to gainsay) Bishop Don Frey Mauritio in the rights and privileges I have lately invested him with here. That is a point all determined and justly due to his learning and integrity. Of the powers he has for this purpose received from Rome, he will by my permission send a copy to the Archbishop of Goa" (Materials, Vol. I, p. 153-155).

#### MUTUAL REPRISALS.

The rejoinder of the Bassein General to this letter of Governor Boone was the issue of an order forbidding the passage of supplies from Portuguese territory, and enjoining the arrest of any British subjects entering Bassein limits; in answer to which the English Government published a proclamation ordering "all persons who have estates on the island and live in other parts to repair hither in 21 days," in default of which their estates were appropriated by the crown, and a rule made (already quoted above) that "no one who is not an inhabitant of the island shall for the future purchase any estates in Bombay (Materials, Vol. I, p. 158). There even arose a kind of desultory war between the two powers: "Lively skirmishes then took place between Mahim and Sion forts on the English side and Bandra Fort (St. Anne's College ?) on the Portuguese side. These lasted by fits and starts until 1722 when an alliance was patched up between the two nations against the pirate Angria"; but even then there was another incidental outburst in 1724 (Cf. D'Sa History of Damaun Diocese, p. 50).

Of the number of clergy exiled from Bombay we have no available record, nor do we know to what place they were deported—apparently they were shipped to Bassein. The total number in the island could hardly have been more than seven or eight at the most—all of whom were Franciscans, except the one Jesuit at Parel. As to the secular priests on the island, the Governor gave them the choice of submitting to the Vicar-Apostolic and continuing in their posts, or of leaving the island; and it seems that a certain number of them remained.

The parish churches of the Island taken over by the Carmelites in 1720 were four in number, as follows :—

- (1) Esperança near the Fort.
- (2) N. S. da Gloria, Mazagon.
- (3) Salvação, Dadar.

(4) St. Michael's, Mahim.

To these must be added the Chapel of N. S. de Conceição at Sion, formerly filial to Parel. But as Parel Chapel had been confiscated from the Jesuits, this chapel of Sion must have become filial to St. Michael's, Mahim.

## PART II.

### PADROADO, PROPAGANDA AND THE VICARIATES

#### CHAPTER I.

##### PADROADO AND PROPAGANDA DEFINED.

THE expulsion of the Portuguese clergy from Bombay Island, and the introduction of Fre Maurice of St. Teresa and the Carmelite clergy in their place, was the event which gave existence to our "Bombay Mission," in the sense intended by this history—to which the previous Portuguese mission-work stands as a preamble. The "Bombay Mission" in its origin was not a new foundation, but the taking over of an ecclesiastical unit already fully constituted and organised. The Archbishop of Goa, to whose diocese the whole of the Bombay neighbourhood belonged, was for political reasons to be excluded from exercising his jurisdiction over Bombay Island by the action of the English civil power. The Catholics of the island would therefore be deprived of pastors and spiritual ministrations. Someone or other must come to the rescue for the upkeep of religion, at least by way of a provisional or stop-gap arrangement. The Vicar-Apostolic of the Great Mogul was near at hand in Surat. He was free from Portuguese affinities; he had the time and a few men at his disposal. The English Government made him the offer and the Vicar-Apostolic accepted it, subject to the sanction of Rome, which was given. Henceforth, so long as the Archbishop of Goa and his clergy were barred out of the place, Bombay was added to the Vicariate of the Great Mogul, and passed for the time from the Royal Patronage of the King of Portugal to the charge of the Congregation de Propaganda Fide. Hence four questions on which any reader fresh to the subject needs enlightening :—

- (1) What was the Royal Patronage popularly called "Padroado?"
- (2) What was the Congregation de Propaganda Fide, popularly called "Propaganda?"
- (3) What were the relations, theoretical and practical, which subsisted between the two?
- (4) What finally was the Vicar-Apostolic of the Great Mogul?

The understanding of these four questions is the key to the whole history of the Bombay Mission. We shall answer them, not in the way of an exhaustive treatise, but by a clean-cut outline sketch such as will be most useful for the understanding of the beginnings of our history—fuller developments of the subject being held back till they are wanted. In this exposition we shall not be afraid of being too elementary; for in our experience it is chiefly through ignorance of the bare elements that the whole history of the jurisdiction-conflict in India has been so badly misunderstood. Instead of assuming that our readers know a good deal about the subject already, we shall rather go to the opposite extreme of writing as if they knew nothing at all.

#### I. "PADROADO."

Padroado is merely the Portuguese word for "patronage," which essentially consists in the faculty (common in the Church) of nominating a candidate for some ecclesiastical office—in this case the bishopric of a See. If this patronage is given to a king it is called a Royal patronage, that is all. Let us now see how this Royal patronage came about:—

In the almost feverish rush for new countries which arose in Europe in the 15th and 16th centuries, Spain and Portugal took the lead by a long way. Other nations such as England, Holland, France, only woke up to the idea when Spain had already appropriated the whole of Mexico and Central America and the western part of South America, while Portugal had taken possession of Brazil and (in the broad sense) the coasts of Africa, India, Malacca, Siam, China and Japan. I say "in the broad sense," because the actual territories occupied were in many cases exceedingly small—often mere plots for a factory or a fort as centres of trade—nor did they ever (in the East) extend their dominion very far round these centres. These points of occupation were however enough to give them the advantage of first possession, which in those days carried with it a certain right of monopoly against later comers.

#### THE FOUNDING OF SEES.

Ecclesiastical organisation followed on civil exploration. In the first place Goa, which as the Portuguese capital only came into existence in 1510, was in 1534 erected into a bishopric having jurisdiction over all actual and future Portuguese discoveries from the Cape of Good Hope to China. So vast a diocese sounds of course ridiculous, but it represented an idea and a principle. As soon as other colonial centres were established, it was cut into parts by the formation of separate dioceses, *e. g.*, Malacca in 1557, Macao in 1576, Funai in Japan 1588, the Prelacy of Mazambique in 1612, the Dioceses of Nankin and Pekin in 1690.

India itself was also divided up in the following way:—(1) The Diocese of Cochin, separated off in 1557, comprising the south of the Peninsula and Ceylon. (2) The Diocese of Angamale (Cranganore) on the Malabar coast created in 1600, for the St. Thomas or "Syrian" Christians only. (3) The Diocese of San Thome of Mylapore created in



1606, extending over the east coast from a little below Madras, and northwards up to Orissa and Bengal and even to Burma.

Whatever parts of India were not placed under these suffragan dioceses remained to the Archdiocese of Goa, which, starting from below Cannanore, comprised the west coast northwards from Goa, the Carnatic and Deccan and Central India inland, and the northern areas of Hindustan, etc. The northern mission fields within this vast area covered only the coast strip from Chaul past Bombay and up to about Damaun as already described; with Diu lying separate in Kathiawar, and sporadic outposts at Agra, Delhi, etc., in connection with the Mogul Court.

As the work of the Church in all these newly discovered countries was carried on by the Portuguese, the popes conferred, first on the Grand Master of the Order of Christ, and afterwards on the Portuguese King, the canonical right of patronage over the Sees thus established in all parts of the East.

#### THE BULLS OF FOUNDATION.

The bulls erecting the various Sees conferred on the King of Portugal the right of patronage in the following terms:—

(1) *The See of Goa, 1534*, ranging from the Cape of Good Hope to India and from India to China, with all the town and places on mainland or islands discovered or yet to be discovered (reperitis et reperiendis). The right of patronage and presentation to the See and to ecclesiastical posts and benefices (B.P.P. I 48).

(2) *The same See raised to an Archbishopric, 1557*. The right of patronage already given, and based on foundation or endowment or apostolic privilege, is in no way derogated, and is confirmed to the king in perpetuity (191).

(3) *The See of Cochin by separation from Goa, 1557*. The right of patronage and presentation (to See and posts and benefices) based on mere foundation and endowment, is reserved and conceded to the king in perpetuity, and cannot be taken away; and if any one should by any authority knowingly or unknowingly [attempt to] take it away, such derogation would have no force but would be null and void (193).

(4) *The See of Malacca by separation from Goa, 1557*. The right of patronage expressed in the same terms (196).

(5) *The See of Macao, 1575*. The right of patronage and presentation (to See and posts and benefices) is based on mere foundation and endowment; and it cannot be derogated even by the Holy See itself, nor be regarded as derogated, unless the king for the time being gives his express consent; and such derogation [if attempted] would have no force, but would be null and void (245).

(6) *The See of Funai in Japan, 1588*. The right of patronage in the same terms. It cannot be derogated even by the Holy See, *not even in consistory* (251).

(7) *The See of Angamale by separation from Cochin, 1600*. The right of patronage and presentation is based on true, mere and real

endowment, and cannot be derogated even by the Holy See itself, except with the express consent of the king for the time being, etc. (260).

(8) *The See of Mylapore by separation from Cochin, 1606.* The right of patronage and presentation is based on mere foundation and endowment. It cannot be derogated even by the Holy See itself, unless with the express consent of the king for the time being, etc. (II 4).

Such are the terms in which the *jus patronatus* was conferred upon the King of Portugal, over dioceses in India and the far East up to Japan. These dioceses covered not only the very small pieces of land over which Portugal had temporal dominion, but also immense areas around and beyond their boundaries, potentially including remote regions in which no European had ever set foot, or was in any practical prospect of doing so at the time.

## II. "PROPAGANDA."

Shortly after the year 1600 it became clear that Portuguese missionary enterprise was exhausting itself, and that there was not the least likelihood of really adequate measures being taken towards the conversion of the vast countries of the East which had been placed under the dioceses of the Royal patronage of Portugal. The Holy See soon realised the necessity of providing for this further object by other means. Hence the erection (in 1622) of a special congregation *de Propaganda Fide*, under which the missionary energies of the various religious orders of other nationalities could be distributed to all those parts of the pagan world which the existing missionary personnel and resources were unable to reach.

Accordingly from the year 1622 different nationalities of missionaries and different orders were enlisted and sent to India, Malacca, Siam, China, etc., under the headship of Vicars-Apostolic—*viz.*, titular bishops receiving directly from the Holy See jurisdiction to work in certain districts assigned to them within the somewhat indeterminate circumscriptions of the existing Padroado dioceses. In addition to this, certain Legates *a latere*, Visitators Apostolic or Commissaries were from time to time appointed by the Holy See to make tours of inspection, or to investigate certain questions which had arisen in the mission fields.

Not being engaged *ex professo* on the history of this subject, it will be sufficient if we give a general idea of the extent to which this was done. Turning over the index of the *Bullarium Patronatus* we here jot down places and dates at which Propaganda Missionaries, Vicars-Apostolic, Commissaries and Delegates appear: Japan 1627; Bijapur 1637; Malabar 1657, 1659; Nankin, Tonkin and Cochin-China 1659; Visitator for all Asia 1660; Siam 1669; Canara 1671; Cochin-China 1671; China, Cambodia 1673; China 1677; Visitator to Cranganore 1687; Borneo 1692; Visitator to India and China 1701-1710; a second Visitator to China 1719; and others later.

## III. PADROADO AND PROPAGANDA.

When this list of missions and commissions, proceeding directly from the Holy See as part of the Propaganda programme, is compared with the list (previously given) of the dioceses already established under the Portuguese Royal patronage, we realise that all these emissaries of the Pope were sent to work in areas which were at least vaguely comprised within the dioceses patronised by the king. The Legates, Visitators and Commissaries came into those dioceses from a higher plane, as representatives of the Holy See, and therefore in a position of superiority to the local bishops. The Vicar-Apostolic and their missionaries entered the same dioceses, not invited by the bishops or authorised and appointed by them, but as exempted persons endowed with authority and jurisdiction direct from the Holy See. These, if they presented their credentials to the bishops at all, did so rather for information than anything else. Their right and power to work in the districts of the diocese assigned to them was derived immediately from the Holy See; and nothing was expected from the local bishops except a recognition and acknowledgment of the orders of the Pope, and an implicit acquiescence therein as soon as the orders were known. It was a clear case of the Pope exercising his supreme authority to qualify and supersede for the time the ordinary canonical constitution of the dioceses, by administrative emergency-measures taken in view of the higher needs of the Church and of souls.

## DIOCESAN CONSTITUTIONS.

In order to make this point clear, let us for the moment confine ourselves to purely ecclesiastical constitutions, which are always the same irrespective of whether there is State patronage or not:—

In the first place, a diocese is essentially a piece of territory within which the bishop has full and exclusive jurisdiction over all Christian subjects residing in it, and over all clergy working in it whether for the faithful or for the conversion of non-Christians. Religious orders may be exempted from his jurisdiction personally and within their own houses. But as soon as they begin to work for souls in the diocese, they require the sanction and fall under the jurisdiction of the bishop just as the ordinary clergy; nor can a religious order enter into a diocese to work in it without his leave.

Secondly, it is true that the Holy See, as supreme governor of the Church, has the power not only to erect dioceses but also to abolish them, still more to sub-divide or curtail them. But until this is done in some formal and official manner, the established boundaries, and jurisdictional rights within those boundaries, remain *de jure* canonically intact.

Thirdly, where the ecclesiastical authorities of some diocese are failing for any reason to fulfil the duties and responsibilities of their position, or if the affairs of a diocese have fallen into disorder and call for investigation or rectification, the Holy See has the inherent

right to adopt special measures, not only in a legislative but also in an administrative manner; as for instance to suspend or curtail the bishop's jurisdiction, or to place the diocese or some part of it provisionally under special administration, or even to depose a bishop and appoint another in his place. That this should be done "decently and in order," for just and sound reasons, and with tact, prudence and charity, and an opportunity for representation, goes without saying. But when it comes to an issue, the Holy See itself is the final judge as to the rightness of its own acts, and ultimately the Pope's will and determination must prevail.

Such are the elemental principles of the constitution of the Church with regard to dioceses. From this it will at once appear that friction and contentions could easily arise between the local bishops and the emissaries of Propaganda, simply on the question of diocesan rights; even if the bishops were free from all complications with the State, and if no such thing as a Royal patronage existed.

#### PATRONAL CONSTITUTIONS.

The existence of a Royal patronage introduces a new element into the case. The Royal Patron had, in this case at least, the right of presentation not only to the See, but also to the ecclesiastical posts, offices and benefices, and therefore covered the whole *personnel* of the diocese, even down to individual missionaries and parish priests. Hence, however justifiable the actions of the Holy See might have been as emergency measures, and in view of more general interests; still every appointment of a Vicar-Apostolic or missionary to a district within a Padroado diocese, was technically an overriding and superseding of the functions of the Royal Patron, and therefore capable of becoming a point of contention, unless the Royal Patron recognised the propriety of the papal measures and was willing to acquiesce in them. On the contrary, the Royal Patron might take his stand on rights, privileges, laws or customs inherited from the past, while the Holy See might regard insistence on those rights, privileges, laws or customs as unjustified or detrimental to the interests of religion; and so the most undesirable situations might arise, as did actually arise in the history which lies before us.

The distinction just drawn between the matter of *diocesan* rights and of *patronal* rights is of the greatest importance for the understanding of our history; for sometimes the contention turns on one, sometimes on the other, and sometimes on both.

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## CHAPTER II

## THE PATRONAGE AND THE PLACITUM.

LEAVING aside for the present all discussion of the principles involved in conflicts over diocesan rights, we pass on to the other half of the subject, namely, the kind of contention which was liable to arise on the ground of patronal rights.

In its essence the Royal Patronage, as conceded by the bulls of foundation, did not mean much more than this : (1) The right of presenting bishops to the Sees, for acceptance and appointment by the Pope. (2) The right of presenting, or controlling presentation to diocesan posts and benefices. (3) The right of supervising the use of the funds bestowed on the dioceses or churches from the Royal Exchequer. But in practice (though not inherently) it carried with it more than this. The king as patron was the great *collaborateur* with the Pope for the spread of the Gospel, and was in the Pope's confidence ; so that not only was he asked for help in the way of men, money and passages by ship, but he was consulted, and his views and wishes seconded ; and whatever the popes proposed to do was placed before the king for his agreement and furtherance.

## AN HISTORICAL ANALOGY.

Hence arose a situation somewhat similar to that in England at the time of the Norman Conquest. William the Conqueror was regarded by the Pope as a great champion and patron of the Church ; and being recognised as such he was allowed to have much of his own way in its management. This was all very well so long as Pope and King were of one mind and one will. But as soon as differences arose, a strained relation grew up between Church and State as represented by Pope and King. What before had been services of the King came to be claimed as rights of the State, which soon clashed with the rights of the Church ; whence followed a period of conflict between the two powers which lasted for centuries.

Something of the same sort happened as soon as the Pope, by establishing the Congregation of Propaganda in 1622, inaugurated a free movement of missionary work conducted independently of Portugal. The parallel is not of course exact, because in the case of the Norman kings there was no Royal Patronage formally established by Apostolic constitutions, as was the case with the kings of Portugal. The parallel lies only in the points indicated, namely, that in both cases the State claimed as rights what the popes viewed rather as privileges ; and what the Pope regarded as an exercise of the liberty of the Church, the King regarded as an encroachment on the State.

When it came to a clash, the weapons used by the two royalties were practically about the same. The Norman kings forbade appeals to Rome and tried to divert them to the Royal Court. They also tried to cut off communication between the Pope and the bishops by making it illegal to

introduce papal bulls into the kingdom, and by intercepting them at the ports. The kings of Portugal were more "constitutional" in their methods. They rested their case on the rights and privileges accorded to them by the apostolic bulls of the patronage which "could not be derogated even by the Holy See itself without the royal consent," as well as customs and usages which had been in long possession. As soon as the popes began their free administrative acts, such as appointing Vicars-Apostolic or Delegates or Commissaries to function in Padroado areas, they saw in such independent actions an encroachment on their royal rights, privileges or customs, to be resisted as an injury and an injustice.

#### THE REGIUM PLACITUM.

The instrument they made use of in this resistance was something altogether distinct from the *jus patronatus*, namely the *regium placitum* claimed by them as an inherent right of the State. The *Regium Placitum*, otherwise called the "placet," "beneplacet," or "exequatur," was in its fully developed form a claim of the State (as by right) to exercise censorship on Papal bulls, briefs, decrees or instructions communicated to the bishops or clergy—in such a way that unless they bore the signature or sanction of the king, they could not legally be introduced, accepted, published or put into execution within the kingdom. If such documents did happen to come to their destination unsanctioned by the king, they were to be treated by bishops, clergy and people as null and void, and ignored just as if they did not exist.

This formidable organ of State control seems to have had quite an innocent origin. At the time of the Great Western Schism (1378-1417), in order to guard against spurious papal letters issued by Antipopes, Pope Urban VI conferred on certain ecclesiastical superiors the faculty of examining papal constitutions, and ascertaining their authenticity before promulgation and execution. Various civil authorities, out of loyalty to the true Pope, felt bound to adopt the same precaution; not as a censorial right over papal acts, but as a means of distinguishing the genuine from the spurious. Apparently the practice was discontinued when, after the schism, Martin V condemned the *regium placet* in his Constitution of 1418. Shortly afterwards, however, it was revived in Portugal by John II and claimed by him as a right inherent in the Crown; "who however, when condemned on this account, humbly submitted" (Conte a Coronata, *Jus Publicum Eccl*: p. 171). But the *regium placitum* still continued to be exercised in Portugal, and the same idea and policy gradually spread to other countries. (See *Catholic Encyclopedia* sub tit. *Exequatur*).

#### THE PLACITUM CONDEMNED.

Although the Holy See acquiesced in the actual application of the *regium placet* in connection with the exercise of the patronage, at a time when the two powers were working harmoniously together, the thing itself as a right or principle was never admitted by the Church. In fact it was expressly condemned not only (as already mentioned) by Martin V in 1418 but previously by Boniface IX (1389-1404) and afterwards by several

pontiffs down to Pius IX in the Syllabus, as well as in the Vatican Council, and finally by Leo XIII in 1877, as the following quotations will show :—

(1) *The Vatican Council* : “Moreover out of that supreme power of the Roman Pontiff to govern the universal Church there emerges, in exercise of this function, the right of free communication with pastors and flock of the whole Church, so that they may be taught and ruled by him in the way of salvation. Therefore we condemn and reprobate those opinions which hold that this communication by the Supreme Head with the pastors and flocks can be licitly impeded, or which render it subject to the secular power ; so that, as they contend, those things which are determined by the Holy See or by his authority have no force or validity unless they are confirmed by the *placitum* of the secular power” (Denziger No. 1829).

(2) *Leo XIII Allocution 1877* : “We altogether condemn and protest against that unjust law called the *regium placitum*, openly declaring that by it the divine authority of the Church is injured and its liberty violated” (Denziger No. 1847).

#### ITS USE IN THE EAST.

So far for the *regium placitum* in itself. As regards our history, we have quite a series of examples showing that the reception meted out to the Vicars-Apostolic, Delegates and Missionaries sent from the Holy See, through Propaganda or directly by the Pope, was in first instance determined by the simple test question : “Do your credentials bear the Royal *placet*, or are they accompanied by a letter of recommendation from the King or the Viceroy ?” For lack of such royal certification the Delegate *a latere*, Tournon, was systematically opposed and thwarted in India and China (1704-1710) ; whereas his successor, sent out in 1719 fortified by the Royal *placet*, received cordial welcome and furtherance.

Similarly in 1714 some Capuchins in Chandarnagore were refused sanction for a chapel on the ground that the bull of their commission had not passed through the chancery of Portugal ; and many other instances could be added.

At the same time it must be borne in mind that the *regium placitum* was something quite distinct from the *jus patronatus*. The Portuguese authorities regarded the sending of the Vicars-Apostolic, etc., as an encroachment on the rights of the patronage, and they merely used the *regium placitum* as an instrument for the enforcement of those rights. Even if no *regium placitum* had existed, there would have been resistance all the same. Hence the two questions have to be kept altogether apart. The condemnation passed by the Church on the *regium placitum* merely falls upon the instrument used in defence of the Padroado, without thereby affecting the controversy regarding the rights or wrongs of that defence looked at in itself.

#### THE WIDESPREAD CONFLICT.

One of the important points to realise is that the Padroado *vs* Propaganda question in India was only one local element in the Padroado *vs*.

Propaganda question in every part of the world where the Portuguese held sway: Malacca, Siam, Cambodia, Annam, Cochin-China, China, Japan, etc., wherever the Royal Patronage existed and Vicars-Apostolic were sent. From the very beginnings of the Propaganda movement, commencing from 1622, Vicars-Apostolic to China, Siam, etc., were rejected and impeded, either because they had not received the *placitum regium*, or because they had come to the East in other than Portuguese ships. Those fortified by the *regium placitum* were, moreover, only allowed to proceed to their destinations after signing a bond on oath to obey the orders of the Royal Patron and not to do anything prejudicial to the rights of the patronage; and within the Portuguese dominions, those of other nationalities were required to take an oath of allegiance to the king, under pain of confiscation and banishment.

The Holy See sometimes deemed it expedient to accommodate itself to the demands of the Padroado authorities by making the Vicars-Apostolic, Delegates or Missionaries show their bulls and commissions to the Royal Patron and secure his permission and commendatory letters, and take passage by Portuguese ships from Lisbon; and where this was done, generally speaking no obstacles were raised. Still as a system it was unworkable, especially as clergy of various other nationalities were concerned. The rule of all missionaries going to the East through Portugal enabled the Portuguese civil power to exclude any missionary of other nationality whom they did not wish to pass through. It meant that the missionaries had first to show their papal credentials to the king and get his *placet*; which enabled the king to impede any plan of the Holy See which did not fall in with his own wishes. Even if the royal *placet* was given, it was easy to find no room in the Portuguese ships, and keep back missionaries indefinitely.

On arrival in the East the Vicars-Apostolic could not escape the Portuguese agents of the Inquisition, who were in every port, and would not let them pass on to their destinations till they had shown their credentials; and unless these credentials bore the *placet* of the king, they were of course *ipso facto* treated as null and void. In this way Vicars-Apostolic were held up helpless, and were sometimes even suspected or accused of heresy and put under ecclesiastical censure. In the same or other cases the commissions of the Vicars-Apostolic were viewed as an encroachment not only on the civil rights of the Crown, but also on the primatial or diocesan rights of the local bishops, and were therefore treated as invalid, null and void on this account also.

#### A SUMMING UP.

Had no State patronage existed—had the bishops been free agents under the sole management of the head of the Church,—they might indeed have protested and made representations and secured compromises; but if the popes had held to their programme the bishops must necessarily have obeyed in the end. But there was the State patronage in the background, under which those bishops had been appointed and



on which they practically depended. Hence they deemed it their duty to uphold the normal canonical prerogatives of their Sees, not merely as bishops but also as subjects of the Crown. Even where they might have been personally disposed to render implicit obedience to the ruler of the Church, their hands were tied by their allegiance to the ruler of their country, whose rights, privileges and customs of the patronage they felt by virtue of their position bound to maintain, and would have been punished for not doing so.

Such was the situation. While abstaining altogether from entering into any present discussion on the merits of the case, this much at least we believe can be said: It was not, in the minds of these who figured in the conflict, a mere question of obedience to the Holy See *versus* disobedience to him. The Padroado authorities seem to have been convinced at the time that they were right, just as fully as the popes were convinced that *they* were right. A serene and confident sense of being in the right reveals itself in all the Padroado documents of the period which we have so far met with; and of course this carried with it a corresponding conviction that the popes were acting wrongly, and that it was the duty of the Padroado authorities to bring home to them that they were wrong. The rights, privileges and customs of the patronage rested on Apostolic constitutions and long pacific possession; and whatever might be the fundamental or ultimate right of the Pope to abrogate them for justifying reasons, such abrogations had not been made in the formal manner which was to be expected. Instead of that the popes were overriding these rights, privileges and customs by merely administrative acts, which the Padroado authorities maintained they had a practical right to resist.

It was, in short, the case of two parties confronting each other from different points of view—the one taking its stand on the foundation-principles of the constitution of the Church, and the inalienable supremacy and liberty of the Holy See to govern the Church without hindrance from any earthly power; the other party taking its stand on the concrete terms of a convention or contract entered into with the State, which was still in possession and binding on the parties who had made it, and which even the Holy See had declared itself unable to rescind except by the consent and agreement of the State. In this conflict each party acted according to the logic of its position and from its own point of view; and as the matter was not at the time discussed on grounds of principle, but simply worked out through the medium of concrete acts, the result was a strained relation and often a complete *impasse*. This *impasse* lay not so much between Portugal and the Holy See, both of whom pursued their respective policies with the quiet persistency of a game of chess. It lay rather between the Vicars-Apostolic and the local Padroado authorities, whenever circumstances threw them into contact with each other.

### CHAPTER III.

#### A CATENA OF EVENTS (1622-1720.)

IN order to give a concrete aspect to the general description just outlined, we have here gathered together a catena of Papal acts and other events which took place during the period under consideration, *i. e.*, between the establishment of Propaganda in 1622 and the coming of the Carmelites into Bombay Island in 1720 :—

—1622. Gregory XV, after a formative process lasting about forty years, formally establishes the Congregation de Propaganda Fide.

—1627. Urban VIII (in regard to Japan) orders religious missionaries to obey the decrees of Propaganda under pain of censure (B.P.P. II. 43).

—1633. Urban VIII, finding that former papal decrees, which forbade missionaries to go to the East except through Portugal, were an impediment to the work of the Church, declares them free to go by other routes than by Portugal, and those who impede them incur excommunication (48).

—1637. A Brahmin Oratorian of Goa appointed Vicar-Apostolic of Bijapur; and a conflict arose at once between him and the Goa authorities.

—1642. The King of Portugal issues a decree against foreign missionaries sent by Propaganda to India, especially against the Italian and Spanish Carmelites, the Theatines in Goa and the Capuchins in Madras.

—1619. Fr. Ephrem the Capuchin imprisoned by the Inquisition for using jurisdiction at Madras independently of Padroado.

—1652. The Court of Portugal forbids all Portuguese subjects to execute any Bull or Pontifical rescript which does not bear the *regium placitum*. (D'Sa, Damaun, p. 160).

—1656. Alexander VII sends a Carmelite (Joseph of S. Maria) to the Church of Angamale and recommends him to the Archbishop of Cranganore. The Carmelites are to try and bring back the Syrian seceders to the obedience of the Archbishop of Cranganore (81-85).

—1659. Alexander VII. On the death of the Archbishop of Cranganore the same Carmelite is made commissary and ordered to consecrate two Vicars-Apostolic to administer the diocese (96-99).

—1669. Clement IX. All missionaries sent by Propaganda are ordered to show their credentials to the Vicar-Apostolic of the district in which they work (120).

—1670. Clement IX adds Golkonda and Pegu (Burma) to the Vicariate-Apostolic of Bijapur (124).

—1671. Clement X cancels a censure of the Inquisition passed on the Vicar-Apostolic of Cochin-China (128).

—1673. Clement X, finding that the Inquisition has been vexatiously obstructing the Vicars-Apostolic of China and their missionaries, says that the object of the Inquisition is not to create obstacles but to remove them, and declares that the Vicars-Apostolic are entirely exempted from the jurisdiction of the Inquisition outside the temporal dominions of the king of Portugal (132). He writes to the Archbishop of Goa as follows: It is reported that the papal bulls issued to certain French Vicars-Apostolic have been declared subreptitious by the officers in Siam; and that they have not only been forced to show their bulls (as if they were subject to a chapter and not directly to the Holy See) but that certain Christians in intercourse with them have been excommunicated and fined. He hopes that this has been done out of ignorance and not out of disobedience. He instructs the Archbishop of Goa to forbid such officials, under grave penalties, to exercise in future any act of jurisdiction over the said Vicars-Apostolic outside the temporal dominions of the King of Portugal, and to order them on the contrary to treat the Vicars-Apostolic with special reverence as immediately dependent on the Holy See, and to help on their pious efforts with due charity (133). By another brief Clement X in the same year officially and fully exempts the Vicars-Apostolic and their missionaries from the control of the Inquisition in all places not subject to the King of Portugal, in order that all obstacles may be removed and the workers for the spread of the faith may be relieved of undue oppressions and troubles (136).

—1672. The Court of Portugal orders the Viceroy of Goa to seize any bishop or missionary sent by Propaganda and to despatch him to Portugal (D'Sa, India II. VI.)

—1673. Clement X confirms previous decrees allowing missionaries to proceed to their fields of labour otherwise than by Portugal (142).

—1673. Clement X, finding that divisions and schisms have arisen in various parts of the Far East, orders under pain of excommunication that no one shall ask for, procure or accept from any Primate, Archbishop, bishop, chapter, etc., appointments to such posts as vicar-general or forane, visitator, or any other title or dignity in places assigned to Vicars-Apostolic (145).

—1673. Clement X confirms and renews the previous briefs of Alexander VII and Clement IX and the decrees of Propaganda as to the exemption and freedom of the Vicars-Apostolic (147).

—1674. Clement X desires to obviate all contentions between the local Bishops of India or other parts and the Vicars-Apostolic, by removing and fully exempting the latter from the jurisdiction of all Ordinaries in the places assigned to them, reserving the future right of the Congregation of Cardinals to decree otherwise (158). In another brief he orders the bishops of India and other parts of the East, by apostolic authority and under the virtue of holy obedience, to observe all the Apostolic constitutions and decrees of Propaganda under penalties

to be imposed by the same congregation (159). In a third brief he forbids all bishops in India, etc., and their officials or ministers, to exercise any act of jurisdiction over the Vicars-Apostolic; since they are the delegates of the Holy See holding exclusive jurisdiction (*privative quoad omnes*) in the provinces assigned to them (160). Finally those who attempt to impede the Vicars-Apostolic in the exercise of their jurisdiction in the places assigned to them are subject to ecclesiastical censures (161).

—1674. The Holy See appoints Thomas de Castro, Vicar-Apostolic of Canara (south of Goa). The Archbishop of Goa rejects the papal brief as spurious or subreptitious, and denounces de Castro as an intruder.

—1677. Innocent XI. In reference to a French Vicar-Apostolic sent to China and imprisoned in the Philippines by the Spanish authorities, the Pope declares that the perpetrators have incurred ecclesiastical censures and penalties (175).

—1678. Innocent XI orders that missionaries under Propaganda shall take an oath to the Vicars-Apostolic to obey the orders given by the Holy See; and that if any Ordinaries of India, etc., or princes or Catholic kings complain that their rights and privileges are thereby violated, they (the missionaries) will not take sides with them. The orders specially mentioned are those of Alexander VII and Clement IX and Clement X above quoted (183). In 1680 the same form of oath is promulgated by a decree of Propaganda (185).

—1682. The King of Portugal imposed an oath of allegiance to himself and his Patronage on all missionaries irrespective of their nationality. The Jesuits refused to take this oath, and their refusal was confirmed by Rome. Against Propaganda the King upheld his exclusive right to nominate not only bishops but also all missionaries, and required the Holy See to remove from his dominions all missionaries not approved by him (oath quoted in Godinho, p. 106).

—1687. Innocent XI appoints a Visitator Apostolic to report on dissensions and controversies between the Carmelites and the Archbishop of Cranganore in Malabar (189).

—1692. Innocent XII appoints a Vicar-Apostolic in Borneo. We are told in a footnote, however, that the act was opposed and nullified by the Padroado authorities as being opposed to the right of the Portuguese Crown, and destructive of the royal patronage, and consequently not to be considered or approved; as not deserving of the *regium beneplacitum*, and therefore of no effect (200).

—1697. Innocent XII strictly forbids the Archbishop of Goa, and the other bishops of India and their "ministers," to exercise any act of jurisdiction in the kingdoms of Idalkan (=Bijapur) and Golkonda and of the Great Mogul, on any pretext whatever, or to impede the Vicars-Apostolic from the exercise of *their* jurisdiction in those kingdoms (211).

—1697. The Court of Portugal requires an oath of Fidelity to the Royal Patron from all Propaganda Missionaries coming to India (D'Sa, India II. VII.)

—1706. Further controversies between the Archbishop of Cranganore and the Carmelites of Malabar.

—1709. The foreign Carmelites, in Goa who refuse to take this oath, are expelled from Portuguese territory and their convents confiscated.

#### THE TOURNON AFFAIR.

—1701. Clement XI appoints Charles Thomas de Tournon, Visitor-Apostolic for India and China with powers of legate *a latere*, to investigate into the Malabar and Chinese rites, and commends him to the King of Portugal. He also communicates the appointment to the Archbishop of Goa and the Bishop of Mylapore, (III 5-10). Landing at Pondicherry Tournon issued a decree on the Malabar rites in 1704, which was protested against by the Archbishop of Goa, as "ruinous to the missions." On his passing to China in 1705, the Bishop of Macao gave him a qualified welcome and obedience. But the Visitor proceeded to certain ecclesiastical acts which soon gave rise to a conflict and state of stress. Meanwhile in 1706 the Archbishop of Goa issued a pastoral in which he speaks of Charles Thomas de Tournon as *calling himself* legate *a latere*, who has entered the Indian churches and without experience changed laws and political customs, and violated the *jus patronatus* of the serene Majesty of Portugal, and promulgated censures in the Mylapore diocese and disturbed the people. Since then he has invaded the dioceses of China belonging to the Patronage, and attempted various ecclesiastical acts which are reserved to the Royal patron. He has done all this without any legal exhibition of his bulls and faculties. "From all this it appears clearly that he has violated ecclesiastical laws and the patronal rights of the Crown of Portugal, and usurped the rights of our primate's Sec." Hence the Archbishop declares excommunications issued by the said Charles Thomas to be invalid; and orders all persons, clerical or lay, within the primate's limits, not to obey him or show regard to his censures until they have first inspected the faculties of his delegation. Moreover they are to regard the same Charles Thomas as "cited and forbidden under pain of excommunication to exercise any act of jurisdiction derogatory to the Royal patronage and to our primateship until the faculties of his commission are made juridically clear to us" (30). Upon this Clement XI writes to the Archbishop of Goa telling him that his faculties do not include the power to annul the acts of the Visitor-Apostolic Tournon (36).

In 1706 Tournon issues his decree about the Chinese rites (39). The Bishop of Macao protests and appeals against the act; but Tournon declines to accept the appeal (41-43). Tournon in 1707 issues further excommunications and admonitions in Macao. The Bishop of Macao thereupon publishes a pastoral repudiating the authority of the Visitor. The Visitor in turn issues a decree excommunicating the Bishop of Macao

(52-60) and continues to perform ecclesiastical acts (62-70) while the Bishop of Macao replies by a further decree against him (71).

—1709. The Visitor-Apostolic, on his return from the interior of China, is confined to his house at Macao by a military guard, and deprived of all power to exercise his functions. The Pope writes to the King of Portugal asking him to interfere. Receiving no answer he writes again, asking at least that Tournon may be set free in order to return to Europe (79-85).

—1710. The Pope writes again twice to the king, but receives no reply.

—1711. The King of Portugal instructs an envoy to ask the Emperor of China to allow Tournon's liberation, and orders him to be escorted back to Lisbon, treating him with the benevolence and veneration due to his rank and office (R. M. P. p. 10).

—1711. The Pope (unaware of this act of the king) issues a brief describing the indignities imposed on the Visitor, confirming his authority and his acts, and pronouncing all acts against him invalid, while those who have been excommunicated by him can only be absolved by the Holy See, or by the Visitor-Apostolic himself (100). Meantime news of the death of Tournon reaches Rome; and the Pope writes to the king asking him duly to punish those who had practically brought the death on by their illtreatment.

#### COMMENT ON THE TOURNON AFFAIR.

This Tournon affair is one of the most problematical episodes in mission history. The question of the Malabar and Chinese rites (namely certain usages which converts were allowed to retain) had been under debate ever since 1615. A solid body of local opinion—of “the man on the spot”—was in their favour, and considered Tournon's policy a mistaken and disastrous one. But the Popes enforced it, and had to be obeyed. The resistance to Tournon was mainly ecclesiastical, *viz.*, over the question of the rites. The Archbishop of Goa thought his policy ruinous to the missions in India; while in China it roused the ire of the Emperor, so that it was he and not the Padroado authorities that ordered Tournon to be put under military guard.

Here not only the secular rights of the Royal patronage, but also the ecclesiastical rights of the bishops ruling their own dioceses were involved. Although in point of principle the Holy See can send a Delegate *a latere* to supervise and regulate the administration of dioceses from a higher plane, to whom the bishops are canonically subject as to the Pope himself; still when the bishops find a newcomer devoid of practical experience revolutionizing the prevailing policy of the mission, and exercising ecclesiastical jurisdiction in ways which the bishops are firmly convinced to be improper and pernicious, no one will of course question the right and even duty of the bishops to protest and appeal, or even to suspend execution or to ignore censures for the time, with a view of preventing what they

consider to be an evil, and in order to get matters rectified in the long run. As a matter of fact, this opposition did lead in the end to a considerable modification of Tournon's decrees, though in the main lines they finally prevailed, and were put into effect in 1744.

#### THE CATENA CONTINUED.

—1716. Clement XI, writing to a newly-elected Archbishop of Goa, among other admonitions exhorts him not to transgress the limits of his jurisdiction and authority, and to beware of the most pernicious example left to him by his predecessor—For he, to the great offence of the faithful and injury to conscience, treated with great and habitual harshness the vicars and missionaries and others deputed by the Holy See [special mention of his treatment of Tournon] ordering his subjects neither to obey him nor any other Vicar-Apostolic. He repeats that the Vicars-Apostolic are altogether exempt and free from the jurisdiction and authority of the Archbishop of Goa or any other Ordinary, and “we therefore forbid you under pain of censure to exercise any act of jurisdiction against the aforesaid vicars and missionaries Apostolic, or to appoint any vicars-*vara* or other ministers or officials in those places where the Vicars-Apostolic have been constituted Ordinaries with exclusive jurisdiction— not even in case of their death—nor shall you allow your suffragan bishops to attempt to do the same. We moreover order you that when you find anyone holding such posts or offices (appointed thereto by your predecessors or suffragans) you revoke such appointments and remove such persons from office. And you must not in any way impede the Vicars-Apostolic or Visitators, either now or in future, from exercising their jurisdiction in the places assigned to them; but rather you ought, out of the reverence and obedience which you owe to the Holy See, to favour and help them” (148).

—1717 (Oct. 5). Clement XI sends to the Archbishop of Goa a copy of the faculties conceded to the Vicar-Apostolic of the Great Mogul, Golkenda and Idalcan (=Bijapur) to be renewed every seven years. To the same Vicar-Apostolic he has also conceded the power to ordain *sub titulo missionis* subjects of other dioceses without dimissorials from their proper Ordinaries. He also announces the appointment of Fre Maurice of S. Teresa (at present in Carwar) as Vicar-Apostolic in the aforesaid regions. Hence the duty of the Archbishop of Goa to recognise him and treat him honourably, and to persuade others to do the same; so that he (the Vicar-Apostolic) may be freed from the vexations, and troubles which have been imposed on him, on account of a false rumour fraudulently spread by his opponents, to the effect that he was neither a true bishop nor a true vicar-apostolic.

—1720. The Portuguese Fathers are expelled from Bombay by the English Government, and the Vicar-Apostolic of the Great Mogul and his Carmelites take their place.

## CHAPTER IV.

### VICARIATE OF THE GREAT MOGUL (1637-1720.)

IN the early period with which we are dealing, the Holy See appointed three Vicars-Apostolic in India : (1) Bijapur, 1637; (2) Malabar, 1657; (3) Canara, 1671. As our connection with the two latter is slight, we will deal with them first, and in a few words.

#### THE VICARIATE OF MALABAR.

This Vicariate was first inaugurated in 1657 by the appointment of a Carmelite Fré Joseph de S. Maria. Its object was to recall to the Church a body of St. Thomas Christians who had revolted from the rule of the Bishops of Cranganore. For this purpose the loyal section had invited the Carmelites of Goa to come to Malabar; and Holy See had sanctioned the undertaking. In this task of reunion the Carmelites achieved a considerable degree of success. A few years later (1663) when the Dutch conquered Cochin and expelled the Portuguese, the Carmelites were entrusted by Rome with the care of the Latin Christians in Dutch territory, while the Syrians who had been restored to Church unity were left under the jurisdiction of Cranganore. The Malabar Vicariate only comes into touch with our history through the fact that, being manned by the same Order of Carmelites, there was an interchange of missionaries between the two; so that Vicars-Apostolic were transferred from one Vicariate to the other, and one Vicar-Apostolic sometimes administered the other Vicariate during a vacancy. The Vicariate Apostolic of Malabar soon afterwards came to be called the Vicariate Apostolic of Verapoly, which was erected into the Archbishopric of Verapoly in 1886.

#### THE VICARIATE OF CANARA.

This Vicariate was first inaugurated by the appointment of Thomas de Castro, a Brahmin of Divar in Goa, and a nephew of Mattheus de Castro the first Vicar-Apostolic of Bijapur (of whom later). There was a good sprinkling of Christians at certain places along the South Canara coast (Mangalore, Honawar, Barcelore, etc.); but when the country was threatened by the Dutch on sea and the Mahrattas on land, the Padroado clergy, who had been ministering there, retired to Goa, and Propaganda came to the rescue. As soon as Thomas de Castro arrived in 1674 his jurisdiction and the genuineness of his briefs were questioned by the Archbishop of Goa, and he was therefore denounced as an intruder. Thomas de Castro died in 1684; and as no successor was appointed, this Vicariate passed out of existence. We shall often in our history find references to Canara; but always in connection with Karwar in North Canara, whereas de Castro's field of work was in South Canara.

#### THE VICARIATE OF BIJAPUR.

Our only real concern is therefore with the Vicariate Apostolic of Bijapur, which later on developed into the Vicariate Apostolic of the Great Mogul. In order to understand the meaning of this strange and high-



sounding title, we must make a short excursion into secular history :—

The Mahomedans first effectively invaded India from Afghanistan shortly after 1000 A.D., and through a long succession of dynasties consolidated what came to be called the Empire of the Great Mogul, with its capital at Delhi or Agra (Akbar, 1556-1605). By the year 1605 this Empire had extended itself over the whole of Northern and Central India, down to a wavy line stretching from a little above Bombay on the west coast to about Ganjam on the east coast. South of this line were certain outlying provinces which had secured their independence, and came to be known as the Deccan Sultanates : Ahmednagar, Bijapur and Golkonda. In the year 1637 however Ahmednagar was reabsorbed into the Mogul Empire, and the same fate befell Bijapur in 1686 and Golkonda in 1687.

The Vicariate Apostolic of Bijapur\* was instituted in 1637 when that city was still the court of a Sultan. Its objective was to minister to the Catholics actually there (soldiers, musicians, artizan labourers, etc., from Goa or Malabar, and merchants of various nations) and also to open missions in the neighbourhood as far as possible. Previous to this some Jesuits of Goa had been invited there, but do not seem to have gained any permanent footing (1561, 1608, 1622). Some Theatines also were sent there through Goa by Pope Urban VIII in 1610 : but they were not allowed [by the Goa authorities ?] to enter the kingdom, and consequently settled in Goa itself, where in 1655 they built the convent and church of S. Cajetan (Fonseca p. 248).

#### THE VICARIATE OF THE GREAT MOGUL.

Leaving the detailed history of the Vicariate over for the present, we find that in 1670 there were added to it the titles of "Golkonda and Pegu" (=Burma). In 1697 it is described in a papal letter as the Vicariate of "Bijapur, Golkonda and the Great Mogul," which was soon shortened into "the Vicariate Apostolic of the Great Mogul," or simply "of the Mogul." This title continued to be used after the Vicar-Apostolic had taken charge of Bombay (1720), and right onwards well into the 19th century, after the last relics of the Mogul Empire had disappeared. In 1722 Pegu became a separate mission. In 1784 Hindustan and Northern India were also divided off and given to the Capuchins of the Tibet Mission with their centre at Patna ; and finally in 1832 the Golkonda portion (= Hyderabad) was taken away and made part of the newly erected Vicariate of Madras. The last letter of Propaganda using the title "Vicar-Apostolic of the Mogul" is dated the same year, 1832. Next year for the first time they wrote "The Vicar-Apostolic of Bombay," a title which continued till the establishment of the hierarchy in 1886.

#### GEOGRAPHICAL LIMITS.

By superimposing a map of the Padroado dioceses (as determined in 1616) upon a map of the Mogul Empire and Deccan Sultanates as they existed at the same date, it will be seen that the Empire of the Mogul by

\* Bijapur, also variously called Vizapur, Adalkan, Adalshah and even Idalxa.

its latest conquests covered the whole of the dioceses of Goa and Mylapore within India proper, and stretched down even into the dioceses of Cranganore and Cochin. Practically however the activities of the Vicar-Apostolic were very limited : Surat in Gujerat ; Bijapur and Golkonda inland ; and Karwar in Canara to the south. Bombay, being a Portuguese and afterwards an English possession, did not fall within the Vicariate. It was only occupied in 1720 by virtue of special faculties provisionally conceded by the Holy See to meet a local emergency— as we have seen. This fact, never lost sight of by Rome, explains why they avoided the title “Vicar-Apostolic of Bombay” until the Empire of the Great Mogul had disappeared off the face of the earth, so that the name became an anachronism, and the Vicariate had to be called either Bombay or nothing.

But these are anticipations. Having put the Vicariate Apostolic of the Great Mogul in its historical frame-work, let us now turn in the thing itself, and begin with a series of notes on the Vicars-Apostolic in succession from the year 1637.

#### MATTHAEUS DE CASTRO (1637-1668).

It is interesting to note that the two earliest Vicars Apostolic appointed to the kingdom of Bijapur were priests of the Goan race. The first, Matthaeus de Castro, was a Brahmin born at Divar near Goa, where he first became a secular priest. After ordination he went to Rome, took there a degree in theology, joined the Roman Oratory of St. Philip Neri, and returned to Goa to become prior of the collegiate Church of N. S. da Luz. Going to Rome a second time he was consecrated bishop, and appointed Vicar-Apostolic of Bijapur. Coming to Goa in 1639 he brought with him three Capuchins. But as he left them behind at Goa when he went to Bijapur, they dispersed ; and one of them going to Surat laid the foundation of the Capuchin Mission there in 1640. Returning from Bijapur, de Castro built three churches at Bicholim, Vengurla and Banda, just over the Goa borders, to the north— the permission to do this having been secured from the Court of Bijapur by one Diego Paes, a resident of Divar. From Bicholim he addressed a letter to the Viceroy announcing his Apostolic commission— out of which arose a quarrel on the subject of jurisdiction, in course of which the Viceroy denounced him to the King of Portugal as a schismatic. In 1650 he is said to have visited the Court of the Great Mogul, as well as Surat ; then finally he went to Bijapur again, where he is said to have successfully started several missions.

Two contradictory accounts have reached us about him. According to one of these, his career at Bijapur was most successful and beneficial, and it was due to his prestige and influence that facilities of trade were opened to the Portuguese. Such is the statement of Antonio Joao de Frias in his *Aureola dos Indios*. According to the other account he acted as a traitor to the Portuguese, securing firmans from the Sultan to vex them, or even plotting to hand Goa over to the Dutch and the province of Salcete to Bijapur, etc. Complaints of his conduct were sent to the King, who in 1655 ordered a commission to investigate the case. But de

Castro escaped the inquiry by returning to Rome, where he remained for several years, and died there apparently in 1679. These adverse charges were embodied by Dom Luis de Sousa, Archbishop of Braga, in his *Demonstratio Juris Patronatus* submitted to Pope Innocent XI in 1677. They seem too extravagant to be true, are unsupported by evidence, and were probably no more than malicious gossip.†

For present purposes it is enough to note the unfortunate circumstance that between the Padroado authorities and the first Vicar-Apostolic in India there arose a strained relation which, no matter where the fault lay, was not calculated to make for peace and harmony in the future.

#### CUSTODIUS DE PINHO (1669-1687).

The next Vicar-Apostolic was another oratorian, Custodius de Pinho, also a Brahmin and a native of Verna in Goan Salcete. Having run away from home as a boy, he was taken to Europe by a Jesuit Father and educated in Rome. There he received consecration and was appointed Vicar-Apostolic of Bijapur and Golkonda in 1669 [*alias* 1671]. He at first resided at Bicholim, where he did good service to the Portuguese Government, by informing them of the movements of the chief Angria Sambaji with whom they were then at war. Coming to Goa he was favourably received, and is said to have established the Oratory there in 1682. He was also made use of (*sede vacante*) to ordain priests for the archdiocese. In 1687 [*alias* 1694] he was appointed Vicar-Apostolic or Visitor of the Serra of Malabar, and received from the King 500 xerafins for his journey; but he died before he could assume that office [1689 *alias* 1697]. Although he appointed a Capuchin to be his Vicar-General at Surat, we find no mention of his having ever visited either Bijapur or Golkonda.

A third Vicar-Apostolic is said to have been an Italian named D. Bisconti [according to Father Bochum's notes *Biscuoli*, an *alumnus* of Propaganda] of whom however nothing is known except that he died in 1695 or 1696; after which event the Vicariate received the fuller title of "Bijapur, Golkonda and the Great Mogul," and was entrusted to the Carmelite Fathers.

#### THE CARMELITE VICARS-APOSTOLIC.

Some Italian and German Carmelites first appear in connection with the Portuguese at Ormuz in the Persian Gulf in the year 1608; at Goa in

† There seems to be much confusion about de Castro. In some accounts his name runs "de Castro *Malo* or *Male*," perhaps his family name. Birth unknown, or 1607; became priest at Goa or in Rome; joined the oratorians or had nothing to do with them; was consecrated 1637 or 1652; arrived in India 1639 or 1650 or 1652; retired 1671 (?); died at Rome 1669, 1670, 1671 or 1679 at ages varying from 72 to 110. His title was Vicar Apostolic of Bijapur, or of Golkonda, Adalkhan and Vizapur, or of Idalxa, Pegu and Golkonda, or of the Empire of the Great Mogul, or of the Empire of Prester John of Abyssinia and of the Bragmanas and Grand Inquisitor of all the missions placed under him. He is called a Canarese by Manucci, and a Christian of St. Thomas by Mullbauer. He founded many successful missions, or he made no conversions. He fled to Rome to escape a royal inquiry, or he was withdrawn to Rome on account of his misbehaviour, or he retired to Rome to give an account of his glorious apostolate and was there received in triumph and glory, etc., etc., etc. He evidently created an impression of some kind, otherwise there would not be so much mythology about him.

1612 [*alias* 1607] where they built a church and convent ; at Tatta on the Indus in 1615 and at Diu in 1663. In 1696 one of their number, Fre Peter Paul Palma of St. Francis, was appointed by Pope Innocent VII Vicar-Apostolic of the Great Mogul. He arrived the same year (*alias* 1699) in Surat, which thus became the head-quarters of the Vicariate. He died in the year 1700 or 1701, and was interred in the Capuchin Church there. [For the Capuchins, who came out with Matthaens de Castro, had already been established in Surat since the year 1640].

The second Carmelite Vicar-Apostolic was Fre Pedro d'Alcantara of St. Theresa (the first Peter of Alcantara). He was appointed in 1704, and died at Surat in 1706 or 1707.

The third on the list, Fre Maurice of St. Theresa, brings us into immediate connection with our history proper. After having been Vicar-General to Pedro d'Alcantara he became his successor in 1708. Just about this time (1708 or 1709) there arose a quarrel between the Carmelites at Goa and the authorities there, due to their foreign nationality. It is said that they were ordered to take an oath of allegiance to the King of Portugal. On refusal their church and convent were confiscated and given over to the Oratorians, and they were expelled from the Portuguese dominions.† Some were deported to Portugal ; others fled to Sunkery near Sadashigur (*alias* Karwar in N. Canara) where there was an English factory. The Carmelites had here frequent opportunities of communicating with Propaganda at Rome, and with the Vicar of the Great Mogul at Surat, by means of the English ships. The Christians of Karwar were a numerous community, and the English showed themselves favourable to the Carmelites and granted them a piece of ground in the precincts of the factory, where they erected a small chapel, with the leave of the Sultan of Bijapur. Fre Maurice resided at Karwar from 1712 to 1717. In the latter year, after a visit to the Malabar Coast, he came to Bombay.

It was he who received the invitation to take over charge of the Bombay churches, and did so in 1720 as already related. Of the ecclesiastical troubles which he experienced in this connection we shall have much to relate in the following section. After the new regime had been established in Bombay Island he went for a time to Surat, where he died on February 13th, 1726.

#### THE RANGE OF THE VICARIATE.

Before the taking over of Bombay in 1720 the Vicar-Apostolic of the Great Mogul seems merely to have had his residence in Surat, where the Carmelites founded no mission till 1764, as the French Capuchins were already in possession. His occupations seem to have been : (1) Long periodical journeys to Golkonda and Bijapur, to minister to Christians clustered round those centres : partly soldiers and artizans or workmen from Goa or Malabar, partly Portuguese, French and other Catholic

† In 1712 we have a letter of the Pope asking the King to restore the convent to the Carmelites, as well as that at Diu which had also been confiscated—but without effect (B. P. P. III 125.)

merchants and immigrants. (2) Work at Karwar in North Canara, of which something has been mentioned already. (3) Work in the Malabar Vicariate—for while the two vicariates were distinct, the missionaries were interchangeable, and during vacancies the administration of both vicariates was done by the surviving Vicar-Apostolic, of the Mogul or of Malabar respectively.

When the burden of the Bombay churches was added in 1720, this new field occupied the chief attention, only one father being at liberty to make the necessary visits to the outlying centres, which were steadily declining in importance.

### PART III.

## THE CARMELITE REGIME (1720—1789)

### CHAPTER I.

#### THE TROUBLES OF FRE MAURICIUS.

THE ecclesiastical troubles which attended the coming of the Carmelites into Bombay island are recorded in a quaintly archaic document preserved in the Bombay Archives, containing curious jumble of facts expressed in language difficult to understand. It bears no date, but includes references to events occurring after 1774 and even after 1786, and seems to have been written about 1787-1788 :—*Translation* : AN ABRIDGMENT OF AN ACCOUNT RELATIVE TO THE ADMISSION OF FATHERS CARMELITES IN THE MANAGEMENT OF THE SPIRITUAL GOVERNMENT OF THE ROMAN CHRISTIAN CHURCHES ON THE ISLAND OF BOMBAY.

The Hon'ble Charles Boone, Esq., Governor of Bombay, etc. in Council, being mightily disgusted at the Portuguese Priests, their rectors and vicars, and in the management of the Roman churches on this Island ; for motives and reasons unknown to the public, by an edict the said Portuguese vicars were expelled from this Island—at the same time calling in the Carmelite missionaries to take the same upon themselves in their room, independent of the Archbishop Primate of Goa, at the time when Monsignor Don Fre Mauricius de St. Thereza, Bishop Anastaziopolitan was Vicar Apostolical, who received the offer of the said churches in October 1718--In which year also the Hon'ble the Council passed a decree in Latin as per paper marked "F" that commences "*Noveritis vos*," etc., etc. [Already printed above].

In consequence of this edict, solely known to his Lordship the bishop above-mentioned, he came here and lived in a private house [which] he had prepared for the purpose, in company with Fathers Peter de Alcantara and Elisio, both sent out from Rome in 1719 as missionaries to the Mogul Empire.

In the same year the churches aforesaid were tindend [tendered ? or handed ?] over to the said Bishop. It was also wrote to the Propaganda Fide in order to confer on the said bishop and his colleagues the power of jurisdiction to administer the sacraments to the Christians inhabiting thereon. When in the beginning of 1720 the Propaganda Fide, being thoroughly informed [that] it was the absolute will and pleasure of the Hon'ble the English Government that the administration of the said churches should be given to the Carmelites with the exclusion of the Portuguese Fathers Rectors, they accepted and approved of [the same] in the said year 1720, as the *Enchyridion* pages 462 and 463 [relates].

But although the above transactions between the Hon'ble the Government and the bishop, and the receipt of necessary papers (authorizing and empowering them) from Rome were only known to the gentlemen of the Council, and kept as private as possible from being in the least transpired to the people ; yet the idea was revealed, as well as what the Hon'ble Council had resolved respecting the removal of the Portuguese Fathers. For both the Archbishop Primate of Goa as well as the Auditor General Lesio Cartho de Vargas, then residing in the contiguous island of Salsette, *Arinata Manu* [armata manu ? -with mailed fist ?] declared against the poor bishop and his missionaries, as will be seen in the sequel of this narrative. And until they had received from the Propaganda Fide of Rome the due and necessary powers for the conduct and management of the churches in Bombay, unexpressible were the affronts and insults that they suffered, with many a slander, false harangues and accusations brought forth and published against them in every residences of the neighbouring bishops—Indeed it would have been necessary to go out of the way of our present subject to give a minute relation of many excesses committed then respecting the pretentious *meum et tuum*—We are satisfied to cite only the page 478 of the *Enchyridion Chronological* in order to give a full idea of what happened.

Finally His Holiness Pope Clement XI of blessed memory—being informed of the extraordinary attempts and machinations formed against the Bishop and his colleagues by denying the said bishop publicly the episcopal character—provided, as it is testified to us by his chirografo [= signature], against those disorders with a constitution directed to the appointed bishop for the good of the spiritual government of the mission independent of any other bishopric.

These powers and faculties from His Holiness Pope Clement the 11th being made public, the enemies of Monsignor Mauricius, keeping [laying ?] aside all dissimulation, with every improper and insignificant [insolent ?] manner, put in ridicule the new powers the bishop was furnished with from his Holiness the Roman Pontiff. But the Almighty God ordaining it should be so, and soon be known to His Holiness of the disorders, showing (?) by his said powers to the bishop, served as a most efficacious remedy against the great evils that might have been risen from the most scandalous reflections of other bishops against the Monsignor—

So that as soon as His Holiness had intelligence of the proceedings, he wrote most strenuously to the Archbishop Primate of Goa and other bishops ; not only condemning and concurring [censuring ?] their conduct, but also rendering himself an authentic witness of the episcopal office of his Vicar General conferred upon the said Monsignor Dom Mauricius.

And consequently therefore from the powers and faculties from his Holiness, and the previous consent of the Hon'ble the Governor and Council of Bombay, the said bishop with his colleagues took charge of the Roman churches on Bombay under the 25th of May 1720 ; obliging the Portuguese vicars, in consequence of a proclamation from the Hon'ble Governor and Council, to leave this island and its churches in quiet possession of Fathers Carmelites— with other circumstances quoted of Father Thomas D'Orta, a native of this Island, in the narrative of the ingress of Fathers Carmelites, that [he] wrote in that time—copy of which they produced to the said Hon'ble Governor and Council, as by that it was perfectly clear what happened on that occasion, and the orders that the Hon'ble Governor and Council thought proper to issue out for the tranquility of the aforesaid Carmelites.

But though every caution and care had been taken by the Hon'ble the Governor and the providence [provision ?] from Rome, it was impossible to keep the spirits of the inhabitants of this island in tranquility. For they never left off attempting and procuring many pretexts to turn the bishop and the Carmelites out of the spiritual management of the churches in Bombay. And to such a length of excess some of them carried their frenzy and madness whatever [=that they] attempted to deprive the poor bishop of his life, as will be seen with a reference to the page 479 as before cited.

To the insults and prattling of the people the bad treatment was in addition [=was added], not to say [speak of] the injurious cautions taken by the Prelate of Goa and other bishops against the honour and character of Monsignor Mauricius. For it was public and notorious that the Auditor General, Lesio Cartho de Vargas, treated him as a seducer and intruded [intruder] into another man's jurisdiction (to the great astonishment of the bishop and his colleagues Carmelites), that they were publicly excommunicated in all the churches in the island of Salsette ; and that afterwards this excommunication was sent here to the aforesaid Thomas d'Orta to be likewise published in one of the churches on this island. But this censure did not take place here ; for the Hon'ble the Governor, Charles Boone, Esq., had previously and rigorously prohibited (since March 1749)\* any such publications to be taken place, as per the orders it appears clearly.

[Here follows a digression on the way in which the Portuguese had behaved ill towards the Carmelite Order in other places and on other occasions].

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\* Either the date 1749 is an anachronism, or else the assignation of this law to Boone is wrong ; for Boone ceased to be Governor in 1726.

But what above all pained and cut the hearts of the Carmelites most cruelly was the promulgation of a schism by the Portuguese priests—that the Italian Carmelites in Bombay had not the true and legal power to administer sacraments to the Christians independently of the Primate of Goa; without considering that they, the Carmelites, are as justly indebted to [inducted ?] as any other ecclesiastics once empowered and deputed by the Holy See of Rome—a schism which the people soon arrived [at] and maintained with [?], especially by the native priests pertaining to this island, to the prejudice of harmony of the Christians in general.

This was the situation of things and circumstances when the Hon'ble the Governor Charles Boone, being timely informed of it, to prevent the evils creeping [growing ?] among the people, deputed a gentleman of the Council to accompany Monsignor Mauritius Bishop, with orders to summon all the clergymen before him, and to oblige them to pay due obedience to the bishop and his colleagues as lawful and legal delegates of the Holy See of Rome; and if any of them still retained the least scruple for obedience to, and receive sacraments from the bishop and his missionaries, they might acquaint him thereof, as he would absolve them of their scruples with a ready leave to go anywhere they pleased; keeping [leaving?] their estates behind them as confiscated goods for the benefit of the Hon'ble Company.

These steps had the looked-for effects, as they never more durst openly foment anything alike—Though it has been observed [that] it is impossible to see them persuaded firmly that the jurisdiction of the Vicar-Apostolic and his missionaries is as true and legal as that of the Primate of Goa—as they continue till now in many occasions to have recourse to the Primate of Goa. For example they believe that those priests that have received the sacred orders from the Bishop of Bombay are illegal and lawless [=irregular], and cannot exercise the sacerdotal functions without being recapacitated by dimissory letters (or reverend letters as they commonly call here) from the Archbishop of Goa, after making themselves faithful and obedient dependents to him by an oath of fidelity. Some few priests that have been ordained by the bishop of Bombay are those that were certain it would have been very difficult to produce necessary circumstances requiring [=required] at the ecclesiastical court at Goa on the occasion—whereas all other candidates that stand for the sacerdotal office go down to Goa and receive them there after a solemn oath to be faithful and obedient to him and his successors.

How prejudicial and detrimental may these disorders be to the welfare and tranquillity of the Roman Christians, as well as Fathers Carmelites inhabiting on this island, the Hon'ble the Government we trust may easily know, and condescend to consider seriously, that the present mutiny, raised by some ill-designed Christians under many false pretexts, proceeds certainly from very indifferent principles and most erroneous maxims, by which they persuade themselves that Fathers Carmelites missionaries



have not the full and legal authority for the good of the administration on this island; allowing them a subscriptions [subreptitious?] power, and liable to be disputed by the Archbishop Primate of Goa as the only lawful ecclesiastical Governor of the island of Bombay. [End of the document.]

#### COMMENT ON THE DOCUMENT.

It would take much space to enumerate the incoherencies of this narrative. But after correcting these as far as possible from safer sources, we reach tentatively the following salient points :—

(1) The secret negotiations between the English Government must have commenced at least as early as 1716, and spread over four years.

(2) By the breach of confidence of some secretary or other they were made known to the Portuguese authorities as they went on.

(3) Hence arose a campaign against the Vicar-Apostolic, by spreading abroad the denial of his authority and even of his episcopal consecration—at least three years before the transfer took place.

(4) The Vicar-Apostolic in 1716-1717 must have sent a complaint of this to the Pope; for in October 1717 His Holiness he wrote to the Archbishop of Goa sending him a copy of the Vicar-Apostolic's faculties, and affirming his episcopal character; asking the Archbishop to recognise him and treat him well, and persuade the other Suffragan Bishops (Cranganore, Cochin and Mylapore) to do the same—in order to put a stop to the injurious rumours spread about by his opponents, to the effect that he was neither a true Vicar-Apostolic nor a true bishop. The Pope does not say anything about the Bombay negotiations, but he is evidently alluding to the agitation going on in that place. The faculties enclosed were apparently the ordinary faculties for the Vicariate of the Mogul, and not the extraordinary faculties yet to be conceded regarding Bombay.

(5) When the Vicar-Apostolic took possession of the churches in Bombay in May 1720, he published his authorization from Rome and his faculties. But they were not acknowledged by the Portuguese authorities, who proceeded to issue an excommunication against him in the churches of Salsette, and tried (through a native priest in Bombay) to get the same published in that island, but in vain.

(6) According to Fr. Bochum's notes, the Pope's letter of 1717 to the Archbishop of Goa was confirmed by a letter of the King of Portugal "commanding his officials to suppress the pride and audacity of those wicked persons." But in spite of this the persecution did not cease; so that the Vicar-Apostolic was forced to shut himself up in a small house [The Fort Chapel house] for fear of attacks on his life. [The source of this information seems to be an historical statement written by the Vicar-Apostolic Fortini in 1847, and one cannot be quite sure of it].

(7) When the Portuguese Franciscans were expelled in 1720 the native secular priests remained in the island, and retained their posts in the churches under the Carmelites. They however did not believe in the

validity of the jurisdiction of the Vicar-Apostolic, and continued to function by virtue of the previous faculties given them by the Archbishop of Goa—and they must have spread their views among the people.

(8) Hearing that the jurisdiction of the Vicar-Apostolic was thus questioned by native clergy and laity, Governor Boone summoned the clergy before one of his Council, who gave them the alternative either to acknowledge and obey the Vicar-Apostolic or to leave the island, their goods being confiscated to the Government. Some of the clergy may have left the island, but most of them remained, and retained their posts under the Vicar-Apostolic.

(9) All this happened under Governor Boone, whose rule came to an end in 1726, after which the disturbance subsided. The native clergy, however (all of whom had been ordained at Goa) still disbelieved in the jurisdiction of the Vicar-Apostolic, and secretly had recourse to the Archbishop of Goa whenever they needed faculties or dispensations. When later on there were added a few priests ordained by the Vicars-Apostolic, the old clergy looked dubiously, not on the *validity* of their orders, but on the *licility* of the whole business; and even the newly ordained themselves felt doubts, and thought that an oath of submission to the Archbishop of Goa was necessary to legitimise their position. In short the whole atmosphere was so filled with the Padroado idea, that any acts even of the Holy See, if they impinged on the Padroado rights and privileges, and if they were not accepted by the Padroado authorities, counted *ipso facto* as null and void.

(10) This idea seemed to have prevailed right through the period for 1720 to 1786; at which date efforts began to be made to restore the jurisdiction of the Archbishop of Goa, as will be seen later on in our history.

(11) The historical summary of these events was apparently written about that time (1787-1789) and refers to this movement in favour of Goa when it speaks of "the present mutiny." It seems to be a rough draft of a memorial intended for Government. Being made by one who was not an eye witness of the earlier events, and compiled out of old diaries aided by hearsay recollections, it jumbles up the details badly, and is only of value as witnessing to certain salient facts, of which the foregoing is a tentative analysis.

(12) By way of final comment, one cannot avoid noticing the unfortunate way in which this business was conducted. Had the Portuguese clergy first been expelled, and the Vicar-Apostolic called in only afterwards to fill up a gap already made, the proceeding would have seemed so natural as not to cause ill-feeling. But as we have seen, the measure had been prepared for several years beforehand, and was secretly worked out between the English Government and the Vicar Apostolic, who had shown his willingness to co-operate with the Government, and even sent to Rome for permission and secured extra missionaries for the purpose. As the secret soon leaked out, and the whole process of the negotiations

was known to the Portuguese authorities while they were going on—Well, the Padroado authorities could hardly help taking a sinister view of the whole transaction. It might easily look as if the Carmelites, (perhaps in reprisal for past ill-treatment at the hands of the Portuguese) were trying to steal a march on the Padroado, and inspiring, or at least aiding and abetting the English Government in their anti-Portuguese designs. I do not suppose for a moment that such an interpretation was a true or fair one; but it is one which would naturally suggest itself to the Portuguese mind, and lead to disagreeable results.

#### ADDITIONAL DOCUMENTS.

(1) After the foregoing matter had been put in type, an additional document came within our reach through the *History of the Church in India* just then published by Fr. D'Sa. In Volume II, p. 51 we find a quotation from the *Mitras Lusitanas* which throws clear light on the excommunication issued against Fre Mauritio! Thus Fr. D'Sa writes:—

As soon as the news of the expulsion was known in Goa the Viceroy Luis de Menezes ordered a proclamation to be made in Bassein, Damaun and Chaul protesting against the actions of the Governor of Bombay and the Vicar-Apostolic: "Forgetting the ancient possession, dominion and right of the Portuguese King in point of his royal patronage which was recognised in the 4th and 11th Articles of the treaty of donation...he [the Governor of Bombay] made the violent innovation of admitting Fre Mauritius de S. Theresa, Carmelite, who they say is appointed a Bishop and Vicar-Apostolic in certain parts of the East, and if it should be so, only with jurisdiction in places of his mission, which, being commonly in very distant parts, the royal prerogatives of the patronage always remains safe and the jurisdiction of the Archbishop of Goa, primate of the Indies, remains intact in its purity: and [of admitting also] more friars of his Order and nation, giving faculties that one might exercise episcopal jurisdiction and the others [the powers] of parish-priests, expelling unceremoniously the Portuguese Franciscan religious priests in that island, to introduce in the churches which they so worthily occupied, some Italian friars of the Order of the same pretended bishop, who is not only the mover and instrument of a deed so full of insolence, so far as concerns the royal patronage and the jurisdiction of the Archbishop of Goa, but a cause of scandal for making use of the English, as they are of a different religion.

I order that no Portuguese or natural vassal of His Majesty—and I also give notice to the Roman Catholics who exist in the island of Bombay—should acknowledge (as bishop and parish-priests) the said Fre Mauritius and other Italian friars, who without any jurisdiction and right whatever have usurped [those churches].

"If any one of the aforesaid vassals of this State, ecclesiastical or lay, should renew orders, celebrate a marriage, or concur with the aforesaid intruders in the churches and in the usurped jurisdiction, in the use of the false power which they have acquired with the help of the said heretics,

he shall be denaturalised and forbidden to enter territory subject to Portuguese rule, and all his property shall be confiscated" (Mitao Lus. pp. 215, 216.)

(2) A further sidelight was at the same time discovered in a petition of the inhabitants", etc., against the restoration of the Padroado in 1789 [see later]. Although the statements made in such popular petitions are often quite unreliable, they represent a tradition which generally has some foundation of fact at the back of it. This document, after describing somewhat graphically the semi-warlike reprisals which took place between the English and the Portuguese on account of the expulsion of 1720, it goes on to say that after a time the quarrel was brought to an end by a combination of forces against the Sidi Chief, and then continues: "In the terms of peace which were made on that occasion "the said Viceroy did confirm the said surrendering up of the Government of this island to Bishop Maurice and his successors and did concede the whole right which the advowson [ patronage] of Portugal and the Archbishop of Goa had theretofore exercised in the administration of the churches of Bombay, on condition that the English State should give their hearty and effectual and . . . in the conquest of Collaba of Angria."

If there be any underlying truth in this statement, it would amount to no more than an acquiescence in the inevitable, as it is unthinkable that the Portuguese authorities should surrender their patronal or ecclesiastical right in the way described in the text.

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## CHAPTER II.

### SOME FURTHER TROUBLES (1728—1769).

#### GOVERNMENT ALLOWANCE STOPPED, 1733.

THE next Vicar-Apostolic was Fre Pedro d'Alcantara of the Holy Trinity (the second Peter of Alcantara). He was nominated in 1728 and consecrated in 1732, and ruled the vicariate till his death. It seems that when installing the Vicars-Apostolic, the English Government had undertaken to subsidise them with a paltry sum (*Mirabile dictu*!) of Rs. 40 per month; but that even this miserable pittance was stopped on the death of Fre Maurice in 1726. Hence we find that in a Consultation of Jan. 19th, 1733, a memorial was read from "Peter of Alcantara, Ap. Vic. of the Mogul Empire, of the kingdoms of Bijapur and Golconda and the island of Bombay," representing that whereas the Hon. Company had in 1718 invited and admitted to the spiritual government of the four R. C. churches of Bombay the Rt. Rev. Maurice of Santa Theresa (Bishop Anastasia (?) of the Carmelite Order; at the same time granting him permission to ordain, depute and appoint parochial missionaries of his

Order subordinate to his jurisdiction for the administration of the said churches) confirming to him the free undisturbed exercise of his religion as theretofore, with liberty to erect and build within the city an episcopal house and chapel; which he did. In return the Vicar-Apostolic and his missionaries did take a formal oath of perpetual allegiance to the Crown of Great Britain and to the Hon. Company, obliging themselves to a vigilant care of the 6,000 R. C. subjects of this island, etc.—In consideration of this agreement the Hon. Company did approve and admit the establishment of the said bishop and . . . granted him a stipend of Rs. 40 which, having been stopped at the death of Fré Maurice in 1726, was asked to be continued to his successor. The Board agreed to place the petition among the advices then preparing to be sent home (p. 525). Fré Pedro died at Bombay January 23rd, 1715.

#### THE VICAR-APOSTOLIC IN EXILE, 1748.

The next Vicar-Apostolic was Fré Innocent of the Presentation, who had resided at Sankery near Karwar from the year 1724, and was appointed Vicar-Apostolic in 1746, and came to Bombay in 1748. About him the *History of the Diocese of Mangalore* (p. 78) informs us that "Soon after his appointment he visited Surat and lived there seven months with the Capuchin Fathers; but the very day he set foot in Bombay (November 1st, 1748) he was expelled by the English governor. He took refuge in Bandra, which with the whole island of Salsette had been wrested from the Portuguese by the Mahrattas; and there he dwelt in the house of a poor Christian till the beginning of 1752. This exile from Bombay and subsequent persecution was the outcome of an unhappy difference with his religious brethren of Bombay, because he held himself to be superior of the regulars as well as Vicar-Apostolic. [On this subject see below]. He and his successors were deprived of a Government pension in consequence of this unpleasant quarrel. While at Bandra he consecrated, with the permission of the Archbishop of Goa, Father Florence of Jesus as Vicar-Apostolic of Verapoly in the Church of St. Andrew, on April 21st, 1751. He returned to Sankery in 1752 where he died the following year.

#### CAUSE OF THE EXPULSION.

There is a good deal of obscurity about this expulsion affair in Bombay. Niebuhr, who visited Bombay in 1763, seems to allude to it in the following passage:—"The Catholics, a scanty remainder of the Portuguese, and a great number of Indians their converts, are much more numerous than the Protestants. They have abundance of priests, as well Europeans as Indians who attend their studies at Goa. To superintend this herd the Pope named some years ago a Bishop of Bombay; but the Governor of the island sent him away, declaring that they needed not Catholic priests of so high a rank."

The original decision of the Government to keep the Vicar-Apostolic out of the island is recorded in a Consultation of January 27th, 1748, when we read "There being reason to apprehend that there is a Romish priest at Tellicherry who wants to come hither and take up his residence

on the island in quality of a bishop, it is agreed that the chief and factors be ordered peremptorily to refuse his passage on any of our ships until they have orders from us to the contrary. In case at any time any Romish priest should want to touch here for proceeding elsewhere they are to permit thereof if they think proper" (Materials Vol. III, p. 530). This "Romish priest" was the Vicar-Apostolic Fre Innocent of the Presentation, who, as we have seen above, was expelled as soon as he entered the island in November 1748.

#### A DOMESTIC DISPUTE, 1744.

The History of Mangalore attributes this expulsion to "an unhappy difference with his religious brethren in Bombay, because he held himself to be superior of the regulars as well as Vicar-Apostolic"; while Niebuhr says that he was sent away because the Government "needed not Catholic priests of so high a rank." This gives us a clue which, when followed, seems to solve the mystery.

Under the rule of Fre Pedro d'Alcantara the second, there had arisen a disagreement between the Carmelite bishop and his own Carmelite clergy. The point at issue seems to have been a domestic one, *viz.*, whether the Vicar-Apostolic, besides his episcopal jurisdiction, possessed also the right to act as religious superior. From certain documents in our archives, we gather that there was a tendency on the part of the religious to regard themselves in the light of ordinary parish-priests, subject to the bishop in diocesan matters, but free from the personal control of any local superior. The authorities in Rome settled this point by asserting that the missionaries-regular were still under the religious control of a superior regular, and this superiority was vested in the person of the one who happened to be bishop for the time being.

The question came up in the following manner: In 1744 one of the Carmelites appealed to Government to prevent the Vicar-Apostolic from removing him from a parochial post. The Vicar-Apostolic referred the matter to Propaganda, who replied that according to previous decrees of 1732 and 1733, the Vicar-Apostolic was not only Diocesan, but also had the authority of a Superior Regular and must be obeyed not only in parochial but also in religious discipline. The Congregation also decreed that recourse to a lay judge was altogether illicit and forbidden, and subject to ecclesiastical penalties; and they ordered the missionaries to render obedience to the Vicar-Apostolic, as also to his Vicar-General in case of absence. [Note in volume of Propaganda letters p. 41-42 without date]. It seems as if Government, which preferred dealing with the clergy individually, rather took sides with the recalcitrant missionary against his ecclesiastical superior, and so wished to get the Vicar-Apostolic out of the way, "as they needed not Catholic priests of so high a rank." Hence the exclusion of Fre Innocent of the Presentation on his arrival in 1748.

Fre Innocent, as we have seen, after living in retirement at Bandra for over three years, left there in 1752 and went down to Sunkery (Kar-

war) where he died the following year.

#### THE EXILE CONTINUED.

His successor, Dom Sebastian Piacentino of St. Margaret, was nominated to the Vicariate in 1751, but died on the voyage to Bombay. After him came Fre John Dominic of St. Clara, who received his appointment in 1757 or 1758. When on an apostolic visitation to Bombay and Surat in 1761 he administered the sacrament of confirmation to the Christians of Bassein, Damaun and other parts at the request of the Archbishop of Goa—an incident showing that whatever views the Archbishop may have had regarding the Vicar-Apostolic and his jurisdiction, at least he was willing to make use of his services where convenient to himself.

We gather from the Mauritius MS. that this Vicar-Apostolic also was not permitted by the English government to reside in Bombay; and it was by special permission only that he was even allowed to pass through the island. The *History of Mangalore* alluding to this event says that "In 1761 acceding to the request of the missionaries he visited Bombay, which had been without a bishop for thirteen years. But he was soon expelled by the Governor at the instance of an English councillor. Not long after, when there was a change in the personnel of the Bombay Government, he visited it again and obtained from Government a large portion of the old factory property at Sunkery." (p. 82).

#### PROPAGANDA TO THE RESCUE.

Meantime Propaganda was trying to conciliate the British Government on the matter. We have a letter from the Congregation to the Vicar-Apostolic, dated September 15th, 1764, telling how efforts had been made with the Court of London to secure permission for a permanent residence in Bombay. No reply being forthcoming, they had written again, and would forward the answer as soon as received. After discussing a new mission just founded at Surat, they instructed the Vicar-Apostolic to make it his residence so long as he was excluded from Bombay.

In another letter dated September 20th, 1770 they congratulated the Vicar-Apostolic on having obtained permission to pass through the island. Meantime he appointed one Fre Thomas of Poitiers as his Pro-Vicar. We read that on his second visit to Bombay, he administered confirmation in the island and (again with the permission of the Archbishop of Goa) also in Bandra and Thana. This seems to have been in 1769. Otherwise he spent most of his time either in Surat or the Karwar Mission. He died on a journey in 1772, and his remains were afterwards translated to Sunkery (Karwar) in 1775.

#### RELIGIOUS INTOLERANCE, 1751-1763.

The hard treatment experienced at the hands of Government by these two Vicars-Apostolic can perhaps be partly explained by a spirit of antagonism to Catholics which was in the air at this time. Thus we read in the Diary of January 27, 1751, that "The chief and factors

at Tellicherry have sent Ensign Roloffstas to Anjengo to relieve Ensign Edgerton, because Ensign Edgerton and his Captain Lieutenant are both staunch Roman Catholics, and therefore not fit to be trusted with an outfort. They therefore thought it best to separate them. The act was approved" (Materials Vol. III, p. 530).

The same policy took a more sweeping form the next year; for we read that in 1752 the Court of Directors, "finding that among the Military Officers of Bombay there were several officers of the Romish religion, ordered that they should be discharged from the service; and such as are British subjects are to be sent to England, as we will on no account permit of their continuing in India" (Materials Vol. III, p. 171).

Niebuhr writing in 1763 informs us that "though toleration of worship is generally permitted, Government allows not the Catholic priests to give al loose to their zeal for making proselytes. When any person chooses to become Catholic (Roman) the reasons must be laid before Government; and if they are judged valid he was then allowed to profess his conversion" (Cited in Miscell. of W. India. p. 19).

Whether this religious intolerance was the cause of the exile of the Vicars-Apostolic, or whether it came from the quarrels then prevailing in the mission, which caused Government to regard the whole thing as rather a nuisance, we cannot say. Certain it is that the domestic affairs of the Church in Bombay were in anything but a happy condition. It seems incidental to human affairs to get into a bad way from time to time; and the Church of Bombay seemed now to be passing through this phase of its existence. Such occurrences are not edifying; but at least a study of them has the advantage of an object-lesson to posterity, and on that account demands a place in our history:—

#### JURISDICTION TROUBLES, 1764.

While the Vicar-Apostolic was excluded from Bombay, certain troubles in the matter of jurisdiction seem to have arisen, both inside and outside the island of Bombay. Somewhere or other in the Vicariate the Archbishop of Goa was sending his priests—whether to Surat or Bijapur or Golkonda or Karwar we have no hint or clue. But in any case the Vicar-Apostolic must have written to Rome about it, for in the same letter from Propaganda already quoted (Sept. 15, 1764) we read the following:—

"As regards the controversy which has arisen through the Archbishop of Goa sending priests to places under the jurisdiction of the Vicar-Apostolic: since it is not specified what places, and how or by what title they belong to the Vicar-Apostolic, or whether he has been in legitimate, pacific and uninterrupted possession of them, we cannot decide in so delicate an affair till the exact facts are given, as there is no record of the matter in our archives."

Something too must have occurred to disturb the peace of Bombay island, though again we possess no information about the facts. For the same letter continues as follows:—



"As regards the island of Bombay and its pertinences subject to the English dominion, the enclosed note will show what has been already determined by the Congregation, as a guide how to act on future occasions, viz: When the Archbishop of Goa can exercise jurisdiction without hindrance from the Masters of the place [—the English Government] you must not oppose him in any way, but you must merely supply by way of help those jurisdictional acts which the said prelate is not able to perform. It will however be well, nay necessary, that in this particular matter you proceed with great prudence and circumspection—as it is not desirable in present circumstances to engage in quarrels and discords with the aforesaid Archbishop, whose jurisdiction is very vast in the Indies, even by force of several apostolical constitutions."

The Note of Propaganda enclosed in the letter runs as follows:—"The Island of Bombay once belonged to the Archdiocese of Goa, being possessed by the Crown of Portugal. But later on it was given to the English, who have guarded it with such jealousy that (according to what the Carmelites report) they allow no interference even in spiritual affairs, nor access of any Portuguese clergy. Consequently the English Government brought in the Vicar-Apostolic of the Great Mogal, who began to reside there. On which matter the Archbishop of Goa had recourse to Propaganda, who in 1723 gave orders to the Vicar-Apostolic, that when the said Archbishop could exercise his jurisdiction there, the Vicar-Apostolic and his missionaries should depart. However since the Archbishop was never able to exercise any jurisdiction nor any other ecclesiastical acts, Propaganda never forbade the Vicar-Apostolic to reside there, or to exercise episcopal functions, although Propaganda always recognised that the Island of Bombay belongs to the Archdiocese of Goa."

On March 31st, 1770 Propaganda writes: "Regarding certain disorders which have arisen in Bombay on account of the double jurisdiction: For the present it is best to find a *modus vivendi*, acting with circumspection and prudence; referring the disturbances to the Archbishop of Goa, and suggesting to him means how to make things go in peace and harmony."

#### A MYSTERY UNEXPLAINED.

From the tenor of these documents we might infer that some scheme was then afoot for reintroducing the jurisdiction of Goa into the island. That there was a certain distrust of the jurisdiction of Vicar-Apostolic among the clergy, we have already seen in the document published in the previous chapter; and there is another document still to come which seems to show that some kind of understanding with Goa prevailed among the older clergy, and that orders and instructions were coming thence into the Island. But beyond these faint indications of "something" going on beneath the surface, we have no clue, and must leave the matter unexplained in the hope of some further light turning up to solve the mystery.

### CHAPTER III.

#### YET FURTHER TROUBLES (1770—1772).

AN UNDATED DOCUMENT (1770 ?)

In connection perhaps with the jurisdiction-troubles mentioned in the previous section, there is in our archives a manuscript without date, except that the reference to John Domingo [a Santa Clara] as “present bishop” necessarily places it between 1755 and 1772. It is to be noted that John Domingo was the second Vicar-Apostolic who was expelled from Bombay, and was only able to visit it for a short time in 1761 and again about 1769, the effective ruling of the island being deputed to a Vicar-General. From its tone and manner we imagine it must have been drawn up by some Government official or Secretary, based on information collected from some of the clergy or laity, or both, with a view of submitting it to the Governor-in-Council. Its chief interest here is to reveal the existence of Portuguese influence intruding itself into the island by means of clergy of Goan sympathies; and also the harking back to Goa of some of the native clergy, who had been ordained by the Archbishop, but had submitted to the Vicar-Apostolic in 1720 in order to retain their posts in the churches. Further comments on the document are reserved till after its perusal:—

*Articles to be considered and proposed for the regulation and better government of the Roman Catholics of Bombay under the protection of his Britannic Majesty and the United English East India Company:—*

Many disorders having gained ground among the Roman Catholics, owing in great measure to non-compliance and utter neglect of obedience to the orders issued by the President and Council in the year 1718 in the time of Governor Boone; the following articles are proposed as a means of entirely putting a stop to the same, and rendering them good subjects and obedient to the Government:—

(1) That the Governor and Council will be pleased to reinforce the former orders given by Governor Boone in the year 1718.

(2) That no other person may be deemed superior of the Padres and Roman Catholics aforesaid than the present Bishop, Senhor John Domingos, and his successors; and that they may neither apply for nor comply with any orders from another, as has been sometimes done to the Archbishop of Goa.

(3) That the natives of Bombay may not be appointed or ordained Padres by any other than John Domingo and his successors, the proper Bishop of Bombay. If they are [appointed or ordained by any other authority], that they may not be permitted to settle in Bombay, and in case of disobedience forfeit their effects; because at their ordination they make oath to obey and follow the orders of the Bishop who ordains them—therefore if ordained by the Archbishop of Goa they deem themselves obliged to obey [him]. The Bishop of Bombay's authority would

therefore be infringed.

(4) As the number of Padres in the island at times is really unnecessary after the orders above-mentioned are reinforced, the missionaries will not want more than six native Padres to assist the Vicar without the Gates [Esperanca]; two for the chapel within the town; two at Mazagon; and four at each of the churches of Mahim [18 in all?]; and these to be such only who are appointed thereto by John Domingos and his successors, and ordained by them; and should it be necessary to call in a stranger to make up the number aforesaid, application to be made for that purpose to the Hon'ble Board for a licence of inhabiting, and to the Bishop for a licence to continue in the churches of Bombay.

(5) One of the Padres appointed to assist the Vicars within the town and out of the Gates shall in rotation attend every week in the Hospital except Padre Currat (Curate?); and should they refuse so to do, to be subject to such punishment as the Hon'ble Board shall think proper.

(6) That the native Padres alone shall be entitled to the benefits of the churches of Bombay, they being appointed and ordained by the Bishop of Bombay, John Domingos and his successors as aforesaid.

(7) The former orders being reinforced, no European or country Padres to be suffered to inhabit the Island but by special licence from the Hon'ble Board; which licence shall not be granted until the Vicars first inform the Board of their persons, characters, and what business has brought them to Bombay.

(8) That no public ceremonies or processions shall be made at the churches after sunset.

(9) Whereas much disturbance has at times arose between the native Roman Catholics in regard to the ceremonies of the churches, that the Hon'ble Board would therefore strictly forbid all manner of persons whatsoever to interfere in these points with the Vicars or Missionaries, but decently to comfort [conduct?] themselves and submit to the orders given by the Bishop through them.

(10) That neither European [or] native Padres, or Roman Catholic inhabitants, shall be permitted to send money for Masses or charities off the island to other places or other churches, or make any manner of feasts at churches out of the island; as the same occasions much money to be carried off the island without permission from the Bishop aforesaid or his Vicars.

(11) That the European Missionaries do take proper care of the education of the children of the Romans, to render them good subjects to his Majesty and faithful servants to the Hon'ble Company. The manner of conducting and managing a school for this purpose to be formed by the said missionaries, subject to the approbation of the Hon'ble Board.

(12) That it be recommended to the Bishop to be punctual in seeing the above regulations and orders duly carried into execution;

and the Vicars of Bombay to render account to the Hon'ble Board in case the Roman Catholics do not conform or are guilty of disobedience.

COMMENT ON THE DOCUMENT.

As regards the general tenor of this document we observe the following points: (1) It strongly supports the authority of the Vicar-Apostolic Fre John Dominic of St. Clare, and obedience to him in all things. (2) It favours the rights of the native secular clergy but without disrespect to the Carmelites. (3) It aims at excluding outside clergy from the island and from the churches. (4) It condemns references and appeals to the Archbishop of Goa, and repudiates his interference in the island. (5) It favours education of the faithful. (6) Finally it favours Government control over Church affairs as a means of securing proper order, and especially of excluding intrusion and interference from Goa—bearing witness to the fact that such intrusion and interference was going on.

Whether this document was adopted by the Court and put into effect is not clear. The Vicar-Apostolic, writing to Government much later (1789) seems to imply that it was. For he says: "You will find in the records, Hon'ble Sir, that the Hon'ble Company not only confirmed but highly approved of the establishment the Carmelites in this island; and you will also find that so late as the year 60 or thereabouts, their jurisdiction was again confirmed in the person of Senhor John Domingos as the then Bishop of Bombay and his successors, who was solemnly invested with spiritual authority over the Roman Catholics of this island; and all clergy not ordained by him [were] absolutely forbid to reside here upon pain of confiscation of their effects."

This is clearly a quotation from the foregoing "*Articles to be considered and proposed, etc.*" On the other hand it is difficult to understand such a confirmation of the authority of the Vicar-Apostolic at a time when he was forbidden to reside in the island. Perhaps however the efforts of Propaganda in 1764 to get the Vicar-Apostolic reinstated had been successful and this enactment was an outcome of the reconciliation.

CLERICAL RIVALRIES, 1770.

Besides the domestic quarrel of 1774-1748 and the jurisdiction-troubles of 1764-1769, both previously related, we read of other forms of contention:—First among the regulars themselves; secondly between the vicars and their flocks; and thirdly between the secular and regular clergy. The first of these evils is portrayed in a government paper of 1770 published in the *Gazetteer* (Materials Vol. III, p. 534):—

"At a consultation of the 3rd July 1770 the Board read a petition from Padre Francisco Xavier complaining of his having been superseded in the Vicarage General of this island at the instigation of the President. The President thereupon observes to the Board that ever since the appointment of the said Padre Xavier to the post of Vicar-General on this island, which happened some months ago, he has been almost continually pestered with complaints from Padre Pedro, Vicar of Bombay.

or Padre Reginaldo, Vicar of Mahim, or their respective parishioners. These complaints the President understanding to have proceeded as well from the said Francisco Xavier being a young man, and in their church standing several years below the Vicars of Bombay and Mahim, also because of undue practices made use of by him in conjunction with one Padre Clement to their prejudice, by which the patent was unjustly obtained from the Bishop, the President took the opportunity of the said Bishop's calling here on his way to Surat in the month of November last [1769], to desire and entreat him to make a strict and impartial inquiry into the merits of their several allegations. As the aforesaid Padres Pedro and Reginaldo had further represented the said Padre Clement to be a man of bad character and one who interfered in concerns with which he as an ecclesiastic had no business, and which the President having heard in general from Mr. Wrench and other gentlemen as well as Padres who had resided at Basra or Bushire, Mr. Jervis only excepted who always spoke well of him, induced the President further to desire the bishop to remove the said Clement, especially as he was said not to be of this mission. This last the Bishop acknowledged, and gave the President hopes that he would comply with. Shortly after the Bishop proceeded on examination as above desired, and having acquainted the President that both Padres Pedro and Reginaldo had been most reputably acquitted, he had given them certificates under his hand accordingly. Afterwards when the President saw these certificates, looking upon it but as a piece of common justice due to the injured Padres, he proposed, provided the Bishop had no material objection, the Bishop should grant the power and authority of Vicar-General to Pedro the oldest of them, who always appeared to the President a very quiet man and against whom he had never received any complaint; which is more than he could say of Reginaldo or Francisco. In reply the Bishop, having assured the President that, on his offering him the Vicarship, Pedro had declined it, and proposing Padre Jacento then at Surat for the post of Vicar-General as the best expedient for settling these disputes, he being the oldest of their Order, the President acquiesced. Afterwards the Bishop, having appointed one Padre Angelo to relieve the said Jacento at Surat, requested the President to furnish the said Padre with a letter to the Chief of Surat, which he complied with as per copy now read. From this explanation, together with the President's most solemn assurance that the nomination of Padre Jacento for Vicar-General was a voluntary thought and proposal of the Bishop, the Board decided that the President used no compulsive means whatever with the Bishop in favour of the appointment of Padre Jacento, and resolved that Padre Francisco Xavier's complaint of the injustice he has received be referred to the Bishop. And that a letter be wrote by us to the Bishop assuring him he always has been and will continue to be at full liberty to appoint whom he shall judge most proper for the office of Vicar-General."

## LAITY AGAINST CLERGY, 1772.

The second form of dissension appears in the following entry (Materials Vol. III, p. 535):—

“At a consultation of the 10th March 1772 the Board received the following petition of the Bombay and Mahim vereadores for and in behalf of all the Roman Catholic subjects of this island. That betwixt the petitioners and their Vicars have arisen a great discord and differences on account of the following ambitious exorbitance of the said Vicars: (1) That they intend reimbursing all the effects of the churches and oppressing the poor people on account of money. (2) That they have said that by the authority granted them by your Government, they were constituted absolute arbitrators of the popular liberty. (3) One of them, namely Fre Angelino, publicly stated that the said authority is a key which they have in their power; and that this Government had their hands locked by it regarding them the Padres. (4) That under this system they the said Padres unanimously do threaten the poor people to pay ready and entire obedience to their commands, subjecting them to a slavery without remission, as the Jesuits did and do practise in the new Portuguese and Spanish colonies.\* As the said Padres are so insolent against the poor people, your petitioners humbly beg your Honour will be pleased to suspend the complaint of the said Padres until the next meeting of this Honourable Board, these petitioners having their just and needful reasons to represent to your Honour.

## PUBLISHING PAPAL BULLS, 1772.

“At the same time Mr. Shaw lays before the Board copy of a publication which he acquaints us the Padres have presumed to affix on their church, enforcing sundry bulls of the Popes, and, under pain of excommunication, enjoining their flock to observe the regulations therein mentioned. This Mr. Shaw esteems an high contempt of Government and therefore desires the Padres may be cited before the Board to answer it, more particularly as there are in the records of the Board the strictest orders that no publication be issued but by its directions. Mr. Shaw further begs leave to move that the voice of the people may be heard. On due consideration of these petitions it is resolved that the Padres and their parishioners attend before the Board after the departure of the *Hampshire* when enquiry will be made into their complaints. In the meantime the Secretary is to cause the publications to be pulled down, and to secure that, without the authority of Government, none in future be permitted to be affixed.”

## MISSION PROPERTY, 1772.

A third dissension, this time purely domestic, seems to have arisen about the proprietorship of certain *Bona Ecclesiastica* of the mission,

\* On the abuses prevalent among the Clergy of Goa, here alluded to, see authentic documents under the years 1658 and 1669 in Bullarium Patronatus, Vol. II, pp. 92, 94, 119.

which some of the Carmelites claimed for their Order. The question was settled by Rome quoting (on August 17, 1772) a previous decree of Clement XI in 1716, to the effect that the “*Spolia Archiepiscoporum, Episcoporum et Vic. Apostolorum*” pertained not to the order but to the Congregation of Propaganda for the use of the mission.

On the death of Fre John Dominic in 1772, Fre Charles of St. Conrad was appointed to succeed him (May 15, 1773). And whether the British Government had come to an agreement with Propaganda, or whether they tacitly withdrew their opposition, at least all obstacles to the Vicar-Apostolic residing in the island seem to have ceased. In response to his request Propaganda permitted the secular priests of the Vicariate to use the Carmelite liturgy for sake of uniformity (May 30th, 1778). He also renewed and made use of the special privilege of ordaining *sub titulo missionis* any suitable subjects drawn from any diocese without the dimissorial letters from their respective prelates or superiors — “provided they were not subjects of the King of Portugal.” Fre Charles administered the Vicariate of Verapoly during a vacancy there (1780-1781) and then, returning to Bombay, died in 1785. In his time arose the question of extending the jurisdiction of the Vicar-Apostolic into Salsette, to which we must now give attention.

## CHAPTER IV.

### THE QUESTION ABOUT SALSETTE (1774—1783).

DURING the earlier period of our history (from 1534 to 1739) the coasts immediately round Bombay island were all in the possession of the Portuguese (Chaul, Karanja, Salsette, Bassein and northwards to Damaun) while outside this Portuguese domain the Mahomedan powers prevailed — to the north the Bahadur of Gujerat, eastwards and southwards the Sultan of Bijapur. In 1627, however, Sivaji was born. Under his leadership the Mahratta people were organised to throw off the yoke of the Moslems; and at his death in 1680 much of the Mahomedan area just described had become independent, under leadership which later on developed into the Mahratta Confederacy. This Confederacy gradually spread its sway over the whole of the Mogul Empire, and from 1687 designs were entertained of driving out the Portuguese, and perhaps even the English.

#### THE LOSS OF SALSETTE.

But it was only in 1737 that this purpose was put into effect. For in that year the Mahrattas, massing their forces, swept down upon Bassein and Salsette. The Portuguese, who were miserably lacking in men and supplies, made overtures to the English for help. The English,

anxious at once to enjoy the amity of the Mahrattas and at the same time that of the Portuguese, were carefully watching the situation; and while undertaking to furnish the Portuguese with supplies, managed at the same time to furnish the Mahrattas with lead for the making of bullets. Before 1739 the Mahrattas had taken Thana and Versova and overrun Salsette, so that nothing of it except Bandra remained in Portuguese hands. During their incursions many of the churches were destroyed, and the missionaries retired to Bassein, Bombay or Goa to await the passing of the storm. On account of the danger which would threaten Bombay if Bandra should fall into Mahratta hands, the English urged that its fortifications should be blown up. This was undertaken by the English engineers with the agreement of the Portuguese. The ramparts at the foot of N. S. do Monte and those at the college of St. Anne were broken down, and even the Jesuit College itself was not spared. Upon the Jesuit Fathers of Bandra complaining of this, the reply given by the English was that "the college could not possibly subsist after its defences had been removed." The superior of the college nevertheless opposed its demolition so vigorously that the English engineers were for the time forced to desist—re-marking that "the power and influence of the Society was so great that they dared not carry out the orders even of the General of the North"; and so they resolved in council "to try and bring the Padres to reason." Ultimately however the college was destroyed, so that at the present day not a trace of it remains (*Materials* Vol. I, p. 204)\*.

#### THE LOSS OF BASSEIN.

In the same year (1739) the fort of Bassein fell; and its churches and those of the neighbourhood were partly destroyed. When the first onslaught was over, the Mahrattas calmed down and agreed to honourable terms of capitulation. They allowed that free passage should be given to noble families and to Christians who desired to leave—many of whom took refuge in Bombay; also free passage to all the religious orders, and to priests in general who did not wish to remain; that the Christians should enjoy liberty of worship; that the privileges of three churches in Bassein should be preserved, besides one in the districts and one in Salsette; that these churches should have curates subject to the Primate of India, for him to settle their proper jurisdiction; and finally, that

\* It seems that the Jesuits had promised to contribute for the war 4,000 xeraphims "out of their great capital in Bombay," but had failed to keep their promise. The Portuguese authorities thereupon asked the English to compel the Jesuits to fulfil their obligation. The Government replied that according to British law they could use no other means than those of persuasion on those who had taken refuge under the protection of the crown; but that no doubt when the Jesuits returned to the jurisdiction of the Portuguese, justice would take its due course (*Materials*, Vol. I, p. 222). This occurred in 1739, and the Jesuits referred to were apparently those who had left Bandra for Bombay on the destruction of their college. Considering that the "great capital of the Jesuits in Bombay" had been confiscated by the British twenty years before, and that all their property in Salsette had been lost to the Mahrattas since, there is a delicious irony in the whole incident.



images in the churches should be allowed to remain. This treaty was signed the same year, and the terms were honourably carried out. (Materials Vol. I, p. 213).

Tiefentaller, the famous Jesuit geographer, who passed through the district in 1750, informs us that when Bassein was taken by the Mahrattas in 1739, the Portuguese nobles and all the regular clergy left for Goa. The ordinary people remained, a native priest taking charge of their souls with the approbation of the Mahrattas. However, most of the families afterwards went away, and settled in Bombay. Bassein (he says) never counted more than 3,500 inhabitants, though in the surrounding country there were 30,000—among whom some were Christians. At Thana a native priest was also in charge of the Christians, as in all the other towns and villages of Salsette which had been conquered by the Mahrattas. In Trombay there were two churches—one at the creek [Maroly], the other on a mountain; but both nearly destroyed. He also mentions "the ruins of the former Jesuit church of Bandra with its landed estates now in the hands of the Mahrattas."

Ten years later than this (in 1760) Perron, visiting the same parts, mentions the presence of curates at N. S. da Conceição at Thana and at Poisar, whom he calls "Pretres Canorins" or Canarese priests; their manners free-and-easy and unlike those of Europeans. He says that "the Mahrattas have left the Christians part of their churches, and the greatest liberty to practise their religion; hence the feasts are celebrated with the same pomp as at Goa, without risk, and even with the respect of the gentiles." He mentions the "chief Franciscan" as being at Surat; also the Vicar of Kurla—with whom he smoked cheroots after dinner. In another place he says that after the Mahrattas had come, the monks and other white fathers retired to Goa. The cures Canorins occupied the *debris* and the churches under a Vicar General of Canorin, who lived at Kurla with some *distinguo* scholastics of the Franciscan school (Da Cunha, p. 196).

We may complete this account by mentioning that Chaul and Karanja were also lost to the Portuguese in 1740 or shortly after. The Mahratta sway extended itself over the whole coast-line both north and south of Bombay; and except for the small territories of Damaun and Diu, the Portuguese regime was obliterated from the land.

#### SALSETTE TAKEN BY THE ENGLISH.

In 1774 an attempt was planned by the Portuguese to retake Salsette; but they soon found the English engaged in a similar design. On the Portuguese protesting that this effort on the part of the English was against the terms of amity, the English replied that as they had lost Salsette 37 years ago, and made no attempt to retake it for that time, it was as good as abandoned, and therefore fair game for another power. The English actually managed to wrest Salsette from the Mahrattas in the same year, 1774, and the district of Bassein in 1780.

## ECCLESIASTICAL JURISDICTION.

In 1775 or 1776, shortly after the English had taken Salsette and Karanja from the Mahrattas, the Vicar-Apostolic, Fre Charles of St. Conrad, wrote to Rome asking the permission of Propaganda to enter into the spiritual government of those islands, where the English invited him to take charge of the churches. The treatment of the subject by Propaganda, which extended over a space of four years, is shown in the following summary of their letters :—

*Sept. 28, 1776.*—With regard to the question of extending jurisdiction into Salsette, the Cardinals think that the matter should be in the first instance broached personally by the Vicar-Apostolic dealing directly with the Archbishop of Goa. He should not ask for the island to be “detached” from Goa, but should obtain a “delegation.” By this compromise the jurisdiction of Goa will be saved, and the English Government at the same time satisfied.

*July 8, 1777.*—The same principles which regulate the exercise of jurisdiction in Bombay will regulate also for Salsette and Karanja [*i. e.*, only to act where the Archbishop of Goa is prevented]. The ministrations of the Vicar-Apostolic should be arranged in such a way as not to be displeasing to the Archbishop, and limited strictly to what is necessary. “Try and secure a delegation, so that you act as dependent on him.” Propaganda has written to the Nuncio of Lisbon asking him to represent the facts to the Court, so that they may pass the matter on to the Archbishop of Goa, asking him to condescend to delegate his authority over the Islands (Salsette and Karanja) to the Vicar-Apostolic till other arrangements can be made.

*May 30, 1778.*—Propaganda regrets that the Archbishop has shown himself jealous of his own authority, and not been amenable to the Vicar-Apostolic’s prudent suggestions. The S. Congregation however is negotiating the matter, and holds out hopes that the influence of the Court of Portugal will be brought to bear on him.

*August 28, 1779.*—The Raja of Canara (or Sunda) has adopted the same policy as the English, of not admitting Portuguese priests or recognising the Archbishop of Goa. But as those places also belong to Goa, the Vicar-Apostolic cannot undertake care of them without infringing his right. He should therefore ask the Archbishop of Goa once more for faculties, “and we feel confident that under the circumstances he will not refuse. In case however, he does refuse, the Holy See gives you the powers to exercise extraordinary jurisdiction, for such time as the respective Governments are determined that no one else shall work in Bassein and Canara.”

## CONSENT NOT GIVEN.

The consent of the Portuguese authorities, which was asked for directly by Propaganda in 1777 and again apparently in 1779, was never obtained. Their attitude is represented in a letter written (15 March 1780), by the Secretary of State (Lisbon) to Goa, which says that the

Papal Nuncio "has suggested that Her Majesty (the Queen of Portugal) should order you that in case the Vicar-Apostolic, established in the Mogul Empire, applies for faculties to govern the Christian communities of Bassein and other territories to the north of Goa, as also the extensive region of Canara, Your Grace should not deny him the requisite powers. The Nuncio alleges as a reason for this singular request, that even though the said countries belong to the jurisdiction of the Archbishop of Goa, the native potentates do not want these communities to be governed, in matters of religion, by the said Archbishop, nor by missionaries appointed by him for these churches.... You should therefore take such measures as may be needful, but in such a way that neither the said communities be totally deprived of pastors, nor the Royal Patronage and the ample jurisdiction of the Primacial diocese be diminished in any way: nor should you allow any novelties from which the least harm may follow."

This request seems to have stirred up the authorities of Goa, not to grant the faculties to the Carmelites, but rather to render the concession unnecessary, by providing Padroado missionaries for the countries in question (Salsette, etc. and Canara) and by appealing to the ruling powers there to allow them to minister to the Christians. Hence the Governor of Goa replied to the Secretary of State (Jan. 1, 1781) as follows:—

"I have co-operated with the Bishop Administrator of the diocese, helping him in everything for the maintenance of the Royal Patronage; not only by ordering the Royal Treasury to contribute to the missionaries the customary subsidy, but also by writing to the chiefs, rulers and governors of those foreign territories where there are missions, asking them to protect the said missionaries, and not to withhold from them the free and open exercise of the Catholic religion and the administration of the sacraments" (quoted in D'Sa, *Hist. of Diocese of Damaun*, p. 107-108.)†

#### THE CLERGY OF SALSETTE.

We have not so far found the Vicar-Apostolic making any use of the extraordinary jurisdiction granted to him over Salsette. As a matter of fact, the native clergy had been in unmolested possession of their churches throughout the Mahratta domination (1739-1774), and remained in unmolested possession under English rule from 1774 onwards. The English Government, while repudiating the authority of the Archbishop of Goa in the abstract, dealt with the priests and congregations on an individual basis, and did not concern itself with ecclesiastical technicalities. Hence they were quite ready to allow the Salsette clergy to con-

† It is related in Cottineau's *History of Goa* that when the Carmelite Fr. Manuel de Sta Catharina, appointed Bishop of Cochin and Administrator of Goa, passed through Bombay on his way to Goa (in about 1783) some Carmelites of Bombay came to see him and expressed the hope that as he was of the same Order he would settle amicably the dissensions between the two jurisdictions. To this he replied:—"Rev. Fathers, I was already a Portuguese before I became a Carmelite."

tinue in their churches so long as the people were satisfied with them, and so long as no contentions arose through the interference of the Archbishop of Goa.

#### THE SEMINARY, 1775.

The first (tentative) proclamation of Government in 1718 gave to Fre Maurice "ample liberty to remain and exist on this island with six priests that you shall nominate. . . with the Presbyters your subjects." The six were to be Carmelite friars, while the Presbyters were secular priests already serving the churches under the Portuguese Franciscans; most of whom, if not all, remained and gave their allegiance to the Vicar-Apostolic, while those unwilling either retired from office or left the island.

In the (undated) "*Abridgment*" we find a number of secular priests; under the Vicar-Apostolic, divided into two sets: the older ones ordained by the Archbishop of Goa, and a few younger ones ordained by the Vicar-Apostolic. The former were so doubtful of the validity (or at least liceity) of the Vicar-Apostolic's jurisdiction that they seem to have secretly secured faculties and dispensations from Goa; and they succeeded in injecting like doubts into the minds of the younger priests ordained in the Vicariate.

In the "*Articles to be considered*" (dated perhaps about 1769) we find figures showing that the secular priests were too numerous, and the suggestion that 18 would be sufficient. Such was the abundance of the clergy that besides the Carmelites (not more than 5 in number) they could afford to have six native assistants at Esperança, two at the Fort Chapel, two at Gloria Church, four at Salvação and four at St. Michael's, Mahim. [From various indications we find that a Carmelite always held the post of a parish priest, and the secular clergy were always assistants till the Holy See ordered it to be done otherwise in 1787].

It is not clear at what date the Vicar-Apostolic began to secure vocations for the priesthood. Already in 1717 he held faculties to "ordain candidates from other dioceses *sub titulo missionis*, and without dimissorial letters from their respective Ordinaries." We know that these faculties created a great commotion among the Padroado bishops at that time, which may perhaps have caused the Vicar-Apostolic to be cautious in using them. Whether he actually ordained any priest before 1761 we do not know; but we came across a note casually somewhere saying that "on account of the disloyalty towards him of priests ordained in Goa, the Vicar-Apostolic began in future to select local subjects and ordain them himself." This "disloyalty" ascribed to the Goan priests was probably the trouble which arose about 1764, and which otherwise remains unexplained. Hence the application to Rome in that year for a renewal of faculties, which was granted on August 24th, 1765. The Ordination book of the Vicariate dates its first ordinations in 1775. This shows that the first candidates must have begun their studies in about 1770—which is just the date we should expect. After four ordinations

in 1775, the numbers vary, 1, 2, or 3 at a time, giving a total of 19 priests in 25 years (1775-1800). Some of them were natives of Bombay island, others from different parts of Salsette.

In 1775 or so the Vicar-Apostolic wrote to Rome proposing to build a seminary in Bombay. Propaganda replies (Sept. 28, 1776) that they cannot as yet entertain the idea of building; but let a house be rented, and the S. Congregation will pay the rent. "Specify what funds you will require to support twelve candidates. Meantime let the Fathers take turns in teaching and directing the establishment." They promise that Antonio Pinto da Gloria, now being educated in Rome, will be sent out next year, and he can then take charge of the teaching. "In order to secure a succession of teachers send two more pupils to Rome. If you succeed in your scheme, and get help for the institution from the faithful, we can then think of a better plan."

The first batch of priests seem to have been very poorly trained (and no wonder, since there were no schools at all then, and everybody except those taught at home in the better families must have been illiterate). Hence they found it practically impossible to say the Breviary. On being asked for a dispensation from Rome, Propaganda replies (Sept. 28, 1776) "As regards the ignorant priests who want to drop the office on account of lack of education and ignorance of Latin; Instruct them in patience; and in future be careful to ordain only those who have knowledge as well as piety." In 1778 the indult was given to allow the secular priests to use the Carmelite instead of the Roman ordo, for sake of uniformity. In the same year the permission "to ordain candidates from other dioceses without patrimony and with diunnissorial letters from their own Ordinaries" was renewed, but with the restriction:—"Provided they are not subjects of His Faithful Majesty the King of Portugal." (30, May 1778).

After this for some years we hear nothing about the seminary, except that Propaganda sent a subsidy regularly for the rent of the house. In 1785 however we find Father Antonio Pinto da Gloria in Bombay, and in receipt of a salary from Propaganda for teaching in the seminary. He wishes however to have the parish of de S. N. Salute [=Salvação] which is vacant; in which case he will continue to teach but will sacrifice his salary—and this arrangement is approved. After this there seems to be nothing particular to record about the seminary during the period under consideration.

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## CHAPTER V.

### VARIOUS EVENTS (1740—1786)

WE must now go back a little to take notice of some details of archæological interest regarding the churches of Bombay island during this period.

#### THE FORT GRAVE-YARD, 1740.

We have already mentioned that the first Vicar-Apostolic, on reaching Bombay in 1720, first lived in a private house ; but later on (perhaps in 1726) he bought or built a house for himself in the fort, to which a private chapel was attached—afterwards to develop into the Fort Chapel under the title of Our Lady of Mount Carmel. Somewhere near it there was a Catholic cemetery within the limits of the town wall near to a public road. In 1740 the Vicar-Apostolic represented to Government the inconvenience of this place, and obtained a site in exchange for it outside the walls. (Materials Vol. III, p. 567). We have failed to discover where the old cemetery lay, and also the spot to which it was transferred. We may, however, conjecture that the new grave-yard was somewhere in the district of Sonapur, which was more extensive then than now, and comprised the plot on which the Elphinstone High School and St. Xavier's High School now stand. Within the memory of those still living, a cemetery with a cross stood just at the south-west corner of the Elphinstone playground, and was removed for the erection of that building in 1872. Probably this was the new cemetery referred to in the minutes of 1740.

#### PAREL CHAPEL, 1750.

After lying abandoned for thirty years, the chapel and grounds at Parel, confiscated from the Jesuits in 1719, were utilised for secular purposes. For we read, under date 1750, that "the Governor has a very agreeable country-house which was originally a Romish chapel belonging to the Jesuits, but was confiscated for some foul practices against the English interest in 1719. It is now converted into a pleasant mansion-house with additional buildings and improvements. (Materials Vol. III, p. 576). The only portion of the original building remaining seems to be the chapel, on which an upper storey was raised. (Maclean).

Twenty years ago (1906), the interior of the Chapel and sacristy could easily be identified ; but since then structural changes have obscured recognition. There only remains a marble tablet at the entrance which runs as follows:—This building, once a chapel in the possession of the Jesuit Fathers, from whom it was acquired (*sic*) in the year 1719, was subsequently used as an occasional residence by the Governor of Bombay. In the year 1803 it was occupied by Sir Jas. Mackintosh, 2nd Recorder of Bombay. From 1829 it was the permanent residence of the Governor, till it was abandoned after the term of office of Sir Jas. Fergusson (1880-1885). From November 8th to November 15th, 1875 His Royal High-

ness the Prince of Wales, afterwards His Majesty King Edward VII, occupied a room in the building."

#### TIEFFENTALLER'S DESCRIPTION, 1750.

Tieffentaller, visiting Bombay in 1750, thus describes what he saw :—"At the fortified town there are two Catholic churches ; the one of Our Lady inside the town [Fort Chapel], the other a great one outside [N. S. d'Esperança]. The barefooted Carmelites hold services there. To the principal church just mentioned belong three other parish churches [Gloria, Salvação and Mahim]. Mahim is a village with a Catholic church. Opposite are the ruins of the former church of Bandra and its landed estates, now in the hands of the Mahrattas. Another landed estate near to the city with a church is at Parella, the revenues of which belonged to the college of Agra ; but it is now fallen into the hands of the English. The number of the Catholics in the city, not including the villages round, is about 1,000. The Catholic Church [of N. S. d'Esperança] is also visited by pagans, many of whom bring there presents to Our Lady, and admire the magnificence of the Catholic worship. Here also is a pagoda with pictures of horrid monsters—a bull with 100 arms and half-bull half-man, etc., terrible to see. (Probably the Mumbadevi temple). Sunday is observed not only by the English but also by the labourers and merchants, who are not allowed to sell on that day. Crimes are punished in the English manner by the gallows, etc."

#### EXPANSION OF BOMBAY.

This leads us to a very interesting point which must be introduced as a digression. One of the first endeavours of the English from the first had been to render their possession of Bombay safe from foreign attack. Surrounded by many enemies—the Portuguese, the French, the Dutch, the Angrias, Sidis and Mahrattas—they were constantly subject to the greatest alarms. They managed by degrees to place round the island a number of small forts [at Chowpatty, Breach Candy, Worli, Mahim, Dharavi, Sion, Sewri, Mazagon, etc.]; but their chief anxiety was for Bombay proper. Their first work was to build on the site of the Portuguese "Great House" a strong castle with ramparts and ordnance heavy enough to resist all attack—which they did in such sort that the Dutch on one occasion went away baffled, finding that it was "as stark as the diel." Around this Castle [still standing behind the Town Hall] there grew up gradually a group of docks, warehouses, offices and courts. In 1670 the first street in the Fort was planned corresponding to the present Bazar Gate Street, and ground was pegged out for the formation of a town. In 1718 this area was completely surrounded by a weak and hastily-built wall. At the same date the Anglican Church of St. Thomas (now the Cathedral) was finished and opened, and the thoroughfares of Church Gate Street and Apollo Street formed. By degrees the area within the walls was filled up, and the walls themselves were gradually strengthened by ravelins and

a ditch, the construction of which was in full swing by the year 1740. An extension running out to the outlying fort of St. George [on the site of St. George's Hospital) was commenced in 1755. The fortifications ran from the Government Dock Yard along Rampart Row, Esplanade Road and Hornby Road to the present Victoria Terminus, and then turned round along Fort Street to the sea. There were three entrances—Apollo Gate close by the present Scottish Church ; the Church Gate close by the Floral Fountain ; and the Bazaar Gate at the end of Bazaar Gate Street opposite the Terminus. The whole of this war-like paraphernalia was removed in 1863, and the space utilised for streets—the present Rampart Row, Hornby Road and Fort Street ; but foundations were laid bare by the excavations recently made in the Government Dock Yard, at the General Post Office and in the gardens and under the new wing of the European Hospital—besides a small powder magazine now abutting on Frere Road, which then stood on the shore of the Harbour before the eastern reclamation was made.

#### THE TRANSFER OF ESPERANCA, 1760.

Another precaution adopted by the Government was to make a clearance all round the ramparts—to which measure we owe our present oval and maidan outside the Fort. In 1739 a space of 400 yards was first fixed upon, and gradually cleared by the demolition of houses, the levelling of sandhills and the cutting down of trees. The church of Esperança was among the buildings to be victimised. It stood just outside the Bazaar Gate, and well within the 400 yards limit—close to a large tank shown in some old maps just about the middle of where the Victoria Terminus now stands. Reserving fuller particulars for a detailed monograph, we need here only say that in 1760 Government issued a special order to the Padres to remove their church—offering to pay all expenses, as well as to arrange for a new plot of ground further away from the walls, and allowing them the services of the “Christian Militia” for the work of demolition. The new site was found somewhere in the present Maidan—probably where the great cross stands near Marine Lines—and the new church was erected upon it. It seems that the old Mumbadevi pagoda (probably that described by Tieffentaller) was also removed about this time to Pydoni in the centre of the present native town.

#### ESPERANCA *vs.* FORT CHAPEL, 1770.

The removal of Esperança Church from the Bazaar Gate to what we now call Marine Lines, which took place shortly after 1760, became the occasion of a dissension in 1770, the details of which must now be related.

For the third time we have to repeat that the Vicar-Apostolic upon his arrival in 1720 took up residence in a private house ; but presently (perhaps in 1726) he asked and obtained leave to set up a house of his own, with a private chapel attached, to which the neighbouring faithful were admitted for Mass. The great distance of the new Church of



Esperança from the Fort caused the Vicar-Apostolic to enlarge this chapel, and in December 1767 to elevate it into a parish church for the Fort area (=Our Lady of Mount Carmel, Meadows Street, popularly called the Fort Chapel). Out of the funds of this chapel Rs. 1,484 had been contributed towards the building of the new church of Esperança; and when in 1770 the Vicar-Apostolic ordered that interest should be paid on this sum, the parishioners of Esperança Church raised a complaint not only against this claim, but also against the Fort Chapel being placed on the independent footing of a separate parish church. It was (they said) really no more than a private house to which the people close by were admitted to Mass and confession, and it ought to remain subordinate to the Vicar of Esperança. The Vicar-Apostolic replied firmly that the chapel in town was always the property of the Carmelites, in which the Vicar-Apostolic had from the first resided as on his own property; and that it did not depend upon the parishioners or Vicar of Esperança. He insisted on the payment of the interest, but whether he got it we are not told.

#### PAROCHIAL COMPLAINTS, 1786.

Sixteen years later, in 1786, the "Inhabitants of Bombay" marshalled a long list of complaints against the administration of the churches in general and Esperança Church in particular. It was addressed to Fre Victorino de Sta Maria, who during the vacancy of the See was Vicar-General or Pro-Vicar-Apostolic. Their points were: (1) Absenteeism of the Carmelite parish-priests, [presumably for lack of men]. (2) In consequence, the curates (native clergy) were overworked; hence the suggestion that they should be put in charge of the churches in preference to foreigners. (3) The appointment of native wardens in preference to Europeans. (4) Renewed protest against the Fort Chapel being an independent parish church. (5) That the priests should first fulfil their duties of saying the parish Mass at a suitable hour before going out elsewhere to "houses" for Mass—a hit presumably at the Fort Chapel. (6) Complaints against the administration of the parish funds. (7) About ceremonies of marriage. (8) About stipends for Masses. (9) Negligence of the wardens to keep the church clean and neat and in repair. (10) Bad account-keeping.

To these many complaints the Vicar-General returned a somewhat defensive reply on April 6th, 1786, which gave so little satisfaction that on June 23rd a body of twenty-two parishioners sent in a counter-comment in a tone of great acerbity, warning the Vicar-General against imitating the ruinous policy of King Roboam, and threatening him vaguely with the consequences of provoking his sons to rage. Their frequent citations of the Council of Trent and constitutions of popes and declarations of canonists showed that they had some priest or priests at their back. They end in expressing certainty that they shall have "entire execution of [their] pious wishes," and so "shall have no occasion to be obliged to procure redress in the tribunal of the justice secular"—and in the interim

they sign themselves: "Your Reverence's the most honourable and obsequious people"—Antonio Barretto and fifteen others.

To this somewhat melodramatic diatribe the Vicar-General gave a conciliatory reply (Aug. 5, 1786) settling several points on the lines requested, and leaving the others over till the appointment of a new Vicar-Apostolic.

#### A PADROADO OATH, 1782.

Some time before 1778 the Padroado authorities had drawn up a bond to be signed on oath by Propaganda missionaries proceeding to the East *via* Lisbon and Portugal [Why any of them went that way is more than I can say—perhaps for lack of other means of transport]. It was imposed as a condition for receiving the benefit of the *regium placitum*, and took the following form:—

"On 8th March 1782 before Martinho de Mello E. Castro (Min. and Sec. of State for Foreign affairs) there appeared [three Capuchins] who with the permission of Her Majesty embark as missionaries: the first two to the missions in the Empire of the Great Mogul, and the third to those in Madras. They promise to comply with and observe the orders of Her Majesty, not to undertake or do any act directly or indirectly prejudicial to the Royal Patronage which Her Majesty fosters in all the missions of Asia. They thus affirmed *toto pectore* and swore on the Holy Evangel. In truth of which they signed this bond along with the said Minister and Secretary of State" [Here follow the three signatures]. (Quoted in Godinho, p. 19).

It seems that the question of this oath had previously been referred to Rome; for in a collection of decrees summarised by Fre Pedro d'Alcantara, we find the following item: 1778. Jan. 6. "In regard to the oath to Crown and Patronage of the King of Portugal [imposed] on all the East Indies by that Court and presented to the missionaries, S. Cong. de Propaganda has declared that it cannot be taken." [Alc. Vol. p. 113].

Nevertheless, this or some similar form of oath continued to be exacted. For in a letter of Propaganda dated February 18, 1786 to the Vicar-General in Bombay we read: "The consecration of Father Angelino [the prospective Vicar-Apostolic] is delayed on account of an oath claimed as of right by the Archbishop of Goa. It is to be hoped that the difficulty will be removed." [The difficulty was solved by the sudden death of Fre Angelino in Europe; and Fre Victorino of St. Mary, to whom this letter was addressed, received appointment as his successor in the Vicariate (Letter, Oct. 6, 1787).

#### DETACHMENT OF HINDUSTAN, 1784.

In 1784 the Holy See separated Hindustan from the Vicariate and gave it over to the Capuchins of the Thibet mission. These Capuchins had made Patna their centre as early as 1707, whence they had started for Lhasa. Here they founded a mission which, however, after many vicissitudes had finally to be abandoned in 1745. They also tried Nepal;

but here again the mission had to be suppressed in 1769. After that they concentrated their energies on Behar and Bettiah with Patna as their headquarters.

For the purposes of this history Hindustan meant the Mogul centres of Agra, Delhi, Lahore and other places of less importance. Various efforts to found missions there had been made by the Jesuits from Goa, and with the beginnings of success (1580-1591, 1595, 1615, etc.) But the expulsion of the Jesuits from the Portuguese dominions in 1759, and the ultimate suppression of the Order in 1773, put an end to this enterprise. The Vicar of the Great Mogul sent a missionary or two to take care of the abandoned Christians; but the Carmelites were few in number, and too far away to effect anything. Therefore the Vicar-Apostolic of the Great Mogul suggested to Rome that the interior parts of his mission should be given to the Capuchins of Patna, as being nearer and closer in touch. This suggestion was accepted by Propaganda, who on May 17th, 1784 issued a resolution to that effect (*Alc. Vol. p. 47*). One or two Carmelites remained at their posts till a new batch of Capuchin missionaries arrived; and the last of them was only withdrawn in 1801. The vast area thus taken charge of by the Capuchins was afterwards gradually divided up into several vicariates which later on became dioceses: Agra 1820; Patna 1845; Allahabad 1886; Lahore 1886; Ajmere 1891; Simla 1910. And so Hindustan passes out of our history.

#### THE CURTAILED VICARIATE.

After the separation of Hindustan there remained to the Vicariate outside Bombay island only the following mission centres: (1) Bijapur and Golkonda to the east; (2) Surat to the north; (3) Karwar to the south; besides which there were the beginning of developments at (4) Broach northwards and (5) Coorg southwards. Notes on these places are being accumulated for use later on.

#### SECULARS AND REGULARS, 1787.

The next Vicar-Apostolic, Fre Angelino of St. Joseph, was appointed in 1785 but died before he could come to India in 1786. His successor, Dom Fre Victorino of St. Mary, was nominated in 1787, and consecrated at Verapoly in 1789. From a decision of Propaganda dated the first year of his rule we gather that the Carmelite fathers, besides dissensions among themselves and with their parishioners, as previously recorded, had also given dissatisfaction to the secular clergy. The latter having complained to Rome, the Congregation replied on October 6th, 1787 enclosing a decree of Sept. 10, 1787 couched in the following terms:—

“Whereas it has become known that abuses have crept into the City of Bombay—that all the parishes are occupied by Missionaries regular, and that sometimes one parish-priest holds two parishes to the spiritual prejudice of souls and the temporal prejudice of the secular clergy—the Sacred Congregation, adhering to the constitutions of the sacred canons, at the instance of his Eminence Cardinal Carrara, has decreed and ordered that in the distribution of parishes the secular

priests shall be preferred to regulars ; but in the absence of a proper secular priest it shall be lawful for them [the regulars] to assume the charge of souls. Secondly, that henceforward no single parish-priest shall retain the charge of two parishes. Thirdly, that of the two parishes held at present by Father Victorinus of the B. Virgin, and by Father Charles of St. Peter, Discalced Carmelites, one shall promptly be given to the priest Antony Pinto da Gloria, and the other to such secular priest as the Vicar-Apostolic shall judge most fit in the Lord."

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## PART IV.

### THE REVERSION TO GOA (1786—1789).

#### CHAPTER I.

#### THE REVERSION PROPOSED (1786).

Down to the year 1786, we have seen how the authorities at Goa submitted to the inevitable, allowing the Vicars-Apostolic to work in the island, and even to some extent accepting their ministrations outside it in those districts which were destitute of clergy. However, at about the date of which we are writing (1786) a movement was initiated with a view of restoring the Portuguese jurisdiction in Bombay island ; and it is this movement and its effects which now come under our consideration.

The Mauritius MS. introduces the subject in the following terms :—  
 "The Church of N. S. da Esperança had been occupied (successively) by 14 Carmelite missionaries during a period of 70 years. These missionaries were generally looked on with great satisfaction by the Christians at large. But Sir Miguel de Lima,\* who was reputed the head and chief of the native Portuguese in Bombay on account of his great influence with the English government, began to persecute both the Vicar-Apostolic and his missionaries as usurpers of the archi-episcopal jurisdiction of Goa." The MS. ascribes this "persecution" to an incident in which Sir Miguel asked a distinguished Protestant friend to stand god-father to his new born daughter. When this was forbidden by the Vicar-Apostolic on grounds of canon law, Sir Miguel grew angry and threatened to bring about his expulsion from Bombay. "Sir Miguel then wrote to the

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\* Sir Miguel de Lima e Souza seems to have been the owner of the most part of Mazagon. In 1572 the island of Mazagon had been granted in perpetuity by a Portuguese royal patent to the de Souza family (Edwardes p. 35). It was this family which founded the Gloria church at an early date. The Calcutta branch of the Souza family contributed largely to the rebuilding of the church in 1810 (Edwardes, Note page 38). The name "Miguel de Lima e Souza" apparently indicates connection by marriage ; but otherwise we have no details of the family. The main street of Mazagon is still called Do Lima Street.

Archbishop of Goa, and they both requested the King of Portugal to remonstrate with the King of England, urging him to restore the churches of Bombay to the jurisdiction of Goa, and to expel the Carmelites out of the island; and various means were used in Bombay itself to win over the native clergy to that side." We do not however believe that the recovery of Goa jurisdiction depended greatly on local influences. The Padroado authorities had never acquiesced in their loss of jurisdiction in Bombay, and were only waiting for some occasion for an attempt to recover it. The negotiations of Propaganda in 1778-1780, to enable the Vicar-Apostolic to extend his jurisdiction into Salsette, apparently gave to Goa the opening required: "Instead of asking us to give up Salsette, rather give us back Bombay and get rid of the Vicar-Apostolic altogether," seems to have been the attitude adopted. Hence if Sir Michael de Lima was really the local instigator of the movement, at least the ground was already well prepared.

We possess in the archives several official documents relative to the event, the substance of which we shall now produce.

WALPOLE'S LETTER, 1786.

The first is a letter from Walpole, the English envoy at the court of Portugal, to the Marquis of Caermarthen—dated Lisbon January 5th 1786—which narrates the preliminary negotiations of the whole affair:—

"MY LORD,—Monsieur de Mello, Her most Faithful Majesty's Secretary of State for the Department of the Foreign Colonies, has mentioned to me the following affair:—

"That by the Treaty concluded on the marriage of King Charles the second and the Infanta of Portugal, Bombay was ceded to Great Britain, with the Reservation to the Roman Catholics of the full enjoyment of their Religion in the same manner as before; that consequently the Spiritual jurisdiction in regard to the necessary functions requisite for the exercise of the Roman Religion remained by the stipulation of the Treaty with the Archbishop of Goa, within whose Diocese Bombay and its Dependencies for that particular purpose has always been acknowledged to be, and continued so till the Vicar General within the Dominions of the Great Mogul or Bishop in partibus usurped a Jurisdiction which [he] now [exercises] over the Roman Catholics settled at Bombay and its Dependencies. That a late Nomination of a [Father? Friar?] of that country to be Vicar General within the Grand [Mogul's] Dominions, which in the Official Proceedings required [some] confirmation at this Court, has excited an enquiry here into the extent of the Exercise of this Office, and has afforded this Court the information above-mentioned, in regard to the authority which has been usurped by the Bishop [in partibus] in derogation of the Jurisdiction of the Archbishop of Goa. That accordingly the Pope's Nuncio at this Court has been spoken to upon the Subject, [that] the authority of the Vicar General or Bishop in partibus [be] disallowed, and it is required that the Archbishop of Goa's Spiritual Jurisdiction should not be encroached upon.

“The Gentlemen of the Nunciature at this Court do not controvert the Right of the Archbishop of Goa to Spiritual jurisdiction over the Roman Catholicks at Bombay and its Dependencies, as within the Diocese of the Archbishop of Goa, but allege that from the year 1718, or 1720, the Government of Bombay, having been on ill-terms with the Archbishop of Goa on account of improper persons having been introduced by the Archbishop of Goa into the Benefices or Ecclesiastical functions of that Religion, the Vicar General or Bishop in partibus was obliged in duty and Conscience to take upon him a jurisdiction which the Roman Catholicks called for in the failure of the Exercise of that of the Archbishop of Goa ; but that they do not pretend to exercise that jurisdiction as of right, but only through necessity—as they allow that the Archbishop of Goa has alone the proper jurisdiction ; and therefore when his jurisdiction shall be allowed of and received at Bombay, that of the Vicar General or Bishop in partibus will cease and determine [i. e., come to an end.]

“This is the state in which this business appears, upon which I have learnt from those of the Court of Rome as well as the Portuguese Minister.

“But Monsieur de Mello, in answer to the pretence which the gentlemen of the Nunciature have plausibly advanced, of the dissatisfaction of the Government of Bombay at the improper exercise of the Spiritual jurisdiction by the Archbishop of Goa, says that the Governor of Bombay ought to have rejected the Persons improperly nominated by the Archbishop of Goa, as he may do as often as such occasions offer : and therefore the reasons alleged by the gentlemen of the Nunciature are nugatory, and are offered merely as motives to justify the retaining [of] jurisdiction which the Vicar General in the Grand Mogul’s Dominions or Bishop in partibus has usurped at Bombay.

“In consequence of this subject being mentioned to me by Monsieur de Mello, with a considerable degree of earnestness and desire of this Court that the Archbishop of Goa may be restored to his spiritual jurisdiction at Bombay by virtue of the stipulation of the Marriage Treaty, I think it my duty to state the matter to your Lordship ; being persuaded that her most Faithful Majesty will be duly sensible of his Majesty’s Attention to this subject. And I flatter myself that your Lordship will be pleased to receive His Majesty’s Commands to empower me to assure the Secretary of State that proper measures will be taken towards accomplishing what will be so agreeable to her most Faithful Majesty, by causing the necessary Instructions to be given to the Governor of Bombay for the purpose of restoring to the Archbishop of Goa the spiritual jurisdiction necessary for the exercise of the Religion of the Roman Catholicks settled within the Government of Bombay.

“I have the Honor to be,  
“ROBERT WALPOLE, etc.”

#### INSTRUCTIONS FROM THE DIRECTORS.

Then follows a letter of instructions sent by the Court of Directors

in London to Bombay, and dated July 21st, 1786—a portion of which runs as follows :—

“We have received the copy of a letter from Mr. Walpole, His Majesty’s Envoy Extraordinary at the Court of Portugal, to the Marquis of Carmarthen, one of His Majesty’s Principal Secretaries of State, on the subject of a Jurisdiction stated to be assumed by the Vicar-General within the Mogul Dominions over the Catholic Inhabitants of Bombay to the prejudice of the Archbishop of Goa, and contrary to the stipulations of the Treaty which passed between the Courts of England and Portugal, when Bombay was ceded to the former upon the marriage of His Majesty Charles the second with the Infanta of Portugal; and it being her most faithful Majesty’s desire that the Archbishop of Goa may be restored to his Spiritual jurisdiction at Bombay, we direct that you take the proper measures for restoring to the Archbishop of Goa the Spiritual jurisdiction necessary for the exercise of the Religion of the Roman Catholicks settled within the Government of Bombay, agreeable to the copy of Mr. Walpole’s Letter herewith transmitted; by which you will observe that from the year 1718 or 1720 the Government of Bombay had been on ill-terms with the Archbishop of Goa on account of improper persons having been introduced by the Archbishop into the Benefices or ecclesiastical functions of that religion, but that our Government ought to have rejected the persons improperly nominated by the Archbishop, and which you may continue to do as often as such occasions offer.”

#### THE TRANSFER ANNOUNCED, 1789.

More than two years were allowed to lapse before these instructions were put into effect. At length, on February 18th, 1789, the following intimation of the coming change was conveyed to the Vicar-Apostolic :—

The Reverend *Padré* Vicar of the Catholic churches,  
In Bombay and its Dependencies.

SIR, —The Reverend Archbishop Primate at Goa having claimed the jurisdiction over the Catholic churches under this Government, and consequently the nomination of Priests to officiate therein, The Hon’ble The President in Council has been pleased to admit His Reverence’s claim, and has commanded me to apprise you that he expects all the present Incumbents will evacuate their benefices on the arrival of such Priests as the Archbishop may send from Goa to supply them; and this notice you will be pleased to communicate accordingly to those whom it may concern.

I am, Sir, etc.

18th February, 1789.

WILLIAM PAGE, Secy.

#### PETITION AGAINST THE TRANSFER.

The next document is a petition from “the inhabitants of the island” headed by one Mr. Michael Firth of Mahim, and presented to the Gov-

ernment towards the end of February :—

To The Hon'ble Major General William Medows, President and Governor, etc.....

The Roman Catholic inhabitants of this Island most humbly represent unto your Honour in Council the extreme grief and affliction which they experience from the intelligence they have that this Hon'ble Government intends surrendering up the spiritual Government of the Catholick churches of this Island to the Archbishop Primate of Goa.....

No one will doubt that the spiritual Government over these churches did formerly appertain to the Archbishop of Goa ; but from the year 1720 he lost all his claim over these churches because the Hon'ble Government, having driven out of these churches the Reverends Portuguese Priests... and having at the same time given over the Government thereof to Bishop Mauricius de Santa Thereza... for him, his successors and his Friars or Monks Carmelites to officiate in the churches of this Island ; this gave occasion for the Portuguese State to declare war with that of the English, and which war was carried on so as that the Portuguese made themselves Masters of the Fort of Worley : in retaliation of which the English State proceeded to Salsette and made themselves Masters of a certain Fort called St. Jeronimo situated in the River of Tannah. This war did last from June till September following, at which time his Excellency Dom Joseph Lampayo arrived from Lisbon at Goa as Vice-Roy of Goa and Captain General of the State in India. As soon as his arrival was announced at Bombay, the Hon'ble the then President in Council did immediately send two Gentlemen as Ambassadors to treat with the said Vice-Roy the terms of Peace ; and in the Capitulation which took place on that occasion the said Vice-Roy did confirm the said surrendering up the Government of this Island to his Excellency the said Bishop Dom Mauricius and his successors, and did concede the whole right which the adowson of Portugal and the Archbishop of Goa had theretofore exercised in the administration of the churches in this Island at Bombay, upon condition that the English State should give their hearty and effectual aid in a new enterprise which he designed to undertake, ... in the conquests of Coollaba belonging to the Prince of Angriah ; that the English State did faithfully execute all that was on that occasion promised in respect to the succours, and the Records of your Hon'ble Government bear testimony thereof. The said Vice-Roy of Goa having thus in the name of his Monarch given over the whole right or claim which the Archbishoprick of Goa ever [had] over the churches of this island, and having at the same time confirmed to the Bishop Dom Mauricius and his successors the peaceful possession of the Administration in this Island, what right of jurisdiction can now be claimed by the Archbishop of Goa to the spiritual Government in this Island ?...

It is exceeding great matter of concern to the Inhabitants Memorialists,... because they wish to be under a Prelate subject to his Britanick Majesty in order to avoid censure as they heretofore experienced ; be-



cause upon every occasion of disunion that had place between the two Estates, the Roman Catholick inhabitants of this Island used to suffer the censure of being disloyal to the Crown of the Britanick King, the English Gentlemen supposing them attached to the Portuguese; but since this Hon'ble Government delivered up the spiritual Government of these churches to the Bishop and Friars Carmelites, exempting the Roman Catholicks of all subjection to and communication with the Archbishop of Goa, they are to this day freed of all imputation of infidelity.

The Memorialists are averse to the spiritual Government of the Archbishop Primate of Goa for this further reason, that they see plainly the continual disorders, scandals, quarrels and [dissensions ?] which prevail in the places where the said Primate has his authority, such as in Salsette, Basseen, and other countries in the southwards; and because the conduct of the Portuguese Priests is so intolerable that they have been the cause of the ruin of many families at Goa, as your Honour in Council will, from the disorders which lately happened at Goa, be verified that many families were brought to condign punishments for crimes against their Monarch's Crown; that with such people the Petitioners Inhabitants wish not even to have the least communication, much less can they reconcile themselves to live under their Government.

The Friars Carmelites live here on alms which the Petitioners Inhabitants are to provide them; but the Petitioners from this hour protest that not a rea will be given to the Padrees sent by the Archbishop of Goa to officiate in the churches here, and your Memorialists would desire to avoid disturbances which must follow from such an innovation,

May it please your Honour in Council to take the premises [*i. e.* foregoing statements] into your serious consideration, etc.

#### GOVERNMENT'S REPLY.

To this petition Government replied on March 4th :—

Mr. Michael Firth, Chief of Mahim.

SIR,—The petition preferred to the Board by Sundry Catholic inhabitants of Mahim having been taken into consideration by the President in Council, he directs that you signify to them in reply, that the claim of the Archbishop of Goa to the jurisdiction of the Romish churches under this Government having been sanctioned by the Hon'ble The Court of Directors, who have expressly ordered that it shall be admitted, it is not in his power to set aside their commands; but that he will not fail to transmit a copy of the Petition in question to the Company for their notice.

I have the honour etc.

Mr. Secretary Page.

5th March, 1789.

## CHAPTER II.

### THE REVERSION CONTESTED (1789).

MEANTIME the Archbishop of Goa had appointed one Father John Antonio de Silva his Vicar General and Visitor in these parts, with instructions to take possession of the churches in due course. Father de Silva therefore addressed the Vicar-Apostolic as follows:—

To his Excellency, D. Fr. Victorio de Sa Maria:—

This morning I have done myself the honor of waiting upon your Lordship to congratulate you on your safe arrival, and to wish you joy of your Episcopal dignity; but not finding you at home I requested the Revd. And. de Silva to present you with my respects.

This is to let you know that His Excellency the Archbishop of Goa and Primate of the East has appointed me Vicar General, in consequence of a correspondence between his Excellency the Governor of Goa and the President in Council, to take charge of the churches upon this Island, with everything belonging to them; but this being holy week, if Your Excellency pleases you may continue with the ceremonies of the same.

I am, etc.,

April 3, 1789.

John Antonio de Silva.

To this letter the Vicar-Apostolic replied at once saying that he had not the least objection, but asked for time to settle accounts with the parishioners, and concludes: “I shall be much obliged to you if you’ll come and live with me and make the house your own. I request you will not deprive me of that pleasure.” (April 4, 1789).

#### PETITION FROM THE VICAR-APOSTOLIC.

The Vicar-Apostolic next proceeded to draft a letter to Government in the following terms:—

To the Hon’ble Major General William Medows, etc.  
Hon’ble Sir,

That being absent from the Island of Bombay merely to be confirmed a Bishop, in consequence of a Bull from Rome under date the 9th of November 1787—posterior probably to any notice having been taken of the Bombay churches in Portugal—it was with concern and regret I understood, on my return here, a resolution had been communicated to me as Vicar General, that the Company had thought proper to re-instate the authority of the Archbishop of Goa over the churches of Bombay, and dismiss the Carmelites, after the said Archbishop had lost his jurisdiction since 1718—when Gov. Boone, for reasons no doubt upon record, and therefore well known to your honor, thought proper to entrust the spiritual government of the Catholics of this Island into the hands of the Carmelites. In consequence of which resolution, application was made to His Holiness the Pope for his confirmation of it; who in the year 1720 not only confirmed it, but sent from Europe six Carmel-

ites Friars to officiate here, and has ever since repeatedly sent others to relieve them agreeable to the custom observed from Rome.

That my predecessors and myself have purchased places for religious worship and been at great expenses to edify and furnish them.

That being appointed a Bishop without any solicitation from me so late as the 9th November 1787, by a Bull from the Consistory College of Cardinals,—and no notice having arrived from thence annulling the same—I am under no small perplexity to understand the legality of dispossessing me of what so great authority has been pleased to invest me. For by all Ecclesiastical Laws—and I should imagine by the English Ecclesiastical Laws—a benefice once conferred is conferred for life, so that without [some crime] being committed dispossession cannot legally take place.

That deriving my authority from the superior of all Roman Catholics. I know not how to relinquish my station.—That however desirous I and my colleagues may be, and are, to pay implicit obedience to the orders of the Company, I have ever been taught to believe that my obedience depended [not] on civil actions, [but] ecclesiastical ones : being answerable in discharge of the high trust reposed in me to none but His Holiness the Pope. To him I must answer for my conduct, to him I am amenable for my flock in spiritual matters, and from him I have right to expect notice that I am to be deprived of my dignity. Instead, I have not been acquainted with [it] other than [by] your Honor's letter through your Secretary.—That I most dutifully make my situation and doubt known, as I must give account to the Pope of every matter concerning the churches put under my inspection.—That ever since my residence, the Carmelites have peaceably and dutifully comported themselves towards God and this Government. Therefore without crimes laid to our charges I know not how we can be driven from our stations, which the generality of the inhabitants during my absence have done us the honor to approve.

If however it is your Honor's unalterable resolution to deprive us of our benefices, with all becoming submission we shall obey your orders ; requesting at the same time a suspension of them until we can settle to the satisfaction of our parishioners the affairs entrusted by them in our hands ; as during the present holy season we cannot enter upon the consideration of such business.

I have the honor etc.

7th April 1789.

DOM VICTORINUS, Bishop.

On April 15th Government made the following reply :—Most Illustrious and Reverend D. F. Vitorio :—

The Hon'ble the President in Council, having taken into his consideration the letter you addressed under the 7th of this month, has been pleased to comply with your request by allowing you and your Brethren Carmelites until the 15th of next month to settle your con-

cerns with your parishioners ; on which day however he expects you will punctually surrender charge of the churches to the most Reverend Padre Joao Antonio de Silva, Vicar General and Visitor deputed by His Excellency the Archbishop of Goa to receive them.

I have the Honor to be, etc.

15th April, 1789.

WILLIAM PAGE, Secretary.

#### PETITION FROM THE LAITY.

Meantime, finding their former petition so far ineffectual, "the people of the island" proceeded to draw up a second dated April 19, 1789, from which a few extracts only need be printed :—

That your Memorialists understand that this relinquishment of them to the Portuguese has proceeded from some claim made by the Court of Lisbon in virtue of the marriage compact by which this Island was surrendered to the Crown of England in 1661 ; but which claim, independent of its being too obsolete now to merit attention, was amply and fully discussed here about seventy years ago, and this very marriage compact was then quoted by Governor Boone to shew that the Portuguese had no right to any ecclesiastical jurisdiction, but were only suffered to continue here by courtesy.

That it must be a matter of surprise and wonder if new lights and new constructions should be put on this marriage compact now, to what was entertained then ; and that, after the Portuguese Priests were expelled this Island for treasonable practices by Governor Boone and his Council with the approbation of the East India Company in the year 1720, and the Court of Lisbon submitted to it, that that Court should at this distance of time make a claim to the jurisdiction.—And it is what these Memorialists cannot account for, that such a claim, made under such circumstances, and which affects them beyond the power of words to express, should be admitted and assented to.

That in a case like the present, wherein all their religious prejudices are to be violated, and when they are placed under a Church and Priests whose severe ecclesiastical jurisdiction they abhor, and under the control of the Portuguese nation, that they cannot reconcile with their situation as subjects of England ; these Memorialists feel themselves compelled boldly to address you and tell their grievances, and to say that by the marriage compact Bombay was given up wholly to the British Crown ; with a reservation simply for the benefit of the inhabitants, and which in common decency was stipulated, that they should be permitted the free exercise of the Roman Catholick Religion, but not a word [about being placed] under the spiritual Government of the Portuguese. . . .

That leaving the odious subject of the Portuguese priests, your Memorialists will mention their present pastors, the Italian Carmelites. These were formerly invited to this place by the Government in 1718, invested in a solemn manner in 1720, and took an oath of allegiance. Their lives and manners have been a contrast to the Portuguese, never

guilty or even suspected of treasonable practices, esteemed by the English, and beloved on account of their mild administration in ecclesiastical matters and their amiable conduct in private life. Loving and reverencing such pastors from earliest infancy, your Memorialists must be afflicted at seeing them displaced, and the Portuguese instituted in their room ; a calamity that, though at present threatened, they hope your Hon'ble Court will prevent.—April 19th, 1789.

#### PETITION FROM THE CARMELITES.

Nine days later a further appeal to Government was made by the Carmelite Missionaries themselves in the following terms :—

HON'BLE SIR,

Having received a notice to vacate our benefices in order to make way for Portuguese priests to be placed in our stead by His Excellency the Archbishop of Goa, we humbly beg leave to address you and to call your humane attention to our distressed situation.

The Carmelites having been established here for seventy years, and upon the good faith and by the solicitation of the East India Company, we justly imagined when we received our benefices that they were conferred once for life, and that we were in the same situation as other clergy who have livings in Roman Catholick countries, and in Great Britain. To our inexpressible concern and affliction, however, we are given to understand that we are to be dispossessed. It is not for us, Hon'ble Sir, to contest the power that you have to do this ; but we will confide in your justice and humanity that you will not take our bread from us without making us an adequate allowance for our support. We came from Italy total strangers in this country to hold our benefices, and were at a considerable expense to get here ; and if we are to be dispossessed of them, we hope that we shall not be thought unreasonable in expecting that you will settle on us, until His Holiness the Pope's pleasure is known, an income equal to what we now enjoy, and provide us with a passage to Europe.

Though, Hon'ble Sir, His Excellency the Archbishop of Goa is to be invested with the spiritual jurisdiction of the churches of this Island, yet we humbly conceive that it does not follow that he is authorized thereby to dispossess the present incumbents of their livings, provided they are men of unblemished characters and willing to acknowledge his superiority. It is an invariable rule, we believe, all over the Christian world, for priests to hold their livings for life, unless convicted of behaviour unbecoming their sacred functions. If this is the case with us, we are unworthy of the least consideration ; but if otherwise, why are we to suffer the most injurious treatment : to be deprived of our livelihood, as if guilty of the most atrocious conduct, and banished from our flocks who have given us the most ample, most honourable, and in our present circumstances, most cordial testimony of their approbation ? It is sufficient, we humbly suppose, Hon'ble Sir, for His Excellency the

Archbishop of Goa to have the Patronage of all livings, and to present to them as they become vacant. We profess ourselves ready and willing, in conjunction with our superior the Bishop, to acknowledge his jurisdiction, and subject to it to perform our duty as parish priests in the same manner as heretofore until we are otherwise disposed of by his Holiness the Pope.

We have the honour to be. etc.

[SIGNED BY THREE CARMELITE FATHERS].

28th April, 1789.

#### GOVERNMENT INTERVENTION.

Next day the Government, while forwarding to the Vicar-Apostolic a copy of the instructions from England with Walpole's letter (both already given above), expressed itself willing to take up their cause with the Archbishop of Goa :—

Most Reverend Sir,

At your reverence's request I am permitted to enclose for your notice extract of the Company's instructions to this Government relative to the claim preferred by the Archbishop of Goa, together with copy of a letter from the British Ambassador at the Court of Lisbon to His Britannick Majesty's Secretary of State on the subject.

The President in Council has given due consideration to the letters addressed to him, as well by your Reverence as by your Brethren the other Friar Carmelites under yesterday's date ; and being disposed, as well from the arguments you have adduced in support of your pretensions to be continued in your benefices, as from the testimony of a numerous part of the Catholic inhabitants in your favour, to interpose his good offices with the Archbishop in your behalf, commands me to acquaint you that he will signify to his Excellency's Vicar General your acquiescence to submit to his jurisdiction, and will strongly recommend to His Excellency to continue you in your respective benefices.

I have the honour to be, etc.

29th April, 1789.

WILLIAM PAGE, Secretary.

In accordance with this purpose Government next turned to the Goan Vicar General, forwarding to him the letters received from the Carmelite Bishop, to be placed under the consideration of the Archbishop of Goa :—  
Reverend Sir,

I have in command from the President in Council to enclose for your notice copies of letters addressed him by the Carmelite Bishop and Friars resident here, which he requests you will be pleased to transmit to the Archbishop of Goa ; at the same time signifying to him that, as the present incumbents have expressed their willingness to submit to the jurisdiction of His Excellency, it would be highly acceptable to this Government if His Excellency could content himself with filling up the benefices as they fall vacant, leaving the present possessors the enjoyment of them during their lives. He is induced to recommend this the more strongly to His Excellency's consideration, as he is well assured

that the Catholic inhabitants in general residing under this Government are well affected towards their present pastors, whom he understands are men of irreproachable character; and he has reason to believe that an acquiescence on the part of His Excellency to what is herein proposed will prevent much dissatisfaction among the inhabitants signally averse to a change of priests.

I have the honor to be, etc.

30th April, 1789.

WM. PAGE, Secy.

### CHAPTER III.

#### THE REVERSION ENFORCED (1789).

THE reply of the Goan Vicar General, dated May 4th, ran as follows:—

To His Excellency Major General William Medows, etc.

May it please Your Excellency,

I have lately had the honor to receive from the Secretary of your Hon'ble Council a letter under date of the 29th of the last month, with two transcripts of supplications addressed to Your Excellency by the Right Reverend the Bishop Friar Victorio, and three Friars Regulars of the Order of Carmelites: that is to say, Friar Charles, Friar Peter, and Friar Raymond; in which letter your said Secretary has signified to me Your Excellency's desire, that I should remit the Transcripts aforesaid to His Excellency the Archbishop of Goa, in order to preserve to those Friars Regulars the respective benefices over which they preside at present, for their maintenance under the legal jurisdiction of the most laudable Archbishop of Goa, of their Acknowledgment and submission to which they make profession.

In consequence of this letter, I humbly beg leave to assure Your Excellency of the faithful and willing diligence with which I am ready to make known your desire, and remit the letters and transcripts aforesaid to the said Archbishop as soon as I shall find a proper opportunity; and I have an assured hope that His Excellency will, in his great wisdom and piety, so dispose and order those matters as shall be most for the service of God, the exoneration of his own conscience, and the spiritual good of the faithful inhabitants of this Island professing the Holy Roman Catholic Faith and Religion, according to the duties of his sacred function; for I am well persuaded of the high esteem and honor he will pay to the pleasure of so great and famous a personage as Your Excellency, the protector of the Restitution of his legal jurisdiction in fulfilling the orders of the Court of Directors of the Hon'ble East India Company of London.

I should already, most Excellent Sir, have transmitted to the Arch-

bishop the matters committed to me, if the publications had been presented properly and sincerely : whereas on the contrary the said Friars Regulars have wasted the time assigned to them, or they might before this have presented to His Excellency the Archbishop their recognition of his authority and obtained his Resolution on the subject.

For when the Friars Regulars aforesaid, in the supplications they have presented, set forth that willingly and with readiness of mind, as was their duty, they recognized the jurisdiction of his Excellency the Archbishop, and promise to pay obedience to him as their lawful superior and prelate ; it is absolutely necessary by the words of the canons that they should, in the book of my commission, set forth and subscribe on oath the terms of this their recognition and obedience to the said Archbishop and his successors, as also to the Vicar General deputed by such Archbishop according to the manner prescribed ; and in testimony of such recognition, assist at the solemn publication of my commission and actual possession in the name of the said Bishop, in the Mother Church of the Blessed Virgin Mary of Esperance (Hope) of Bombay, to be performed on the 15th day of this present month (May) according to the orders of Your Excellency signified to me and to the said Bishop Victorio by the letter of your Secretary of the 14th of last month of April.

And though I do not conceive it to be according to the Canonical Laws for these Friars Regulars to hold parochial benefices on account of their Monastic Vows, and because of their ignorance of the language of the natives, specially when there are secular priests fit and proper for the purpose, as it is ordained by many laws ; so neither is it true that all benefices are conferred for the life of the incumbent and his maintenance ; for they are manual, and the incumbent removable at the pleasure of the superior. But it is not my duty to enter more at large into this matter at present.

In the meantime it is my intention to obey the desire of Your Excellency, and to provide for the said Friars Regulars, out of the churches which they now occupy, on the 15th day of this month, as soon as the said act of publication, possession and delivery of the jurisdiction shall be duly performed ; and to confer upon them the archiepiscopal jurisdiction for the [interim], so that they may exercise the parochial offices and take care of the salvation of the faithful until the Archbishop shall be made properly acquainted with Your Excellency's desire, and make provisions for the purpose.

In a word, it is my duty to inform Your Excellency that the Archbishop has appointed [me] in my commission to the Mother Church aforesaid, for my residence and the performance of my office of his Vicar General and Visitor in this Island, with succession in the said church to my successors in the said office, that so his deputy might live decently and proceed in the discharge of his duty.

And whereas Friar Raymond, who now occupied the Church of the



Salvation at Mahim, is not even of the Mission of this Island, but of Malabar, from whence he came hither to transact some business with an intention of returning thither—as I have learned by a letter of his Bishop of Varapoli, The Right Reverend Ludovici Maria de Jesus, written to Miguel de Lima e Souza, a merchant of this place—to which mission of Malabar he is bound to return immediately, that he may fulfil the duty of his ministry, there being a great want of clergy and particularly of missionaries. Provision therefore will be made from this Church of the Salvation for the aforesaid Friar Peter now acting as vicar of the said Mother Church, designed for me; which Friar Peter, it is said, is also of the mission of Dhelly.

These matters, most Excellent Sir, I have with all humility thought proper to lay before you; your resolution relating to which I beg to know, that I may remit that, together with what has been committed me in the last letters of your Secretary, to His Excellency the Archbishop of Goa.

I have the honor to subscribe myself, etc.

PE. JOAO ANTONIO DE SILVA,

4th May. 1789.

Vicar General and Visitor.

#### GOVERNMENT TO THE VICAR-APOSTOLIC.

Government on May 6th communicated this letter to Bishop Victorinus in these terms:—

Most Reverend Sir,

His Excellency the Archbishop of Goa's Vicar General having under the 4th of this month addressed a letter to the President in Council, I have in charge from him to enclose copy thereof, and to acquaint you that, as he doubts not but yourself and the other Friar Carmelites are sincere in your professions to submit yourselves to the spiritual authority of the Archbishop, he presumes you will feel no hesitation to confirm such your recognition with the solemnity proposed by his Reverence the Vicar General, as being consonant to the rules prescribed by the Romish ritual, and what indeed appears to the Hon'ble President to be highly reasonable.

He desires it may also be given you to understand that, although he has interested himself with His Excellency the Archbishop in behalf of the Friar Carmelites to preserve to them their present benefices, he nevertheless expects that you do implicitly surrender the churches on the day already announced [15th instant] to the Delegate of His Excellency.

I am lastly commanded to inform you that, it being confidently asserted by the Vicar General that Friar Raymond, incumbent of the Church of Salvation, has never been regularly inducted to the said living, it is necessary you should call upon him to produce the powers by which he has assumed possession of it; since, if he cannot controvert that assertion, the Hon'ble President will not interpose to prevent his being ejected.

I have the honor to be,

6th May, 1789.

WILLIAM PAGE, Secy.

The Goan Vicar General himself, 3 days later, wrote to the Vicar-Apostolic as follows :—

Most Illustrious and Revd. Fr. Victorio, etc.

His Excellency the President in Council has been pleased to inform me, by his Secretary's letter dated 7th inst., that he has given the necessary orders to Your Excellency, a copy of which he has sent me, that the churches [without] shifting or delay shall be surrendered on the day appointed [15th inst.] on which my commission will be published.

As to-morrow will be Sunday, Your Excellency will be pleased to order to publish at the meeting of the flock, that on the aforesaid day I will go to publish my commission in the church of Na. Sa. de Esperanca, take possession of the jurisdiction in the name of His Excellency the Archbishop Primate of Goa, and of the other churches ; intimating the same unto the incumbents of the said churches, that they may attend at the said acts of surrender, possession and publication, and comply with the determinations of His Excellency the Governor in the said surrender ; giving notice also unto the Revd. Padres and Brotherhood to assemble and attend with the usual ceremonies upon such occasions.

I have the honor to be, etc.

JOHN ANTON DE SILVA.

Mazagon, May 9th, 1789.

#### THE VICAR-APOSTOLIC TO GOVERNMENT.

Meantime Bishop Victorinus was engaged in framing a reply to the contents of the Goan Vicar General's letter, which he forwarded to Government on May 11th :—

To the Hon'ble Major General William Medows, etc.

Hon'ble Sir,

It is with inexpressible concern that I am once more under the necessity of troubling you with an address : but I flatter myself you will permit me to make some observations on the letter from his Reverence the Vicar General of His Excellency the Archbishop of Goa, a copy of which was conveyed to me by your Secretary ; and I trust that what I shall now urge will meet with your approbation, as it is consonant to the rules and usages of our church. Permit me first to renew in behalf of myself and my clergy my sincere and ready obedience to the jurisdiction of His Excellency the Archbishop of Goa as Metropolitan of his diocese, notwithstanding the groundless and ungenerous insinuation to the contrary, of his Reverence the Vicar General in his letter to your honor. Having solemnly pledged myself to your honor to pay due obedience to the authority of the Archbishop of Goa, until the determination of His Holiness the Pope could be known—an [act] which proceeded from a desire to pacify the minds of my flock, and from motives of gratitude for their repeated testimonies of attachment to me, and in consideration of which you were graciously pleased to recommend our continuance here to His Excellency the Archbishop of Goa—I waited patiently in expectation of His Excellency's order to me, as Bishop of this diocese, to publish

the restoration of his jurisdiction over the churches of this Island, nor ever expected the sincerity of my declaration to be called in question; or that I, a consecrated Bishop and prelate of this diocese, should be called upon by an inferior priest to set forth (according to his words) and subscribe on oath the terms of my recognition and obedience to the Archbishop and his successors, as also to the Vicar General deputed by such Archbishops according to the manner prescribed: and in testimony of such recognition assist at the solemn publication of the said Vicar General's commission and actual possession in the name of the said Archbishop, thereby degrading my own dignity and acknowledging his [the Vicar General's] superiority.

That I have no objection to subscribe my recognition of the Archbishop's authority in its fullest extent I again avow: but I must beg leave to decline taking any oath, as I know of none that is prescribed by our Canons but those I have already taken in the course of my ministry, a repetition of which is surely unnecessary. At the time I devoted myself to the service of the church I took an oath of obedience to my superiors; and as the Archbishop is now to be esteemed in that light, of course my oath with respect to him is in full force. I cannot conceive, therefore, what oath the Vicar General wishes to administer to me, unless the one that was so highly offensive to this Government when the Carmelites were introduced to supply the places of the ejected Portuguese. But if, Hon. Sir, you have any doubt of our fidelity, we shall without hesitation take the oath prescribed by this Government, a copy of which I now have the honor to enclose, as first administered to Monsr. Mauricius. [See former section under date 1720].

The church of Esperance shall be open to receive the Vicar General on the day appointed; but I beg leave humbly to represent, Hon'ble Sir, that if I am to be continued as Bishop of this diocese the Vicar General's Commission must cease of course [*i.e.*, *ipso facto*] after the publication of His Excellency's jurisdiction; for he can exercise no authority, but what he derives from me, who am answerable to my superior for the management of my diocese. Otherwise I would be an insignificant cypher; for I can never condescend to receive any orders from an inferior.

In answer to the assertion of the Vicar General that it is uncanonical for Friars Regulars to hold parochial benefices, it will only be necessary to observe that the present Archbishop of Goa is himself a Carmelite; that the Bishop of Meliapore or St. Thos. is an Augustinian Friar; and I could produce many other instances both in Europe and India if necessary. I may also observe on this head, that if such an irregularity as his Reverence insinuates really existed, it could hardly have escaped the notice of the several popes who have reigned for these 70 years past, and who undoubtedly would not have sent out persons unqualified for the purpose of their mission.

His Reverence the Vicar General has been much misinformed; I should be sorry to put a harsher construction on his assertion respect-

ing Friar Raymond. He was sent here expressly at my desire, in consequence of the death of my Predecessor the late Bishop and of Friar Clement, and was confirmed in the appointment I made him by the Hon. Rawson Hart Boddam, then Governor of Bombay. And I have now a letter from the Right Reverend Bishop of Verapoli, Luis Maria de Jesus (which I shall produce to your honor if you think proper) authorising me to return or retain the said Friar Raymond as I thought most conducive to the good of religion. And so far from there being a want of clergy on the Malabar Coast, as his Reverence so confidently asserts, the Bishop of Verapoli, with whom I was lately for the purpose of my consecration, informed me that two missionaries were now on their way to India, one for Bombay the other for Malabar; but that I might keep both if I thought it necessary—for it is well known, that though clergy are sent out for particular missions, yet they are distributed by their superiors to those places where they are most wanted.

As to Friar Peter, he was sent out expressly for Bombay, which will most evidently appear by a letter he received a few days since from Rome.

Permit me, Hon'ble Sir, to point out an evident appearance of insincerity and duplicity in the Vicar General's letter to your honor. He there says it is his duty to inform your honor that the Archbishop has appointed him in his commission to the Mother Church for his residence and the performance of his office of Vicar General and Visitor in this Island, with succession in the said church to his successors in the said office; but why did he not reveal this part of his commission upon his first arrival? On the contrary he expressed great impatience to get possession of these churches that he might return immediately to Goa; and I believe I may venture to say [that] this part of his commission would not now appear, had not your honor recommended us to His Excellency the Archbishop of Goa; the benefit of which recommendation he hopes to render fruitless by the above-mentioned appointment, which is so highly derogatory to my dignity, and would probably be the cause of so much disgust, and could be subversive of the established order of church government were I to submit to it.

I have the honor to be, etc.

11th May, 1789.

[VICTORINUS, Bishop.]

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## CHAPTER IV.

## THE REVERSION EXECUTED (1789).

As regards the oath to which Fre Victorinus objected, Government expressed itself willing to free him personally from it, but required it to be taken by the three Carmelite Missionaries who wished to retain their posts in the churches :—

Most Reverend Sir,

The Hon'ble the President in Council, in consideration of the reasons assigned to him in your letter of the 11th instant. is pleased to dispense with your taking the oath proposed by the Vicar General and Visitor on his receiving charge of the churches. But to preserve good order among the Catholic inhabitants, which a disputed authority between yourself and the Vicar General would be subversive of, the Hon'ble President thinks fit to direct that you forbear to exercise any spiritual function whatever until the Archbishop shall decide respecting yourself and the other Friar Carmelites ; whom you will instruct to receive the Vicar General to-morrow, assist at the publication of his commission and surrender of the churches, and take the oath of subjection to the Archbishop and his Delegates.

I have the honor to be, etc.

11th May, 1789.

WILLIAM PAGE, Secy.

## THE VICAR-APOSTOLIC TO GOVERNMENT.

The Vicar-Apostolic on receipt of this note replied next day as follows :—

The Hon'ble Major General William Medows, etc.  
Hon'ble Sir,

In obedience to the orders contained in your Secretary's letter of the 14th inst., I have made the necessary dispositions for resigning my Episcopal jurisdiction, and the clergy under me their benefices, at the time specified [by] your Honour ; but I hope I shall not be thought troublesome or impertinent in offering at the [same] time the following observations to your consideration :—

If, Hon'ble Sir, you will condescend to refer to the records of the Hon'ble East India Company, you will there find the Carmelites were solicited by Governor Boone (a copy of whose orders I have now the honor to enclose you) in the year 1718 to replace the Portuguese clergy who, for reasons of State, no doubt necessary and also recorded, were dismissed from all ecclesiastical jurisdiction on this Island ; that in consequence of this solicitation, application was made to His Holiness the Pope for his permission to accept it ; who not only gave his consent, but in the year 1720 sent out a number of priests sufficient for the ecclesiastical duty of this Presidency, and has ever since regularly supplied all vacancies occasioned by the various contingencies of Nature. You will find in the records, Hon'ble Sir, that the Hon'ble Company not only confirmed, but highly approved of the establishment of the

Carmelites on this Island ; and you will also find that so late as the year 60 or thereabouts, their jurisdiction was again confirmed in the person of Senhor John Domingos as the then Bishop of Bombay and his successors, who was solemnly invested with spiritual authority over the Roman Catholicks of this Island, and all clergy not ordained by him absolutely forbid to reside here upon pain of confiscation of their effects.\* After such flattering marks of favor and approbation, shown to us both by the Company and their Government and continued to us for a space of seventy years, we cannot but feel ourselves sensibly affected by our present injurious treatment ; injurious, permit me to say, as we have conducted ourselves with fidelity and attachment to this Government, and have zealously inculcated the same sentiments into our respective flocks ; yet are now ordered to resign our benefices, and of course our livelihood, not having any other provision to depend on, in a country wherein we are entire strangers ; though not one instance of misconduct has ever been alleged against us. I appeal, Hon'ble Sir, to your own feelings on this occasion, and to your justice and humanity, to render our present calamity as light as possible.

Though His Excellency the Archbishop of Goa is to be invested with spiritual jurisdiction over this Island, yet I humbly conceive it does not follow that he is in consequence authorized to dispossess the present clergy of their livings, particularly as they are willing to hold them in subordination to his authority, and to perform their duty as heretofore until they are otherwise disposed of by His Holiness the Pope. Nor can I help thinking that there is great reason to conclude it was not the intention of the Hon'ble Company that they should be dispossessed ; for otherwise the Company would have particularly mentioned that circumstance in their orders to this Government, and have acquainted the Pope with their intentions, in order to give him an opportunity to withdraw his clergy from hence.

His Excellency the Archbishop of Goa ought surely to be satisfied at having his authority acknowledged, at having the Patronage of all livings and the power of presenting them as they become vacant ; for he cannot be ignorant that in all Roman Catholic countries (and [we] have been told it is the same in Great Britain) church livings are conferred for life, unless the incumbent betrays a conduct unbecoming his sacred function, in which case he is deposed by ecclesiastical authority.

If the alternative already mentioned, of acknowledging the essential jurisdiction of His Excellency the Archbishop of Goa, so just and reasonable I humbly conceive in itself, is not admitted, I flatter myself, Hon'ble Sir, you will not think me and my clergy unreasonable in expecting an allowance from Government equal to their living as a support and maintenance until they are otherwise provided for ; and that if they are ordered to Europe you will [be so] good as to provide them

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\*See documents "An Abridgment" and "Articles to be considered" already published in a previous section.

with a passago. As to myself, I have no claim upon this Government, being allowed a pension from Rome for the support of my dignity. I only plead in behalf of my clergy, who are destitute of the smallest provision, and can only look up to you for support.

I am, Hon'ble Sir, etc.

15th May, 1789.

DOM VICTORINUS, Bishop.

#### THE TRANSFER EFFECTED.

This was on the 15th of May, the day on which the churches were ordered to be handed over to the jurisdiction of Goa. The transfer duly took place without opposition or disturbance.

The Vicar-Apostolic himself, who had resigned his position entirely, was not present. But as it had been agreed that the three missionaries (Fre Raymond, Fre Peter and Fre Charles) should retain their parochial posts in the churches pending the decision from Goa, they had to attend the ceremony and subscribe to the following form of oath :—

“ On the 15th May 1789, in this Parish Church of N. S. da Esperança of Bombay, present the Most Rev. Desembargador Vigario-Geral and Visitador of Bombay, João Antonio da Silva, with me Padre Vicente Joaquim de Menezes his Secretary, there appeared the RR. FF. Carlos Jose de S. Pedro, Raymundo de S. Jose, and Pedro de Alcantara e S. Antonio, Carmelites of the Propaganda Fide, and declared before the said Most Rev. Desembargador Vigario-Geral and Secretary that they of their sincere and free will recognised the spiritual jurisdiction of His Grace the Most Rev. Archbishop Primate of Goa over the Roman Catholic churches of this island and its dependencies, and promised to faithfully submit to the authority of the said Most Rev. Archbishop Primate of Goa, and to obey him and his successors, as well as the said Vicar General and his successors deputed by the said Most Rev. Archbishop Primate to reside in this said island, in all matters and things pertaining to or concerning Ecclesiastical Right and duties of parish priests ; and to better confirm this their recognition they, the said Fr. Carlos Jose de S. Pedro, Fr. Pedro de Alcantara e S. Antonio and Fr. Raymundo de S. Jose swore on the Holy Gospels and signed their names on this deed of oath, placing their right hands and touching them in the presence of the said Rev. Desembargador Vigario-Geral and Visitador, and of me the said Secretary, and the witnesses that were present : Padre João Antonio da Silva, P. Vicente Joaquim de Menezes.—Pe. Jose de Moura.—Pe. Sebastiao Pereira.—Pe. Jose de Jesus Maria.—Pe. Joaquim Pereira de Abreu.—Pe. Manoel Oliveira.—Pe. Lourenço Manuel de Siqueira.—Pe. Domingos Ferreira.—Fr. Raymundo de S. Joseph.—Fr. Carlos Jose de S. Pedro.—Fr. Pedro de Alcantara.”

The arrangements of the Goan Vicar-General for the disposition of the benefices having been communicated by letter the same day, the Government acknowledged and approved of them as follows :—

Reverend Sir,

I have in command from the Hon'ble Board (now sitting) to acknow-

ledge receipt of your letter of this morning's date, and to signify to you their entire satisfaction at the measures you propose taking with respect to the disposition of incumbents for the [several] churches and providing for the temporary residence of Friar Peter; and they do not question but your proceedings in sequel will be such as to meet the concurrence of Government, and consequently their support.

I have the honor to be, etc.

15th May, 1789.

WILLIAM PAGE, Secy.

#### REPLY FROM GOA.

Meantime the representations of the Carmelites and their plea for continuance of their benefices having been put before the Archbishop of Goa, that prelate on May 25th, 1789, wrote to the English Government in these terms :—

To His Excellency Major General William Medows, etc.

Hon'ble Sir,

Your honour has laid me under so many obligations by your restoring my jurisdiction over the churches of Bombay (that was usurped for many years) that even less would be sufficient to render me quite subservient to your will and that of your council. But as I am convinced that the Court of Lisbon would pay no regard to the remonstrations of the Rev. Padres of the Propaganda Fide; and as I am acquainted with the disputes that arose between the Apostolical Nuncio at Lisbon and the Secretary of State, who [according to] his Majesty's Decrees, had orders to expel them from every place under the jurisdiction of the Portuguese Bishops; and finally, as I have informed Her Majesty how your Excellency has protected my jurisdiction over these churches, of the letter which your honour has wrote me upon this subject, and of that to the Govn. Captn. Genl. of Goa, in answer to his request in the name of her Majesty; so that at present it is not in my power to make the least alteration in this affair.

For the accommodation of the Padres until they have received instructions from Rome to go home, or to retire to some other place, I have told my Desembargador to make them an offer of my Palace, or the lodge at Chimbél [near Goa] with some other offers; and if none of these be agreeable to them, I think that the whole of them might live in any one of the churches, except that of Na. Sa. de Esperança, as that is the proper place for the residence of the Vicar-General to superintend the government of the other churches. My Minister will lay all this before your Excellency.

With the greatest pleasure I shall execute your command in everything that gives you pleasure.

I have the honour to be, etc.

ARCHBISHOP-PRIMATE OF THE EAST.

Goa, May 52th, 1789.

This was supplemented five days later by another letter from the Archbishop :—



To the Hon'ble Major General William Medows, etc.

I had the honour of receiving your letter dated May 27th, wherein you inform me with what is done in respect to the Bishop and other Padres Carmelites, and the orders that you have issued for that purpose.

In my letter of the 25th of May to Your Excellency, (as I sincerely wish and ought to comply with your desires, and execute your commands as far as lies in my power) I have given my determinations which I imagined were most agreeable to your pious intentions ; for it was not in my power to do otherwise, for the motives which I have alleged in the said letters.

I have made an offer of my palace for the accommodation, or the lodge of the Carmelite Padres at Chimbél—where they shall want for nothing till such time as they receive orders from Rome to go home, or to retire some other mission where there is no prelate to govern. Should it be too late in the season for them to come, they may live with the parish priests, which will not incommode them much ; but if they should be of any expense to them (viz : the parish priests) I promise to defray all the expenses they should be at. I concluded that if none of these offers pleased them, two of them might live in one of the churches, and the third live with my Desembargador.

Here, Hon'ble Sir, are the bounds of my power ; nor can I possibly extend them further, since I have communicated unto Her Majesty all that was done in consequence of your letters in answer to mine, and the requests made [to] Your Excellency by the Govr. and Capt'n. Genl. in Her Majesty's name.

Your Excellency now may act in that manner which will be most agreeable to yourself, and command me, who am always ready to serve your honor.

I have the honor to be, etc.

ARCHBISHOP-PRIMATE OF THE EAST.

Goa, 30th May 1789.

Copies of these documents were then forwarded by Government to the deposed Vicar-Apostolic :—

Most Illustrious and Rev. D. F. Vitorio de Santa Maria :—

I have in command from the Hon'ble the President in Council to enclose for your notice copies of two letters which he has received from His Excellency the Archbishop of Goa ; agreeable to the tenor whereof he desires the Friars Carmelites will signify to him, which of these three propositions made by His Excellency they are disposed to accede to.

I have the honor to be, etc.

10th June, 1789.

WILLIAM PAGE, Secretary.

To these proposals Bishop Victorinus replied as follows :—

To The Hon'ble Major General Wm. Medows, etc. :—

I have had the honor of receiving from your Secretary the answer of His Excellency the Archbishop of Goa to the proposals you were so good as to make in favour of the Carmelites belonging to this island.

I have consulted them with respect to the three proposals made by His Excellency; but they beg leave to decline them as too humiliating for their acceptance, even in their present embarrassed situation. They at the same time unite with me in a continuance of their most unfeigned thanks for the instances of favour you have already shown them.

I have the honor to be, etc.

19th June, 1789.

D. F. VITORIO DE SANTA MARIA.

## PART V.

### VACILLATION AND COMPROMISE (1790—1794)

#### CHAPTER I.

#### AFTER THE REVERSION 1790.

As soon as the Vicar-Apostolic had declined to accept any of the three proposals of the Archbishop of Goa, Government gave up further efforts on behalf of the Carmelites, and communicated their decision to Bishop Victorinus in the following short note :—

Most Illustrious and Rev. D. F. Vitorio de Santa Maria :—

Your letter of yesterday's date has been laid before the President in Council, who commands me to acquaint you that as you have rejected the propositions held out to you by His Excellency the Archbishop Primate, he [will] intimate to the Vicar General that he is at liberty to nominate such incumbents to the several churches as he may think qualified to fill them; and it is his express desire that neither your Reverence nor your Brethren the Friars Carmelites give or encourage the smallest opposition or obstruction to the Vicar General in exercising the jurisdiction he has assumed in quality of representative of the Archbishop.\*

I have the honor to be, etc.

20th June, 1789.

WILLIAM PAGE, Secretary.

\* The Mauritius MS. says that "the English Governor proposed to the Archbishop of Goa to execute the orders of the Court of Directors on one condition, viz., that the Archbishop should not remove the Carmelite Fathers from the Parishes. The Archbishop accepted this proposal and promised to carry it into effect literally, if the three Carmelite Fathers who were thus to continue in office took oath of allegiance to the Archbishop. But before the expiry of six months the Archbishop removed the Carmelite Fathers from the four churches, and native priests were placed in their stead. Later on the Governor informed the Court of Directors that the Archbishop had failed in his promise of employing the Carmelite Fathers in the churches"; and this was put forward as a reason why the Government should cancel the jurisdiction of Goa and restore the churches to the Carmelites. All these statements, which appear to be derived from a MS written in 1847 [Vicariate Files XII at end], are entirely wrong. The above correspondence shows that the Archbishop firmly refused to allow the Carmelites to remain in their posts, and Government itself accepted this decision. Hence the Fathers who on May 15th were allowed (ad interim) to continue in the churches, had naturally to retire into private life as soon as the verdict of the Archbishop was known.

This brings our available documents on this subject to a close. The Mauritius MS. without giving any of them, sums up the episode in the following terms :—

“The missionary fathers who then took oath were Fre Pedro d’Alcantara of St. Anthony (afterwards Vicar-Apostolic of Bombay); Father Charles Hyacinthus of St. Peter ; Fre Raymundus of St. Joseph (who became subsequently Vicar-Apostolic of Verapoly). The Vicar-Apostolic, being thus deprived of the churches of Bombay, retired to his Fort Chapel, leaving the Archbishop in full liberty to do as he thought proper. . . . The Carmelite Fathers [also] retired to the house of the Vicar-Apostolic (Fort Chapel) where they lived without exercising any act of spiritual jurisdiction, and awaiting orders from Rome to go elsewhere. All the native priests educated, instructed and brought up by the Vicar-Apostolic . . . yielded obedience to the Archbishop, with the exception of only one—a native of Bassein named Father Fernandez, who remained faithful to the Vicar-Apostolic till his death. The other priests joined the Goan priests, who were led by Sir Miguel, and tried their best to expel from Bombay the Carmelite missionaries and their bishop . . . or to induce them to leave of their own accord. One of them, who rented a house close to the Fort Chapel, erected an altar there and collected the people together for service. He also petitioned the Government to consign to him the chapel and house of the bishop, alleging that both belonged to the Portuguese. The Vicar-Apostolic was then compelled to show the title-deeds of the grounds, as well as other papers and books containing the accounts of the expenses incurred for building both chapel and house. This is the house which is called “the Convent of the barefooted Carmelites at Bombay,” both by Propaganda and by the author of the *Effemerologio Carmelitico*.”

#### THE FORT CHAPEL DISPUTE.

With regard to this dispute about the Fort Chapel, which commenced in July 1789, we have a very bulky collection of documents. The following letter of the Vicar-Apostolic, detailing the origin of the discussion, will be of interest as illustrating the manners of the time :—

To The Hon’ble Major General Wm. Medows, etc.

Hon. Sir,

After the frequent occasions I have already had of troubling your honor, it is with extreme reluctance that I am obliged once more to address myself to you; and destitute as I am at present, to entreat your protection and support against a repetition of such indignities and insults as I have already received.

After submitting in every particular to the determinations of His Excellency the Archbishop of Goa, notwithstanding I had reason to expect, on account of the recommendation you did me the honor to make, more respectful treatment than I have experienced—I flattered myself that I and my brethren would have been permitted

to remain quiet and undisturbed in our house in town, until otherwise disposed of by our Superiors. But in this expectation I find I was deceived; for on Sunday last a Dominican Friar was sent to me by his Reverence the Vicar-General, who said he had an order from your honor constituting and appointing Padre Andrew de Silva to administer the Sacrament in the private chapel belonging to our said house, and that Padre de Silva was to be accommodated with a room in my house as formerly, when the churches of the Island were under my jurisdiction.

Had the chapel and house been the property of the publick, the Vicar-General might with propriety have made the above mentioned appointment; but as the case is otherwise, his behaviour was insidious and deceitful towards your Honour, and disrespectful and uncivil towards me. Though I was only favoured with a verbal message from the Vicar-General, and though the message was delivered in a tone of authority totally regardless of my private property; yet out of respect to the order he said he had received from your Honour I instantly complied with his requisition, and his commission to Padre Andrew de Silva was accordingly read in the chapel.

Such a civil compliance to what was required of me, I had reason to expect, would have screened me from an ill-treatment. But in this I was also deceived; for being confined to my house by indisposition, I was intruded upon by the following persons: Joseph Pereira and Richard Pereira his son, George Norbexk, Caitano Baretto, Manuel Figarido, Caitano Cabrall and some others, who with an incivility and insolence never before experienced by me, demanded my plate, both that for the use of my house and also my chapel. This I refused as being the private property of myself and my fraternity; but at the same time assured them that if any person could prove a property in any part of it, it should be instantly restored. Not satisfied by this answer, they insulted me with many gross and indecent speeches; in particular, that I was sent here to preach the Gospel, and not to enrich myself and withhold the goods of others. After this insulting behaviour they left me, and I was visited by Mr. Tod, who came, I can only suppose, by their desire, in order to intimidate me into a compliance with their demands, and who acted on this occasion in a character I conceive he had no right to assume. He took an inventory of my plate without my knowledge or permission—which I signed at his desire, though I am totally ignorant by what authority Mr. Tod acted in so magisterial a manner.

Though I have received, Hon. Sir, such indignities and incivilities as would justify me in shutting the door of my chapel; yet as I am unwilling to impede the celebration of any of the sacraments of the Church, I have resolved (and I hope my resolution

will meet with your approbation) that the use of my chapel shall be permitted upon a proper application to myself; that the keys of the chapel shall be delivered to me after the service is over; and that Padre de Silva shall provide himself accommodation elsewhere.

I entreat, Hon'ble Sir, your forgiveness of this further trouble, and your protection and support against any future ill-treatment whilst I have the honor to remain under your Government.

I have the honor to be, etc.

7th July, 1789.

[DOM VICTORINUS.]

#### GOVERNMENT INTERVENES.

In consequence of this appeal Government, on July 11, 1789, appointed a committee consisting of Messrs. Henshaw, Bruix and Smyth to investigate into the rights of the case. A statement of claims was made by the Vicar-General Joan Antone de Silva, based altogether on pleas of canon law; (2) A statement by Sir Michael de Lima e Souza based on the history of the chapel: that contributions were made by the faithful to purchase the land and house; that the chapel was filial to Esperança and a public chapel for public use; that if the title-deeds were in the name of the bishop, this did not prove proprietorship, because it was the custom to have them in the name of the bishop even if the property was secured by the contributions of the people, etc., etc.; (3) A statement of the laity taking the same lines. On the side of the Vicar-Apostolic we find no documentary statement, but only a few notes denying certain detailed assertions of the other side. Nor have we any report of the Committee showing the grounds of their decision. Nevertheless the verdict, in favour of the Vicar-Apostolic, was given in a letter of Government to the "Vicar General and Visitor" as follows:—

Sir,

I have in charge from the President and Council to signify to your Reverence that the Committee, appointed in July last to investigate the titles of the Friar Carmelites to the town chapel, its plate and vestments, having reported to him the result of their inquiry, it is his decided opinion that the said chapel, etc., is the property of that Fraternity. It is therefore his desire that you desist from making any further claim thereto; contenting yourself with the spiritual jurisdiction of it if it suits the convenience of His Excellency the Bishop Dr. F. Victorio to let the divine services be performed therein as heretofore.

I have the honour to be, etc.

27th Oct., 1789.

WM. PAGE, Secy.

A copy of this letter was forwarded to the Vicar-Apostolic for information, and so the incident was closed. We gather that the Goa clergy did not after this intrude themselves upon the Fort Chapel, but opened a house close by in which they held services for the public.

## THE ATTITUDE OF ROME.

On July 3rd, 1789 Fre Victorinus wrote to Rome giving an account of all that had happened. The letter, as was usual in those days, took eleven months to reach, and Propaganda replied at once (July 31, 1790) in substance as follows :—

“The Cardinals have learnt of the change which has taken place in the spiritual government of Bombay. But as it was arranged by an understanding between the two courts of Lisbon and London, there was no need to protest; since it was always the principle of the Congregation that as soon as the English Government was willing to allow the Archbishop of Goa to send priests into Bombay, which was a part of his diocese, our missionaries as well as the Vicars-Apostolic should cease to exercise jurisdiction, and should leave the field open to the Ordinary. Hence (the Congregation continues) you have done well in not putting any obstacle to the decree of the English Government; and also you did well in referring the question of the Hermitage (Fort Chapel) to the Government, as regards your legal possession of this property. Since you received a favourable verdict, retire to that convent, and abstain from all jurisdiction over souls, except so far as powers are given to you by the Archbishop, and are allowed by the privileges of religious.

“All other religious [Carmelites], not needed in the island can be sent to Surat and Malabar. You want to send Fre Peter of Alcantara to Delhi. But since that district was given to the Capuchins of Tibet [in 1784] do not intrude there, but direct your zeal to other missions of the Vicariate which would otherwise be neglected. Your Vicariate is not merely for Bombay but extends to Karwar, the Deccan and Golkonda. Karwar used to be a flourishing mission, and had a good house. But perhaps the greater comforts of living in Bombay caused it to be given up.\* Therefore profit by circumstances and re-open Karwar; and use Peter of Alcantara there instead of at Delhi. You have in Surat and Karwar a large field for gaining souls, which is the sole aim of the Congregation.”

These instructions were duly carried out; and so by the end of 1790 all the Carmelites (except Bishop Victorino himself) had disappeared from Bombay. The whole of the spiritual jurisdiction of the island was in the hands of the Archbishop of Goa, and the churches were manned by secular clergy under his jurisdiction.

## NOTE ON SIR MICHAEL DE LIMA.

The Mauritius MS. has a fine crop of sensational things to relate in connection with the transfer of the jurisdiction to Goa, which we summarise as follows :—(1) That Sir Michael de Lima invited the

\* This gentle sarcasm seems to have been undeserved. The anarchy which followed on the annexations of Hyder Ali (1764) and of Tipu Sultan (1784) had resulted in the break-up of that mission. Nearly all the Christians had been deported to Seringapatam, and the rest had fled away.

secular clergy to dinner, and forced them, when over-heated with wine, to promise obedience and submission to the Archbishop, who promised to native priests the parishes occupied by the Carmelites. (2) Sir Michael is also said to have promised the bishopric of Bombay to one of them, and even ordered in a set of episcopal *pontificalia* from Europe; —which were afterwards bought by the Vicar-Apostolic, and preserved *ad futuram rei memoriam et signum perfidia*. (3) One of his followers behaved rudely to the Vicar-Apostolic and tried to drive him out of his house. But he was punished for his sacrilegious act by losing all his goods some days after, while boarding a ship, and had to save his life by swimming, and afterwards to beg from door to door, and to receive maintenance from the Vicar-Apostolic, and only survived his disgrace a few months. (4) A relative of Sir Michael came furiously to kill the Vicar-Apostolic with a pistol, but shot his own mother instead, and went mad, and hid in a jungle, and ended a week after in hanging himself on a tree. (5) Sir Michael at the cost of 45,000 scudi built a splendid college in order to keep up a supply of priests for the Goa jurisdiction. The college was opened solemnly, but before a year was out the Prefect, Sir Michael's nephew, died, and the rest of the students fell sick and the college was closed. (6) A priest of the Goa party exhumed the bones of Fre Charles of St. Conrad from their grave in Salvação and buried the corpse of a woman there instead; but the sacristan reverently hid the bones of Fre Charles, and later on delivered them to Fre Pedro d'Alcantara, who replaced them in the same grave with a tombstone which still exists. (7) Later on, after the jurisdiction had been restored to the Carmelites in 1791, it was Sir Michael de Lima that instigated Government to divide the churches in 1794. (8) Finally, when Sir Michael de Lima was on his deathbed in 1810 he called Fre Pedro d'Alcantara and another priest, and with penitential tears begged them to commend his soul to God, being full of remorse for the mischief he had done.

Outside the Mauritius MS. we have not found any record of these events. The author of the MS. seems to have transcribed them from an old document written apparently in 1847, and therefore sixty years after the event [Vicariate Files XII at end]. How much truth there is in any of them we have no means of judging.

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## CHAPTER II.

## THE REVERSION REVERSED, 1791.

No sooner had the Carmelites withdrawn and the Goa jurisdiction been established, than the Government began to find out that the new state of things was a cause of dissatisfaction to at least some portion of the Bombay community. As this seemed to be of sufficient importance to call for action by the ruling powers, Government on January 12th, 1790, wrote to the Vicar-Apostolic :—

Most Illustrious and Reverend D. F. Vitorio.

The President in Council, understanding that many of the Catholic inhabitants of this Island [refuse] to acknowledge the spiritual jurisdiction of the Archbishop of Goa and of his Delegate the Vicar General, has judged proper to issue a publication of which has ordered me to enclose you a copy, and to [request] you to be particularly circumspect not to encourage any of the people in such contumacious conduct.

I have the honor, etc.

12th January, 1790.

WILLIAM PAGE, Secy.

The publication referred to, which was openly published a month later, ran as follows :—

## A Proclamation.

The President in Council hereby commands that all Catholics inhabitants on this Island do consider themselves under the spiritual jurisdiction of His Excellency the Archbishop of Goa and of his Delegate the Reverend Padre Ignascio Gomez, Vicar General; and whoever shall presume to refuse obedience to the said Vicar's authority or to obstruct him in the exercise of his functions will be proceeded against by Government with the utmost severity.

By order of the Hon'ble Governor in Council,

12 February, 1790.

WILLIAM PAGE, Secy.

## PETITIONS AGAINST PADROADO.

Instead of putting a *quietus* on public feeling, this measure seems only to have made matters worse, so that the feeling in favour of the Propaganda jurisdiction began to issue in several petitions to the Government. Of these only one has been preserved in our archives, so faded that decipherment is in places difficult; the main drift, however, is still discoverable :—

*A petition to have the Goa occupation reversed, organised by six deputies of Mahim and six of Bombay representing the whole people :—*

With a great inexpressible grief and concern we do move to lay before this Hon'ble Court the fatiferous misfortune into which in this present year 1789 have fallen the Roman Catholic inhabitants of this island by a forged letter sent to Portugal in the names of the R. C. inhabitants on this island of Bombay and Mahim, requesting spiritual power from the Archbishop of Goa upon the churches of this island, of which was issued an order from the Hon'ble Court to this Government



to deliver over to Archbishop of Goa the charge of the churches.... The inhabitants, being informed of this unexpected order, petitioned Government on March 3 of the same year requesting the preservation of the Carmelite Friars, because they were serviceable, advantageous and of great tranquility to the R. C. inhabitants. But observing that their petition took no place....they constituted their deputy attornies ....six from Mahim and six from Bómbay....They again petitioned the Hon'ble Court to suspend this order....till the Hon'ble Court should be informed of all circumstances and just reasons....[in spite of which the churches were delivered over the Archbishop] with the universal grief and concern of all....causing every one great displeasure. [They go on to ask for the Vicar-Apostolic to be restored]..But the Vicars of the churches shall be natives of this island and not strangers...."

F. W. D'CRUZ, IGNACIO DE SILVA, etc.

5th March, 1790.

#### RECALL OF THE CARMELITES.

As the delivery of the churches to the Archbishop of Goa had been done under orders from England, Government submitted these representations to the Court of Directors, with the following result:—

Extract of a letter from the Hon'ble the Court of Directors dated 15th December 1790 :—

"We are concerned to find from the papers you have transmitted to us, that the execution of our orders of the 21st July 1786, for restoring to the Archbishop of Goa the spiritual jurisdiction over the Roman Catholic churches upon your island, has given great cause of uneasiness to the inhabitants of that persuasion. Our orders upon this subject were founded upon the requisition of the Court of Portugal; but as we find the inhabitants of the Roman Catholic religion within your Presidency are uniformly averse to the exercise of the jurisdiction of the Archbishop, and that such jurisdiction was relinquished in a formal manner, we feel disposed, though unwilling to interfere in religious matters, to comply with their unanimous wishes, and to allow them to exercise their religious worship under the jurisdiction of the Carmelite Friars, as they have been used to do for above half a century past; and desire you will make all the parties acquainted therewith."

The Bombay Government proceeded to carry out these instructions in due course:—

#### A Proclamation.

The Hon'ble the Court of Directors of the English East India Company having been pleased to order that the ecclesiastical jurisdiction of the Roman Catholic churches under this Government shall be withdrawn from the Archbishop of Goa and be restored to the Carmelite Bishop and Friars of the apostolic mission, the President in Council has accordingly resolved that the said restitution shall take place on the first of the ensuing month; from which time he hereby enjoins all the Catholic inhabitants of Bombay, as well as the several factories

and settlements subordinate thereto, to pay due obedience in spiritual matters to the said Bishop on pain of incurring the severe displeasure of Government.

By order of the Hon'ble the President in Council.

2nd August, 1791.

JOHN MORRIS.

#### RECOVERY OF THE CHURCHES.

Thus all the churches of the island came again into the hands of Propaganda. "On September the 1st, 1791, Fre Victorinus went in procession amidst great festivities to take possession of Esperança Church in the Esplanade; and all the churches in the island were restored to the Carmelites. Father Agostino Antonio de Silva and 15 other native priests of Goa swore obedience to the Vicar-Apostolic as their lawful prelate and superior; but four of the priests and other adherents of Sir Miguel's party did not submit." (Mauritius MS.)

The form of oath by which the secular clergy gave their allegiance to the Vicar-Apostolic on this occasion is given in a document of 1847 (already quoted) as follows:—

"We the undersigned promise and swear obedience and submission to the illustrious Signor the Vicar-Apostolic and his successors, and we recognised him as our legitimate prelate and superior, and in pledge of which we have made this present declaration." Bombay: In the Church of N. S. D'Esperança, 1st September 1791.

[Signed] J. Antonio de Silva, Vicar General of the Archbishop of Goa [and 15 others].

#### A PROTEST FROM GOA.

As soon as the news reached Goa, the Archbishop, Manuel de Sta Catharina, wrote a letter to the Vicar-Apostolic (dated Oct. 6th, 1791) of which the following is the substance:—

"I cannot abstain from manifesting to your Lordship on the present occasion my strong feelings—not so much on account of the violation of my jurisdiction (although that would be a worthy motive to excite the zeal of a prelate) as in order to satisfy my conscience, and to defend, from strange pastors without legitimate mission, the flock which God has confided to my care from the day when I swore to God to render an account for each soul confided to me in the whole of my diocese.

"For a long time I have lamented from the bottom of my heart, to see this unhappy portion of my flock of the island of Bombay snatched from its proper pastor, without pasture, without instruction, without any form of Christianity where only the name remains, and (what I have felt most) without any one to teach them the rudiments of their faith and other duties of the Christian religion, on account of the profound ignorance of the ministers who direct them. If your Reverence were to reflect seriously on events from the time when a certain Maurice [Fre Mauritius of St. Teresa in 1720] maliciously intruded himself, up to the time of my taking possession of this flock [in 1789]

you would find verified the words which Christ said through St. John :  
 'He who enters not by the door . . . the same is a thief and a robber.'

"If God had been pleased to listen to the fervent prayers of some of my sheep, there would have been a removal of those fictitious obstructions that were deliberately fabricated [in 1720] and maintained down to the time of my taking possession, [in 1789], with a success well known to your Lordship.

"It has now come to my knowledge, not without great grief, that your Reverence has again taken possession of my jurisdiction on Sept. 1st, having the boldness to revoke it by a public document. Who would have believed it, Most Illustrious Sir? Who among Catholics could imagine that an intruding Prelate would come and revoke the jurisdiction of the proper Pastor? Let not your Reverence pretend to defend that act (which is condemned by every law), by saying that Government has so decreed; that there is an obstacle to my jurisdiction; and on that account you, as Vicar-Apostolic, can take possession of my churches. That is the policy which has ruined all the missions of Asia, and will put an end to Christianity just so far as the Pope, after being properly informed, fails to recall the Propaganda Missionaries or Vicars-Apostolic from dioceses that are governed by their own pastors.

"The great contradiction which (though palliated by specious words) your Lordship and your companions has made to my jurisdiction, is a clear proof of the passionate sentiments with which you and yours are actuated. The various allegations which were made before the Council, *e.g.*, that the churches were held [by your Carmelites] for life; that they could not be taken by anyone else without the order of the Pope; that there were no means of applying to Italy; that they [the Carmelites] who held the churches were willing to be under my jurisdiction; and that finally you succeeded by various means to corrupt my very household with certain promises—all that, and more which I pass over in silence, clearly reveals to the world the bias with which such missionaries maintain their positions in these parts, the grounds on which they act, the interpretation they put on the determinations of the Holy See, and on those decrees of the Congregation concerning the jurisdiction of the Vicars-Apostolic—which define when they ought to act, and which cancel their powers when there is no just impediment such as death, old age, seclusion, suspension or permanent exclusion of the proper bishop, or when those impediments were studiously created, as is notorious in the present case.

This method of procedure, Illustrious Sir, is not that of a Vicar-Apostolic, who should only have in view the glory of God and the salvation of souls; it is not that of a shepherd, who should stamp out and not foment schism between the lambs and their own prelate; it is not giving life to the lambs, but rather depriving them of it; it is sacrificing and condemning them for ever." (Neg. Ext. I, 245, 246 where

the letter is described as one of "true religious unction.")

A week later (Oct. 15, 1791) the same prelate addressed an equally strong letter to Pope Pius VI, denouncing the resumption of the churches by the Vicar-Apostolic, and urging that the Holy See should order him out of the island. To this letter the Pope replied on January 23rd, 1793 by the brief *Jam Dudum*, of which the following is a translation :—

THE BRIEF "JAM DUDUM."

To our venerable Brother Emanuel Archbishop of Goa :—Already several times the Archbishops of Goa and the ministers of his most faithful Majesty [the King of Portugal] have forwarded complaints regarding the jurisdiction conceded by us to the Vicars of the Great Mogul in the island of Bombay— as if it had been in our mind to take that jurisdiction away from the aforesaid prelates [of Goa]. On each occasion we have always given the same answer, *viz.*, that nothing on our part stands in the way of the Goa Archbishop exercising the fullest jurisdiction in that island ; and that while he is exercising it, no one else should be allowed to acquire from us the least part of it. As a matter of fact, after the year 1718, when the English expelled all the Portuguese clergy—the Jesuits first, afterwards the Franciscans, and finally the vicars of the metropolitan—that unfortunate Catholic community, possessing no leader and no ruler in the way of eternal salvation, stretched its hands out to the throne of the universal pastor, begging for some one to break the bread of the Gospel to them. Thereupon, as the English had no objection, the faculty was granted by this Apostolic See to the Vicars-Apostolic of the Great Mogul to undertake the pastoral care of the Catholics of Bombay island, until such time as the quarrel between the English and the Portuguese should be set at rest, thus allowing the Archbishop of Goa to resume his former jurisdiction.

That you, Venerable Brother, should have made every effort to remove this impediment arising from the British Government, in order to reinstate the jurisdiction of the Goan See, is a matter which elicits from us all praise ; and we were delighted to hear of your success. For what could be more desirable than that a See should enjoy the full power to rule its own subjects ? And for what reason has this Apostolic See instituted its missionaries and Vicars-Apostolic except this—that they should help and serve under the bishops wherever they exist and enjoy liberty to exercise their powers ; and, that where through some impediment they happen to be unable to do so, the missionaries and Vicars-Apostolic should be able to step into their place, and by the apostolic authority take charge of souls ? For how otherwise could the Holy See have brought itself to assign to the faculties conferred upon missionaries and vicars a preference over proper and legitimate jurisdiction, unless compelled to do so by some external necessity ?

Nay more, it ought not to be unknown to you how much we

regretted to hear for the first time from your letters that, by a new decision from the Court of London, the Goan jurisdiction had again been taken away. We were glad that you wrote to us complaining of this, feeling grateful whenever you do anything calculated in any way to alleviate our anxieties. As to the fact that, after you have been ejected, we do not also eject our Vicar-Apostolic, Bishop Victorinus—that would, we consider, be contrary alike to Christian charity and to justice. For if that were done, the inhabitants of Bombay would again be without shepherd or leader, and would remain as wandering sheep under a heterodox Government. Have you not yourself acknowledged that, as soon you resumed the spiritual charge of the island, Bishop Victorinus was at once deprived of all ecclesiastical authority? On your own confession, therefore, Victorinus never really usurped from you your jurisdiction; but, as it were, administered it for you by vicarious authority from us, until such time as you should be able to resume it. Why then do you wish that, since you yourself cannot act as pastor in Bombay island, no Catholic pastor should be there at all? Has Christ been divided by you, so that, since the people of Bombay are unable to obey the jurisdiction of the Archbishop of Goa, you would deprive them of all nourishment of the Christian religion? Has any Goan Archbishop been crucified for the Bombayites? Or have they been baptised in his name?

Thus is it that the Apostle Paul rebuked the Corinthians when schisms arose among them, and each one said: 'I belong to Paul;' 'I belong to Apollo,' and 'I belong to Cephas.' His meaning was that, no matter who preached the Gospel, it was Christ alone that should be preached, and all without distinction should be accepted and listened to. Therefore in the Epistle to the Philippians he says:—'Some preach Christ in a contentious spirit, and without sincerity, thinking that they are oppressed by my control. But what are the facts? So long as Christ is preached, whether under pressure or under an impulse of truth, I am glad, and continue to be glad.'

Hence, Venerable Brother, you ought to rejoice to find that the missionaries are scattering the seed of the Gospel and spreading the Catholic faith as widely as possible—not in a contentious spirit, nor one of hostility to your jurisdiction, but commissioned by this Apostolic See—thus taking your place in these remoter regions. Hence your complaints about certain calumnies and underhand practices, said to be the cause of the split between the English and the Portuguese, are in vain. It is no business of ours to know about them or to examine into them, since our sole object is to look after the well-being and safety of the Catholic faithful as far as it lies in our power. Therefore if at any future time the English Government opens the way once more to the exercise of your powers in the island of Bombay, then no one else but yourself shall act as pastor there. But so long as this is not possible, the charge falls to us of seeing lest the sheep, deprived of their shepherd,

wander from the way of salvation.

We do not doubt, Venerable Brother, that you will take this reply in the spirit in which it is made, viz., in view of the salvation of souls committed specially to your care. And as a pledge of our fatherly benevolence, we extend to you our apostolic blessing, etc.

Dated January 23rd, 1793.

PIUS VI.

#### ATTITUDE OF PROPAGANDA.

The attitude of the Holy See as expressed in the foregoing brief is reflected in two letters of Propaganda, written to the Vicar-Apostolic about the same time :—

*April 13, 1793* (Alcant : p. 49 out of place). A Letter to Bishop Victorino [it reached Bombay after his death] in reply to his letter of 1792, which told of the retaking of the churches by the Carmelites on Sept. 1, 1791: "Your action according to the instructions two years ago is approved. We cannot help disapproving of the obstinacy of the Archbishop in circumstances under which he is debarred from exercising jurisdiction. Still we must inculcate on you the greatest possible moderation and prudence. For sweetness and dissimulation will better help to end the division, than perverid eagerness in contradicting and persecuting those of the opposite party; since a sinister interpretation is put on excessive zeal in maintaining one's own authority." The Vicar-Apostolic is recommended to treat Pinto da Gloria\* with friendliness rather than confront him harshly, etc.

*July 5, 1794.* In reply to a letter of Fre Pedro d'Alcantara (Vicar General during the vacancy) dated 18th July 1793 : The S. Congregation announces the death of Fre Angelino, the Vicar-Apostolic elect, which has just taken place in Europe, and says that he [Fre Pedro d'Alcantara] is hereby appointed to the Vicariate in his place. The S. Congregation goes on to praise him for having, on the recovery of the churches in 1791, given them to secular priests and not to Carmelites. "This will attach their affections to the Vicariate, and will draw the people closer, and will remove occasions for splits and quarrels." "As regards the endeavours of the Archbishop of Goa to re-enter the churches, you have our previous instructions given to Fre Victorino; and as we see you express yourself in accordance with them, there is nothing to add except that you should regulate your conduct on those lines [viz., to act only where and so far as the Archbishop of Goa is excluded]."

\* Antonio Pinto da Gloria, the pupil of Propaganda who was sent out in 1785 to teach in the seminary, went over to the Goa party in 1789, became its leader, and later on was appointed Vicar-General by the Archbishop of Goa.

## CHAPTER III.

## THE COMPROMISE 1793-1794.

DOM VICTORINUS died on May 31st (*alias* September 20th) 1793, that is, two years after the restoration of Bombay to the Carmelites. Dom Fre Pedro d'Alcantara of St. Anthony, ( the third Peter of Alcantara ) who had been his Vicar General, and remained as administrator during the vacancy, was nominated as his successor, under the title of Bishop of Antipbellis in Lycia, on June the 3rd, 1794 ; but the bulls of his appointment only reached Bombay on June 15th, 1795. He was consecrated on November 29th, 1795, by the Vicar-Apostolic of Verapoly, and returned to take possession of the Vicariate on January 24th, 1796. He was therefore only Vicar General administering the Vicariate when the events recorded in the present section took place.

As we have seen, the restoration of the Carmelites only led to fresh endeavours on the part of the votaries of Padroado to reverse once more this official decision. The Government, caring little about Catholic ecclesiastical affairs in their internal aspect, and concerned only for public tranquility, had in the first instance imagined that the desire for the Padroado jurisdiction was practically unanimous ; and hence the complete transfer of the jurisdiction to Goa. They next imagined that the desire for the restoration of Propaganda was also practically unanimous, and therefore reinstated the Carmelites entirely. But as soon as the Carmelites had been restored, and the Padroado party began to raise new protests, the Home Government tried to patch up the business by a compromise, the results of which form an epoch in the ecclesiastical history of Bombay.

## BEGINNINGS OF THE MOVEMENT.

As regards the beginnings of this movement, few particulars are preserved. The *B. C. Layman* writes :--“This decision was now distasteful to the adherents of the Archbishop of Goa. These in each parish prepared petitions against the measure, and entrusted the same to the late Sir (then Mr.) Miguel de Lima e Souza, for presentation to the Hon'ble the Governor. He presented them with an earnest request that their prayer might be favourably considered. He was politely informed by His Excellency that this Government was helpless in the matter, but that they would be forwarded to the Court of Directors supported by the recommendations of the Government.”

The document of 1847 (already quoted) adds a few details. It states that “when the Vicar-Apostolic recovered the four churches in 1791 he put them in charge of Carmelite fathers, instead of giving them to secular priests as the Archbishop of Goa had done. Being thus made to suffer by the change, the secular priests were greatly disappointed and displeased, since they had hoped to remain parish priests as before. This alienated their sympathies, and caused them to pass over to the side of Sir Michael de Lima, who in combination with them made a new appli-

cation to Government, giving it to be understood that the people were not willing to have Carmelite missionaries as their pastors." The MS. adds that the petition sent up contained "but few names of living persons and many of dead ones," and that the large numbers of "signatures" created a false impression—a trick familiar enough, God knows, and whether actually perpetrated or not we have no means of finding out now.

#### RESPONSE OF GOVERNMENT.

Be this as it may, the pro-Padroado agitation produced a marked effect on the authorities in London, who were not long in making up their mind to a compromise, which they communicated to the Bombay Government in the following terms:—

Extract para. 35 of a letter dated the 25th June 1793 from the Honourable the Court of Directors:—

We have taken into our consideration the several representations from the Roman Catholic inhabitants of your Island, upon the subject of our orders of the 15th December 1790, allowing them the exercise of their religious worship under the jurisdiction of the Carmelite Friars. These orders were issued under an idea of an almost unanimous aversion of the inhabitants to the exercise of the jurisdiction of the Archbishop of Goa. But we now find that a very large proportion of them, and those some of the most respectable, are averse to the spiritual direction of the Carmelites. So as it is immaterial who may officiate in the Roman Catholic churches of your Presidency, provided the inhabitants of that persuasion are satisfied, and that the Pastor and his flock conform to the orders and Regulations of Government, and conduct themselves in other respects as good and faithful subjects.—In order therefore to reconcile all parties, and to conciliate the minds of the various inhabitants of that persuasion, we direct that two of the four Roman Catholic churches of Bombay be served from among the Carmelite Mission, and the other two by the Portuguese Priests. They will thus be at full liberty to exercise their religious worship under the direction of such Pastors as they may think proper. And in case, from an undue assumption of power on the part of either, or from any other cause, any dispute shall arise, the same must be adjusted by you with the utmost impartiality, and paying every attention to the disposition and wishes of the parties, which must always be consulted on religious subjects so far as may be consistent with the principles of sound policy and good Government.

Thus Pastoral selections will of course be therefore made by the inhabitants themselves subject to your approval and confirmation. With respect to the Private chapels in your Island, these will be served by such priests as their respective founders, or their successors shall think proper to select; subject, however, as in the case of the public churches, to your approbation.

A true extract.

JOHN MORRIS, Secretary.



A copy of this document was forwarded to the Administrator of the Vicariate on December 6th :—

To the Revd. F. Pedro de Alcantara, Vicar General.

Revd. Sir,

The Hon'ble the President in Council has directed me to enclose you an extract from the Hon'ble Company's Commands dated the 25th June last, for the purpose of your making the same known to the Carmelite Mission on this Island.

I am, Revd. Sir, etc.

6th Dec. 1793.

JOHN MORRIS, Secy.

An announcement in identical terms was also made to Sir Miguel de Lima e Souza.

#### DIVISION OF THE CHURCHES.

"On the 8th of the same month (writes the *B. C. Layman*, March 1850) the adherents of the Archbishop [of Goa] held a general meeting at the house of Sir Miguel. After reading the Government letter and the instructions of the Hon'ble Court, a resolution was agreed to, entrusting the arrangements for effecting the division of the churches to the host, Sir Miguel de Lima e Souza. The Carmelite Vicar General, Fre Pedro, not approving of this arrangement, summoned the principal parishioners of each district who adhered to his jurisdiction to a conference in the chapel of N. S. de Carmo (Fort Chapel); and after pointing out the evils of a divided jurisdiction, stated his intention of relinquishing all share in the direction of the ecclesiastical affairs of the island. They begged him to refrain from carrying out this intention, pending an answer to a petition which they would present to Government against the division. Meantime Sir Miguel de Lima endeavoured to arrange the division with the Carmelite Vicar General, but without effect. Sir Michael then appealed to Government. . . ."

#### GOVERNMENT URGES THE DIVISION.

Government, in response to this appeal, proceeded at once to put pressure on Fre Pedro by issuing the following instructions :—

To the Revd. F. Pedro de Alcantara, Vicar General.

Revd. Sir,

The Hon'ble the Governor-in-Council has directed me to acquaint you that you must conform to the orders of the Hon'ble the Court of Directors and choose two churches in the following manner :—

The Carmelites to choose the first.

The Portuguese the second.

The Carmelites the third, when the fourth will devolve to the Portuguese; and the inhabitants are to choose their own pastors subject to the approval and confirmation of the Hon'ble the Governor-in-Council.

I am, Revd. Sir, etc.

24th Jan. 1794.

JOHN MORRIS, Secretary.

Similar communications were made to "Philip de Cruz and other inhabitants that petition to Government," [on the Carmelite side] and also to "Miguel de Lima e Souza and the parties of the Archbishop."

The next event was the drafting of a further petition against the division of the churches, drawn up by "Antonio George de Ga and others"; and on January 31st Fre Pedro also put in a formal protest against the movement, and practically declined to take any part in it [copies not preserved]. However Government would brook no opposition, and wrote back at once in the following peremptory manner:—  
To the Revd. F. Pedro de Alcantara, Vicar General.

Revd. Sir,

The Hon'ble the Governor-in-Council has charged me to acquaint you, in reply to the letter you addressed him under yesterday's [date], that the Carmelites must make choice of two churches before the 7th of this month; otherwise he shall be under the necessity of making a division of the churches in the manner directed by the Hon'ble the Court of Directors in their Commands of the 25th June 1793.

I am, Revd. Sir, etc.

1st February, 1794.

JOHN MORRIS, Secy.

And a similar communication was made to "Antonio George de Ga\* and the deputies of the Roman Catholic inhabitants."

#### THE ACTUAL CHOICE.

The *Bombay Catholic Layman* (March 1850) goes on to state that "Immediately on becoming acquainted with this decision, the Carmelite Vicar General wrote to the Government resigning his charge of the ecclesiastical affairs of the island; but at the earnest intreaties of his adherents and the recommendations of the Governor he withdrew his resignation and submitted to the division."

The first choice made by the Vicar General, Fre Pedro, naturally fell on the Church of N. S. de Esperança, which had always been regarded as the principal church of the mission. The letter recording this choice has not been preserved, but the selection made by the Portuguese party, and those subsequent to it, are detailed in the following correspondence:—

To the Revd. Fr. Pedro de Alcantara, Vicar General.

Revd. Sir,

The Parties of the Archbishop of Goa having made choice of the Church Salvat'io situated at Mahim Woods, the Hon'ble the Governor in Council is pleased to direct that you fix on some other church as your second choice.

Your most obdt. servant, etc.

7th Feb. 1794.

JOHN MORRIS, Secy.

In making his second choice under compulsion Fre Pedro could not refrain from repeating his offer of resignation. For on February 11th, he

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\* George de Ga was (or afterwards became) the proprietor of the private Chapel of S. Teresa, Girgaum, and lived in the house next door in Charney Road.

thus writes to the Governor-in-Council: "In reply to the order given by the Court of Directors at Bombay on February 1st, 1794, I had chosen two churches, viz., *Esperança* and *Salvação*, where I am residing at present. But I now propose *St. Michael's* instead of *Salvação*." He then goes on to repeat his former request: "that the Hon'ble Board would confer a great and special favour upon us, as well as the Carmelite fraternity, if they would accept our total resignation; because it is quite clear that the division of the churches of this Island will result in infinite disorders, to the grave detriment to the peace and tranquillity of the Roman Catholics dwelling in this Island."

But Government was not to be moved; and so ignoring his plea they accepted his selection, and wrote as follows:—

To Mr. Miguel de Lima e Souza, Bombay.

Sir,

I am directed by the Hon'ble the Governor-in-Council to inform you that the Vicar General of the Carmelite Mission has made his second choice of the church of *St. Michael* at Mahim.

I am, Sir,

12th Feb. 1794.

JOHN MORRIS, Secy.

Gloria Church, Mazagon was therefore left to the *Padroado* party.

#### AN APPEAL TO GOA.

As soon as the choice was completed Dom Pedro wrote to the Archbishop of Goa (Feb. 13, 1794). He informs him of the orders of the Court of Directors; of his protest against them, and of the reply of Government to the effect that: "Your Reverence must conform to the order of the Court of Directors; your Reverence must choose two churches." He quotes the intention of Propaganda, which orders that the Vicar-Apostolic must in the matter of jurisdiction submit to the orders of the Lord of the land,—and govern so long as the Ordinary cannot govern. He adds that he has submitted to those orders, [by making his choice of churches]. He then continues: "In these critical and sad circumstances there is no refuge except to have recourse to Your Excellency, as the Diocesan prelate of this Christian community and the loving pastor of your flock. As these Christians will be divided into two opposing parties, 'one of *Apollo*, one of *Cephas*,' it is important that there should be between Your Excellency and the Vicar-Apostolic, an agreement tending to the perfect harmony and union of these Christians under the obedience of one pastor, so as to prevent the infinite disorders which will arise from having two prelates in a land which enjoys such freedom in religion. On my part I am entirely disposed to embrace whatever the prudence of Your Excellency may propose, for the saving of souls and the preservation of these churches in a state of unity. Fix the status for me as the Lord inspires you; but be on your guard against the counsels of certain persons who perchance may be open to suspicion in this matter, etc."

## A SUGGESTED COMPROMISE.

Meantime Fre Pedro has been thinking out a method of compromise by which the evils of the division might be avoided. As soon as the idea is matured (Feb. 20, 1794) he writes to the deputies of both parties (the Carmelite party and the party of the Archbishop) saying that he had felt such a horror at the division of the churches in Bombay on account of the bad consequences, that he had resolved to write to his General refusing charge of the churches which the Court of Directors orders to be given to him. His request [asking Government to accept his resignation] has been in vain; and therefore he is compelled, solely with the aim of bringing the Christians to peace and unity in obedience to one pastor, to make certain proposals at a meeting on February 23rd at 10 a.m. at the Fort Chapel, to which he invites the deputies.

The minutes of that meeting are not formally recorded; but an account of what happened therein appears in a letter which Dom Pedro wrote immediately after it to the Archbishop of Goa (Feb. 26, 1794):—

In that letter he states that both parties, appointed to settle the division of the churches, had formed the design of building new churches which should be subjected to the prelate whom they recognise, even though they might be in unsuitable places. But the Vicar General had invited them to a meeting, where he made a proposal which seemed to him to be acceptable to both parties, *viz.*, that in order to prevent the division of the parochial churches and the disorders which must arise therefrom, it would be well to appoint him, the Carmelite Vicar General, to take charge of the whole of the islands of Bombay and Mahim under the Ordinary of Goa, with the same privileges as he now enjoys from the Holy See, until the Sacred Congregation be informed of the change and should make due provision. He goes on to say: "The deputies of the Archbishop agreed provided the Archbishop of Goa accepted the proposal. The other (Carmelite) party were not present at the meeting, and showed themselves somewhat discontented. But if Your Excellency will approve of this proposal, they will come round like the others. In this way the dispute will end, and the offences to God; and there will be one jurisdiction, under one pastor, who will be the Diocesan prelate, —a thing which I sincerely desire."

What answer was given to this proposal by the Archbishop of Goa will appear in the sequel.

## CHAPTER IV.

### DIVISION OF THE CHURCHES (1794).

MEANTIME Government would not let matters stand still ; for while this domestic discussion was going on, they issued the following executive orders :—

To the Revd. F. Pedro de Alcantara, Vicar General.

Revd. Sir,

The Hon'ble the Governor-in-Council is pleased to direct you to deliver up to Mr. Miguel de Lima e Souza and the Archbishop's party the two churches of Salvação and Mazagon with their appurtenances, as chosen by them.

I am, Revd. Sir, etc.

22nd Feb. 1794.

JOHN MORRIS, Secy.

As soon as the two churches of Gloria and Salvação had been handed over and taken due charge of by the Goa clergy, the Vicar General on March 15th, 1794 issued the following proclamation :—

“Fre Pedro de Alcantara de Santo Antonio, of the order of discaled Carmelites, Vicar General of the Islands of Bombay and Mahim.

These are to make known to all the beloved residents of Salvação and Mazagon, that from this day henceforward I will not exercise any act of jurisdiction whatever within these districts, in consequence of express orders received, under date 22nd February, from Government, directing me to deliver over the churches of Salvação and Mazagon, with all their appurtenances, to Sir Miguel de Lima and other gentlemen deputed by the Most Excellent the Lord Archbishop of Goa to receive charge of them ; and in pursuance of the special wish of the sacred Congregation of the Propaganda, that the Vicar-Apostolic should submit to the Governing Authority, Lord of the Land, in all matters relating to the exercise of Apostolical functions on the Islands of Bombay and Mahim.

At the same time, in order that no one may accuse me of having neglected my duty by renouncing my charge of these churches, I hereby declare that I did all in my power, but without effect, to secure to the Christians of Bombay the blessing of living united under the care of one Pastor, and to avoid the pernicious calamity of living divided.

May peace, health and the grace of Jesus Christ attend all the blessed residents. Given at the Chapel of N. S. de Carmo, under my signature and seal, this 15th day of March 1794.”

P. Pedro de Alcantara, V.G.

Finally, in order to obviate future disputes or clashings of authority, all overlapping of the two jurisdictions was officially precluded by the following official communication :—

To Revd. Padre Pedro de Alcantara, Vicar General.

Revd. Sir,

The Hon'ble the Governor-in-Council has directed me to acquaint you, in reply to your letters of the 29th ultimo and 6th instant, that

the Carmelite Priests cannot exercise any power over the Portuguese churches or chapels, nor the Portuguese priests have any authority over the Carmelite churches or chapels, as a toleration is granted to both these orders of the Roman Catholic Religion....

I am, Revd. Sir, etc.

16th May 1794.

JOHN MORRIS, Secy.

#### ORIGIN OF THE DOUBLE JURISDICTION.

It was this division of the churches in the year 1794 which introduced the "double jurisdiction" into Bombay island. From 1534 to 1720 the jurisdiction of Goa alone had existed. From 1720 to 1789 Propaganda had held undivided sway. In 1789 the Padroado was restored and Propaganda rule abolished. In 1791 the Padroado was again excluded and Propaganda reinstated. But now by the division of 1794 the Padroado, established in half of the parishes, and Propaganda established in the other half, were placed in standing rivalry and opposition. Whatever may seem to be the rights and wrongs of the case—no matter whether it be thought better that the Propaganda or the Padroado jurisdiction should have prevailed—this much at least is certain: The compromise resorted to by the British Government was from the Catholic point of view a blunder of the first magnitude, and one responsible for a world of misery to follow.

#### SOME SIDE-ISSUES.

Having followed the main stream of events down to the point, we must now go back a little to attend to certain side-issues which arose from the division of the churches: (1) The distribution of the subordinate chapels; (2) The secession from Gloria Church, Mazagon, and its consequences; (3) The case of Cavel chapel.

#### THE SUBORDINATE CHAPELS.

What happened to the subordinate churches during the process of division is as follows:—The Fort Chapel naturally remained in the hands of the Vicar-Apostolic. The chapel of St. Teresa, Girgaum, built in 1773 on the property of the de Ga family, also remained under Propaganda as filial to Esperança. The church at Sion also went to the Vicar-Apostolic as filial to St. Michael's, Mahim. The private chapel of Cavel fell to Padroado through being served by a Goan priest, and became filial to Gloria Church. There was a private chapel in Mazagon at the house of Sir Miguel de Lima, which was also served by Padroado clergy; as well as a private chapel of St. Anne in Nesbit Lane, the property of Mrs. Rose Nesbit, which was served by a priest of Propaganda.

#### THE ROSARY CHURCH, MAZAGON.

The retention of the churches of Esperança and of St. Michael's, Mahim by the Vicar-Apostolic, and the transfer of Salvação to the Archbishop's jurisdiction, were achieved without difficulty or disturbances. But at Mazagon it was quite a different story. Except for a few Portuguese families such as the D'Souzas and De Limas,

the congregation of N. S. da Gloria seems to have consisted almost entirely of people of the fisher-caste who had their own confraternities there. The transfer to Padroado took place quietly in March 1794. But in April the same year (so writes Fre Pedro d'Alcantara): "The inhabitants of Da Gloria, which by the decree from Europe now belongs to the Archbishop, unanimously asked the Governor to allow them to remain under the Vicar-Apostolic as before; and the Government allowed it, and permitted them to build a new church and cemetery [Rosary Church]; and at the same time I (the Vicar General) received express orders to take that church under my jurisdiction and to bless the church which they intended to build." (18 Sept. 1794).

#### THE BUILDING OF ROSARY CHURCH.

As regards the building of the church the action seems to have been very prompt. There is Government correspondence dated May 1794 concerning "a piece of land asked for by the Christian inhabitants of Mazagon for the performance of their religious worship," followed by a debate whether the piece of land chosen was not too large for the purpose. A letter of Government dated May 16, 1794 also says that "a piece of ground will be granted to the inhabitants of Mazagon for burying the dead on their pointing out a proper spot to the Collector." In the Register of Rosary Church the first baptism recorded is in June 1794, the earliest marriage 1811, while the earliest dated tombstone belongs to 1798.

The new church seems to have been finished by the end of 1794. In their exodus from Gloria church [apparently on January 1st, 1795] they boldly carried a certain amount of church paraphernalia with them, claiming it to be their own. This appropriation being objected to by the Padroado party, Government wrote to the Vicar-Apostolic as follows:—

To the Rev. Fre Petre de Alcantara.

Vicar General of the Carmelite Mission.

Revd. Sir,

The Hon'ble the Governor-in-Council has directed me to acquaint you that he considers all the religious vests, ornaments, utensils, books, papers, confraria and everything thereunto belonging to the church, as the property of the church; and that they ought to be given up with the church of Mazagon to the Portuguese Catholics in the same manner as the Portuguese Catholics gave up their ornaments belonging to the church of Esperança....

I am Rev. Sir, etc.

24th Jan. 1795.

JOHN MORRIS, Secy.

The Vicar General conveyed these orders to the people of Mazagon, but without securing compliance. Government therefore urged the matter again on January 30th, and again on February 6th of 1795 in the following terms:—

To the Revd. Fre Pedro de Alcantara,  
Vicar General of the Carmelite Mission.

Revd. Sir,

The Hon'ble the Governor-in-Council expects your immediate compliance with his orders of the 24th instant, as Mr. de Souza represents that the people of Mazagon refuse to deliver up the appurtenances belonging to the church.

I am, Revd. Sir, etc.

30th January 1795.

JOHN MORRIS, Secy.

To Revd. Fre Pedro de Alcantara,  
Vicar General of the Carmelite Mission.

Revd. Sir,

The Hon'ble the Governor-in-Council has directed me to acquaint you, in reply to your letter of the 2nd instant, that as the Portuguese Catholics delivered up with the several churches all the ornaments, etc., belonging thereto, to the Carmelites, the Hon'ble the Governor in Council expects that the Carmelites deliver up in the same manner with their churches, all their ornaments, etc., to the Portuguese. But in case they do not choose to comply with his requisition, the Carmelites must return all the Pontificalia to the Portuguese which they have received from their churches.

I am, Revd. Sir, etc.

6th Feb. 1795.

JOHN MORRIS, Secy.

To this last letter the Vicar-Apostolic replied, 9 Feb. 1795, stating that he has—according to the orders of February 6th—instructed the people of Mazagon to give over to Mr. D'Souza the church furniture of N. S. da Gloria; but they refuse to obey, alleging their right to the property (their letters enclosed). The only way is to use violence to get those articles, which are not in the power of the bishop, but are held by the people of Mazagon. But this use of violence he deems unbecoming to his character and office, and also not pleasing to Government.

As regards the pontificals [Bishop's mitre, etc.] which he is ordered to deliver up, he answers that he has not received any pontificals belonging to any Portuguese Church, but has only received a simple and true superintendence of two churches which the Hon'ble Court of Directors in London has assigned to him. If the Hon'ble Board wishes that he should give this care [of the two churches] to the Archbishop of Goa he would do so most promptly, and [in fact] he entreats [Government] to accede to his request [to give them up].

What happened next is not quite clear. It looks as if Government must have forced the seceding Confraternity to restore the church articles, but that they afterwards broke into the church and reappropriated them. Such at least is the impression created by a letter of the Vicar-Apostolic to Sir Michael de Lima on July 16th, 1795, that he had "just heard of the sad affair which had occurred at the church of da Gloria; he knew nothing of it, nor did Fr. Ignatius Noronha. He



asked Sir Michael to name to him the authors of the sacrilegious act of robbery, and he will show them how to punish the culprits and defend his own flock." Next day (July 17th) he writes again saying that what occurred on January 1st, 1795 was quite different from the present occurrence, which is a real crime. He advises the Vicar of Rosary Church to make inquiries. The culprits will not remain long concealed, etc. The sequel is not recorded; and here, as far as our history is concerned, the incident closes.

#### N. S. DE SAUDE, CAVEL.

One of the practical inconveniences of the division of the churches arose from the fact that the votaries of the two jurisdictions were scattered all over the island, and mixed up together in the different parishes, so that many of them found themselves close to a church of the opposite jurisdiction, and far from a church of their own jurisdiction. The Mazagon people solved this problem by dividing off and building a church of their own close by; and a similar thing (though done in a different way) happened to those near the Fort who favoured Padroado, but found themselves in the midst of the Propaganda parish of Esperança. There happened however to be in their midst a primitive private chapel at Cavel, filial to Esperança, which could be made use of to solve their difficulty.

The origin of N. S. de Saude, Cavel, is best described in a Government document of 1813, which, speaking of the time just after the churches had been divided between the two jurisdictions, says: "In consequence of the two churches of Salvação and Mazagon being inconveniently situated for the Portuguese inhabitants of Bombay, they obtained permission of Government in 1794 to build a new church in Bombay with a burying ground; and, in the interim of its construction, to make use of an old chapel at Cavel granted to them by Pedro Jose de Moura. This chapel being old and in a decayed state, but its position central (*sic*) it was determined to demolish it and build the intended church on the spot;—which was completed, and the parishioners performed their religious acts and ceremonies there unmolested, etc." (Laws and regulations, p. 439). While the old chapel was still standing, and before it had been assigned by Government to the Padroado party, a dispute arose early in 1794, on occasion of a vacancy, as to which jurisdiction it belonged to. The matter was referred to Government, who decided, on April 23rd, 1794, that "as both parties agree that the chapel situated at Cavel is private property; and as the Hon. Company had on June 25th last directed that private chapels should be served by such priests as their founders or successors shall think proper—As soon as the founder of the said chapel reports to the Governor the person he wishes to officiate as a priest, he will officiate there accordingly." On April 26th one Padre Mariano de Olivares, belonging to the Padroado clergy, was selected and approved of.

In this way Padroado secured one more place of worship which

served as a set off to the loss at Gloria Church ; and Cavel seems to have acquired the status of a chapel filial to that church. Naturally the Propaganda parishioners were henceforward deprived of its use—without any great inconvenience however, as at this date the Esperança Church was situated at what we now call Marine Lines not far away. How Cavel chapel was afterwards erected into an independent parish church by the Archbishop of Goa will be told further on in our history.

## PART VI.

### AFTER THE DIVISION (1794 —1812)

#### CHAPTER I.

#### VICAR APOSTOLIC AND ARCHBISHOP.

It will be remembered how Fre Pedro d'Alcantara, horrified with the very idea of dividing the churches, first offered his total resignation to Government ; and that when the division was insisted upon, he wrote to Goa proposing that the Archbishop should appoint him (Fre Pedro) Vicar General to rule all the churches on his behalf. By this means the full jurisdiction of Goa would be secured, and the evils of the division averted. It took several months before the answer was given ; and it was absolutely in the negative. Not only was the suggestion entirely repudiated, but steps were taken to weaken the Vicar General's jurisdiction even over the priests still attached to him. For on August 19th, 1794, D. F. Manoel de S. Catharina, O.D.C., Archbishop of Goa, issued a decree by which he suspends and annuls the jurisdiction of any priest in Bombay who does not recognise him as legitimate pastor. It was published at Gloria and Salvação, and at Cavel chapel :—"Resting on the prudent resolution of the Hon'ble Council of the Directors of the Court of London, according to which all the Roman Catholic Christians are free to follow the prelate which they prefer, leaving it to their conscience to embrace the path of truth or error ; by this decree we suspend all priests and parish priests from all jurisdiction and faculties which we have granted to them, so far as they do not recognise us, both in private and in public, as their legitimate prelate. This decree to be published in the churches of our jurisdiction at Mass, and then affixed to the door of the churches."

#### THE COMPROMISE REFUSED.

The letter from Goa which repudiated the Vicar General's compromise has not been preserved ; but its import has been embodied in a long report to Propaganda written by Fre Pedro, on September 18th 1794, the substance of which runs as follows :—

The Vicar General in the first place writes asking for some kind

of declaration from Propaganda or the Holy See, which could be published in Bombay, so as to tranquillise the Catholics, whom the Archbishop of Goa tries to disturb by spreading opinions about the nullity of the Vicar-Apostolic's jurisdiction. He tells Propaganda how he asked the Governor to accept his withdrawal from the two churches belonging to him, but the Governor refused; how he called a meeting, and sent a proposal to the Archbishop to make him (Fre Pedro) Vicar General subject to Goa. The Archbishop's answer was as follows: "I cannot allow jurisdiction to the Vicar-Apostolic over the four churches without (1) setting myself against the decision of the Court of Directors, or at least showing myself displeased with their orders; (2) obscuring my own rights in my diocese, by giving occasion for people to think that I myself am in doubt as to the full extent of my diocese; (3) going back on what I had explained to the courts of Lisbon and Rome about the very serious [*i.e.*, objectionable] consequences resulting from the presence of the Vicar-Apostolic in Bombay; (4) making myself look like one of those pastors who entrust their sheep to other shepherds so as to escape the task of feeding them. From the proposal of the Vicar-Apostolic there follow greater inconveniences than those which were pointed out in the two previous letters, and in the last, *viz.*, that the party opposed to the diocesan will not consent to the union of the churches under one pastor, etc." . . . Dom Pedro then explains why he had recourse to the Archbishop, *i. e.*, because he could not bear seeing the Catholics of Bombay thrown into such a horrible state of confusion and disorder. Besides, it was the mind of Propaganda that the Vicar-Apostolic in matters of jurisdiction should agree with and accommodate himself to the Archbishop. He is ready to obey Propaganda; but considering the Archbishop's answer it is useless to take such a step [*i.e.*, of complete resignation?] which would result in a complete disorder of the Vicariate. The Vicar-Apostolic then continues:—"The Archbishop prefers rather to sacrifice the peace of 10,000 Christians than yield his right as Ordinary for a short time, till matters are settled." The party of the Archbishop have written against the Vicar-Apostolic and his missionaries, as appears from the Archbishop's letter. "Both parties are animated by passion and transported by fanaticism, and their lamentations deserve little credit; and I should be sorry if the Vicar-Apostolic were condemned while innocent, and if the calumnies were to triumph. . . . There is not much hope of improvement, for this people are now in full power to do what they like, even to choose their own parish priests. The Court of Directors in London has already declared that it matters very little who is prelate in Bombay. . . . That one party should go over to the other is impossible, since they form the majority (?). Each one enjoys the protection of Government to follow any prelate he likes."

"The only remedy lies in the hands of the Archbishop of Goa; and therefore I had recourse to him three times. If he were less attached to

his legitimate rights which he possesses as diocesan bishop, all would soon be in order. Or better, if the Archbishop, instead of disturbing consciences by declaring that the administration of the sacraments by the Missionaries Apostolic is invalid, would accommodate himself to the times (which are surely very critical for him, as nearly all the Christians of Bombay are against his re-admission, and would allow the Vicar-Apostolic to govern in his name all the churches) the said state of division would cease at once." The Vicar-Apostolic assures the S. Congregation of his obedience to whatever they may decree. He excuses himself for not having sooner informed the S. Congregation of the division of the churches—which was executed on March 16th, 1794—because of the great fickleness of the Christians, which he feared would soon bring about new changes—such as happened in case of the Christians of Mazagon.

#### FRE PEDRO BECOMES VICAR-APOSTOLIC.

*29 June, 1795.* Fre Pedro the Vicar General acknowledges a letter of Propaganda dated July 5, 1794 announcing his appointment as Vicar-Apostolic, with pontifical briefs and direction for his conduct. The people seem to be more quiet, expecting the arrival of the Company's ships with new orders of the Directors in favour of the Archbishop. The restoration of the Vicar-Apostolic was a blow too hard for the Archbishop, who will not leave things alone till he gets the entire possession of the churches.

In the autumn of the same year Fre Pedro took a voyage down to Malabar in order to be consecrated bishop by the Vicar-Apostolic of Verapoli. The function took place on November 29th, 1795. At the beginning of the following year he returned to Bombay to take official possession of his Vicariate; and one of his first acts (Jan. 22. 1796) was to write an account of the state of affairs to Rome. His report to Propaganda shows that things have more or less settled down. The Vicar-Apostolic has three parochial churches with their filial chapels and about 7,000 Christians, who although divided into two parties, are now quiet. He expects some changes, however, as he knows by experience the instability of the people of Bombay. Rev. Antonio Pinto [da Gloria] and Rev. Matthias are at the head of the Goa party. The Vicar-Apostolic is deeply displeased to see that those who ought to help him at a time when he is so short of priests, are the authors of a movement to go over to the jurisdiction of the Archbishop, who is in no want of priests. "I could easily put pressure on those priests to submit to me, but believe it better to overlook their strange conduct in order to prevent greater evils, which would arise from their disobedience and their stirring up of greater dissensions."

#### CAVEL CHAPEL QUESTION.

On Oct. 28, 1796, the Archbishop of Goa wrote to the Vicar-Apostolic requesting him to proclaim Cavel chapel a separate parish church. It seems that down to this the four parishes were strictly territorial. so that

there was no over-lapping of the two jurisdictions ; and N. S. de Saude, Cavel, was only a private (or semi-public) chapel within the parish of Esperança. To elevate this chapel into a distinct parish church under Padroado would mean either a division of the parish of Esperança, or worse still, would introduce two jurisdictions within one parish. The Vicar-Apostolic therefore on Dec. 23, 1796 replied to the Archbishop in the following terms : -

Since Cavel chapel (N. S. da Saude) is within the parish limits of Esperança he cannot proclaim it a parish church, as it seems inconvenient and unnecessary to divide the parish of Esperança. The Archbishop ought to approach the Governor and claim from him his right over all the churches ; if the Governor grants it, the Vicar-Apostolic will willingly withdraw not only from Esperança, but from all else that is under his power. The state of the chapel at Cavel causes the Vicar-Apostolic great distress. The people of the parish are doubtful which of the two churches they belong to ; and disputes and dissensions grow more and more amongst the families. A priest required for that chapel would have to be taken from Esperança church, so that the greater number of the Catholics would be almost deprived of ministers (?). How then can the Ordinary prelate (the Archbishop) with a safe conscience introduce himself into a parish which is actually governed by the Vicar-Apostolic according to the orders of Government, and appropriate to himself chapels and parochial oratories aggregated to the same parish—thus dividing the people which belong to it, and thereby fostering disorder and schism—when in a more gentle and rational way he could get possession of the whole parish without division and tumult [*viz.*, by asking the Government to allow him to take *all* the churches]. The Vicar-Apostolic believes that the orders of Propaganda which refer to the entry of the Ordinary into Bombay are to be interpreted in this sense : “So far as the Archbishop of Goa has the permission of the Lord of the land to provide for the churches in the island of Bombay, the Vicar-Apostolic ceases from all acts of jurisdiction, and withdraws with his missionaries to the house of the Carmelites in the same island of Bombay.” The Congregation understands a *complete* introduction of the Ordinary, and not a *partial* one, as was recently granted to the Archbishop by the Directors. However in this delicate question the Vicar-Apostolic has asked advice from the Pope, and will blindly submit to his orders.

The Vicar-Apostolic complains that Rev. Pinto da Gloria, [properly] a subject of the Vicar-Apostolic, who has of his own will and without the Vicar-Apostolic's permission seceded from his jurisdiction, is causing priests of his obedience to go over to the Archbishop, so that there is great want of priests ; therefore he asks leave of the Archbishop to ordain one Ignacio, who is in minor orders, of whom he wrote a few days ago. [This permission was refused].

#### REPORT TO PROPAGANDA.

*April 29, 1800.*—A Report sent to Propaganda summarises the si-

tuation thus : The Vicar-Apostolic has two churches under his jurisdiction by order of the Court of Directors (Esperança and St. Michael's); another also by order of the Bombay Government and at the request of nearly the whole parish of Da Gloria, namely N. S. do Rosario. The Catholics of his jurisdiction are about 7,000. The other two parish churches belong to the Archbishop. The three (Propaganda) churches are parish churches administered by eleven secular priests; some passible and sufficient in education, others half ignorant and barely fit to celebrate Mass and administer the sacraments. "It would not be prudent to make one of my Carmelites parish priest, because (1) the seculars are much attached to the churches, and (2) The English Government is quite indifferent as to who governs the Christians, whether the Archbishop or the Vicar-Apostolic. If the Government wishes that the Vicar-Apostolic should continue in charge of the three churches, it is (solely) on account of the solicitations of the people, who however are very fickle and inconstant in their resolutions. Hence I think that one should not make too much of the jurisdiction of Bombay, which sooner or later must fall into the hands of the Archbishop of Goa, who uses all imaginable means to obtain it. The Christians are quiet, though divided, but are not easy to govern. If I punish or reprehend somebody, he goes at once over to the Archbishop, out of sheer spite; and is free to do so, to the detriment of good discipline. Hence it would be desirable for the Archbishop to receive them all, as this would at least put an end to such abuses. Three times since I am Bishop I broached the proposal that all the churches should be given to me on the condition that I submit to the Archbishop—which I wished to do in order to prevent dissension. But the Christians who were under my jurisdiction opposed this my wish." He asks what he should do if the question were raised a fourth time.

#### CAVEL CHAPEL AGAIN.

The Vicar-Apostolic then proceeds to discuss the question of Cavel chapel:—

"The Archbishop has established a parish church within the district of the parish of Esperança, which was given to me by order of the Directors—a strange arrangement, to introduce into the same parish a double jurisdiction, which I declared could not be recognised by me without having asked my superiors; and I suggested that, rather than this, he should try to obtain [for himself] the Church of Esperança also." The Vicar-Apostolic then repeats his own proposal, *viz.*, that the Archbishop alone should be at the head of all the churches, and that Government should allow the Vicar-Apostolic to go to the other parts of his Vicariate where there is greater need; and he asks the Congregation of Propaganda to permit him to do so.

#### ROME'S DECISION.

In a separate letter dated April 13th, 1800, the Vicar-Apostolic wrote putting the Cavel question before Propaganda, and his interpretation of the principles of the congregation, *viz.*, the distinction between a total

and a partial restoration of jurisdiction to the Archbishop. (See previous letter). Propaganda, in reply to this, addressed to the Vicar-Apostolic on August 29, 1801, three documents: (1) A set of answers to the questions asked; (2) A particular instruction on the first point, *viz.*, how to deal with the Archbishop of Goa on the question of jurisdiction; and (3) A covering letter enclosing Nos. 1 and 2.

The particular instruction corrected the Vicar-Apostolic's interpretation, and gave the true one instead. The Vicar-Apostolic is to exercise jurisdiction only precisely so far as the Archbishop was prevented from using it, whether as regards places or persons. Hence if the Archbishop is able to establish a parish within the parochial limits of Esperance, the Vicar-Apostolic must not oppose his jurisdiction. He must also exercise self-restraint as regards both ecclesiastics and lay people whom the Archbishop or his priests receive under their jurisdiction. Moreover, except after informing and securing the sanction of Propaganda he must not undertake any discussions or negotiations with the Archbishop.

From this we see that Fre Pedro d'Alcantara's principle "all or nothing" was wrong; the true principle is "wholly or in part." Just so far as the Archbishop can advance, just so far must the Vicar-Apostolic recede. The covering letter expresses it thus:—When the Archbishop can exercise his jurisdiction in Bombay, which beyond dispute belongs to his diocese, the Vicar-Apostolic must abstain from any use of jurisdiction, and leave to the Archbishop the full exercise of his rights. But when the Archbishop is impeded, in the whole or in a part of the island, the Vicar-Apostolic steps in to supply, only for those places where the Archbishop or the persons authorised by him cannot act. "Therefore conduct yourself on these lines according to the instruction attached."

At the same time Propaganda sent to the Archbishop of Goa and to the Portuguese Secretary of State, a fresh copy of the brief *Jam Dudum* in which the principles of the foregoing letters were clearly expressed.

*Sept. 18, 1802.*—Writing to the Collector of Bombay regarding a dispute over a burial at Cavel, the Vicar-Apostolic observes that the only means to avoid these quarrels is his total withdrawal from the two churches given to him by order of the Government; *i.e.*, to renounce entirely the spiritual jurisdiction of Bombay, which belongs to the Archbishop of Goa, in order to have one pastor and one flock. He asks Government to accept his resignation, "so that I may remain in future as an individual in my house, applying myself solely to the direction of the missions which belong to me by right."

*Dec. 3, 1803.*—Propaganda, replying to a letter of the Vicar-Apostolic writes:—"We learn that the division among clergy and laity continues on account of the double jurisdiction. As the Government has no difficulty in recognising the Archbishop of Goa, to whom they have granted the free exercise of jurisdiction in half the churches, reserving the other half to you, we feel safe in inferring that the Archbishop would find no opposition from Government to his exercising

jurisdiction over the whole island, if obstacles were not put in his way from other sources. Hence while the Sacred Congregation has been ever careful to uphold your authority so long as the Archbishop was prevented, we impress on you to keep well within the limits fixed by the Holy See; never trying either directly or indirectly to impede the free exercise of his jurisdiction, but merely entering into places where he is directly prevented by Government from exercising his ordinary authority, wholly or in part. Keep also in view that your jurisdiction in the island is purely subsidiary. These are precisely the terms on which Bombay was granted to you by Pope Pius VI (as you will notice in the brief of the said Pontiff: *Jam Dudum*, Jan. 23, 1793), to the tenor of which you must scrupulously keep, in order to avoid the bitter discords which are fostered there, and are the origin and source of serious evils."

*Sept. 15, 1804.*—Propaganda forwards renewed faculties for the Vicariate in general. The Archbishop of Goa has been exhorted by the Pope more than once, and again recently, to keep within his limits, and not to disturb the jurisdiction of the Vicar-Apostolic [the reference here is apparently to the outlying parts of the Vicariate]. "It is hoped that the new Archbishop, when he comes to a knowledge of the matter, will be more docile to the suggestions of the Holy Father; and that you on your side will not disturb in any way the jurisdiction of the same prelate. As we have written to you on other occasions, try to maintain with him a good relation; so that each may exercise his own ministry in mutual harmony and good order, to the edification and profit and salvation of souls."

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## CHAPTER II.

### A SURVEY AND A JUDGMENT.

FROM the foregoing documents the principles which governed Propaganda and the motives which actuated Dom Pedro D'Alcantara, will have become clear. But before passing on to a judgment of the case, we must here find place for three letters of Propaganda to the Vicar-Apostolic of Malabar written just after the "Reversion" of Bombay to the Archbishop—as they express the principles of Propaganda on the relations between the Vicars-Apostolic and the Portuguese Ordinaries more clearly than they are found elsewhere:—

*Oct. 6, 1790.* "In Bombay, at the solicitation of the Portuguese authorities, the Court of the English has forbidden jurisdiction to the Vicar-Apostolic, and permits the Archbishop of Goa to exercise his jurisdiction there. Consequently it has been necessary to order Mgr. Fre Victorino to cease from all jurisdiction in that [part of his] Vicariate, and to withdraw to the privacy of the Carmelite Hospice in Bombay. This



is a precedent which you (the V. A. of Malabar) must keep before your eyes in case the British or Dutch Government should convey to you a similar prohibition. The S. Congregation does not wish to contend either with the Court of Lisbon or with the Dutch or British Government, and wishes to keep to its constant principle, *viz.*, not to prejudice the ordinary jurisdiction of the prelates, but only to supply for their impotence."

*Oct. 6, 1790.* (Same date). In the last instructions of the S. Congregation there occurs the following point:—"Our instructions are uniform, especially those of 1754, 1782 and 1788. From these you will understand that the principle of the S. Congregation is never to invade the rights and jurisdictions of the Ordinary bishops, but only to supply when the prelates are impeded from exercising them. This impediment, moreover, must not come from the missionaries, but from princes of the country; or else from the impotence of the bishops, who have no means to supply for such a vast population in such vast areas."

*March 2, 1792.* Propaganda refers to a letter of the S. Congregation to the Nuncio of Portugal "which caused you [the V. A. of Malabar] some bitterness and perplexity owing to the strange interpretation put upon it by the Bishop of Cochin and the Governor of Cranganore." The true meaning of our letter was this:—If missionaries are in countries where the Portuguese bishops enjoy free jurisdiction and are peacefully governing their dioceses, (as is the case with all that lie under the dominion of the Queen of Portugal, or of princes who admit the jurisdiction of the Portuguese bishops) it is clear that they [the missionaries] have only the powers which the diocesan grants to them—and it is of these that our letter speaks. But it is quite otherwise in places where, although there are Portuguese bishops, they are unable to exercise their jurisdiction because prevented by princes; for instance in Malabar, where neither the Dutch nor the Gentiles allow them [to exercise jurisdiction]. In such cases, who should provide for souls if not the Roman Pontiff, the universal pastor, through the agency of his missionaries?

"Such is the interpretation of our letter. Many times has the S. Congregation complained to the Court of Portugal against the impediments raised by the Portuguese bishops against the exercise of jurisdiction by the missionaries—a thing which takes place not only in Malabar, but in China and Pondicherry, and wherever else there are Vicars-Apostolic. The Apostolic constitutions issued against Vicars-Vara who used to be sent into the districts of the Vicariates-Apostolic, show that the Holy See has always been constant in upholding its own independent authority. The distinction [made above] agrees well with the decrees and instructions of the S. Congregation to the Vicars-Apostolic of Malabar and of the Mogul, wherein it is said that the Vicars-Apostolic should exercise jurisdiction only in those places where the diocesan bishops cannot exercise it. The distinction also agrees with the facts. For in Bombay, when the English wished to restore the jurisdiction of

Goa, the S. Congregation was under no misapprehension, but ordered the Vicar-Apostolic to withdraw and cease from all jurisdiction.

"By means of these principles and maxims you will be able to decide any controversy that may ever arise—including the present one, *viz.*, the acceptance of Anjenjo. If the Dutch, the King of Travancore and the other princes of Malabar will not on any account allow the Christians to depend on the Portuguese bishops, do not be put out by their high talk [*i.e.*, the denunciations of the Portuguese bishops] but go on governing the Christians entrusted to you by those who have the dominion in those parts [*i.e.*, the princes, etc.] Nay more, try and make the Bishop of Cochin and the Governor of Cranganore understand how unjust and scandalous their opposition is, seeing it is out of their power to minister to those Christians. Rather than see them assisted by missionaries of Propaganda, they will rather let them perish!"

#### JUDGMENT ON THE CASE.

Having thus completed our list of documents bearing on the jurisdiction question down to the division of the churches in 1794 with subsequent adjustments, it seems convenient at this place to pause for the purpose of a general survey, in order to draw some conclusions as to the behaviour of the Vicars-Apostolic during the various crises through which they had to pass. The result will be to dispel many illusions and misrepresentations which enjoy so wide a currency as to have become practically "traditional."

(1) The key-note of the whole history from 1715 to 1794—the determining factor, we had better call it—was the policy of the English Government.

(2) This policy was not determined by ecclesiastical considerations, nor yet by ecclesiastical "intrigues" either on the part of the Carmelites or on the part of the Portuguese. Even if (or where) attempts were made to influence Government on either side, these did not substantially affect the policy of Government.

(3) The Government policy was dictated solely by civil or practical considerations under the comprehensive term of "political security" or "public sentiment" and this in two lines (*a*) To safeguard the Commonwealth from foreign influences and the disaffection or disloyalty liable to arise from such influences. (*b*) To preserve the tranquillity of the inhabitants, or restore it when disturbed by ecclesiastical causes.

(4) Beyond mere outward civilities or "amenities" there was never much love lost between the English and the Portuguese. Besides the mere fact of trade rivalry, frictions were constantly arising from the very first. Bitter feelings were engendered on both sides during the transfer of the island of Bombay. The Portuguese made the cession with the greatest reluctance, and tried to reduce to a minimum the amount of land conceded, while the English tried to raise it to the maximum. At the actual cession the Viceroy foisted upon the English an agreement, drafted by himself at Goa, which was never submitted

to the English Court, and when known afterwards was repudiated by the English king as unjust. After the cession there was a regular series of disagreements about land, customs, imports and exports, control of the creeks, and over befriending each the other's enemies. Each side felt justified from its own stand-point in opposing the other, and it was only considerations of expediency that prevented the two from coming to blows. Under the circumstances, nothing was more natural than that the English should come to regard the Portuguese clergy as a nuisance in the island, a source of disaffection and distrust; or that the Government should be ready to seize on any suitable occasion for expelling them from the island.

(5) There is no discoverable evidence that the Carmelite Vicar-Apostolic, Fre Maurice of S. Theresa, either suggested or encouraged this expulsion by the Government. The matter was under discussion between Bombay and London as early as 1714, and only took shape in 1717. Fre Maurice, who had never had anything to do with Bombay, was in Karwar and Verapoly all the time from 1712 to 1717. It was only on his coming to Bombay towards the end of 1717 that the designs of Government were privately put before him, when the plan (based on a policy already pursued at Madras much earlier) was already fully matured under instructions from the Court. The Government delayed execution solely because they did not wish suddenly to deprive the people of pastors; so they tried to arrange for the Carmelites to take over before proceeding to the act of expulsion.

(6) The Carmelites certainly had no reason to love either the Portuguese or the Padroado, considering how much they had suffered therefrom. Of course it would be quite in keeping with human nature for Fre Maurice to feel rather pleased at the idea of "scoring" against the power which had ill-treated his order. But still there is no proof of his being actuated by any such motives. Had he remonstrated with the English Government about their interference with the liberty of the Church, or refused to take any share in the scheme, this would not have had the least effect on the mind of the Governor. He would simply have bundled the Portuguese clergy out without further ado and left the churches empty, or else negotiated with the Capuchin clergy at Surat or Madras instead. No blame therefore can be attached to Fre Maurice in expressing his willingness to take over charge if the previous sanction of Rome was secured, or in reporting the matter to Rome with a view to such sanction. Nor is it fair to accuse him of intrigue, encroachment or usurpation, after the sanction of Rome had been given. It was merely a matter of accepting the care of a Catholic population which otherwise would have been deprived of the ministrations of their religion.

(7) The agreement of the Court of London, to restore Bombay to the Archbishop of Goa in 1789, was an altogether constitutional act, and a restoration of ecclesiastical rights which ought never to have been taken

away, at least not according to Catholic principles. The English Government had acted in 1720 solely on the ground that the Portuguese clergy were "undesirable aliens," and a danger to the State. Since then Portugal had lost a great deal of her power, and all alarm on this score had subsided. Hence the Government saw no harm in letting the Archbishop of Goa resume his spiritual jurisdiction in Bombay, safeguarded by the proviso that if any of his priests were found "undesirable," they could be individually removed.

(8) In 1789, as soon as the Vicar-Apostolic received notice of his deprivation, he behaved quite cordially to the Vicar General sent to take charge, and even invited him to be his guest and use the house as his own. It is true that he remonstrated with Government; but this was on the ground that he held his appointment from the Holy See, and that the deprivation, if it took place, should come not from a civil government but from his ecclesiastical superiors in Rome. It would have been more to his credit if he had left out that specious plea about "benefices being given for life"—which was simply false in the actual case. But at any rate, as soon as he found Government firm he resigned his office with perfect good grace, acknowledging expressly that the Archbishop of Goa had a perfect right to the churches. The attitude of Propaganda, too, was unexceptionable. They fully acknowledged that the Archbishop of Goa had a strict right to re-enter Bombay, and praised the Vicar-Apostolic for having raised no obstacle against him.

(9) There is no evidence to prove that the Vicar-Apostolic was at the back of the popular agitation which caused the Government to reverse its act of 1789 by restoring the Carmelites in 1791. He had retired to the Fort Chapel to await instructions from Rome. Those instructions were, to abstain from all acts of jurisdiction in Bombay, and to despatch his missionaries to other parts of the Mission. This was carried out at once, so that by 1790 no Carmelite remained in the island except himself.

(10) That he should accept the restoration when it came in 1791 was the natural outcome of the principle laid down by Propaganda: that precisely so far as the Archbishop was driven out, so far should he step in. His resumption of authority was quite constitutional and was confirmed by the Holy See, who administered a severe rebuke to the Archbishop for his "dog in the manger" attitude of wishing the Vicar-Apostolic to be driven out of Bombay at a time when he himself was debarred from exercising his own jurisdiction there. (Jam Dudum 1793).

(11) Finally, when it came to the division of the churches in 1791, the behaviour of Fre Pedro d'Alcantara shows up positively noble. The "traditional" anti-propaganda story is that he protested against the division of the churches because he wanted to retain them all for himself. The documents on the contrary show that he made no effort whatever to retain the churches. Not a single word did he utter to

that effect, either to Government or to anyone else. His refusal to make a choice of the churches was accompanied by a total resignation of them all—and this he repeated with a pertinacity which so irritated Government as to provoke replies which were peremptory almost to rudeness. “If *you* will not choose, Government will choose for you,” was in effect what they threatened. And then he yielded reluctantly to the inevitable because resistance would only make matters worse.

(12) His proposal that the Archbishop should put him in charge of all the churches, but as Vicar General under Goa, was again the outcome of no grasping instinct or selfish desire. To tell the truth, he was sick of the turmoil and longed to be out of it. Only the fact that a large section of the people were attached to the Carmelites, and hated Goa like poison and would never submit to it, led him to make the proposal in order to avert the miseries of a divided jurisdiction. In doing this he ran the risk of an ignominious and humiliating refusal—which actually came to him in the end.

(13) Dom Fre Pedro adhered to the same policy throughout. His guiding principles laid down by Propaganda were: (1) To submit to the decrees of Lord of the land, whether they gave something to him or took something away. (2) To advance where the Archbishop was forced by Government to recede, and to recede when the Archbishop was allowed to advance. But never was he tired of repeating the same theme, to the Archbishop, to the Government, to Rome: “Let the miseries of a divided jurisdiction be avoided at all costs. The churches belong to the Archbishop by right; let him obtain permission of Government to have them all, and let me retire altogether from the scene and devote myself to the missions elsewhere which really belong to me.”

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### CHAPTER III.

#### GOVERNMENT AND PADROADO (1798—1812).

AFTER the evidence presented in the foregoing pages we can summarise the situation thus :—

(1) The Government had divided the Churches; merely as a clumsy expedient to satisfy both parties, and not on any grounds of policy or principle either in favour of or against either the Archbishop of Goa or the Vicar-Apostolic. They did not at that moment care who governed the churches so long as the people were satisfied, or at least quiet.

(2) The division of the churches gave no satisfaction to either party. The Archbishop of Goa was keen to get back all the churches. The Vicar-Apostolic was equally keen to resign them all into his hands. Rome recognised that the Vicar-Apostolic was merely a provisional “stop-gap” so long as the Archbishop was excluded, and would have been glad

to see the ordinary jurisdiction restored in its entirety and the provisional jurisdiction done away with. The Court of Portugal certainly was as keen as ever about the rights of the patronage, and would not readily lose any chance of getting the Padroado altogether *in* and the Propaganda altogether *out* of Bombay.

(3) How then, one asks with astonishment, did that wretched double jurisdiction drag on and on, decade after decade, when every ecclesiastical party was interested in getting it abolished; when the English Government was so indifferent that it looks as if a word between the Court of Lisbon and Portugal would have closed the incident, and restored the jurisdiction of Goa completely and for good?

#### AN ATTEMPTED ANSWER.

Out of the somewhat extensive and varied sources at our disposal (limited though they be in some respects) we find no data whatsoever for an answer; not even one indication to show whether the matter was discussed between the two courts, or whether the subject was simply dropped by both. This of course may be the explanation: All Europe was then in the convulsions of the French Revolution and the subsequent Napoleonic Wars (1792-1815) and all Governments had such great international things to attend to that there was neither thought nor time for local trifles. The Bombay Government, too, was overwhelmingly busy with matters of vital importance, *e.g.*, gradually breaking down the Marathi powers and extending its dominion over the Konkan and the Deccan (1780-1818), and could hardly be expected to take much interest in petty ecclesiastical squabbles among the Roman Catholics of the island, which were paltry enough to cause no anxiety to the officials. By dividing the churches they had done what they could to please both parties; and if the result was to please neither, that could hardly be helped. When the division had been achieved and the two parties had practically settled down, they naturally treated the incident as closed, and not to be reopened.

#### AN OPPORTUNITY LOST.

However unsatisfactory this explanation may be, it is the best we can suggest to explain why, let us say by the year 1798, the Archbishop of Goa had not recovered his full jurisdiction over the whole Island.

All one can say is that a unique opportunity was thereby forever lost. For in 1798 certain things occurred which roused the English Government of Bombay from a passive to an active attitude of mind. Between 1794 and 1798 the Government was indifferent whether the Archbishop of Goa or the Vicar-Apostolic ruled the churches. But this was only because the Archbishop of Goa lay very much in the background. In 1798 there arose a quarrel among the Padroado people regarding certain appointments to parishes, in course of which the active control of the Archbishop of Goa made itself conspicuously felt and gave rise to dissensions. A Pastoral, ordered by that prelate to be read in the churches of Bombay and Salsette, was suppressed by Govern-

ment as contrary to the spirit of the orders of June 25, 1793, which claimed for Government the control of ecclesiastical appointments. This incident aroused Government from its indifference as to what prelate ruled the churches. It put an end to all likelihood of concessions to Goa in the way of further jurisdiction in Bombay; and when fresh quarrels arose in 1812 and the following years, the whole subject of principles were gone into. It issued in an official formulation of the Government policy, which was to deny to the Archbishop of Goa any right of jurisdiction whatever in British territory. Even though in practice that jurisdiction continued to be exercised over the clergy, this was always in a domestic way, behind the scenes so to speak. The choice of priests was ostensibly in the hands of the people subject to the approval and sanction of Government; and determinations of the Goa Archbishop or his Vicar General were acquiesced in on those elective principles, and not on the ground of Portuguese jurisdictional right.

#### THE QUARREL OF 1798.

Let us now go into details. The first of the occurrences just alluded to took place in the year 1798. From a resolution of Government dated July 15th, 1812 (Laws concerning Roman Catholics p. 327 seq.) we draw the following summary of the event :—

On the reception of the two churches of Salvação and Mazagon, the Portuguese inhabitants “selected two pastors to officiate as vicars, who were approved and confirmed by Government on the 18th of March 1794, without any interference on the part of the Archbishop of Goa. . . On the 25th of May 1795, the Portuguese Roman Catholics, finding a person to represent their lawful prelate the diocesan of Bombay [*i.e.*, the Archbishop of Goa], and to superintend upon the Island in spiritual matters absolutely necessary, submitted to Government their unanimous choice of the Rev. Dom Antonio Pinto de Gloria, a secular clergyman, a native of Bombay and missionary from Rome [already referred to in the previous section] to hold such authority over the churches and Roman Catholics of the island; which was confirmed on the 29th May without any reference to or interference from Goa.

#### A GOA PASTORAL.

“On the 25th of February 1798 Padre Dom Antonio Pinto, the Roman Catholic Superior of Bombay, communicated to Government that he had received a pastoral direction from the Archbishop of Goa, respecting to the promotion of vicars to the churches of Bombay and Salsette; which he contended contained no innovation, as it referred to a general law of the Roman Church regarding the election of its ministers to parochial offices, and the good of the Christian community; alleging that it had been practised both at Salsette and Bombay ever since the promulgation of the Christian faith in these countries by the Portuguese; and that the Archbishop of Goa was the only lawful prelate to exercise at both these islands ecclesiastical jurisdiction; asserting, moreover, that in the year 1798 one of the extraordinary delegates had

visited the churches on the island of Salsette, and there exercised every ecclesiastical institute without any objection on the part of Government.

"The pastoral letter from the Archbishop-primate of Goa contained directions in regard to the mode to be observed, and the qualifications to be attended to, in the selection of vicars, which was rendered subject to his control; and the candidates were required to repair to Goa to be examined by the Archbishop; and [it] appeared to be grounded upon a belief, that the primate possessed a right to exercise spiritual jurisdiction over the churches in the islands of Bombay and Salsette. This pastoral letter the Primate directed to be read in all the churches of those islands.

"The Vicar General was informed, in reply to his communication, that he might proceed in conformity to the instructions contained in the pastoral letter from the Archbishop of Goa, in as far as regarded the churches within the island of Bombay which acknowledged the Archbishop's jurisdiction; provided always that no priest or clergyman, of any rank or denomination, be in consequence removed or appointed to a new cure of souls without the approbation of the Governor, to be signified in writing; without which formality all such appointments and removals were declared invalid and of no effect.

#### THE GOAN VICAR GENERAL.

"It may be here also noticed, that the Portuguese inhabitants consented that their churches should be subject to the spiritual jurisdiction of the Archbishop of Goa as far as was consistent with the honourable court's orders of the 25th of June 1793; and that in order that the vicars might be under proper subjection, they nominated, as already stated, the reverend padre Dom Antonio Pinto de Gloria, as a man whom they conceived in every respect qualified to officiate as their superior ecclesiastic, to superintend their churches and padrees, as the representative of the Archbishop of that place.

"It would appear, however, that the Vicar General, Antonio Pinto de Gloria, entirely disappointed the hopes entertained of him by his parishioners; for, on the 25th of April 1798, they delivered a strong remonstrance against the tenor of the pastoral letter already quoted, in which they charged the Vicar General with having prevailed upon the Primate of Goa to address the different churches in the island; and as its operation was calculated to place the Portuguese inhabitants under the bondage and subjection of the Vicar General, they besought the interposition of the authority of Government to suppress the pastoral letter in question, by directing the Vicar General to recall it from all the churches under his inspection, and to liberate them from the observance of its mandates, and to protect them against the oppressive conduct of the Vicar General.

"This complaint was furnished to the Vicar General for his reply; accompanied by the orders of Government, that he [should] immediately suppress the pastoral letter which the Archbishop of Goa had addressed



to the Roman Catholic churches in Salsette and Bombay, as contradictory to the letter and spirit of the honourable court's orders of the 25th of June 1793, under the construction of which his station had been allowed of; and it was further ordered that no priest or clergyman, of whatsoever degree, should be admitted to any church on this island, otherwise than is provided for by those orders. The Vicar General was further directed to deliver to the Governor a list of all the priests and clergymen officiating in the churches within the island of Bombay, of the party of the Archbishop, to be followed by similar lists to be furnished on the 1st of July and 1st of January of each year; and he was, moreover, positively required neither to make, nor to admit of any alterations in these lists, except with the express licence and approbation of the Governor of this presidency for the time being, on pain of deprivation and removal from the island.

#### THE QUESTION OF JURISDICTION.

"The result of the investigation, in regard to the right of spiritual jurisdiction claimed by the Archbishop of Goa over the island of Salsette, led to the record of the decided opinion of this Government, that the claim was not supported by any concession of Government, or authorized by any regulation or order of the Court of Directors; and as its present or future exercise was likely to be attended with inconvenience to the public, without any adequate advantage in respect to its professed object in promoting the discipline of the Roman Catholic clergy; and as in the preceding instance of the very exceptionable pastoral letter from the Archbishop of Goa, the Governor-in-Council had abundant reasons for guarding against any encroachment of that prescribed course and authorized limits; it was therefore resolved that the jurisdiction be not acknowledged or allowed to have any operation within the Island of Salsette; but that the nomination, regulation and church discipline of the Roman Catholic clergy in that island be committed to the charge, and subject only to the authority of such Vicar General as shall from time to time be appointed for the purpose by the Governor of Bombay, who may avail himself of the agency of the senior civil servant on the spot for the execution of his orders in this department; and the Government deeming it suitable that the priest or clergyman holding the office of Vicar General of Salsette shall reside at Tannah, the capital of the district, it was therefore recommended to the Governor to remove the present Vicar, the Reverend Signor de Millo, if he shall not be willing to take up his abode there, and to appoint some other qualified person in his stead, who might be willing to do so, for the greater convenience of the exercise of his charge under the superintendence of the chief, or of such civil servant for the time being as may by the Governor be constituted the channel of his communication with the Vicar General, for the purposes aforesaid.

#### PAROCHIAL APPOINTMENTS.

"At the recommendation of the parishioners of Mazagon, Padre

Ellumine was confirmed in the benefice by the Government on the 15th of September 1798, the situation having been vacated by the renunciation of Padre Antonio Pinto de Gloria, who preferred obedience to the Archbishop of Goa, and who in consequence resigned the Vicarship of Mazagon church on the 18th of June, 1798.

“On the resignation of the Vicarship of Mazagon church by Padre Ellumine in 1801, the head Vicar of Bombay communicated to Government, on the 29th of April of that year, that he had informed his Excellency, the Archbishop of Goa, of the vacancy in the parochial church of Cavel; and conformably to the pastoral which his Excellency was pleased to order to be published and recorded at the different churches where his spiritual authority was acknowledged, the head Vicar had given due notice to the priests residing on the island to proceed themselves to his Excellency, to be examined in respect to their qualifications for the succession; they not going, his Excellency had been pleased to send a Goa priest, a man of character, to fill the place of Vicar of Mazagon church: and that he had been enjoined to present him to Government, and, with his knowledge and consent, to put him in charge of the same.

“The head Vicar reported, on this occasion, some other arrangement that had been made by the Archbishop of Goa on this occasion, which had for its object the separation of the chapel of Cavel from the benefice of Mazagon.

“The Vicar appointed on this occasion was Padre Donato de Lacerdo, whose removal is at present contemplated by the Archbishop of Goa. This nomination was confirmed by the Government. It cannot however escape [interference] on the part of the Primate of Goa, and its toleration by the Government, which was directly at variance with the former resolution of the Government against the operation of the mandates contained in the pastoral letter which had been so strongly objected to by the Portuguese Catholics, and which the Governor-in-Council designated as of an “exceptionable” nature.

“On the 17th of January 1807 the Vicar General reported that, in consequence of the death of Mr. Joseph Fernandez, Vicar of the church of Salvacao at Mahim, the Archbishop of Goa had directed him to nominate and appoint the Reverend Padré Joao Sougat [Souza] e Silva, a native of that Parish, who was officiating as Vicar of the church of Cavel at Bombay, to fill up that vacancy, and the Reverend Padré Theodore Dabreo, also a native of Bombay, to succeed to the vacancy at Cavel; that they were both qualified in every respect to hold those situations, and he hoped their appointments would meet (as it did) with the approbation of Government, which both his Excellency and the Vicar General would gratefully acknowledge. In these instances, also, the late Government will appear to have lost sight of their resolution of 1798.” [End of Document].

From this document it is made clear that the Government, in

assigning the two churches to the Portuguese party in 1794, and allowing the clergy placed in them to receive their ecclesiastical jurisdiction from Goa, did not mean to acknowledge the Padroado jurisdiction as having any formal application to British territory, and especially to Salsette; but made the choice of vicars to depend solely on the free election of the parishioners, under the approval and confirmation of Government. We abstain, here as elsewhere, from comment on these principles of the Government, confining ourselves to the collection of materials. But the point is of importance in order to understand the events which follow.

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## PART VII.

### THE POLICY OF GOVERNMENT 1812—1832.

#### CHAPTER I.

##### THE GLORIA CHURCH DISPUTE (1812).

IN 1812 there arose a dispute between the Goan authorities and the Government, regarding the appointment of a new vicar at Gloria Church. Mazagon. The documents relating to this affair are printed in the official *Report from the Select Committee appointed to report the Nature and Substance of the Laws and Ordinances existing in Foreign States respecting the Regulation of their Roman Catholic Subjects*—printed in 1817 and reprinted 1851 (pp. 315—335). The correspondence is too copious and redundant to be reproduced *in extenso* here; but from it all the essential facts can easily be summarised.

It seems that after the division of the churches in 1794 Padre Antonio da Pinto was appointed Vicar General for Goa, to superintend the Padroado churches in the island, and continued to hold this office till 1804, when he suddenly died. Whether the post afterwards remained vacant or not we have not discovered; but in 1812 Padre Francisco Parras was appointed to the post of Vicar General, and at the same time to supersede one Padre Donato de Lacerdo as Vicar of Gloria Church. The mandate containing these two appointments was despatched from Goa on April 20th 1812, and reached Padre Parras about May 13th—on which day he gave notice to the English Government of the new charge he had received, requesting that his appointment might be registered in usual form. He also communicated the same information to Padre Donato. The latter seems to have been willing to submit to the orders of his Prelate and to obey the recall to Goa. But the parishioners of Gloria Church, as soon as they heard of it, made up their minds to retain him as their vicar, and wrote to Government asking for support on behalf of their cause. This the Government undertook to give; ordering meanwhile that the execution of the mandate should be suspended. By May 20th the parishioners had

prepared a memorial which they forwarded to Government for transmission to Goa. Meanwhile the Archbishop of Goa, informed of the resistance which was taking place, wrote on May 18th to Padre Donato, suspending him from the exercise of his priestly functions, and ordering him to resign his post within nine days under pain of excommunication. This letter being received on June 15th, Padre Donato wrote to Goa two days later, expressing his submission and offering to resign his charge into the hands of his successor. But meantime the letter containing the sentence of suspension was copied out by the parishioners and enclosed with another petition to Government under date June 19th. Meantime the Archbishop of Goa had written to the English Government under date June 3rd, requesting that the execution of his orders should no longer be suspended—since, according to Catholic principles, it lay with the prelates and not with the people to make ecclesiastical appointments; and pointing out that a suspended priest could not carry on his usual ministrations without sacrilege. On July 15th Government took the matter up in a communication addressed to the English Envoy at Goa, repudiating the claims of the Archbishop of Goa to exercise spiritual jurisdiction in British territory except so far as it was desired by the inhabitants, and laying down its usual principles—viz., that the choice of their pastors lay with the people, subject to the confirmation of Government, etc.

From this date onwards to the end of August several letters were exchanged, including an appeal on the part of Goa from the Bombay Government to the Governor-General-in-Council at Calcutta. (August 1, 8, 11, 22, 29—pp. 331—334). In the course of one letter the Archbishop remarked :—

“With great pleasure would I relinquish my jurisdiction over all the churches of Bombay if it were not for His Royal Highness [the King of Portugal] who is the protector of them; and I know very certainly that if I were to do so I should be reprehended for it.” (Aug. 7, 1812). In another letter the Archbishop makes a point of the injury done to His Royal Highness by the Governor of Bombay, and adds a protest against “the violence which has been offered against the rights of my sovereign.” (Aug. 8, 1812).

The Bombay Government also put its own view of the case before the same authority. On October 7th, the Governor General (Lord Minto) replied to the Bombay Government laying down his principles, and approving of the course taken.

Finally, however, Padre Donato thought it best to resign his post and to obey the recall to Goa. When he had gone, Government informed the parishioners of Mazagon that they were now free to elect another pastor; and if they cared to accept Padre Parras according to the appointment of the Archbishop, Government would then confirm him in his office. This was accordingly done on February 8th, 1813.

On December 18th, 1812, Lord Minto wrote an official letter to the Archbishop of Goa in the same manner as he had already written to

Bombay—approving the conduct of the local Government, and repudiating the claims of the Goan jurisdiction. The episode closes with two reports, both addressed to the Court of Directors in London ; the first from the Bombay Government dated March 11th, 1813, the other from the Governor-General-in-Council dated June 15th the same year. We produce below the text of these last two documents which, though tediously redundant, are of importance as an expression of the Government policy at the time :—

BOMBAY TO LONDON, MARCH 11TH, 1813.

Extract of a letter from the Governor-in-Council of Bombay, to the Court of Directors, of the 11th of March 1813, Paragraphs 21 to 46, inclusive.

Extract Political Letter from Bombay, dated 11th March 1813.

Para. 21. The pretensions of the Archbishop of Goa to spiritual jurisdiction over the Roman Catholic churches and inhabitants of Bombay, and the Complaints of the latter against His Excellency's interference in their ecclesiastical concerns, were some years ago a subject of representation to your Honourable Court ; and as those pretensions have recently been asserted and exercised, in a manner that has excited considerable agitation among that class of your subjects, we have deemed it our duty to report the whole of our proceedings on the occasion.

MAZAGON.

22. On the 13th of May last we received a letter from the Reverend Francisco Parras, stating, that in consequence of his appointment by His Excellency the Archbishop of Goa as his vicegerent, and to the vicarship of the church of Senhora de Gloria, at Mazagon, in His Excellency's diocese, he had arrived in Bombay to take the charge of that church, as well as to superintend the other churches within His Excellency's jurisdiction on this island : and requested that his appointment might be registered in the usual form in the Secretary's office ; and that Government would permit him to take charge of the church from the then vicar, whom he had been ordered to relieve. A communication to the same effect was also made by the Archbishop of Goa ; who added that his reason for sending the Reverend Francisco Parras with his spiritual power was to avoid jealousy and competition, which had been formed amongst different priests in Bombay when his antecessors had granted authority to too many of them at once, whose rivalry the Bombay Government was acquainted with.

23. On the same day we received a representation from some of the parishioners of the Church of Nossa Senhora de Gloria, complaining of the extraordinary and abrupt supercession of the Reverend Padre Donato, their vicar, who had officiated to their entire satisfaction for a period of twelve years, supplicating at the same time our interference and protection, and expressing a hope that no steps might be taken for giving up the church and appurtenances, until they should receive an answer to a memorial which they intended to transmit to His Ex-

cellency the Archbishop of Goa, in favour of their Vicar Padre Donato de Lacerdo, who, they could not help remarking, must have been injuriously represented to His Excellency.

24. On the ground of this representation we suspended the confirmation of the nomination of the Reverend Padre Francisco Parras to the charge of Mazagon church, apprising the parishioners, that their application should be preferred through the Government under whose protection they were residing, and not directly to the Archbishop of Goa and that they were therefore to deliver in their representation for transmission to the Envoy ; which, if preferred in proper and respectful terms, would receive the support of Government.

25. On the 20th of May the parishioners presented their memorial ; but as from personal communications which had taken place with the Reverend Francisco Parras, it appeared that he was bent upon upholding the right of the Archbishop to the exercise of spiritual jurisdiction on this island, it was not until the 15th of July that we resumed the consideration of the subject ; when a report of all the former proceedings of the Government on the question had been prepared for our information.

26. Within the intermediate period, however, we received another memorial from the parishioners of Mazagon, complaining of the suspension of the Reverend Donato de Lacerdo from the exercise of his clerical functions, until he should deliver over the charge of the church to the Reverend Francisco Parras ; and very forcibly representing the alarms they felt from being thus deprived of their elected pastor ; that the service of their religion had not only been interrupted, but had been actually suspended, and that their church was then without an officiating minister—circumstances almost unprecedented in any Roman Catholic Community, and most grievous and afflicting to all Roman Catholics of good faith ; that in a situation so distressing to their religious feelings and habits, they looked up with confidence to those sentiments of benevolence and toleration, and to those expressions of protection in matters of religion, which your Honourable Court had evinced ; and which on many occasions this Government had extended towards them.

27. Your Honourable Court will also be pleased to observe on the records of our proceedings, that a communication had been made to us by the Reverend Francisco Parras, of the alleged resignation by the Reverend Donato de Lacerdo of his vicarship (which there is no doubt the Archbishop compelled him to deliver in on pain of excommunication), and soliciting the confirmation of his appointment as the successor ; and that a letter had also been received from the Archbishop of Goa, explanatory of the dogma of the Roman Catholic faith connected with the points under discussion ; and of the grounds on which his right to the exercise of ecclesiastical jurisdiction was founded.

28. These several documents having been taken into consideration, we conceived it indispensably necessary that we should put a stop to

the further proceedings of the Archbishop, and enforce the orders of your Honourable Court of the 25th June 1793, by distinctly disavowing His Excellency's claim to spiritual jurisdiction over the Roman Catholic inhabitants of this island.

29. Our decision, as your Honourable Court will observe by our proceedings, was founded on a full review of all the correspondence on our records, as well with the authorities at Goa as with your Honourable Court, from the earliest period, on the subject of the Roman Catholic jurisdiction within this island; from which it appeared to us to be evident:—

First—That the treaty between the Courts of England and Portugal, on the cession of this island, while it stipulated that the inhabitants should enjoy the free exercise of the Roman "Catholic religion," did not secure to the Archbishop of Goa the continuance of the control which His Excellency had been accustomed to exercise when it was subject to the Crown of Portugal; that therefore a prohibition of the exercise of such authority could not militate with the provisions of that treaty; and that if the Archbishop's jurisdiction should be tolerated, there was too much reason to apprehend that the Roman Catholic inhabitants would be restrained "in the enjoyment of the free exercise of the Roman Catholic religion."

Secondly—That the spirit, as well as the letter of the orders of your Honourable Court, clearly prescribe an inhibition to the exercise of the spiritual jurisdiction of the Archbishop of Goa over this island; expressing directly, that the pastoral selection should be made by the inhabitants themselves, subject only to the approval and confirmation of Government; whilst, in respect to private chapels, they were to be served by such priest as their respective founders, or their successors should think proper to select, subject, as in the case of public churches, to the approbation of the Government alone.

Thirdly—That notwithstanding these prohibitory orders, it appeared that the respective Archbishops of Goa had seized every opportunity to introduce a succession of priests, and of exercising a jurisdiction in this island; that they had promulgated pastoral mandates, which had proved offensive to the inhabitants and objectionable to Government; and although in some recent instances the late administration of this presidency had, perhaps out of respect to the rank and situation of the late Archbishop, incautiously acquiesced in, and confirmed His Excellency's recommendation of individuals in cases wherein the persons so selected had not been objected to by the parishioners, it did not follow that such casual toleration should be allowed to the present primate (who has recently succeeded to the sacred chair) to assume, and arbitrarily to exercise powers which virtually do not belong to him.

Fourthly—That it was essential to the peace and happiness of the Roman Catholic inhabitants, in matters of conscience, and to the due and undisturbed exercise of their religion, but no foreign spiritual jurisdiction

should be allowed to be exercised over the Roman Catholic churches on this island.

30. Under these impressions we deemed it proper to apprise the Archbishop of Goa, that as this Government was not aware of any reasons that required the removal of the Reverend Donato de Lacerdo from the performance of his sacred functions, as Vicar of the Church of Nossa Senhora de Gloria at Mazagon, we could not recognize his supercession; and that in the event of any change becoming necessary, the parishioners of that church would, in conformity with the orders of the Honourable Court of Directors, be allowed to elect a successor; when it would afford us satisfaction if their choice should fall on the Reverend Francisco Parras, who had the advantage of His Eminence's good opinion; referring him for particular information of the grounds of this determination, to Captain Schuyler, the British Envoy at Goa, who had been furnished with an explanation of all the proceedings of Government on the occasion.

31. We intimated at the same time to the parishioners, and to the Reverend Padre Donato de Lacerdo, that not being aware of the existence of any complaints against him, or other circumstance to justify his removal from a situation in which he had been regularly confirmed by Government, it was entirely optional in him to retain, and not in the smallest degree obligatory on him to relinquish the vicarship of the Church of Mazagon; but that if he determined on retiring from his benefice under the terror of the Archbishop's power and denunciation, the parishioners were to proceed to the election of another pastor, and to report the object of their choice, for our approval and confirmation.

32. A copy of our proceedings on this occasion was at the same time forwarded to the Right Honourable the Governor-General-in-Council, to enable his Lordship to meet any representation which the Archbishop of Goa might prefer to the Supreme Government. in consequence of the measures we had taken.

33. Having adopted the line of conduct which we have now explained to your Honourable Court we deemed it necessary to withhold the transmission of the appeal from the parishioners of the Church of Mazagon to the Archbishop, and to inform them, that any appeal to the authority of His Excellency would not be allowed in future: apprising them at the same time, that they must look to this Government for protection in all their ecclesiastical and temporal concerns, which, they might be assured, would be secured to them according to the terms of treaty, and by a just administration of our laws.

34. On the 23rd of July we received a letter from Padre Donato de Lacerdo, in answer to the communication made to him on the 21st, in which he observed that as he was in full possession of the vicarage appertaining to the Church of Nossa Senhora de Gloria, he did not by any means intend to relinquish it, since the determination of Government was in his favour; but that it was absolutely necessary a new presentation to



that vicarage should be made out by His Excellency the Archbishop of Goa, his superior ; and therefore requested that we would cause a new presentation be sent for from His Excellency, with all possible despatch ; and that we should also obtain from the Reverend Francisco Parras, the delegate of His Excellency, permission in writing, that he might exercise his religious functions without molestation in the Church of Mazagon, until the new presentation should arrive ; such permission to be granted to him in the same manner as had been granted to the vicars of the several parishes of Bassein, Tannah, and Mahim, by a pastoral of His Excellency the Archbishop of Goa, dated the 3rd of March, and extending to the end of September. But as a compliance with his requests would have been at variance with the principles by which our conduct had been regulated, we did not of course accede to them.

35. The series of documents to which it is necessary in the next place, to solicit your Honourable Court's attention, are two letters from the Archbishop of Goa, by which you will be pleased to observe, that His Excellency appears to be strongly impressed with the conviction, that the right of nominating the vicars to the Roman Catholic churches at Bombay was fully vested in him, as Primate of the East ; and that such right had been so vested in his predecessors from time immemorial, subject, however, to the confirmation of the Governor of this presidency ; and though His Excellency professed to be at all times disposed to meet the wishes of Government, yet he felt he had not the power of relinquishing any of the spiritual authority over the Roman Catholic communion in this country ; and that if he did so he must expect to incur the high displeasure and censure of his Royal Highness the Prince Regent of Portugal ; and entertaining these sentiments, he had thought proper to address the Right Honourable the Governor-General-in-Council on the subject, in the terms of the letter recorded in our Consultation, of the date quoted in the margin.

36. On the 7th of October we received the reply of the Supreme Government to the reference already noticed ; and had the satisfaction to find that our proceedings had met with his lordship's concurrence, who considered the Roman Catholics of Bombay to be "entitled, in the fullest sense of the expression, to the free and uncontrolled exercise of their religion, equally with respect to matters of spiritual jurisdiction, as to rites and modes of worship, Government only retaining the acknowledged power of confirming clerical appointments, recommended by the voice of the people. That on this principle the Catholic inhabitants should be allowed to determine among themselves the degree in which the Archbishop of Goa's spiritual jurisdiction was to be admitted." "That the power of confirmation above described was prescriptively and necessarily vested in the Government under the protection of which the Roman Catholics reside. It is derived from considerations of political security ; and the option which it involves of withholding confirmation, can only be properly exercised with reference to those considerations, as the

assumption of the Archbishop of Goa cannot on the one hand abrogate that power, so on the other, Government is not bound, nor indeed according to the principle of perfect toleration, is it entitled to confirm the nomination and acts of the Archbishop, in opposition to the wishes of its Roman Catholic subjects."

37. The Reverend Padre Donato having returned to Goa in consequence of the Archbishop's mandate, we informed the petitioners that they were at full liberty to proceed to the election of a pastor to succeed to their Church at Mazagon; and directed them to communicate to us the name of the person they might fix upon; apprising them distinctly, that if the Reverend Francisco Parras should be the object of their choice, we should have no objection to his succeeding to the benefice. In making this communication, we desired it might be clearly understood, that we did not mean to offer any recommendation in favour of any particular person, but leave them at full liberty to make their election elsewhere, in the event of their disapproving of the person who had been patronized by the Archbishop.

38. It does not appear necessary that we should trouble your Honourable Court with any further recapitulation of the representations we received from the parishioners, and from the Reverend Francisco Parras, and those who are in his interests; a respectful reference to the subsequent dates of our proceedings seems sufficient, after the detail we have already entered into, the more especially, since by persevering in the line of conduct which we had resolved to pursue, the differences that prevailed in the election of a pastor for the Church of Mazagon have subsided; and we have received information from the parishioners of Nossa Senhora de Gloria, that they have elected the Reverend Francisco Parras to be their Vicar, by which the difficulties that have for so many months opposed the nomination of a pastor, and which we have detailed to your Honourable Court in the course of this despatch have for the present been removed; and as we do not view any part of his conduct here, though improper in some respects, of sufficient importance to render his nomination objectionable, we shall confirm him immediately in that benefice.

#### SALVACAO.

39. We have also the honour of reporting to your Honourable Court, that we have experienced similar difficulties at Mahim, by the suspension, under the authority of His Excellency the Archbishop of Goa, of the clerical functions of the Reverend João de Souza Silva, the vicar of the Church of Salvação, situated in the district above-mentioned, and who, in consequence of such suspension, had declined the further exercise of the duties of his sacred office, which indeed, according to the forms of the Roman Catholic religion, he was incapable of performing, without the sanction of some other episcopal authority.

40. Some of the parishioners having accordingly represented the serious inconvenience to which they had in consequence been exposed

and requested that the Carmelite bishop might be permitted to grant the necessary powers to their late vicar, the person they appeared to prefer, a measure which some other of the parishioners had opposed, from a desire of remaining under the authority of the Archbishop of Goa, we directed Mr. Erskine, the junior magistrate of police, to proceed to Mahim, and inquire into the circumstances; and finding by his report, that by far the most considerable part of the inhabitants were adverse to their continuance under the vexatious control of the Bishop of Goa, we directed the magistrate to superintend the election of another pastor to the Church of Salvação, previously apprising the parishioners that we should have no objection to the introduction of the person they might fix upon by the Carmelite Bishop, or any other person possessing episcopal authority; and, under his explanation, we have the satisfaction to add that their former pastor, the Rev. João de Silva, has almost unanimously been re-elected. We have the honour of enclosing the magistrate's reports on the occasion, together with the petitions referred to; and no objections occurring, either to the moral character or political principles of the Rev. João de Silva, we shall forthwith confirm his election, having already caused it to be signified to him, that he is at liberty to apply to the Carmelite Bishop for such spiritual authority as may be necessary to enable him to exercise his functions.

41. It will not here escape the notice of your Honourable Court, that a number of the parishioners of Mazagon, in their address of the second of December, solicited our interference with the Right Reverend the Bishop of Antiphula, who permanently resides in Bombay and whose diocese extends throughout the great Mogul Empire, that he would interpose his spiritual authority in removing the repugnance which the priests of the Franciscan Order felt to the exercise of their functions, without the sanction of an episcopal superior; but as the party in favour of the Archbishop of Goa, composed principally of persons who have heretofore resided in that Portuguese settlement, and who are of more weight and influence than the other, appears to be adverse to the spiritual jurisdiction of a priest of the Carmelite mission, this arrangement has become impracticable. We are not aware that this opposition to the authority of the Bishop of Antiphula is grounded upon any material differences in matters of faith between the two Orders, but conceive it to be entirely of a personal nature. If, however, that opposition could be surmounted, as in the instance of the nomination to the benefice of Salvação, all future cause for complaint would, we are persuaded, be entirely removed.

SALSETTE.

42. Your Honourable Court will observe, that the Reverend Francisco Parras has attempted to establish the spiritual control of the Archbishop of Goa over the adjacent island of Salsette, the introduction of which has ever been successfully resisted by former governments; but as the orders we have given for seizing and expelling any person who

may venture unconstitutionally to exercise ecclesiastical powers within that jurisdiction, independently of our authority, are not likely to be counteracted, as might be the case in this island, by an appeal to the King's Court, we have no doubt of being enabled to secure to the Roman Catholic inhabitants of Salsette, and of our other territories, the free and uncontrolled exercise of their religion.

#### CONCLUDING REMARKS.

43. Having recently been favoured with a copy of the Governor-General's reply to the Archbishop's appeal to His Lordship, as adverted to in the 36th paragraph of this despatch, we have the honour to transmit a copy thereof for the information of your Honourable Court, by which you will perceive that His Lordship in Council fully concurs in the propriety of our proceedings; and in concluding this detail, which we have extended to a considerable length, for the purpose of enabling you to meet any eventual representation from the Crown of Portugal we can only assure your Honourable Court, that, in withholding in the first instance our confirmation of the Archbishop's commission of the Reverend Francisco Parras, we have not been influenced by any personal considerations, adverse either to His Excellency or to his respectable delegate, but that our conduct has been regulated by a sense of public duty, in securing to our subjects the free exercise of their religion, which in our judgment extends to the spiritual jurisdiction to which they may wish to become subordinate; and on this part of the subject we will only add, that we have been happy in the opportunity of manifesting our respect for the delegate, by ultimately approving of his election by the parishioners to the Church of Mazagon.

44. In the address proposed to be sent by the parishioners to the Archbishop of Goa as recorded in our proceedings of the 15th July, your Honourable Court will observe, that they have complained of the conduct of Rozario de Quadros, one of the wardens of their church in consequence of his declining to render an account of the appropriation of the funds belonging to the church; this complaint we deemed it proper to refer for the opinion of the Advocate-General, to whose report on the jurisdiction of the ecclesiastical court established by the king at this presidency, we beg to solicit your Honourable Court's attention, as being in entire concurrence with the opinion we have had the honour to submit in the course of this despatch.

45. On the occasion of this discussion with the Archbishop, we have thought proper to cause the oath of allegiance to be administered, as was done in the year 1720, to all the ministers of the Roman Catholic persuasion in Bombay, and the places subordinate to our Government, and shall continue to observe this rule in confirmation of all future elections of pastors to ecclesiastical benefices within the limits of the Honourable Company's territories.

46. It is not improbable that remonstrances will be made by the Archbishop of Goa in consequence of the measures we have adopted;

but as your Honourable Court, from the details we have given, will be possessed of information on all the circumstances which have occurred, we do not entertain a doubt that you will approve of our proceedings on these occasions.

## I

LORD MINTO TO LONDON, JUNE 15TH, 1813.

Extract of a letter from the Right Honourable the Governor General in Council, Political Department, to the Court of Directors of the 15th of June 1813, Paragraphs 106 and 107, also Consultations 28th August, 1812, Numbers 9 and 12 inclusive :—Consultations 16th October 1812, Numbers 87 and 91, inclusive ; and Consultations 18th, December 1812 Number 13.

Extract Political Letter from Bengal dated 15th June 1813.

Para 100. On the Consultation of the annexed date is recorded a despatch from the Chief Secretary at Bombay on the subject of the claim preferred by the Archbishop of Goa to exercise spiritual jurisdiction over the Roman Catholic inhabitants of Bombay. On this question, the details of the discussions of which will have been no doubt reported to your Honourable Court by the Bombay Government, we stated in reply, that we considered the Roman Catholics of Bombay to be entitled, in the fullest sense of the expression, to the free and uncontrolled exercise of their religion, equally with respect to matters of spiritual jurisdiction as to rites and modes of worship, Government only retaining the acknowledged power of confirming clerical appointments recommended by the voice of the people. On this principle of perfect toleration, therefore, we conceived that the Catholic inhabitants of Bombay should be allowed to determine among themselves the degree in which the Archbishop of Goa's spiritual jurisdiction was to be admitted. The power of confirmation above described, we observed, was prescriptively and necessarily vested in the Government under the protection of which the Roman Catholics reside. It was derived from considerations of political security : and the option which it involved of withholding confirmation could alone be properly exercised with reference to those considerations. As the assumptions of the Archbishop of Goa could not on the one hand abrogate that power, so on the other hand Government was not bound, nor indeed, according to the principle of perfect toleration, was it entitled, to confirm the nominations and acts of the Archbishop in opposition to the wishes of its Roman Catholic subjects. We signified, therefore, to the Bombay Government our entire concurrence in the decision declared in the Chief Secretary's letter to the Envoy at Goa, and stated that in the event of an appeal to us by the Archbishop, we should be prepared to reply to it in the spirit of that decision.

107. The Archbishop having at a subsequent period appealed to us against the determination of the Government of Bombay, in a letter transmitted through the Envoy at Goa, we stated to him, in addition to the observations contained in our communication to the Government of

Bombay above averted to, that in the treaty, by which the island of Bombay was transferred to the British crown, the article which related to the Roman Catholics contained no provision subjecting them to the authority of the episcopal See of Goa ; its provisions were indeed the very reverse of restrictive ; its object was to secure to the Roman Catholics free liberty of action in matters connected with the exercise of their religion ; and that consistently with that treaty the British Government could not adopt any measure which would have the effect of controlling a liberty so solemnly guaranteed. We observed that it was necessary for the tranquility which might be disturbed by the introduction of pastors of turbulent and insubordinate characters, or of dispositions hostile to the local authority, that the power of confirmation of clerical appointments should be vested in the Government under the protection of which the Roman Catholics resided ; but that the power was exclusively to be exercised with a view to the civil and political interests of the settlement, and not with reference to prejudices and partialities on the part of Government in matters of a religious nature. The British Government, it was observed, did not take upon itself to decide the degree in which the members of the Church of Rome, residing in the territory of Bombay, shall be subject to the spiritual jurisdiction of the See of Goa, which was an affair of conscience in which they were exclusively concerned ; and to compel them therefore, against their avowed inclination, to receive a priest whom His Excellency might think proper to appoint for the discharge of the duties of the parochial Roman Catholic Church of Bombay, would evidently be to refuse to them the liberty of conscience which was the very essence of toleration. On the other hand, if the Catholics of Bombay should think proper to concur in His Excellency's nominations, the British Government, we remarked, would not hesitate to confirm them, provided no political objections should oppose such confirmation. A copy of the Governor-General's letter to the Archbishop of Goa is recorded on the consultation of the date inserted in the margin.

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## CHAPTER II.

### TRANSFER OF SALVACAO, (1813).

THE second occurrence was the Salvação affair of the following year (1813) some reference to which has been made in the foregoing documents. It seems that when Padre Francisco Parras had been accepted as Vicar of Gloria Church he began, in his additional capacity of Vicar General, to exercise control over other churches as well. "He had scarcely entered upon his duties," writes the *B. C. Layman* (March 1850), than without any cause he nominated a friend of his to supersede the Rev. João de Silva e Souza in the office of Vicar of N. Sra. de Salvação—an office which he had held for a considerable number of years

to the satisfaction of the parishioners. These therefore remonstrated against the removal of their pastor, and refused to accept the new Vicar General's nominee. This aroused the anger of Mr. Parras, and he imprudently suspended Mr. de Silva e Souza from the functions of his clerical office. This last act of the Vicar General created a commotion in the parish of Salvação. The parishioners, determined to have Mr. de Silva e Souza for their pastor, appealed to Government against the proceedings of Mr. Parras, and declared their unanimous wish to be again placed under the spiritual direction of the Carmelite Superior.

"To this appeal the Government gave prompt attention. In the first place, it refused to acknowledge Mr. Parras' authority as Vicar General over the churches and establishments subject to the Archbishop of Goa; and gave the Rev. gentleman to understand that he must now confine himself to the ecclesiastical duties of the parish of N. Sra. de Gloria, if accepted by the majority of the parishioners. In the second place, one of the magistrates of police was deputed to Mahim to inquire into the grounds of Mr. de Silva e Souza's removal, and to ascertain the wishes of the majority of the parishioners. The magistrate's inquiry resulted in the confirmation of that priest in the office of Vicar of Salvação; and he was informed by Government that they had no objection to his applying to the Carmelite Superior for the necessary spiritual authority to enable him to exercise the functions of the office of Vicar.

"Dom Pedro d'Alcantara, having been applied to by Mr. de Silva e Souza, removed his suspension and inducted him as Vicar of N. Sra. de Salvação. Thus this church again came under the jurisdiction of the Carmelite Superior."

#### DOCUMENTS OF THE CASE.

A more exact account of the event can be gathered from the archives of this date, which contain most of the Government and other correspondence. First comes a Government instruction to Mr. Erskine, Junior Magistrate of Police, which runs as follows:—  
To the Junior Magistrate of Police.

Sir,—I am directed by the Governor-in-Council to acknowledge the receipt of your two letters dated the 15th and 26th ultimo.

The Governor-in-Council conceives it to be essential to the peace and tranquillity of the Roman Catholic inhabitants of this Island, among a great majority of whom the control exercised by the Archbishop of Goa appears to have occasioned a considerable degree of discontent, that the authority claimed by His Excellency should no longer be exercised in the vexatious manner in which it has lately been, and that the parishioners in the free and uncontrolled exercise of their religion should be allowed such persons as may be most acceptable to them for their pastor.

In the case immediately before Government it is evident that, notwithstanding the injunctions laid on the Rev. Francisco Parras to

confine himself to the ecclesiastical duties of his own parish, he has clandestinely been exercising the functions of Vicar General over the church establishment of Salvação at Mahim; and it therefore becomes necessary that you should inform him that in the event of any proceeding of the like nature being discovered, while Government may think fit to withhold its sanction to his appointment of Vicar General, it will feel the necessity of taking measures for effecting his removal from this Presidency.

It is impossible that the Revd. Francisco de Paras should plead ignorance of the decision of Government on the subject of the authority so delegated to him, as he has been distinctly apprised that the appointment he received from His Excellency as his Vicar General, with a view to the exercise of ecclesiastical authority over the Church Establishment in the way he has assumed, would not be admitted; since His Excellency without the least communication with this Government has removed the late incumbent of the Church of Mazagon without any complaint being alleged against him, notwithstanding that his election to that benefice had been confirmed by the administration of this Presidency, and that in the execution of the duties of his station he had conducted himself to its perfect satisfaction, as well as to the happiness and comfort of his parishioners.

You will be pleased in consequence to apprise the parishioners of Salvação that in the event of their desiring to continue the Rev. João de Silva e Souza as their pastor, and he should be disposed to accede to their wishes, Government will readily confirm him in the appointment: or should their election fall on any other person, such election will meet with the confirmation of Government, provided no objection should occur to the moral or political character of the person so chosen.

If the person whom the parishioners should elect for their pastor should feel himself incapable of performing all the necessary functions of that situation without deriving further spiritual power than he may possess, Government will have no objection to his deriving such power from the Apostolic Vicar, the Carmelite Bishop of Bombay, or any other episcopal authority that may be most suitable to their wishes.

I have, etc.

1st March, 1813.

On March 8th we have three letters:—The first is addressed to “Senhor Thomé Rodrigues and the other parishioners of Salvação,” confirming their election of the Rev. João de Silva e Souza, and permitting him to apply to the Bishop of Antephala [the Vicar-Apostolic] for spiritual authority to exercise the functions of his office. The second is to the Rev. Father himself, announcing and confirming his election, and allowing him to apply to the Vicar-Apostolic for jurisdiction. The third is to “Dom Fre Pedro de Alcantara, Bishop of Antephala” informing him of the election, confirming it, and announcing the permission to apply to him for jurisdiction. Finally there is



another letter to the same Vicar-Apostolic, giving formal approval of jurisdiction being conferred. This last runs as follows :—

To the Right Reverend

Dom Fre Pedro de Alcantara, Bishop of Bombay.

Right Reverend Sir,

I am directed to acknowledge the receipt of your letter dated the 10th instant, and to acquaint Your Excellency that the parishioners of the Church of Nossa Senhora de Salvação having elected the Reverend João de Silva e Souza to be their pastor, and expressed a desire that he might derive his spiritual authority from Your Excellency; the Right Hon'ble the Governor-in-Council being desirous that they should enjoy the full and free exercise of their religion, not only in points of worship, but in respect to the election of such episcopal authority as they may prefer,—the Right Hon'ble the Governor-in-Council approves of Your Excellency conferring spiritual authority on Padre de Souza according to the parishioners' desire.

I have the honor, etc.

13th March, 1813.

#### THE ACTUAL TRANSFER.

The Vicar-Apostolic thereupon conferred the jurisdiction as requested, and proceeded to explain his action and motives to the public by the following manifesto :—

To the parishioners of N. S. de Salvação, health, peace and grace of Our Lord Jesus Christ.

As it is our firm intention not to take charge of any churches except those we can licitly, before God, take charge of and govern properly; and (also our intention) not to violate the spiritual rights of the Ordinary in any way—Therefore solely in obedience to the order of the Hon'ble Government to which we are subject, and in order to supply (according to the mind of the Sovereign Pontiff) for the want of jurisdiction of the Ordinary so far as it is impeded by the same Hon'ble Government; We, by these presents, notify to all (as we have already notified on March 13th to the Rev. João de Silva, who had recourse to us with the permission of Government for the necessary faculties to perform his office); that since it is ascertained that the jurisdiction of the Ordinary Archbishop has been interdicted at Salvação by the Hon'ble Government, we *per interim* admit the said Father de Silva to our dependence and confer on him our jurisdiction, until such time as His Excellency the Ordinary has by the good will of Government recovered the exercise of his proper jurisdiction, and can confirm the same Father in his office, or make such other provision as he may deem more expedient.

At the Hospice of Mount Carmel.

April 1st, 1813.

PETER D'ALCANTARA.

A MS. of 1847 states that the whole of the Salvação congregation came over to Propaganda, with the exception of four or five families.

After this the Vicar-Apostolic is said to have had 15,000 Catholics under him, while Padroado only retained about 300 native local Catholics and about 1,000 immigrant Goan servants.

#### LETTERS FROM GOA.

During the course of all this turmoil a correspondence was going on between the Vicar-Apostolic and the Archbishop of Goa—of which one side only has been preserved. From the Archbishop's letters we have gathered the following salient points :—

*Feb. 22, 1812.*—The Archbishop (Manuel da Sta Catharina) asks the Vicar-Apostolic to help in the suppression of the scandal. The instruction of Propaganda, about the Vicars-Apostolic not accepting delegations from the Ordinary prelate, are under such circumstances to be interpreted in the widest sense. He says that he has no other interests at heart than those of the Church, and it is all the same to him whether the labourers in the vineyard be Portuguese or Italians. (File V. 14-15).

*April 21, 1812.*—The Archbishop says that he has sent Fr. Parras endowed with necessary powers, and hopes that the Vicar-Apostolic will be satisfied with him. (26).

*August 9th, 1812.*—The Archbishop [Manuel de Sta Gualdino] hears of a rumour spread about in Bombay that Fr. Parras has been sent from Goa with the intention of occupying the churches entrusted to the Vicar-Apostolic—which is a calumny, as the idea of such a thing never entered his mind. On the other hand it was reported that the Carmelites were fomenting the rebellion of Fr. Donato, in order to get possession of Gloria church. The Archbishop cannot believe that the Fathers would be so mean or so ambitious. He is always willing to work in harmony with the Vicar-Apostolic and to follow the dictates of his prudence. He has ordered that Fr. Donato should be excommunicated in case he perseveres in his schism and disobedience; and he hopes that the Vicar-Apostolic, knowing the man, and knowing also that the people cannot confer jurisdiction, will treat him as one having incurred ecclesiastical censures [Copy of hortatory letter to Fr. Donato is enclosed] (V. 27, 28).

*Feb. 17, 1813.*—The Archbishop writes: "Your Reverence must know all about the disorders of the de Silva case (at Salvação) under my predecessor." He sent Father Parras, a reliable man, as the Vicar-Apostolic himself acknowledged. He (the Archbishop) could not in conscience give jurisdiction either to Fr. D'Monte or Fr. de Silva, nor to both jointly, as both showed their unworthiness by their mutual recriminations. "Fr. Parras could not have been sent without the order of the sovereign, to whom I shall have to give an account of the incident and its origin, so that the Court of Portugal may eventually come to an understanding with the Court of London." The Archbishop continues: "I am not at all anxious to retain jurisdiction over the northern territory; but I have sworn to defend the Padroado, and for this reason alone a Vicar General is maintained in Bombay. As soon as His Royal Highness ceases to care for his patronage, and the Pope consents, I shall be ready to hand over the

whole quite gladly. But rather than allow Propaganda priests to interfere with my jurisdiction, to foment secret parties, and disunite the churches, I am prepared to renew the scenes of the days of Dom Agostinho and Cardinal Tournon [the Malabar rites embroglio].

"I am writing to His Royal Highness all the good things about you that I should like others to say about me. I am telling him that you are peaceable, moderate and humble; but that not all of those that surround you and counsel you are of the same type. I fear in fact that I may be forced to resort to public censures against them, since I am distressed by the war which they are waging against my churches, and against the Royal patronage, and even against the very determinations of Propaganda itself. All this too at a time when churchmen ought to prove to everyone that they are disinterested, and not desirous to lay their hands on others' fields of labour.

"I wish to maintain with the Vicar-Apostolic of the Mogul the same harmonious relations which (as Rome itself knows) subsist with the Vicars-Apostolic of Tonkin and China. I am therefore all the more shocked to learn from various sources about the attacks of Padre John Louis (Carmelite) against my jurisdiction, even by way of calumny. I confess I am not gifted with the peaceful dispositions of my predecessor; nor unfortunately is it to be expected that Rome will interfere. So as soon as it happens that a church of my jurisdiction passes over to Propaganda, I shall publish excommunications and decrees which I shall make known to Europe, at least through the English Gazettes. And these proceedings of Padre John Louis shall be made known throughout Asia, through the papers which I shall publish in all possible languages. I shall thereby take occasion to show the world that while the congregation of Propaganda itself is a most pious institution, the greater part of those who come here (under Propaganda) make a propaganda of intrigue for the purpose of making money—which I can prove by a hundred instances, many of them

without having to go outside Bombay. On the other hand it lies in the power of your Reverence to check this kind of ambition.

"I know for a fact that Fr. D'Souza e Silva has been promised by your Vicar General (Fr. John Louis) to be received with his parish (of *Salvação*) under the jurisdiction of the Vicar-Apostolic. But it is a thing which will not be done so easily!"

In conclusion the Archbishop begs the Vicar-Apostolic once more to put a stop to the scandal—"otherwise I will clamour so loud and in so many ways that England will feel obliged to interfere, and send out a British bishop for the northern territory—His Royal Highness giving up his patronage there, at least until affairs are settled at Rome; or if not a bishop, at least an English priest for the administration of the churches receiving jurisdiction from Goa in those parts. I think Portugal would agree to the erection of such a suffragan diocese. I write this frankly because it is between two bishops; and I speak plainly for the sake of peace."

There is a fine healthy tone in these letters which it does one good to read. The Archbishop who wrote the last two of them must have been Manoel de S. Galdino (Franciscan) who from being coadjutor to Manoel de S. Catharina (Disc. Carm.) succeeded to the See in February 1812, and ruled it till 1831. He was evidently a man one could come to an understanding with, and such as the really fine character of Fre Pedro d'Alcantara the third would appreciate.

#### A SEQUEL, 1818.

As a sequel to the Salvacao affair we may mention that in 1818 the parishioners began to feel dissatisfied with the Padre of their church. However, having sent in two petitions to Government complaining against his conduct, Government replied to "Manuel de Souza and the other parishioners," saying that their complaint "seemed on inquiry to be frivolous and unsupported;" adding that "future charges made against their pastor would not be attended to, unless brought before Government by the chief ecclesiastical authority to which the padre is subordinate." (Archives, April 17, 1818).

*Oct. 1, 1818.*—Propaganda replies to Vicar-Apostolics' Report sent in 1816:—

*Re Salsette.* "The S. Congregation does not disapprove of your conduct with the Archbishop [i. e., abstention from action in Salsette?] in order to avoid the dissensions and scandals which would have arisen if you had opposed the secret exercise of his jurisdiction which he carries on in the churches of Salsette, and in some of those of Bombay. But on this point the Archbishop will soon be written to, and you will be instructed how to conduct yourself."

The *Bombay Catholic Layman* of 1850 (p. 156) after noting that the Archbishop of Goa was now left with only one Church (Gloria) and the Chapel of Cavel, continues:—"The loss of jurisdiction over the Church of N. S. de Salvacao was severely felt by his Grace the Archbishop of Goa. He and his flock in Bombay strove hard with the Government for its restoration; but they strove in vain. His Grace then appealed to the Holy See for sympathy, [but] Pius VII fully approved of and confirmed the Vicar-Apostolic's proceedings....[The Archbishop], seeing that no good was likely to result from a continuance of agitation, ceased to offer further molestation to Dom Pedro d'Alcantara in his new acquisition. From 1816 (it concludes) the ecclesiastical affairs of Bombay were conducted in a respectable—a truly Christian spirit. The priests of the Archbishop could be seen officiating in the churches of the Vicar-Apostolic, and those of the Vicar-Apostolic in the churches of His Grace the Archbishop of Goa. All contentions were subdued; only a few Roman Catholics remembered that there was a divided jurisdiction in the same house."

## CHAPTER II.

### CONDITIONS IN SALSETTE, 1819-1832.

THE attitude of the Government towards the Padroado jurisdiction in Bombay island again showed itself later on in relation to Salsette. In that island a different set of conditions prevailed. Although the Vicar-Apostolic had received from Rome (in 1779) special powers to act in Salsette in case a delegation from Goa was refused, he did not make any use of the concession. It was only in 1798 that the attention of Government was called to that island through a pastoral of the Archbishop of Goa affecting the appointment of Vicars, which caused some disturbance among the people there [See Section XXIV] and had to be withdrawn under Government orders. On that occasion Government clearly denied to the Archbishop any right whatever to exercise jurisdiction in Salsette.

No further disturbance occurred at that time; but six years after the Gloria church and Salvação turmoil in Bombay had come to an end (1812-1813), new troubles began to emerge in the neighbouring island. Our information on this subject is somewhat scanty. Thus in the Madras petition of 1890 we read :—

“In 1819 the Government was involved in another dispute with the Goanese clergy regarding the jurisdiction of the Archbishop of Goa in Salsette, but failed in obtaining for the magistrate and itself the right of removing a clergyman exercised by the Archbishop, as it also failed in transferring the jurisdiction of the Archbishop to the Bombay Vicar-Apostolic.”

#### BANDRA.

I do not understand what this means, and circumstances of the conflict are not given. The only document in the archives bearing on it is a letter from Government dated September 11th, 1820, addressing “Fabiao Pereira and other petitioners of the church of Bandora” in the following terms :—

“In reply to your petition of the 6th instant, I have to acquaint you that orders have been issued to the Criminal Judge and the Magistrate in the Northern Konkan that the church of Bandora be placed under the Carmelite Bishop of Bombay.”

As showing how entirely free Dom Pedro d’Alcantara was from a grasping disposition with regard to the Padroado churches, we reproduce here a letter of his relating to the foregoing application, addressed to the Governor on October 27th, 1820 :—

Hon’ble Sir,

After the orders issued by this Government that the P. Francis Pereira be the Vicar of the Church of Bandra and that Church be put under the Bishop of Bombay, according to the desire of those Christians, I am informed that P. Jacinto, Vicar Vara of Salsette for the Archbishop of Goa, being displeased of the said orders, he is continually endeavouring with

some of his adherents to trouble and disturb the Christians of Bandra ; insomuch as I am informed that the last Sunday the 24th inst., the P. Jacinto with his adherents did a great noise and quarrels at the said Church, and the P. Francis Vicar was injured, but happily the greatest number of those Christians remained quiet and patient, and so the consequences were not so grievous as it may [might] be expected. I am also informed that the said P. Jacinto with his adherings will continue and renew the same scandalous disturbance and quarrels ; and as I know that P. Jacinto is a quarrelsome priest of bad and inquiet temper, therefore I beg and earnestly ask Your Excellency to give me the permission which I earnestly ask of, discharging me from the spiritual care of the Church of Bandra to avoid to be answerable and involved on the scandalous consequences I am afraid perhaps will end the dispute. I beg also Your Excellency to be so good to send there some providence [provision] before next Sunday.

I have the honor, etc.

Bombay, 27th September, 1820.

Apparently this letter brought the whole incident to a close.

#### GOVERNMENT RECORDS.

We are lucky to possess a valuable collection of notes taken by Bishop Meurin from the Government "Public Diary" and "Court Letters" in the Bombay Record Office, 1720-1843, which while, tantalising and in parts obscure on account of their brevity, throws much supplementary light on the Government policy. From these we have selected the following portions :—

#### *Bombay to the Court of London 1819 :—*

36. In 1819 attempts were made to enforce the jurisdiction of the Archbishop of Goa in Salsette by executing some orders of his regarding confession and absolution. The Vicar General [of the Archbishop] said that this privilege could not be exercised without the sanction of the Archbishop, who was the only superior to whom he could have recourse.

37. The Vicar General was informed that he could not exercise jurisdiction regarding suspension or removal in Salsette of any clergyman by the Archbishop ; and all disputes were to go to the Magistrate and Government.

38. Government tried to get the licence for confessing from the Carmelite Bishop, but there were numerous objections from the laity.

39. In 1818, in connection with a quarrel about the removal of a sacristan in Gloria church, Mr. Erskine, Junior Magistrate of Police, had observed that the pernicious effects of the influence exercised by the Archbishop of Goa within the island of Bombay [ought to stimulate ?] the Government gradually and quietly to diminish it. It had gained a certain footing here under the pretext of a treaty ; but he hoped that no such footing would be given to it in the Konkan recently gained by the right of conquest. That they [*viz.* the Portuguese] would make the

attempt, the situation in Salsette fully proved. The mischief it occasions is a constant communication with and looking to Goa, whereby that portion of the Catholic inhabitants are taught to consider the Archbishop and the Portuguese as more their friends than this Government or the English. Hence instead of melting away into the great body of the population, and considering themselves merely as English Catholics (as those subject to the bishop resident in Bombay do) they form a sort of separate caste in the middle of the community, and pique themselves on being Portuguese and on their connection with Goa. The constant clashing of interests, too, and of hostile ecclesiastical authorities, occasion disputes which are at least teasing; and which could be at once arranged by a Catholic authority on the spot, actuated by the feelings which naturally spring up between the ecclesiastical power and the political power that protects it. The Archbishop of Goa, jealous of his title of Archbishop-Primate of the East (and the more so as the claims arising out of the title have never been recognised either by the other Catholic Princes or by the Pope), will always bring much suspicion and intractableness into his connection with the British Government. These are claims which he knows will never be allowed, and from which he as certainly will never depart.

40. Mr. Erskine considered the moment of the conquest of the Konkan, where a great portion of the inhabitants are Roman Catholics, to be favourable for establishing a proper spiritual jurisdiction among them. They would probably be flattered and pleased by the novelty of an episcopal visitation made under the authority, or at least under the sanction of their new Governor. If speedily done it might help to prevent their attaching themselves to the Archbishop of Goa. A very trifling sum given to the venerable Bishop of Antiphal for his journeys, and especially to assist in educating young priests in Bombay for the districts under this Government, instead of sending them to Goa, would have happy effects and go to the root of the evil. It would break off the foreign connection, and teach them to consider us in a different light from mere English heretics, as even the European Portuguese are too apt to do.

We have long been happily on good terms with the Portuguese Government, which it was hoped would continue; but the Portuguese have been under foreign influence (= under Spain) and may be so again; and such an occurrence might be troublesome if any great proportion of our subjects on this coast were open to their intrigues, by considering themselves as foreigners. A bishop and clergy who derive their protection, and some part of their emolument and consideration, from the Government under which they live, would soon cease to look to any other nation, and feel a pride in belonging to their own.

41. On the strength of this reasoning, it was suggested to the Court to send out a bishop from Europe, whereby the authority of the Archbishop of Goa would at once be extinguished.

42. The authorities of the [South] Konkan had been ordered not to admit the jurisdiction of the Archbishop of Goa, and to take the oath of allegiance from the two priests there. [Reference to Ratnagiri and Malwan, when British troops were stationed at the time.]

*To the Court of London 1820 :—*

43. The Government of Bombay proposes to the Court to establish a seminary in the Northern Konkan at Rs. 300 per month, and a Church establishment at Rs. 12,240 per year; the Carmelite Bishop's jurisdiction to be extended over the Northern Konkan at Rs. 200 per month.

44. Rs. 40 as Vicar's stipends was thought likely to attract [to the priesthood] children of respectable families.

45. The Magistrate of Thana proposed that the residence of the Vicar General [of the Archbishop] should be in Bandra [instead of Thana]. But the parishioners of Bandra wanted to submit to the Vicar-Apostolic. [See the incident referred to above].

*To the Court of London 1825 :—*

46. Reports the deep degradation into which the Catholics of Salsette had fallen, and expresses hopes [of improvement] from the [proposed] seminary and from schools.

*From the Court of London 1828 :—*

47. In 1828 the Court sanctioned an increase of Rs. 10 for the priest at Kaira, and Rs. 40 to the bishop for a priest for the soldiers at Bombay [Colaba church]. The Court says : The Roman Catholics have a right to our protection and the free exercise of their religion. The clergy get nothing ; only the bishop gets Rs. 400 per month [per year], which was granted by us in 1814. You allow in the Maratha country Rs. 30 per month to priests at Surat, Malwan, Broach and Kaira, but decline to pay the bishop's pension. We feel that it would be discreditable to a Christian Government to witness with utter indifference the possible lapse of the native Roman Catholic subjects to heathenism for want of means of supporting their pastors; and indisputably they have at least as strong a claim on our bounty as the Hindu and Mahomedan priesthood. Entertaining these sentiments, we shall not disallow the stipends which you have actually granted [and which, it seems, the Bombay Government wanted to curtail ?].

40. The arrangement recommended to our adoption in your letter of August 12th, 1820 [i.e., a seminary and Church establishment] had primarily in view the effectual supersession of the Archbishop of Goa's spiritual jurisdiction, which, notwithstanding your endeavour to exclude it, has, it appears, been clandestinely exercised within the limits of your presidency. If this subject had been now for the first time brought under our notice, it might be doubted whether the actual and prospective inconveniences of the Archbishop's interference were as formidable as has been supposed. But [upon] reference to our former orders, and the encouragement which has been afforded to the Carmelite bishops and priests, we consider ourselves in a measure pledged upon a subject



which was then considered. It appears to us that it would be next to impossible to extinguish the influence of the Archbishop over the Romish clergy so long as they are obliged to resort to Goa for education and ordination. It is not to be expected that the sanction of a Protestant magistrate to resumption of spiritual functions by a priest who had received ordination at Goa, and has been suspended from his benefice by the Archbishop, would be respected by his flock, even if the priest should regard it as a valid warrant for administering the sacraments and receiving confession—which we think is very doubtful.

41. You speak of Rs. 300 per month for the seminary, but Bishop Dom Pedro in his letter to Mr. Elphinston [in 1823] said that Rs. 150 per month would do.

42. We do not see any way of settling between the Archbishop and the Vicar-Apostolic except through Rome. Hence we do not agree to your proposal in your letter of 12 August 1820 [*viz.*, to extend the Carmelite Bishop's jurisdiction over the North Konkan with an ecclesiastical establishment, etc.]. You may grant something when the refusal would involve a relapse into heathenism.

43. Towards the education of persons designed to fill vacant benefices, we are willing to contribute an annual sum not exceeding Rs. 1,800, which we conceive will be sufficient to educate qualified pastors from the congregations who acknowledge the spiritual authority of the Bishop of Antiphal. We however do not pledge ourselves to this as a permanent arrangement, as it is not impossible that some other mode may hereafter present itself of supplying pastors to the R. C. churches. [The Court asks for a list of churches, priests and their means].

*To the Court of London 1831 :—*

49. The parishioners of Gorai [in Salsette] want a salary for their priest and for the repair of their church. Looking over the support given to the Catholic Church, we find monthly Rs. 895.3.71 outlay, and Government recommends Rs. 500 per month for the chapels in Salsette.

50. In 12 years, we have expended Rs. 27,790 for churches including Rs. 17,421 for Colaba chapel and Rs. 3,000 for Poona [Anglican churches ?].

*From the Court of London 1833 :—*

51. They sanction Rs. 400 p.m. more for Catholic chapels [In 1838 again Rs. 137½ more was sanctioned].

*To the Court of London 1836 :—*

52. The Collector of Thana had suggested "that the churches of his Collectorate might with great advantage be visited by a Superior appointed by the Carmelite Bishop of Bombay." He was informed that this could not be done before an agreement with Rome was made for extending his jurisdiction over the whole presidency.

53. The Collector of Thana also wanted Government to grant permission for Goa priests to go over to the Carmelite Vicar's jurisdiction. But he was told in reply that in such a case the Archbishop of Goa

could canonically suspend them.

The next letter carries us over beyond the date of the *Multa Præclare* of 1838—the Vicar-Apostolic's authorization for Rome to extend his jurisdiction over Salsette, and the consent of Government to the same—a matter which belongs to a subsequent portion of our history.

#### THE SALSETTE SALARIES.

In the foregoing notes we discover the origin of the salaries which down to this day are paid by Government to the Padroado clergy in the districts of Salsette, Bassein, etc. We had seen it stated (or conjectured) that they were a survival of allowances given by the Maratha Government to those churches, as was done in case of the church at Poona. But this notion is now entirely disposed of. The salaries came from the British Government. They had been frightened at the news that R. C. Christians in those districts were relapsing into Hinduism. They supposed that this was due partly to lack of clergy, and partly to the poverty of the clergy that existed, who were obliged to eke out their living by exacting fees from the poor parishioners. Although Government was bent on extinguishing the control of the Goa Archbishop, they felt no serious objection to the Goa clergy individually, so long as the people were satisfied with them; and they thought that both Christian charity and civil administration would be promoted by helping these poor clergy in their needs. Hence the proposal to give them small salaries, which was sanctioned and carried out in 1836.

The significance of this bounty has sometimes been misunderstood, as if it implied an official recognition or sanction of the exercise of the Goa jurisdiction or of the Royal patronage in those parts. But as is clear from the whole tenor of the foregoing documents, these payments were not an acknowledgment of the status of these priests under the jurisdiction of Goa—which the Government vehemently and persistently repudiated and was actively endeavouring to get rid of. The priests were recognised individually as holding their posts through “the voice of the people” with the confirmation of Government; and this support was granted to them on account of their poverty, and the scare which had arisen about the Catholic people of Salsette lapsing into Hinduism—which points to the fact that such relapses were actually taking place at that time (1820-1836). The cause however could hardly be due to lack of priests, as there seem to have been plenty of them occupying the various churches all the time.

The actual grant of these salaries is recorded by a set of documents inserted by Fr. D'Sa in his History of the Diocese of Damaun (p. 226-229) as follows :—

Extract of the Government Letter to the Acting Collector of Thana, June 9, 1836.

As of the sum granted by the Hon'ble Court there remain only Rs. 277-8-0 after deducting what has been spent since the confirmation of Rs. 400 was solicited, the Hon. Governor-in-Council has been pleased

to add Rs. 32-8-0 making a total of Rs. 310, and at the same time to confirm the following distribution of that sum to the priests of this Collectorate. These allowances will be in addition to whatever emoluments which they receive at present :—

*Salsette.*

Thana	..	25.00	.
Bandra 2nd priest	..	15.00	
Versovah	.. ..	10.00	
Condutim	.. ..	15.00	=Marol.
Clarabad and	{	.. 15.00	=Vehar & Powai ?
Trindade			
Corlim	.. ..	10.00	=Kurla.
Malvane	.. ..	10.00	
Poinsar	.. ..	10.00	=The Church below, not the Mount.
Mirim..	.. ..	15.00	—[Not identified].
Dongry	.. ..	15.00	
Maroly	.. ..	15.00	=in Trombay.

[The other ten places are in Bassein and Tarapore districts, and need not be quoted.]

“The Governor-in-Council regrets that at present no allowance can be given to Bandra, Ambolim, Manorim, Gorai, Utan and Caranj (Uran); but will recommend them to the court for a future allowance of Rs. 15.

“I am further directed to request Your Reverence to recommend to the priests of the Collectorate of Thana to abstain from receiving from the parishioners any fees except for baptisms, marriages and funerals in view of the poverty of the native Christians, since such payments form a heavy tax on their industry.

[A grant to the omitted churches was added in 1839, and there is further correspondence in 1866].

In the Vicariate Archives we have a long list of the previous subsidies to *Salsette* and *Bassein* churches from 1801 to 1835 (File VIII, year 1835.)

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## PART VIII.

### SURVEY OF THE VICARIATE (1800 -1832).

#### CHAPTER I.

#### BIJAPUR AND GOLKONDA.

FOR sake of completeness we have carried on the history of the jurisdiction question in Bombay and Salsette right down to 1838, when the publication of the *Multa Præclare* started a new epoch and put the matter on a different footing. It is now time to go back, to take a survey of the other parts of the Vicariate, and deal with the history of each in turn. Our programme will therefore be as follows :—

(1) A general account of the Vicariate taken from the Report sent to Propaganda in 1804.

(2) Bijapur 250 miles S. E. of Bombay : a place in its decline, and hardly visited any longer if at all.

(3) Golkonda (=Hyderabad Deccan) 400 miles S. E. of Bombay ; a place of importance, but only seldom visited.

(4) Surat 150 miles north of Bombay, the official centre of the Vicariate before Bombay was occupied.

(5) Broach, Baroda and Kaira, northwards from Surat, where an opening was made shortly after 1800.

(6) Karwar in North Canara 320 miles south of Bombay on the coast ; a ruined station which was reopened in 1801.

(7) Coorg in Mysore 500 miles south of Bombay ; a refuge of the Christians from the persecutions of Tipu Sultan.

(8) Poona 120 miles S. E. of Bombay, the seat of the Peshwa's Court, and of the Camp of Scindia from 1792 to 1800.

#### REPORT TO PROPAGANDA, 1804.

In his report to Rome in 1804 the Vicar-Apostolic writes :—

The Vicariate extends over the two kingdoms of the Deccan and Golkonda under many Indian princes and the English, who possess a large portion, especially on the coast. Christians are found only in Gujerat, Canara, Surat, Bombay, Poona, Hyderabad, some places of Golkonda and in Coorg.

A seminary is needed for the formation of good priests, and to gain time [men ?] and means for the conversion of heathens, as the few missionaries are only ministering to the old Christians. I shall make every effort I can for the erection of a seminary. At present (1804) the young candidates and aspirants to the priesthood come to the residence of the Bishop (Fort Chapel) where Fr. Raphael Cicala teaches them the Roman catechism, the Council of Trent, liturgy and moral theology. After lectures they return home and make no great progress in their studies or in piety, the spirit of which they generally lose at home through distractions and intercourse with lay people.

In a few churches of the Vicariate there are legacies of Masses, the greater part of which consists in land, the rest being put into the hands of merchants at 9% interest. There are other legacies for alms. Some of the administrators of the funds for Masses are English, heathens and Mahomedans, trustworthy enough in their accounts and prompt in payment, as they are all rich merchants. The Catholics as a rule have little money, and are less fit to administer these funds; and some have proved unfit, and money has been lost in their hands.

[A paragraph on faculties and dispensing powers].

The Vicar-Apostolic used to get a regular subsidy of Rs. 400 per year (200 scudi) from Propaganda; but under my predecessor it was no longer asked for —Why I do not know, but I have never received anything, though it would be useful, as the Christians are very poor.

No Pontifical Brief defining the limits of the Vicariate is known here. We only know from letters of the S. Congregation that it extends over the whole Deccan and Golkonda besides Bombay, Surat, Karwar and the kingdom of Coorg. The brief of the erection of the Vicariate is lost. The Pope ought to fix the limits and forbid the neighbouring bishops to interfere, otherwise there are continual disputes. The Vicar-Apostolic has to endure a great deal from interferences by the Archbishop of Goa. Not to mention the troubles about Bombay which are known to Propaganda, they occur in other places which are outside the limits of the Archdiocese of Goa, and belong strictly to the Vicariate. For instance: (1) At Surat, where some years ago the Archbishop of Goa placed in his own name, and under his jurisdiction, a Capuchin subject to him in the Capuchin church; and it was only at my urgent request that he recalled him. (2) The church at Poona, lately occupied by the Archbishop, which I asked for because it was necessary for some missionary expeditions to the interior of those countries; but the Archbishop will not yield it on any account. (3) Into the Mission of Coorg I cannot enter because the Archbishop of Goa says it belongs to the diocese of Oranganore; and he keeps there a priest of his own, though I showed him the decree of Propaganda to the contrary. (4) The interior parts of the Deccan and Golkonda are inaccessible to me, because the priests of the Archbishop are there and my priests have to withdraw—as Fr. John Luis, when he went there recently by my orders, had to do. All these troubles, I well believe, come from a good intention and from pure zeal, tenacious of the authority of the primate of the East and the ample faculties granted to him by the Holy See. But they do not produce any good, and merely create obstacles. The only remedy is to fix clearly the limits of the Vicariate.

No exact number of the Christians in the mission can be given; for many come and go. In Bombay there are under my jurisdiction about 10,000 souls; in Surat 500; in Karwar 285; in Poona 50, besides the Catholic soldiers in the service of the English Army at present stationed there. In the English Camp at the service of the King of Golkonda

(=Nizam of Hyderabad) there are at least 4,000 Christians, all Malabarese, besides those who live in places where there is no church. There are a few other Christians in the Deccan. In Gujerat, lately conquered by the English (Broach, Baroda, etc.), there are also a few... Besides this small body of Christians there is an immense number of heathens for whose conversion nothing is done, the missionaries being so few. There are also some Italians, French, Portuguese, Germans, Dutch and Mistizi (Eurasians) among them, engaged partly in trade; and some of the Christians are occupied as carpenters, fishermen, etc.

There are no real schismatics here, but only heretics, English and Armenians. Both have a church. The English [in Bombay] have two ministers; the Armenians one priest, and two in Surat, besides many priests and even bishops who come from Chaldea to beg alms.

The free exercise of the Catholic religion is granted by the English and by the native princes, who only prohibit public excommunications, imprisonments and other corporal punishments. There is no persecution; and therefore it is necessary to do something for the conversion of the heathen by good and zealous missionaries. [Among the Carmelites] only one is a missionary; the others are parish-priests.

The parish-priests were always appointed by the Vicar-Apostolic till 1794, when the Court of Directors ordered that they should be chosen by the people with the consent of Government. But Government does not at present insist much on this, and I hope soon to be able to appoint the parish-priests as before without any opposition.

In five parishes (omitting those in Golkonda, Deccan and Coorg where I am excluded by the Archbishop of Goa) the B. Sacrament is kept. They all have fixed limits except N. S. D'Esperança; for in that parish the Archbishop has made his chapel at Cavel into a parish church, and the Christians are free to go where they like. Esperança has two filial chapels [Fort and Girgaum]; Rosary Church one [Nesbit Chapel of St. Anne's] and St. Michael's one [Sion].

Catholics do not join Protestants in their religious services, except European Catholics who attend the funerals of Protestants for friendship's sake. Some poor widows send their children to Protestant schools, where they are obliged to go to the Protestant church and to be brought up to the Protestant religion. There are many mixed-marriages celebrated without our knowledge in the Protestant church. The fault lies with the parents. Generally Catholic girls marry Protestant husbands, seldom the reverse; and the results are bad.

The parish-priests of Bombay have assistants: at Esperança 5, at St. Michael's 2, at Rosary 1. In every parish there is a master to teach the boys catechism, and reading and writing. There are eleven native priests under my jurisdiction (besides Father Raphael Cicala); some natives of Goa, some from Bombay and Salsette, with no very good manners. Some drink country liquor, go often to feasts at marriages and baptisms and get drunk; are fond of visiting, idle, and it is difficult

to get them to take books into their hands. They are very ambitious to become parish-priests, but have not much zeal. The mission would be better without them.

The parish-priests live from the income of the church, the rest from Mass stipends and other earnings from their services. There are two alumni of Propaganda, one Fr. Antonio Pinto da Gloria, the other Fr. Mathias de Monte Faria. The first died suddenly in Salsette, and belonged to the jurisdiction of the Archbishop without my approval. The other is at present *Maestro de Scuola* [teaching in the seminary ?] and is of my obedience, and keeps his oath. There are at present four clerics who will be ordained *sub titulo missionis* and reside in Bombay. Nothing else is required of them but to behave well and study, and after ordination to remain steady in the service of the mission.

The Regulars live on the income of the mission, or what they gain from their ministry. They are two Capuchins and four Carmelites.

As to the Capuchins : (1) Fre Honorato lives in Surat as parish-priest of the Church which belongs to his Order, but without having any jurisdiction from me, and without the consent of his Superior Regular the Prefect Apostolic of Madras; while (2) Fre Arcangelo resides (now for many years) in the camp of the Rajah of Scindia [at Poona] with my jurisdiction and without opposition from the Prefect Apostolic of Madras; and attends many Christians there. They (Capuchins) have only one old church and one house at Surat. Their Superior Regular is the Prefect Apostolic of Madras, but they ought to be obedient to the Vicar-Apostolic in questions of jurisdiction, according to the decrees of Propaganda.

Of the Carmelites :—(1) Fre Gregorio resides in Agra under obedience to the Prefect Apostolic of Thibet. (2) Fre Carlo Guis (?) in Surat, as parish-priest of the church founded by the Carmelites. (3) My Vicar General, Fre Francis Xavier, in Karwar, as parish-priest of the church lately built and as Visitor of Coorg. (4) Fre John Luigi, returned from the interior of the Deccan on account of the war, is with me.

We have no “convents” (*i.e.*, religious houses of the Order) but only parish houses where the missionaries reside. The house at the Fort Chapel is like a Hospice—no enclosure (difficult to keep it), but precautions are taken not to let ladies enter. The religious cannot live in communities or meet on principal feasts, as is done in Malabar—they are too far apart. They live in their own houses and not with lay people. Besides Portuguese they all know Hindustani except the two Capuchins at Surat. Fre Carlo knows Arabic which is useful for the Armenians. There are no catechists nor priests for missions among the heathen; no religious books in Hindustani; but I ask for missionaries to be sent, and I promise to get some books printed. There are few religious books, and those few are all in Portuguese.

Religious conditions are growing worse, first because of the changes in the administration [double jurisdiction, etc. ?]; secondly so many

secular and native priests in charge of souls. (?) The Portuguese Militia is very full of corruption. The needs of the mission are : (1) more missionaries ; (2) a proper seminary ; (3) better means of communication. [End of Report].

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#### BIJAPUR, AND GOLKONDA.

As we have seen in our previous history, Bijapur and Golkonda were outlying provinces of the Mogul Empire which developed independence about 1489, and became important centres of political and business life, but were both subjugated by Aurangzeb in 1686 and 1687 respectively. The subsequent history of these two places worked out on altogether different lines :—

(1) Bijapur became subject to the Subhadar of Golkonda, lost its character as a centre, was ceded to the Marathas in 1760 and was gradually deserted, till nothing remained of it but the museum of noble monuments we now see.

(2) Golkonda on the other hand, when the Mogul Empire broke up, was merged into the capital of the Nizams of Hyderabad—a city built in 1589 and at first called Bhagnagar, which was built close by Golkonda and took its place as a centre of life. Here abode merchants and artisans in plenty among whom many were Catholics, besides the increment which occurred when a division of the British Army was placed at the Nizam's service. A Catholic community thus came into existence of such importance as to cause Hyderabad later on to be chosen as the centre of a separate Vicariate Apostolic (1851) and in 1886, the centre of an episcopal See.

#### EARLY JESUITS AT BIJAPUR.

Before Mathaeus de Castro was made Vicar-Apostolic of Bijapur in 1637, the Jesuits of Goa had been visiting there. In 1561 the Sultan had asked the Archbishop of Goa to send him "some learned persons," but the Jesuits who went there soon found that it was merely a matter of idle curiosity, and so they soon returned home. In 1608 two Jesuits went with a Portuguese envoy to obtain from the Sultan permission to found a Christian settlement at Bijapur. The Sultan agreed on condition that the Portuguese would allow a mosque to be opened in Goa—a scheme which was not accepted. In 1622 two Jesuits tried again and obtained permission to build a house from which to minister to some thousands of Christians who were partly residents and partly emigrants from Portuguese territory. They were soon joined by two other Jesuits. But they apparently did not remain long ; for in 1653 the Sultan was again asking for Jesuits from Goa, with what effect is not said. The "mission," such as it was, suffered severely from the incursions of Aurangzeb on one side and of the Marathas on the other.

#### DE CASTRO AND THE THEATINES.

In 1640 Mathaeus de Castro comes on the scene as Vicar-Apostolic ; and while one account says that he did nothing for the conversion of the



heathens, another says he did much, building houses and churches at the capitals of all the kings, Mahomedan and heathen—which is probably an exaggeration—and obtained facilities for missionaries to preach the Gospel. The same year 1610, some Theatines came to India authorised by the Pope to work at Bijapur. They were however held up at Goa, and settled there and built their church of St. Cajetan in 1655. Afterwards they penetrated first to Bijapur and then to Golkonda, and founded a goodly number of churches chiefly along the east coast (Vizagapatam, Bimlipatam, Masulipatam, etc.)

Their work however was often suspended for lack of men. The Augustinians and the Oratorians from Goa also worked in the same field, but sporadically like the others. The French Jesuits of the Carnatic Mission do not seem to have reached either to Bijapur or Golkonda; but they laid foundations, it seems, at Bellary, Bagalkot, Mudgul and Raichur further south, some time after 1700.

#### CARMELITES.

The Carmelite Vicars-Apostolic, who took charge in 1696 with their centre at Surat or Bombay, do not seem to have done much with regard either to Bijapur or Golkonda. At the most there seems to have been one Father set aside for making periodical visits, but we are not told how often he went there.

#### THE GOA VARADO.

In a letter to Goa dated 16th Dec. 1799, the Vicar-Apostolic complains of the Archbishop having lately intruded himself into Golkonda and Poona, and expresses his own intention of sending two of his religious to those two places. The report to Propaganda in 1800 we read of Fre John Louis, a new arrival, who is destined for Golkonda. The Vicar-Apostolic says that "in the kingdom of Golkonda there are 7 churches all built and (formerly) administered by the ex-Jesuits. The last of them was Fr. Paradisi who resided at Montegallo (Mudgul). All are now administered by the Archbishop of Goa. There are many Christians especially at Montegallo (Mudgul), and at Hyderabad among the soldiers of the king. They are utterly abandoned. No sooner did Fre Luigi make himself known as a priest in Hyderabad then they all came and asked him to remain." (Alc. p. 23). In his report of 1804, amongst other complaints against the Archbishop of Goa he says: "The interior parts of the Deccan and Golkonda are inaccessible to me because the priests of the Archbishop are there, and my priests have to withdraw, as happened to Fre John Louis when he went there recently under my orders. He adds that "In the English Camp at the service of the King of Golkonda [=Nizam of Hyderabad] there are at least 1,000 Christians, all Malabarese, besides those who live in places where there is no church."\*

After this we read nothing either about Bijapur or Golkonda. Nor

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\* About the activity of Goa in the Deccan at this time we shall have something of interest to say later on.

is there any trace of any further attempts at visiting these parts by the Vicar-Apostolic or his missionaries. In 1832 the whole of the Hyderabad State was divided off from the Vicariate of the Mogul to form part of the new Vicariate Apostolic of Madras. Twenty years later, in 1851, Hyderabad was constituted a separate Vicariate—and so it passes out of our history.

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## CHAPTER II.

### SURAT, BROACH, BARODA, ETC.

SURAT, a seaport on the bank of the River Tapti, 150 miles north of Bombay in the Kingdom of the Great Mogul, was several times attacked by the Portuguese (1512 seq.) but never taken possession of, though they held it under control by sea. The English in 1608 entered into negotiations with the Emperor of Delhi, with the result that in 1612 they established a factory there—an example soon followed by the Portuguese, French and Dutch. Surat was the headquarters of the East India Company till after the acquisition of Bombay (1665), to which place the seat of government was transferred in 1678. The development of Bombay as a port gradually drew all to it, and Surat became a more or less neglected town. The Surat castle came into possession of the English in 1759, and the whole district was formally annexed to the Crown in 1800.

#### CAPUCHINS.

The Propaganda history of Surat begins in 1640, when two or three French Capuchins were brought to India by Matheus de Castro, first Vicar-Apostolic of Bijapur, in order to work for his mission. On arrival at Goa he left them there and proceeded by himself to the Deccan. The Capuchins, feeling themselves abandoned, looked round for a field of labour for themselves, and came to Surat where they built a church in 1654. They soon gained the esteem of the Governor and the presidents of the factories, ministered to the Catholic merchants and others who flocked thither, and did something in the way of making conversions. They were not wanting in political influence either. For it is related that during the Maratha invasion of 1664 Father Ambrose, the head of the Convent, went to Sivaji and begged him to spare the Christians. In consequence the Convent was unassailed; and all who took refuge in it were uninjured.

#### CARMELITES.

When the first Carmelite Vicar-Apostolic of the Great Mogul came to India in 1699, Surat was the chief western port of the Mogul Empire and therefore his natural landing place. He found the Capuchins in possession, and presumably lived with them as a guest. As religious the Capuchins were under the jurisdiction of the Prefect Apostolic of Madras; and the fact that they found themselves as missionaries under the

jurisdiction of the Vicar-Apostolic of the Mogul seems to have caused no difficulty. He did not apparently interfere with them, and was rarely there, spending most of his time after 1707 in Karwar and after 1720 in Bombay.

#### RIVAL CHURCHES.

It was only in 1759, when the English took possession of the castle, that the Carmelites started a church of their own close by, chiefly for the convenience of the Government servants connected with the castle. After the act was accomplished, the Vicar-Apostolic in Bombay wrote to Rome for approval. Propaganda replied in 1764 leaving the matter to the judgment and prudence of the Vicar-Apostolic. It might serve as a residence for him in case he was not allowed to live in Bombay [it was during the "exile," already treated of in the general history]. But he must make sure that it will not provoke opposition or disturbance on the part of the French Capuchins there.

As a matter of fact it provoked considerable disturbance. The *Miscellany of Western India* (p. 20) says:—

"Fr. Hyacinth landed in 1758 and obtained countenance of the English Chief, Mr. Spencer, for the Roman Catholic servants of his Government; and as an objection was entertained by the Nawab to the building of a church, Mr. Spencer rented a house for their express use; and here they first held services in 1760. The French Capuchins, who had lost much of their influence in the city from the political ascendancy acquired by the British, took every occasion to foment bitter feelings between the Carmelite missionary friars and their patrons. In 1773 Fr. Benignus carried this spirit so far as to appeal to Rome, questioning the exercise of spiritual jurisdiction by the Carmelites, as they had been "appointed by the English Governor and not by the Superiors of the Church".... The question was finally disposed of by the S. Congregation of Propaganda Fide, who declared the Carmelites to be the true pastors of the Roman Church under the British power. This intimation was followed shortly afterwards by a brief but pithy order to the Chief of Surat relative to Capuchin interpositions:—

To Rawson Hart Boddam, Esq.,

Chief of the British Power & Governor of  
the Mogul Castle & Fleet of Surat.

Sir,—You will give such orders as may effectually prevent the French Padre from interfering with any of the Roman Catholics that are under our protection and government, and that he only officiates in the French Factory and such as belong to them, or any stranger who may choose to employ him.

I am Sir, etc.

WILLIAM HORNBY.

Bombay Castle,

6th August, 1778.

We quote the account as it is given, but it bears a somewhat one-sided look; for Propaganda seems rather to have taken the part of the

Capuchins. Thus on September 28th, 1776 they write: "As to the complaints of the Capuchins against Fr. Felice, we put the matter before you for investigation. The Capuchins say that the Carmelites, not content with the care of the Christians in the Fort, claim jurisdiction over the city parish which Propaganda had entrusted to the French Capuchins. See therefore that peace is made and a settlement, so that each side will be satisfied with its own district."

#### STRAINED RELATIONS.

From this date forward the relations between the two orders were strained. In 1795 the Vicar-Apostolic reports to Rome that "in Surat there are two churches [Capuchin and Carmelite]. The Capuchins since Fre Conrad's time (1773-1785) have been taking their jurisdiction from the Prefect Apostolic of Pondicherry and not from the Vicar-Apostolic, alleging as a reason the order of the French King that all missionaries in French Colonies should be subject to the Prefect of Pondicherry. However Surat is not a French Colony but an English possession. The French have there only an Agent for commerce. Besides, I know of no such decree, or whether it has the approval of Propaganda or of the Pope. Still I abstain from putting pressure on them till I know the mind of Propaganda."

While waiting for an answer from Rome, the Vicar-Apostolic was experiencing trouble from a French Capuchin, Father Marcellus, who ignored his jurisdiction and seems to have been misbehaving himself generally. The Vicar-Apostolic refers the matter to Rome, and at the same time appeals to the Capuchin Prefect Apostolic of Madras (and Superior Regular) to bring Fre Marcellus to order. Presently a decree arrives from Propaganda (19, June 1797) declaring that "the Capuchins of Surat are under the jurisdiction of the Vicar-Apostolic, and must be subject to him and take their faculties from him as their legitimate superior." As Fr. Marcellus remained obdurate, Propaganda (July 13, 1801) orders him to be coerced by canonical penalties in due form, and if he refuses to submit he is to be removed from office. After this Fre Marcellus is heard of no more; but Fre Honorato de Udine (another Capuchin) in 1805 is complained of as behaving in the same manner and causing scandal; and the Vicar-Apostolic writes to the Prefect Apostolic of Madras to have him removed. In 1808 the Prefect Apostolic of Madras turns the tables on the Vicar-Apostolic by asking him whether he would be willing to give up his jurisdiction over the Capuchins at Surat; but the Vicar-Apostolic replies that he cannot do so, since it was given to him by Propaganda. In 1810 the Prefect-Apostolic of Madras demands a sum of Rs. 6,448 which had been left behind by the Capuchin Fre Archangelo, who had died near Surat in 1807; but the Vicar-Apostolic repudiates the claim and refers the matter to Propaganda.

After this our archives are silent. The last of the Capuchins either died or was withdrawn in 1818, and only two further notes are needed

to complete the story. In 1828 the Capuchin church was in existence but the houses belonging to it have fallen into decay ; and in 1838 the Capuchin church was in ruins. A wooden cross with an inscription was erected to mark the site ; but it also disappeared, and at some later date unrecorded the abandoned plot was sold.

As regards the Carmelite church near the Fort, there is little to relate. Founded in 1759 (and opened in 1760), it lasted till 1829 and was then rebuilt. There never seems to have been more than one Missionary in charge, though sometimes another Father, or the Vicar-Apostolic, might be residing there. No mission work in the strict sense seems to have been attempted. The whole scope was to minister to the existing Christians ; merchants of different nationalities , government servants, artisans, etc., who happened to come and go ; and the number of these was ever on the decrease as the importance of the place declined. The subsequent history of Surat belongs to the modern portion of our series.

#### PADROADO AT SURAT.

As far as the evidence of our archives goes, the Propaganda jurisdiction seems to have enjoyed continuous and unopposed monopoly at Surat. When the Capuchins first arrived in 1640 they found no other clergy there, and had an open field. According to Fr. D'Sa (Damaun p. 29) ; "The Franciscans had formerly a convent and church at Surat, but this was given up before the Propaganda missionaries settled there." Mr. A. F. Moniz (*Examiner*, Jan. 27, 1917) thinks the Jesuits were sent to Surat soon after the capture of Damaun in 1559 ; and we find in the *Oriente Conquistada* (p. 115 seq.) that a Jesuit Father Plancudo, Rector of Damaun College, made a visit to Surat in 1561 for the conversion of a certain prince. As the Portuguese secured no footing at Surat till about 1615, it is quite unlikely that Padroado missionaries secured any footing either ; especially as the Mogul Emperor was strongly opposed to the Portuguese, and would not allow Feringis to possess even a house. In any case it seems certain that nothing of a permanent nature on the Padroado side was in existence when the Capuchins came in 1640—nor at any time later even down to the present day.

In 1670 some Goa Jesuits came to Surat and tried to settle there. But they found the Capuchins in full and stable possession as the only clergy, and in great favour with the authorities ; so after lingering on for 10 years they abandoned the place in 1680. [Some French Jesuits under Propaganda also came to try their hand in 1793, but Rome decided against them and they also withdrew in 1700]. In 1798 the Capuchin church happened to become vacant on account of the imprisonment of the Vicar Fr. Marcello ; and as this church was close to the Portuguese factory and was frequented by the Portuguese, an attempt was made to get in a priest with faculties from Goa. The Vicar-Apostolic protested, urging that Propaganda had been in undisturbed possession for a whole century ; so in 1802 the Archbishop yielded, withdrew his faculties from the intruding priest, and left the Vicar-Apostolic in undisturbed posses-

sion once more.

So far the history as preserved in our archives. Of late however we were surprised to find an article in the *Oriente Portugues*, stating that there had been a Padroado church, Vicar and parish at Surat, which sometime in the 19th century was "scandalously usurped" by Propaganda. After studying the evidence we have come to the conclusion that no such Padroado church, Vicar or parish ever existed at Surat. But as the data are extremely complex we are reserving the subject for a monograph, to be inserted later in the 'Particular History' section of this work.

#### BROACH, BARODA, KAIRA.

Broach is an ancient seaport situated on the north bank of the Nerbudda river in Gujerat, about 40 miles north of Surat, and 190 miles from Bombay. As early as 1616 the English established a factory here, at a time when it was under a petty Moslem Chief called the Nawab of Broach. In 1759 a dispute arose over questions of revenue, and in 1771 an English force was sent from Surat to settle terms; but as these were not observed the city was occupied, with 172 villages, in 1772. As this occupation brought a number of Christians into the district, the Vicar-Apostolic sent to Rome with the proposal to open a residence at Broach to help the Catholics recently come there. Propaganda replied on May 13th, 1778: "Help them by all means. But before residing there, the East India Company or the Catholics should provide a house or give means to build a chapel. If it is suitable as a centre for the Vicariate, there will be no difficulty in approving of your plan; but first make the point clear."

However all action was suspended for a time by the English handing over the Broach district to the Marathas. It was only in 1803 by the Treaty of Bassein that Broach was again taken over by the English; and by the Treaty of Poona in 1818 it was finally incorporated as a British district—and at same time other portions of Gujerat northwards came under British sway.

In 1802 the Vicar-Apostolic informs Rome of the new English acquisitions north of Surat, and asks whether he should take charge of the Christians who had gone there, and send a priest to work there for the conversion of the infidel. He also writes to the Archbishop of Goa telling him of the hope of conversions in Gujerat, and asking his assistance in the work [probably by the lending of priests?]. Finally he wrote to the Governor of Bombay asking his permission to undertake the care of the Christians. In 1806 Propaganda is told that Fr. Aurelio Stabellini will go to Surat and help the Christians of Broach, where there is no church yet, but there soon will be.

In 1808 Fr. Aurelio (Carmelite) was sent to Broach and Baroda, although the Governor was opposed to the scheme at that time. The Vicar-Apostolic, after despatching the father, made bold to ask the Government for a salary for him. But this drew the reply that "Since the

Governor-in-Council reserves to himself the right of sanctioning the extension of religious establishments from foreign churches throughout the territories of the Presidency, and since that sanction did not accompany the settlement of Fre Maurelio at Broach, the Government cannot be at any expense for his maintenance."

In 1814 the Vicar-Apostolic made a visitation to Broach and Baroda, in consequence of which he wrote a fresh appeal to Government but without effect. A piece of land was bought about this time and a church of N. S. da Saude built at Broach.

(38) *The Vicar-Apostolic to the S. Congregation 1816:—*

Lately the English have taken possession of various towns and provinces, among them Kaira, Broach, Baroda, Malwan. The first three are situated in Gujerat, which formerly was a part of the Empire of the Grand Mogul.

As the first three *i.e.*, Kaira, Baroda, Broach are in my opinion situated in the district of my Vicariate, I deemed myself obliged to provide for the Christians immigrated there by sending a priest to administer the sacraments, and by personally visiting them twice. Besides, I have endeavoured to build a chapel or church in each of the said places, for the residence of at least two priests; one of them to reside at Kaira, the other in Broach with the further obligation of looking after the Christians in Baroda.

In Broach the church with a small house annexed is already built, and a priest is in residence. This foundation was effected partly by me with the money resulting from the property of Fre Archangelo, partly by the Christians of Broach, and mostly by the English with a very liberal subscription.

In Baroda likewise there is a chapel larger than that of Broach, built by Fre Archangelo with my consent, and with the money given for it by the English and by some Christians then in Baroda. As the chapel was badly built and is in a dangerous condition, steps are being taken to rebuild it; and that too with English money, for they are the only well-to-do people in this land.

In Kaira there is no church or chapel. Steps however are being taken to build one. The Governor of the place has already written to Bombay, and is trying to obtain a monthly subsidy from that Government for the priest who will reside there in future, and has collected part of the money to purchase the land, and the house which is to be made into a chapel; and the land is so vast and of such good quality, that a portion will be left over to form a fund for the upkeep of the same chapel.

*Oct. 1, 1818.*—Propaganda replies that they do not disapprove of the Vicar-Apostolic provisionally ministering to the Christians of *Kaira, Baroda, Broach* since the British occupation. But the S. Congregation seems to think that Gujerat is part of the *Hindustan* which had been handed over to Capuchins of Thibet, and asks whether the Capuchins

had assumed the charge of the Christians in those three towns; and if so, why had they ceased to work for them, and why at this date should those Christians be subject to the Vicar-Apostolic of Mogul rather than to the Capuchins of Thibet.\*

In 1818 a salary was granted for a priest who jointly ministered to Kaira, Baroda and Broach. But the subsequent history of these stations must be reserved for a later place.

### CHAPTER III.

#### KARWAR AND COORG.

##### THE MISSION OF KARWAR.

KARWAR, the chief centre of the North Canara district, situated on the seaboard just south of Goa territory, is a modern town which has taken the place of old Karwar, *alias* Sunkery, about three miles up the river. Sunkery was within the Sultanate of Bijapur, but belonged to a Hindu Raja called King of Sunda. In 1638 the English founded a factory at Sunkery with the permission of the Sultan of Bijapur, and made it an important trading centre in pepper, muslins and other products, with about 10,000 industrial employees. Its early history was full of disturbances; but afterwards in 1709, when things had settled down, the Vicar-Apostolic of the Mogul sent a Carmelite, Fre John Baptist Mary, to minister to the Christians there. It was just at this time that the Carmelites were expelled from the Portuguese dominions, and some of them took refuge at Sunkery. Between 1712 and 1717 Fre Maurice of St. Teresa lived here; after which he went to Bombay and was confronted with the business of taking over that island. A church, replacing a straw hut, was built and blessed in 1722.†

In 1752 war broke out between the Portuguese and the King of Sunda. As the English had previously given up the Factory, the mission fell into the hands of that King; who, suspecting Fre John Dominic of Portuguese sympathies (merely because he was a foreigner, I suppose) kept him imprisoned in his house for two years. It was this war which resulted in the

\* (1) There were no Christians at all in Gujerat before the English occupation about 1772. (2) Gujerat was not part of Hindustan. (3) For ecclesiastical purposes practically Hindustan meant the Ganges Valley more or less; say Agra, Delhi and as far as Lahore, where there were a few abandoned Christians, relics of the old Jesuit missions.

† Burgess, *Chronology of Modern India*, has the two following entries:—

1713. A Carmelite Monk, Fr. Mauricio de Santa Thereza, assumes independence in Sunda as Bishop of the Propaganda, makes his headquarters in a temple and resists the call of the Viceroy to leave the territories.

1714. A new treaty is concluded by the Portuguese with the Raja of Sunda, making provision for the housing of Portuguese priests and the ejection of the Bishop of the Propaganda.

We have not seen these points mentioned elsewhere; nor do we find signs of any Portuguese priest being sent to Sunkery.



Portuguese securing those portions of the country round Goa which are known as the New Conquests (1763 seq.)

In 1764 Sunkery was annexed by Hyder Ali ; thus the Christian population was greatly diminished and the mission fell into decay. During the invasion of Tipu Sultan in 1781 the church vessels were carried away to Anjediva for concealment. A large number of the Christians of Karwar were deported to Seringapatam, and the community was practically broken up.

In 1796 the Vicar-Apostolic informs Rome that the Mission of Karwar exists no longer, having been destroyed by Tipu Sultan ; and nothing could hitherto be done to restore it. But now it is in the hands of the English, and there is hope. There still remain about 300 Christians, many of whom became Mahomedans for fear of Tipu ; and those who fled have now come back. There is still some church furniture preserved, a fund of about 700 scudi, and a piece of ground which the English have restored to the Christians.

In 1800 an attempt was made to restore the Sunkery Mission. Father Francis Xavier of St. Anne reached Goa with this object, but the Governor refused to allow him to pass on to Sunkery. Before returning to Bombay, however, he secured from the Archbishop, who was more favourable, the following official document :—

“We certify that the Mission of Karwar and Sunkery was always administered by the Discalced Carmelites of the Propaganda Fide subject to the Rt. Rev. Vicar-Apostolic, in which mission he resided for many years without any contradiction of the Governor of this State, or the prelates of this diocese or the people of that circuit. It appears to us that there will be no difficulty in that Christian community being instructed by the same Discalced Carmelite Ministers of the Propaganda Fide, in the same manner that was observed up to the extinction of the Mission of Canara belonging to this diocese, excepting the two above-mentioned populations ; in truth whereof we issue this, signed by us—Palace of the Primatial See of Goa, January 24th, 1800.

FR. MANUEL OF ST. CATHERINE,  
Archbishop, Primate of the East.

In spite of the favourable tenor of this document, Father Francis, when he came again to Karwar in 1801, and called on the British Collector of Canara, found that gentleman unwilling to assist him in any way, because the Governor of Goa had written to the British authorities to refuse admission to all missionaries not sent from that city. On the strength of the Archbishop's certificate, however, he was persuaded to relent, and helped Fr. Francisco to regain possession of the church property, and even gave him additional ground. When the Goa authorities tried to prevent him from recovering the church vessels which had been taken to Anjediva, the Collector of Karwar intervened and enabled him to secure them.

In 1801 the Vicar-Apostolic, writing to Rome, says that “Fr. Francis

Xavier found at Karwar 232 Christians, besides those that fled and intend to return. He means to build a church, for which he asks help from the bishop." The church and house were finished and blessed in 1802; and on account of the aid given by the English it cost only Rs. 2,000 (1,000 scudi). Fr. Francis Xavier retained the charge of Karwar for 31 years (1800-1831) during which time he baptised 341 children of infidels, blessed 126 marriages and conducted 204 burials. In five visits Dom Pedro d'Alcantara also gave confirmation to 442 Christians.

In 1812 Father Francis began to receive a monthly allowance of Rs. 35 by sanction of the Madras Government; which was raised to Rs. 50 in 1821. In that year Archbishop Manuel de S. Gualdino fled to Sunkery on account of a military revolt and revolution in Goa, and took up residence in the Carmelite Mission house till 1823.

In 1838 (at the time of the *Multa Præclare*) the Catholics of Mangalore, who so far had been under the jurisdiction of Goa, asked the Holy See to place them under the Vicar-Apostolic of Verapoly - which was done in 1839. In 1840 they sent in a further petition to have a Vicar-Apostolic of their own. In accordance with this wish a pro-Vicar-Apostolic was appointed in 1845, and finally in 1853 the whole of Canara was separated from Verapoly, and a Carmelite Vicar-Apostolic was established at Mangalore. As the Vicariate was made to include North as well as South Canara, Karwar passed out of the Bombay mission history at that date.

In the Concordat settlement of 1886 South Canara remained under Propaganda and became part of the Diocese of Mangalore; but North Canara, with Karwar, was given over to Padroado. At present the Catholic population is estimated as follows: Karwar 439; Sunkery 1,001; Sadashirgad 1,763 all under the Vicar Vara of Canara of the Archdiocese of Goa.

#### THE MISSION OF COORG.

Coorg was a small Hindu State near the edge of the Mysore plateau, just west of the city of Mysore and opposite Cannanore on the Malabar Coast. It was untouched by Christianity till the army of Hyder Ali of Mysore invaded the place in 1770, and left behind a number of Christian soldiers and camp followers who settled there. These Christian soldiers were probably drafted from South Canara, the neighbourhood of Mangalore. A French Jesuit of Seringapatam [Carnatic Mission started from Pondicherry in 1703] used to pay these Christians a yearly visit. Shortly afterwards a Goa priest, Fr. Miranda, passed that way, and stopped there permanently, and even built a chapel for them. The Jesuit Superior at Seringapatam took umbrage at this, and threatened excommunication. Whereupon Fr. Miranda, thinking that Coorg was possibly under the immediate jurisdiction of Rome, asked Fre John Dominic of S. Clara, Vicar-Apostolic of the Great Mogul, for jurisdiction, which he obtained.

In 1782 Tipu Sultan carried the King of Coorg prisoner to Seringapatam and deported his people; and thus Christianity was rooted out of

the land. But in 1788 the King escaped, recovered his throne, put himself under the protection of the English and henceforth welcomed all refugees, Christians included, from the territories of Tipu Sultan. Some years before this, nearly the whole of the Christians of Mangalore and South Canara generally had been carried captive to Seringapatam, and there for the most part circumcised; and those who managed to escape took refuge in Coorg—to the number, it is said, of about 700. One Father de Costa, a Goa priest who had quarrelled with the Archbishop and fled away, took refuge in Coorg, and stayed there to minister to the Christians at the request of the King, who built them a chapel and endowed it with an allowance in kind. But jurisdiction-troubles soon arose. Fr. de Costa, on applying to Cranganore for jurisdiction, was told that it was uncertain whether the place belonged to Cranganore or to Goa. He then applied to the Vicar-Apostolic of Verapoly, but was referred to the Vicar-Apostolic of the Mogul, who sent him a “provision” -after which matters went smoothly.

In 1793 Fr. Raymond, Carmelite, was sent there as Visitator from Bombay, and in 1796 an Assistant was sent to Fr. de Costa. The Vicar-Apostolic, on account of shortage of men, was obliged to offer the Coorg Mission to the Archbishop of Goa, who however did not act in the matter. The Vicar-Apostolic therefore referred the matter to Rome for instructions.

In a report to Propaganda in 1796 the Vicar-Apostolic writes :—

“The mission of Coorg is a part of my Vicariate where there is one church, one chapel and over 700 Christians; and these, as is reported by Fr. Geo. da Costa, are daily increasing, since in the neighbouring places the rumour has been spread that the King is friendly, and favours those who profess the Christian religion.

“Coorg is under my control. This mission in past years was in a sad plight, and its origin and progress must be attributed only to the zeal of the priest Geo. da Costa, disciple of the famous priest Joach. de Almeida who, being angered against the Archbishop of Goa because he wanted to imprison him, fled to the mountains of Coorg, where having won the friendship and love of the king, he secured from the same permission to introduce the Christians dispersed in Tipu’s territories, and build a church, and subject it to the Vicar-Apostolic of the Mogul—Mons. Vittorio de S. Maria, —as appears from the letter written by the King to the same. Another stronger motive that determined Mon. Vittorio to take possession of the new mission of Coorg, and to keep it, was the patent of the missionary of Coorg, given by the Sacred Congregation to Fr. Joach. de Almeida with the injunction to be subject to the Vicar-Apostolic of the Mogul, who then was Mons. Carlo of happy memory. These then, and the said letter of the King of Coorg, are the grounds that justify my actual possession of the mission of Coorg. I should like Your Excellency to declare if they are sufficient for me to continue in the government of the same.”

In 1800, after the downfall of Tipu Sultan, the Christians were released

from Seringapatam, to the number it is said of 15,000; of whom most returned to Mangalore, but about 1,000 went off to Malabar and several hundreds settled down in Coorg. The Archbishop at once sent a priest, Fr. Rebeiro, from Goa, who repudiated Father de Costa, and even reiterated the sacraments administered by him. Thus the Christians were divided into two parties, one attached to Fr. Rebeiro and the other to Fr. de Costa. In 1801, after long delay in transmission, a decree (dated January 18th, 1797) arrived from Propaganda, deciding that Coorg belonged to the Vicar-Apostolic of the Mogul. Upon this Father Pescetto, the Vicar of Sunkery (=Karwar) went to Goa and persuaded the Archbishop to allow Fr. Rebeiro to accept jurisdiction from the Vicar-Apostolic. The Archbishop consented provisionally, but at the same time wrote to Rome denying the jurisdiction of the Vicar-Apostolic over Coorg. The Pope however, in reply confirmed the decree of Propaganda.

In 1802 the Vicar-Apostolic wrote to Propaganda: "The decree relating to *Coorg* is still without effect. The Archbishop opposes it. He claims that Coorg belongs to the Archbishop of Cranganore, not to the Vicar-Apostolic, and has sent there one of his priests. Hence two priests and two jurisdictions. On my asking His Excellency why he claims Coorg for the Archbishop of Cranganore he has replied: 'because you keep there an unworthy priest; because you have misinformed the Sacred Congregation.' It is no use dealing with him, now he has fixed on a priest. I have written again and again, in vain. If he persists in having a priest there I will recall mine... for the sake of peace."

Again to Propaganda in 1803: "I sent Fr. Francis X. to Goa to try and persuade the Archbishop to let me govern Coorg according to the orders of the Sacred Congregation, or to send his reasons to Rome. It was all of no use. The Archbishop says that the said decree was obrepitious and subreptitious, and that I have no right to govern Coorg."

There is a good deal of correspondence about Coorg in Peter d'Alcantara's letters from 1796 and onwards. The Vicar-Apostolic expressed himself quite ready to resign the mission to the Archbishop, but could not definitely do so in view of the decrees of Rome. He urged however that the Archbishop should work out his claim and induce the Holy See to reverse its decision. At the same time, since the King of Coorg persistently refused to admit Portuguese priests, and would only entertain those who were under the Vicar-Apostolic, such a reversal, even if made, would be useless. Down to 1808 the correspondence goes on, the last letter being an order from Propaganda to the Vicar-Apostolic to continue in Coorg. Apparently he did so, and the discussion was dropped.

In 1810 we find that Fr. Aurelio Stabellini (Carmelite Visitor) was for some reason or other ordered by the British Resident to depart from Coorg. The Vicar-Apostolic writes to the English Resident at Mysore on the subject (Alc. p. 39), and at the same time tells Fr. Aurelio to try and return, and not give up the mission. Whether the Goa priests were still there or not we have not ascertained, as from this down to 1836 the

records are a blank.

In 1836, when the Vicariate Apostolic of Pondicherry was established, the whole of the old Carnatic Mission was incorporated in it; but apparently Coorg remained under the care of Bombay till 1845, when it passed over to the Vicariate of Canara.\* Finally in 1850, when the Pondicherry Vicariate was split up, Coorg became part of the Vicariate of Mysore by a decree of Propaganda (Dec. 11th, 1850) and so passed out of our history. At present Coorg comprises three residential stations: Mercara, Sidapur. Virarajendrapet, with several outstations, and a total Catholic population of about 2,500 [Chief sources of information: History of Diocese of Mangalore 1905, and Peter d'Alcantara's letters in the Bombay Archives].

## CHAPTER IV.

### THE MISSION OF POONA.

POONA, about 80 miles south-east from Bombay (119 miles by rail) was a place of no importance till 1720 when the Peshwas (practical rulers on behalf of the Maratha Chief at Satara) made it their capital. Even then, Christianity was only imported into it by Portuguese subjects from Goa territory who joined the Peshwa's army. The *Poona Guide Directory* states that in 1791 the Peshwa Shivaji Mahadeo, in recognition of the services of the Portuguese in his army, gave them a plot of land in the city and paid the expenses of building a church. Already from 1791, it would seem, there was a priest from Goa, Fr. Joaquim Vicente Menezes, ministering to them: and he continued there at least ten years. Fr. Hosten (EXAMINER, May 20, 1911) says that Poona was begun in 1794 by the "*Congregados*." † He adds that the chapel there had at one time (date not clear) an annual congrua of 633 xefers, which was later reduced to 226-4-00—a subsidy of the Peshwas which was kept up by the British when they took over Poona in 1818.

Between 1792 and 1800 there was a great turmoil of intrigue and petty war round about Poona; and three armies were in attendance watching proceedings: those of Scindia, of Holkar, and of the English. In those days Rajahs' courts and armies always seemed to include some Christian troops; and so for the first time in 1799 we find the Vicar-Apostolic devoting his attention to Poona. A summary of the letters bearing on the subject will tell all that we have discovered so far. The discussion between the Vicar-Apostolic and the Archbishop of Goa throws so much light on the question of jurisdiction that it is worth going into details:—

\* In the green catalogue we find two priests of the Bombay Vicariate mentioned as having served in Coorg after 1836, viz., Fr. E. S. Minezes (1837-1840) and Fr. B. A. Paes (1851-1852).

† If "*Congregados*" means Carmelite Tertiaries, we have to presume that Fr. Joaquim V. Menezes was a member of this Congregation.

*April 1799.*—*The Vicar-Apostolic to the Archbishop of Goa*, replying to previous correspondence. The Archbishop has complained of the Vicar-Apostolic having ordained some Padroado subjects without dimissorials, and the Vicar-Apostolic says he did so by the “privilege of necessity.” In return the Vicar-Apostolic complains of the Archbishop having sent a Capuchin of Goa jurisdiction to minister in the Capuchin church of Surat, against the rights of the Vicar-Apostolic. Finally he refers to Poona —“*which mission pertains to my Vicariate*”—and asks the Archbishop to recall the priest who has been staying there already for nine years without the consent or jurisdiction of the Vicar-Apostolic.

*Oct. 4, 1799.*—*The Archbishop's reply to the foregoing letter has arrived, and the Vicar-Apostolic rejoins*, first on the subject of ordinations, then as regards Poona : “By the mission of Poona I mean the City of Poona, capital of the Marathas, of which the Vicar is the Rev. Vincent Joaquim de Menezes. This mission I claim as belonging to the Vicariate ; in which I wish to place one of my religious. Will Your Excellency allow me free ingress thereto ; or if this is refused, would you please let me know on what legal title you justify your actual possession of that mission ?

*Oct. 31, 1799.* *To the Archbishop of Goa* the Vicar-Apostolic writes :—

“With still greater reason I insist regarding Poona. Let Your Excellency consider well the reasons which you have alleged regarding it ; and you will see before God that they are insufficient for you to continue the possession of a mission which pertains to the Grand Mogol, and in no way to the Goa diocese—the more so as I am now asking Your Excellency that I may employ in the said place two of my missionaries ; and which moreover is very necessary in order to provide for the other more distant missions. To suggest that the Lord of the land holds the mission of Poona under the *Jus Patronatus* of his Majesty [the King of Portugal] is a reason too frivolous for Your Excellency to make much of, since it is certain that the patronage cannot be transferred or conferred without the consent of the Pope. That Your Excellency might hope for the decision of his Majesty would hold good if the Mission of Poona were a part of the diocese of Goa, or were really subject to the *Jus Patronatus*. But it is not so. I therefore pray that you may free that mission so that it may be occupied by my missionaries—those already come and those to come : since I cannot send them to the mission of Delhi and Agra which has been legitimately transferred to the Capuchins. . . . As Your Excellency insists, with good reason, on having in your complete power the Mission of Bombay, so it is right that I should provide for the Mission of Poona, which I consider as pertaining to my Vicariate.”

*Dec. 1799.* *To the Archbishop of Goa* :—

As regards the church and mission of Poona, Your Excellency asks me to show documentary evidence that it belongs to the jurisdiction of Vicar-Apostolic ; and rightly so. My principal reason is because Poona

is a part of the Deccan; it may be said to be the capital of the Deccan, which along with Mogul and Golkonda constitutes the title of the Vicar-Apostolic. Another reason is that I hold definite orders from my superiors to help these missions of Deccan and Golconda—Delhi and Agra having been ceded to the Capuchins. The Sacred Congregation (31st July 1790) says: "Since Delhi and Agra have been ceded to Thibet, it will be proper that Your Excellency direct your zeal to other missions of the Vicariate. The Vicariate extends to Karwar, Deccan, Golconda, etc." Finally because it is only a *short time* ago that Your Excellency entered into that mission and has a priest in the church with your jurisdiction. If it had been for a considerable time, as in other parts of the Deccan, I would not importune Your Excellency.

I intend sending there (to the Deccan) two religious who are with me; one of them to Hyderabad, the other to Poona....If Your Excellency should judge that the removal of the chaplain you appointed to Poona would displease the faithful in that place, Your Excellency may allow the same priest to continue to rule that church, provided he makes his submission to the Vicar-Apostolic. In that case I would send one of my religious to Karwar, to remain in that church if possible, according to the recommendations of the Sacred Congregation.

*April 29th, 1800. Letter to Propaganda :—*

Fre John Luigi, being destined to Golkonda, stopped at Poona, the capital of the Deccan, which is also my mission, at the request of some Catholic gentlemen for the good of their souls [in the camp of Scindia]. It is very necessary that Your Eminence, making use of the intervention of the Holy See (since the Portuguese respect the Holy See only, and hardly respect the Sacred Congregation at all) should exhort the Archbishop of Goa to restrict his care within the limits of his diocese and the missions thereto annexed, which cover an immense country, and leave to the Vicar-Apostolic the free exercise of his powers in the missions entrusted to him. The Archbishop (by what right I do not know) wants to extend his jurisdiction even to the missions of the Vicar-Apostolic where the Portuguese never had a shadow of possession, saying that all belongs to him. Hence I am at present labouring by endless correspondence to stop him from meddling with those of Surat and Poona, the capital of the Deccan, where I have two religious of my jurisdiction; and I fear greatly that he is the cause of the opposition which I experience in the Mission of Karwar.

#### THE GOA "REPOSTA."

On May 20th, 1800, the Archbishop of Goa issued a long "*Reposta*" or reply "*regarding the dispute which exists between the [Goan] Vicar Missionary of Poona and the Vicar-Apostolic's Chaplain of the Army; in which is shown the quality of the jurisdictions of each, as well as of the Vicar-Apostolic of the Great Mogul in Bombay.*" It contains a long disquisition on the history of the institution of Vicars-Apostolic, and points out (following Benedict XIV) that in the ancient discipline a Vicar-

Apostolic was a Vicar of the Pope; whereas in modern discipline he is rather a Vicar of the ordinary bishop (in places where ordinary bishops exist), taking his place rather than that of the Pope, in districts where he is, either through lack of power or lack of will, failing to exercise his own jurisdiction effectively. Hence wherever the ordinary bishop is sending his priests, there *ipso facto* the Vicar-Apostolic becomes superfluous, and his jurisdiction lacks effect. The conclusion is that since Poona city and suburbs are supplied by a priest under the Archbishop of Goa, and as the Archbishop's Vicar, it follows that Fre Archangelo (the Capuchin sent by the Vicar-Apostolic) has no jurisdiction there. Since however Fre Archangelo is army chaplain under the Vicar-Apostolic of Bombay, it follows that while he cannot validly celebrate marriages or solemn baptisms, he can at least hear confessions for the fulfilment of Easter duties, but only within the army. Outside the army his hearing of confessions would be invalid—that being the discipline in the galleys of His Holiness in Rome, which must serve as a norm and model for us to follow. [End of summary].

#### PROTEST AGAINST THE "REPOSTA."

In June or July this pamphlet was published by Fr. Menezes at Poona: of which the Vicar-Apostolic complains to the Archbishop of Goa in the following letter:—

*12 Aug., 1800. To the Archbishop of Goa p. 78:—*

I have been informed that the priest missionary of Poona, subject to Your Excellency, has of late had the temerity of publishing in the church that the Missionaries Apostolic of Propaganda have no jurisdiction whatever in the district of Poona, and that all the sacraments administered by them are null. I must leave it to Your Excellency to judge what impression so nefarious an action has made upon my mind, and upon that of the two Fathers with me. In a mission pertaining to the Vicar-Apostolic, and not to the Archbishop, you say that Missionaries Apostolic have no jurisdiction whatever! Could one hear a more ridiculous thing, and more injurious to the Apostolic See, whose powers we exercise in these countries? I cannot understand the motive of such a publication, since I have ordered Fr. John Louis not to interfere in the church of the (Goa) priest, and not to impede the exercise of his office in any way, until Your Excellency decides to entrust the mission to me; and that he is only to help the Christians in the camp of Col. George, under whose pressing request I allowed him to stop there for some time.

Your Excellency, after carefully examining the case of Poona, will determine what you may judge most proper. I solely desire to know whether Your Excellency intends or not to entrust the mission and church of Poona to the Vicar-Apostolic.

#### FORMAL REFUTATION.

*Oct. 20, 1800.*—A refutation of the "Reposta" by the Vicar-Apostolic:—*To the Archbishop of Goa:*

I have received a copy of the pamphlet published at Poona, and



read it with consternation and indignation, on account of the lack of respect it shows towards the Sovereign Pontiff and his representative. I cannot understand what caused you to take such a liberty, since my missionaries were attending to their duties without meddling with the Goa Vicar at Poona, and were trying to fall in with your supposed pacific and good intentions. But your pamphlet is inconsistent with good intentions. It disillusiones me, and convinces me of your opposition and determination to exclude the Vicar-Apostolic from Poona. Since that was your policy, you might have written to me, instead of publishing it and causing scandal; for what will the people now think of the Vicar-Apostolic's jurisdiction, which you have stigmatised by the term "nullity?"

The pamphlet is powerless to move me or weaken my right over my Vicariate; but still as that right, confirmed by the Holy See, is questioned, I am obliged to defend it when attacked, and therefore offer the following reasons to show the injury which you have done to my authority: —

The pamphlet tries to show that Vicars-Apostolic are delegates and Vicars of the ordinary bishop. It is true that the jurisdiction of a Vicar-Apostolic is not ordinary but delegated; but it is delegated by the Sovereign Pontiff, the Universal Pastor of the Church, and not by the ordinary prelate. This is proved by the fact that from 1696, when the Vicar-Apostolic of the Mogul was established, down to now, there has never been any mention of any right of the Archbishop of Goa over him: for his jurisdiction was full and absolute without conditions. Again, when the Holy See separated Hindustan from the Vicariate and handed it over to the Mission of Tibet, no reference was made to Goa. This shows clearly that the Mogul Empire was a territory distinct from the Archdiocese, and in no way a Vicariate of the Archdiocese. Again, there are the decrees of the Holy See which, while forbidding the Vicar-Apostolic to interfere with the Archbishop of Goa, equally forbid the Archbishop of Goa to interfere with the Vicar-Apostolic.

He proceeds to refer to analogous cases such as China, Siam, Cochin-China and Pegu, which were made into Vicariates self contained and separate from the ordinary dioceses; and he argues that the Vicariate of the Mogul belongs to the same category.

The pamphlet refers to the bulls of the establishment of the Archdiocese of Goa, with its extension from Cape of Good Hope to China, except where it is limited by some other diocese. It was actually limited by the dioceses created later on *e.g.*, Cochin, Canganore, Mylapore, and also by the Vicariates-Apostolic of China, Siam, Cochin-China, etc.; and therefore equally by the Vicariate of the Great Mogul, which extends over Karwar, the Deccan and Golkonda as defined by Propaganda in 1790.

The pamphlet maintains that the Vicar-Apostolic acts only for the ordinary bishop. This (he concedes) is true within the real territories of the ordinary diocese *e.g.*, in Bombay; but not so in lands where no Ordinary exists, such as the Empire of the Mogul. From these and other

arguments the Vicar-Apostolic proves his entire independence of the Ordinary; since all his jurisdiction and mission is directly from Rome, without recognition of any other superior. He is in short Vicar of the Holy See; and for this reason he is called Vicar-Apostolic.

The letter concludes: "These are my sentiments, based on the Pontifical Brief and letters of the Sacred Congregation of Propaganda, which I deem it my duty to expose in all sincerity to Your Excellency; since I have been unjustly attacked, not to say insulted, as to my rights and my character by the said writing, and much more by the publication of it in the church of Poona. Such confidence have I in the soundness of my case, that if Your Excellency does not order a retraction in Poona by Revd. P. Vincent Joachim de Menezes of all that he published against the Apostolic authority, I shall without fail forward to the Holy Father both the published paper and the present answer.

*Dec. 28, 1800. Report to Propaganda: -*

In the kingdom of the Deccan, if you except the Capital at Poona, where since 10 years resides a priest of the Archdiocese of Goa, and some other places towards Goa likewise provided with missionaries, all the rest is abandoned to the heathen worship and to Mahomed. At Poona there are the flying columns of the Prince [Scindia] practically commanded by Europeans, mostly Catholics; and it is there, at their solicitations, that Fr. John Luigi resides, and a Capuchin of the Archangelo, both under my jurisdiction. And as those armies must soon withdraw to the centre of the kingdom and pass through densely peopled places, I recommended to Fr. John Luigi to consider whether by chance a station might be founded at Poona, with a small endowment for the fixed establishment of some missionary. For (as he writes) he is in receipt of a large subsidy, enough to provide the said fund little by little, beyond providing for his needs. I hope that this Father will do as I have recommended him, since he is very loyal and zealous. It would certainly be very desirable to establish a mission there, where, I believe, the name of the Christian religion is unheard of.

But what has grieved me most is the opposition of the Archbishop of Goa to the said expedition of Fr. John Luigi. Not satisfied with having taken possession of the island of Bombay, he persists in claiming rights over the Vicariate Apostolic, which, in his letters to me, he calls "Vicariate of the Archiepiscopate" and adds that if he does not send his priests to the mission of the Moghor it is because he has not got good ones, or means for their sustenance. In point of fact, when Fr. John Luigi appeared in the Deccan and Golkonda, he went with my commission and orders not to quarrel with the priests of the Archdiocese, but to leave them where they are in the full exercise of their faculties, and only to apply himself to the Christian communities which were abandoned. But in spite of this, the said Father had much to suffer at the hands of the same priests; so that in order to avoid scandals and commotions I wrote to the said Fr. John Luigi to withdraw from there, and fix his abode in

those parts of the Dekkan where the Archbishop has no priests, and where he would be under the protection of the army-officials. I have complained to the Archbishop of this wrongful opposition, but in vain : for up to now he has not answered.

I therefore wish to know from Your Eminence what reasons the Archbishop can have to impede the Vicar-Apostolic from looking after the missions within his Vicariate, and in particular those which are abandoned—which is the general case : Who is the true Pastor commissioned to work the Vicariate Apostolic ; also whether the Vicariate is a territory immediately subject to the Holy See, or whether it is rather a Vicariate of the Archiepiscopate, as the Archbishop calls it. I desire to know all this for the ease of my conscience, for my guidance and that of my successors, in view of the claims advanced by the Archbishop, so that I may freely provide as in duty bound, and necessity demands ; or whether I should desist from that scheme, and concentrate where the Sacred Congregation may please, since I am most ready to obey whatever they determine.

*Jan. 1801, p. 106.*—Reminder to the Archbishop *re* his reply to the pamphlet published in Poona. He asks to be informed whether his letter has been received, and also for an authentic reply stating the grounds on which His Excellency considers the Vicariate Apostolic to be a Vicariate of the Archbishop, and impedes the Missionary Apostolic from attending to those parts of the Vicariate which are abandoned. . . He asks for a copy of the pamphlet published in Poona. . . that he may place the matter before the Sacred Congregation in order to put an end to the dispute.

*Feb. 1801, p. 108.*—Answering a letter of the Archbishop : He has received His Excellency's reply and a copy of the letter published in Poona. He understands that His Excellency persists in his opinion that the Missionary Apostolic must attend only to those places of the interior of Deccan and Mogol where there is no shadow of Goa priests and where there are no Christian souls. But given that he (Vicar-Apostolic) must attend only to those parts, such attention would be impossible if he has not possession of Poona for his missionaries to reside therein ; for only from Poona as a centre of communication can he send well-instructed missionaries to those parts. He is not satisfied with the Archbishop's reasons, and will consult the Holy See and request that the limits of the Vicariate Apostolic be clearly defined. . . as in China. His Excellency has noted injurious words in his letters. The Vicar-Apostolic never meant any offence, but only to speak with apostolic freedom.

#### REPLY TO REFUTATION.

*Feb. 28, 1801.*—*Letter of the Archbishop of Goa, in reply to the Vicar-Apostolic's refutation of the Poona "Pamphlet" dated October 20, 1800.*

The Archbishop's argument is as follows :—The Diocese of Goa was defined originally as extending from the Cape of Good Hope to India inclusive and from India to China—so far as it did not clash with any other diocese. Other dioceses were formed within this area, (Cochin,

Mylapore, Malacca, etc.); but what remained, remained as the Archdiocese of Goa. Now the Empire of the Great Mogul was of great extension, even at the time when the Archdiocese of Goa was formed; and the Archdiocese included the Empire of the Mogul within its boundaries: and the Archbishop of Goa sent missionaries into that Empire (to Delhi, Agra, etc.) The Mogul Empire was afterwards extended over Bijapur and Golkonda; and in these kingdoms the Archbishop also held mission-stations such as Khanapur, Kittur, Toomaricop, Alkany, Azrem, and finally Poona--and this without any offence to the Vicar-Apostolic. Now if the Empire of the Mogul is taken in its present extension, it has expanded all over India even to Cape Comorin, so as to cover practically the whole not only of the diocese of Goa but also those of Cochin, Cranganore and Mylapore. Hence if the Vicar-Apostolic's jurisdiction is to be regarded as co-extensive with the Mogul Empire, it must cover all the Padroado dioceses. Finally if the Vicar-Apostolic's jurisdiction is claimed to be "privative" so as to exclude the jurisdiction of the Padroado ordinaries, the result would be that all India belongs to the Vicar-Apostolic of the Great Mogul, and the jurisdiction of the Padroado sees is simply extinguished in all its parts. [*A reductio ad absurdum*].

Who would have the boldness to accept such a conclusion? How can the institution of a Vicariate Apostolic prevail against the creation of an archdiocese? How therefore can it bear on the church at Poona, founded within my diocese under my jurisdiction?

Again, a Vicar-Apostolic is supposed only to operate when and where the Diocesan is unable to do, so or is impeded by some adverse civil power; and it is in these terms of the Holy See that your Vicariate is defined. Accordingly I answer that since there is a church established in Poona under my jurisdiction, with my delegate in residence, Your Reverence and your delegates cannot validly exercise any function there. Therefore your Reverence possesses jurisdiction only in the vacant parts of Deccan and Golkonda, recently conquered and added to the Empire of the Great Mogul.

To this line of argumentation the Vicar-Apostolic gave the following reply:—

*April 14, 1801.* --*The Vicar-Apostolic to the Archbishop:*—The Archbishop of Goa has quoted the principle that the Vicar-Apostolic is to supply only where the Archbishop cannot send his own priests, or to go to the remote district of the Deccan which are not provided with priests; that wherever a priest of the Archbishop resides there the Vicar-Apostolic has no jurisdiction whatever, and the place belongs to the Archbishop. The Vicar-Apostolic is not satisfied with this, and wishes to consult the Holy See and to ask for a fixing of definite boundaries. He is sorry that the Archbishop found some expressions in his letter offensive. He did not mean them personally, but merely spoke out with Apostolic freedom about his rights.

*April 29, 1802.*—In a long letter about several other matters, the

Vicar-Apostolic asks the Archbishop to restate once more the grounds of which he claims Poona and Golkonda.

*To Propaganda, 1802.*—Owing to the war there is no missionary in the Deccan. I wanted to send one of these clerics [=secular priests], but no one wishes to go. I shall therefore send Fr. John Luigi, with orders to stay there only so long as extreme necessity requires.

LETTER OF CARMELITE GENERAL TO V. A.

*August 30, 1801.*—A letter to the Vicar-Apostolic from the General of the Carmelites, written after an interview with the Prefect of Propaganda: As regards the jurisdiction of the Archbishop in Poona, your Reverence ought not to quarrel with him, because the end and object of propagating Christianity ought to be common and equal to both of you. But (you will object) your jurisdiction is impeded! I answer by denying this; for on account of the Brief of His Holiness, issued when you were constituted Vicar-Apostolic of Idalkhan, your jurisdiction cannot be impeded as regards its effects, since an inferior prelate [the Archbishop of Goa] cannot impede the jurisdiction of a superior prelate [the Pope]. Your Reverence is not prevented from building another church; but it should not be in Poona itself, because that would give rise to scandal and a dispute, which is always pernicious both to a prelate and to his subjects. I say all this, because at present the Court of Portugal is in the best relations with the Congregation of Propaganda, and has cancelled the oath of allegiance which formerly it imposed on non-Portuguese missionaries. Under such circumstances the greatest prudence and tactful adjustment (*economia*) is required not to clash unless it is absolutely unavoidable.

*To Propaganda 1801.*—The Vicariate has no definite limits. The original Brief erecting it is lost. A copy is necessary, or else a new Brief delimiting its boundaries, otherwise there must be endless disputes with neighbouring bishops.

Amongst other complaints of the Archbishop's interference he mentions the new church of Poona, capital of the Deccan, lately occupied by the Archbishop. "I asked for it as being necessary for any expedition to be made into the interior; but the Archbishop will not give it at any cost.... No missionaries of mine can show their face in any part of the Deccan where perchance there is a Goa priest, without exciting jealousies and exposing themselves to reproof which compel them to go elsewhere; as lately happened to Fr. John Luigi who was by my order visiting the Deccan and Golkonda. The opposition of the Archbishop proceeds from good intentions and zeal, as he deems himself authorized to act thus both as Bishop Metropolitan and Primate, and on account of the most ample faculties received from the Holy See.... In Poona there about 50 souls subject to my jurisdiction, over and above those who are in the service of the English army stationed there. In the camp of Scindia, prince of nearly the whole of Deccan, there may be over 1,000 Catholics. In the English camp at the service of Golkonda there

are at least 4,000 Catholics, Malabarians, besides those who live where there is no church.

I am most anxious to impress upon Your Excellency that any mixture of jurisdiction of missionaries in this country is highly prejudicial. I experience it, alas, in this blessed island of Bombay; and therefore I dare not employ any of my religious, and only keep those three churches merely in order not to disgust the people and the English Government. Hence it is necessary, not only for the Archbishop but also for the Vicar Apostolic, that he should have his own territory, formally defined, whereof he be the sole pastor subject only to the Holy See and Sacred Congregation, free from interference of the Archbishop or any other prelate, as is the case with the Vicariates Apostolic of Pegu, Cochin China and China; otherwise I tell you plainly, no spiritual good can be achieved in these unfortunate missions... Should the Sacred Congregation decide that I am not to look after the missions of the Deccan and Golkonda, one new missionary will suffice.

#### SUBSEQUENT HISTORY.

After this report of 1804 nothing more occurs about Poona—perhaps because by this time the armies had dispersed. The Goa priest remained undisturbed in his church, serving the Catholics of the Peshwa's army. At this date it was Fr. Lopes da Conceição. He also (from before 1812) visited the Catholic soldiers at Aurungabad, where a chapel was built; the British camp at Satoor [Sirur?] and Jalna—ministering to European and Indian troops alike, as well as civilians, both in Poona and the outlying stations.

The old cemetery a few hundred yards eastwards from the church still contains ancient tombstones with Portuguese crosses, the earliest dating from 1812 or thereabouts, 1819, 1823, 1829; and from 1833 to 1838 several of them bear the names of English soldiers. For after the Battle of Kirkee and the annexation of the Deccan, the Peshwa's army of course ceased to exist, but the British army took its place; and the Church of N. S. de Conceição (popularly called the City Chapel) was used for the troops, and English soldiers were buried in its cemetery as just mentioned.

In 1828 Father M. Antao became assistant, and two others were appointed for Aurungabad and Jalna, under the Goan Vicar Vara of Poona. In 1830 Father Antao was officially appointed Military Chaplain to the British troops of Poona, and seems also to have visited the camp at Kirkee. Then came a change of arrangements. In our church Register dating from 1835 we find a Father Britto, followed in 1838 by Fr. Joachim Leitao, both Goans by origin but serving under the Vicar-Apostolic as Military Chaplains at Poona. These chaplains did not operate from the City Chapel, which still continued under the Archbishop of Goa, but started a chapel in the Cantonment for the soldiers—which was afterwards superseded by St. Patrick's, the present Cathedral.

Meantime the City Chapel continued to minister to the native popula-

tion, most of them people originally from Goa or Bombay; and continued to receive from the British Government the subsidy inherited from the Peshwas. In 1842, the chapel being found too small, Government granted an extension of ground, and in 1852 the present larger church was built; the priest of the time, Father F. C. Conceição, having collected Rs. 12,000 for this purpose. At this date there were two priests in charge, subject to Goa and in receipt of Rs. 100 per month from Government, with a congregation of 1,500 members. In addition to this they also had a chapel in the Cantonment [apparently St. Anne's ?] with a further congregation of 500.

In 1887, after the Concordat settlement, the City Chapel remained subject to the Archbishop of Goa as part of that diocese, with exemption for its adherents; while the filial chapel of St. Anne's was after some contention handed over to Propaganda. We have run on so far in anticipation so as to complete the history in outline. Details of the more recent period are reserved for their proper place in the sequel.

## CHAPTER V.

### CIVIL AND MILITARY STATIONS.

THE British dominion in Western India, which began in 1665, was for more than a century confined to Bombay island, and a few outlying factories along the coast. After this it soon began to spread. The English took Salsette in 1771 and Bassein in 1780; extended as far as Broach in 1783; and the formal annexation of the North Konkan and Gujerat was accomplished by the Treaty of Bassein in 1803. Then followed the gradual subjugation of the South Konkan down the coast as far as Vengurla, which was finally achieved by 1817. At that date the Battle of Kirkee broke up the Maratha power, and brought under British rule the whole of the Peshwa's country; northwards as far as Kandeish, eastwards as far as Sholapur and Bijapur, southwards as far as Dharwar and North Canara. For the settlement of these vast areas detachments of British troops were posted for a time in various centres. This meant not only Catholic soldiers to attend to, but a following of civilians who ministered to the army either in the way of clerkship service or of trade supplies. Besides this, as the Collectorates were organised, a staff of civil employee was added. As these various posts and functions were largely filled by Catholics, many no doubt from Bombay and many others from Goa, there quickly grew up in these military and civil centres Catholic populations, a portion of whom settled down and remained after the military occupation was over. It was chiefly however on military grounds that priests were supplied; and small salaries were allowed to them by Government in case of resident priests, with travelling allowances for visiting smaller stations. This was in fact the great cause of

the development of the Vicariate in the early part of the 19th century.

Confining our attention to the period from about 1800 to 1838 (the date of the *Multa Præclare*) we can give the following particulars : -

(1) *In Gujerat and Northwards*.—In 1819 the priests previously living at Surat, and visiting Broach and Baroda, began to receive Government allowances; and one of them was paid for visiting Kaira between 1818 and 1829—by which latter date all Catholics has disappeared from the last-named place. Chaplaincies began at Ahmedabad and Deesa in 1829, and at Bhuj in 1835 with Rajkot as a visited outstation.

(2) *In Kandeish*.—In 1828 Dhulia was founded, in 1830 Malegaon and Dhurrangaon—the last on account of the Kandeish Bhil Corps (1825-1858).

(3) *In the Middle Deccan*.—The Vicar-Apostolic had Chaplains at Ahmednagar (1831); Sholapur (1833); Kirkee (about the same date); Poona (1835).

(4) *In the South Deccan and Konkan*.—Malwan (1815); Ratnagiri (1819); Belgaum (1830); Dharwar (1838). Certain other stations were served by priests of the Goa jurisdiction, such as Aurungabad, Jalna, Sirur, Raichur, etc., of which we have no particulars.

In all the places where there was no church in existence, Government gave a piece of ground and contributed something towards the building of one—the soldiers and civilians contributing the rest: and when the soldiers were withdrawn later, these places of worship were in most cases kept up for the use of the civilians who remained in the place.

The detailed history of these stations is left over for a later section.

#### SOUTH KONKAN STATIONS.

It happened that the British military camps were in some cases stationed in places where there existed Goan congregations under the charge of resident or visiting priests; and hence arose questions of rival jurisdiction, either at the outset or later on. Most of these can be reserved for the future “particular” histories of those places; but two of them might as well be handled here; first because they began early, and secondly because by the withdrawal of troops their history was soon closed.

#### MALWAN.

Malwan, 200 miles south of Bombay on the coast, and only 50 miles north of Goa (an old fort which figured in the struggles with Angria and the Sidi pirates) was occupied by troops in 1815, for the settlement of the South Konkan under British rule. There was a community of Goan immigrants here, visited annually by a Goa priest from Savantwadi. The Vicar-Apostolic had to appoint a priest to minister to the troops (Fr. Domingos de Silva, confirmed by Government letter of May 22, 1815). Hence arose a discussion with the Archbishop of Goa as to rights of jurisdiction (File VI. 37, 40, 46, 49, 58, of 1816-1821). In 1830 there were no more troops at Malwan (Govt. letter 19 Apr., 1830) and the allowance of Rs. 15 per month was transferred



to Belgaum for the priest who was appointed there instead. In 1832 the Vicar-Apostolic applies for the reappointment of a priest at Malwan (apparently for the Goan residents ?) but Government answers that the request has already been negatived on a petition from the inhabitants (Govt. Letter July 17, 1832), and that closes the history.

#### JURISDICTION AT MALWAN.

The papers in our archives bearing on this question are summarised as follows :

*1815.* Government orders the Vicar-Apostolic to send a priest to Malwan, and he does so. The Vicar-Apostolic apparently sends the candidate first to Goa, with a letter to explain matters and obtain approval (?) but his behaviour there seems to have been wanting in etiquette. Hence :—

*(No. 37). April 2, 1816.* Reply of Archbishop to Vicar-Apostolic's letter dated March 11, 1816. He complains of the impolite behaviour of a Fr. Dominic de Silva sent to him. The Archbishop cannot doubt about Malwan belonging to the Archdiocese. He has not written to Rome on the subject, but claims the place by constitutional right. He is not bound to provide for churches outside the Goa State which he is unable to visit. Hence with good will he is ready to give jurisdiction to any priest sent to Malwan by the Vicar-Apostolic, on conditions similar to those of other missionaries of the neighbourhood (?)

*July 4th, 1816.* The Vicar-Apostolic reports the Malwan appointment to Rome, and explains it thus :—

I should not have thought of doing so if the Government of Bombay had not requested me to send one of my priests, with a promise of 22 scudi (Rs. 45 ?) per month to the same. I had doubts whether I ought to extend my jurisdiction so far specially as the Archbishop is accustomed to send there a priest for a fortnight each year, to administer the sacraments to the Christians. Hence I wished to come to an understanding with the Archbishop, so that the priest now at Malwan may exercise my jurisdiction with the approval of the Archbishop, until the Sacred Congregation decides whether Malwan (which is situated in the Deccan, and to which the Archbishop sends annually one of his priests) is or is not to be under the jurisdiction of the Vicar-Apostolic. In Malwan there never was, nor is there at present, any founded church.\* The place belonged to the Marathas before the English took it."

*Oct. 1, 1818.*—Propaganda, replying to the foregoing Report of the Vicar-Apostolic, says that "on account of uncertainties of jurisdiction you did well in coming to an understanding with the Archbishop of Goa when sending there a priest at the request of the British Government. However since the decree of Propaganda 31 July, 1790 declared that the Vicariate extended to Karwar, Deccan and Golkonda, it seems that

\* A church was built there in 1845. (*Annuario* 1901).

by this resolution you stand authorised to exercise your jurisdiction in Malwan."†

While waiting for this answer, correspondence goes on between the Vicar-Apostolic and the Archbishop.

(No. 40). Dec. 17, 1816.—The Archbishop writes to the Vicar-Apostolic :—

I cannot cease to wonder at the first para of the letter of Your Reverence, since I believe that you cannot seriously doubt that Malwan is within the district of this Archbishopric ; but I do not wonder that the English have asked you for a priest, since they are not concerned as to who is the proper prelate, but only want a Catholic priest to satisfy the people.

Notwithstanding my certitude that Malwan is in the district of the Archbishopric, it did not concern me to know who Father Domingos might be. Nor did it concern me to know of his conduct, when at the beginning of July I received a letter from the Christians of Malwan, brought by 3 persons calling themselves Procurators of that people. In the letter they stated that they have no priest, because Your Reverence has withdrawn the priest who was there—which priest has taken away with him the chalice, missal and some vestments which he had brought from Bombay. They also requested that I should send a priest as early as possible. They suggested Padre Joze Caetano de Mello, whom I chose as being so far of good conduct : I gave him missal and chalice, and sent him with sepoys to accompany him on the dangerous journey. In all this I acted with sincerity, without ambition of dominion, and never had the faintest idea that I was usurping the jurisdiction of Your Reverence. For speaking with episcopal freedom, I think that Your Reverence has no jurisdiction in that district. Hence if the English absolutely disallow the exercise of my jurisdiction, I believe that Your Excellency, when sending a priest, should always see to it that he individually obtains jurisdiction from me—as in effect you did when you sent Fr. Domingos. Consequently, if *pro bono pacis* it is settled that you nominate to the English the above mentioned Fr. Joze Caetano de Mello, I agree that you may nominate him. But as to your giving him jurisdiction I do not deem it necessary, and I cannot in conscience allow it. Since the place is in the district of my diocese, I cannot consent to this ; for my consent would imply a confession that at the will of Protestants or at their caprices the jurisdiction of Diocesan Prelates is given or withdrawn, thus increasing or decreasing the limits of dioceses.

These being my sentiments, Your Reverence may act as you think best, having always in view, as you do, the service of God and of souls.

In 1919 Government (Cf. Meurin's Notes) records the following :—

"The authorities of the Konkan were ordered not to admit the

† Geographically Malwan was not part of the Deccan, but of the South Konkan coast. But politically it had been part of the Deccan Sultanate of Bijapur, and after that, was part of the Deccan Rajahship of the Marathas.

jurisdiction of the Archbishop of Goa, and also to exact the oath of allegiance from the two priests there [priests of Vicar-Apostolic at Ratnagiri and Malwan?]"

The Vicar-Apostolic apparently communicates this decision of the Government to Goa, hoping thereby to strengthen his position. The Archbishop however takes a different view, which he expounds in plain terms as follows :—

*Oct. 6, 1819.* Reply to letter of Vicar-Apostolic dated 13 Sept. 1819. The Archbishop had a mind not to answer the Vicar-Apostolic on that or any other subject, and this for good reasons: "(1) The English, (you say) do not want the Goa jurisdiction in the territories of the North. But they do at least wish every one to practise his religion in peace, and to live as a tranquil subject. If in those lands there were only one set of priests, *viz.*, those of Goa, Government would consent to their functioning so long as they acted as obedient subjects. Hence if it is a fact that they do not want the Goa jurisdiction, this is only because others (=Propaganda missionaries) put it into their heads to ask for jurisdiction from another source. (2) The obstacle to the Goa jurisdiction is not the English, but the Italian Fathers who have been introduced into Bombay. Either Bombay is part of the Goa diocese or not. If it is, I have a right to send priests, and all others are intruders. If not—if I am not legitimately in charge of these places, then I am not obliged to send priests. If on the other hand you (the V. A.) cannot provide for those places, it is your duty to tell Government so; and then they must of necessity allow Goa priests to minister there.

The sum and substance of all the letters from Goa *re* Malwan is as follows :—

"Malwan is undoubtedly under the Goan jurisdiction. The Vicar-Apostolic says that the English do not want Goan jurisdiction. In truth the English do not care about jurisdiction. They want any priest that will satisfy the people. This anti-Goan campaign is 'inspired' by interested persons. I cannot renounce my rights. Still for the good of souls and at the request of the Vicar Apostolic I am willing to send a priest, and also gladly grant jurisdiction to any priest chosen and sent by the Vicar-Apostolic, *pro bono pacis*, and until the matter be settled by Rome and Portugal."

The question in point of fact settled itself (1) by the withdrawal of troops from Malwan by 1830. (2) The refusal of the Goan residents to accept the services of the Propaganda priest after the troops were withdrawn. After this Malwan remained in undisturbed possession of Goa, as part of the Vicariate of the Ghauts, down to this day.

#### RATNAGIRI.

The present Collectorate town of that district, 130 miles down the South Konkan coast from Bombay. A group of Goan Christians had immigrated hither in the 18th century, and built in 1784 a small church,

visited from Savantwadi. In 1828 the Vicar-Apostolic writing to Government speaks of having "small chapels at Mhow, Dhulia, Kandeish, Malwan and Ratnagiri"—and it seems probable that one of his priests was there with the troops as early as 1819. Perhaps he was allowed to say Mass in the Goa chapel (?)

We find no discussion with Goa about Ratnagiri; but it seems that a Propaganda chaplain was still there in 1841, when the Dharwar Catholics refer to him as enjoying Rs. 45 per month. In 1847 (after *Mulla Præclare*) when the Vicar-Apostolic proposed to appoint Fr. N. dos Santos to that place, Government replies that there is no need to confirm the appointment "because the inhabitants have declined to accept a priest of your nomination." *The Madras Directory* of 1851 speaks of Ratnagiri as "vacant and at the mercy of Protestants and Schismatics." In 1858 (on account of the mutiny) Savantwadi and Ratnagiri are temporarily occupied by small bodies of European troops. Government reports that "as the R. C. soldiers of Ratnagiri decline to avail themselves of the spiritual services of the Portuguese priests at that station; and as the location of troops there is only temporary, the station is merely to be visited from Kirkee [and Savantwadi in like manner from Kolhapur.]

Just at this time the Pro-Vicar of Bombay issued a circular to the soldiers warning them against "schismatic priests," and giving a list of Propaganda chaplains in various stations whom alone they ought to recognise. This drew from the Vicar Vara of Savantwadi a letter to Government repudiating the charge of schism and explaining the rights of the Patronage (Sept. 17, 1857). And later on (July 4, 1860) the Goa priest of Ratnagiri addresses Mgr. Canoz, Administrator Apostolic, on the same subject. The Vicar-Apostolic, it seems, made no further attempt concerning Ratnagiri, which thus passes out of our history.

## CHAPTER VI.

### VARIOUS EVENTS, 1800-1832.

HAVING carried through our studies of the greater events which form the backbone of the history during Dom Pedro d'Alcantara's regime, we now gather up the fragments that remain during the same period:—

#### GOVERNMENT SALARY.

In 1814 the Vicar-Apostolic made a visitation to the north of his Vicariate to inspect the newly opened stations of Gujerat: Broach, Baroda, Kaira. Deeply impressed with the needs of the Christians there, he instructed his secretary (on Feb. 11, 1814) to put in a petition to Government for a pension to enable him to help the northern missions which he had just visited. Government on May 27th, 1814, replies that

"the Hon'ble Governor-in-Council, desirous of relieving the pecuniary difficulties under which you labour, in consequence of the allowance formerly made by the Church at Rome having been discontinued, has resolved to recommend to the superior authorities in England the grant of a monthly stipend, to enable your Reverence to uphold the dignity of your sacred office in a manner suitable to its high character; and meantime is pleased, in order to relieve your immediate necessities, and to mark his sense of your Reverence's general good conduct and allegiance to the British Government, to direct the civil paymaster to present your Reverence with the sum of one thousand Bombay rupees."

On September 9th, 1816, the asked-for "pension" of four hundred rupees per annum, with arrears from 1st January 1814, is granted by Government. A note in *THE EXAMINER* of July 10, 1850, states that a pension of Rs. 300 per month had been offered, but that Dom Pedro declined it on the score that "a monk needed no more than one rupee a day." This corresponds more or less to the Rs. 400 per year mentioned above. Dr. Fortini, the succeeding Vicar-Apostolic, received the same Rs. 30 per month; but in 1843 Dr. Whelan secured for himself a separate salary of Rs. 200 per month, even while coadjutor - on the understanding that he should preside over the military chaplaincies in the presidency.

#### THE SEMINARY ENDOWMENT.

In 1819 the Vicar-Apostolic made an application to Government for permission to establish a proper seminary in Bombay for the education of candidates for the priesthood. Government submitted the application to the home Government (No. 91). Apparently permission was soon given and a start made; for in 1823 we find Government deliberating as to whether it should contribute to its support or not (No. 101). In 1828 Government agreed to contribute a sum not exceeding Rs. 1,800 per year to be drawn monthly (Rs. 150), without however undertaking to make this a permanent annuity (Nos. 117-118-119). The exact date of the foundation of the seminary is not known (some time between 1819 and 1823). As a seminary of sorts had already existed since 1776 in the rudimentary form of a small dayschool, this new development must have meant nothing but turning it into a boarding establishment. The number of clerics in the year 1828 was ten. It was opened in the old residence at the Fort Chapel, where it remained till Bishop Fortini's time (1840-1848) when it was transferred to Parel. Its subsequent history will be the subject of a special monograph.

In April 1829 Fre John Louis (Secretary to the Vicar-Apostolic) sent in a petition for a larger subsidy of Rs. 600 per month; but Government replied that they thought the smaller allowance as granted to be sufficient.

#### THE MADRAS VISITATION.

Just when the last Capuchin was about to disappear from Surat, Dom Fre Petro was ordered to proceed to Madras as Visitor Apostolic to the Capuchin missions on that side of India (Madras, Pondicherry,

Masulipatam, etc.) The Brief of commission was issued on May 17th, 1816, but the execution was delayed till 1819. In that year Bishop Alcantara, having appointed a substitute in Bombay, and secured the necessary passports and protection of peons from the Government (the country being at that time much disturbed by wars) went to Madras *via* Verapoly.

The affair to be arranged was the subjection of the Capuchins to the ordinary jurisdiction of the See of Mylapore—a thing which had been done *de facto* by the Madras Government, and now needed corresponding ecclesiastical adjustments, details of which lie outside our history.

In the year 1821 Dom Pedro d'Alcantara was back in Bombay. But later on in 1833, when Madras was erected into a Vicariate Apostolic, he was by the Holy See nominated *ad interim* Vicar-Apostolic (Mar. 5, 1833); and so again, fortified with passports and recommendations of Government he set out for Madras. He administered the new Vicariate till the arrival of Bishop Daniel O'Connor, (Irish Augustinian) who was nominated in 1831—after which he returned home to Bombay.

#### DOMESTIC CONTENTIONS.

In 1808 some domestic contention arose again, as it had arisen previously in 1772 (see Section XII) as to the proprietorship and administration of the mission property; whether it belonged to the Carmelites or to the Vicariate. It seems the missionaries were claiming that the churches and furniture in Bombay, Surat and Karwar belonged to the Order and not to Propaganda. The Fathers were also complaining against the Vicar-Apostolic being at the same time Superior of the Order. The Vicar-Apostolic in 1814 wrote to the General asking him to appoint a separate Superior Regular, as the missionaries object to his acting in that capacity (a question which had also been mooted previously in 1714; see Part III, Ch. II). It seems that on the revival of these contentions the authorities appointed a Carmelite Vicar Provincial as Superior Regular in matters of discipline and administration, who was to give a yearly account to the Vicar-Apostolic. But Propaganda on Oct. 1, 1818 revokes this appointment, and declares that all missionaries are in spirituals and temporals subject to the Vicar-Apostolic (Alc. Notes p. 38, 39, 40).

#### THE COADJUTOR.

Dom Pedro d'Alcantara, though he did his duty heroically all the time, never seems to have been in love with his post. In 1803 he writes to Propaganda asking leave to resign at the close of his ten years' office (1794-1804). In 1814, in connection with the foregoing domestic contentions, he again repeats this request. No permission being given for this, he asks in 1819 for a Coadjutor (just at the time when he has to absent himself on the Madras Visitation). In 1823 (June 26) he receives the reply from Propaganda that Fr. Aurelio Stabellini will be his Coadjutor; but as yet he has not arrived in India. On Nov. 9, 1824 we find Government saying that they have no objection to the consecration of Aurelio Maria Stabellini as bishop—and apparently he was conso-

crated at that time. In 1837 (Aug. 8th) we find a papal diploma stating that since Dom Fre Maurelio Stabellini has abdicated, the Holy See allows Dom Pedro to select another Coadjutor out of the Carmelites in the Mission. Fre Aloysius Maria Fortini a Sta Thereza is chosen accordingly and consecrated shortly after; and Dom Pedro expresses great satisfaction with him. In 1839 Bishop Alcantara speaks of his poor state of health, being now nearly blind, and asks permission for the Coadjutor to take full charge of the mission. This being granted Bishop Fortini takes charge on February 29th, 1840. On October 9th, 1840 Dom Pedro d'Alcantara dies and is buried in Esperança church; and Dom Aloysius Maria Fortini reigns in his stead.

#### SECOND REMOVAL OF ESPERANÇA.

As to changes which took place with regard to churches in Bombay, our first reference must be to the church of Esperança; which, judging from its travelling propensities, ought to have been built on wheels. This church, which in 1760 had been removed from the 400 yards limit and rebuilt further out, somewhere on the Maidan, was again threatened in 1782 by a Government plan to make a larger clearance of 800 yards round the Fort wall. The second church happened to lie just within this distance, and orders were given to remove it--the motive being a fear lest, in case of invasion by the French, such a building might be captured and turned into a fort for the enemy. The alarms of war subsiding, the matter was let slide till 1801, when an invasion by Napoleon was to be apprehended. The Vicar-Apostolic pleaded in vain for an exemption. The order was insisted upon, so that the church had to be pulled down and rebuilt in its present situation in Bhuleshwar, on a piece of ground bought by the Vicar-Apostolic. This third church was blessed in 1807; but so badly was it built by Government that it soon fell to pieces, and was finally rebuilt in 1832 in its present form. The large cross on the Maidan near Marine Lines is said to show where the second church stood (1760-1801).

#### ST. JOSEPH'S, COLABA.

One new church was added to the Propaganda list during this period, *viz.*, St. Joseph's, Colaba, first projected in 1823 and finally built on Government ground and handed over to Government in 1828 for the use of the military. A bungalow for the chaplain was added in 1835. The Abbé Cotineau, traveller and author of the History of Goa, was its first chaplain.

#### THE HOSPICE AT COLABA.

Padroado also during this time added one private chapel to their jurisdiction. This was a hospice built in Middle Colaba by the Augustinians of Goa in about 1823, with chapel attached, as a rest-house for missionaries proceeding to Bengal, Madras and Damaun. In 1835, on the confiscation of church-property, this building fell into the hands of the Portuguese Government. In later years it was renewed and extended, and is now the chapel and residence of the Bishop of Damaun.

## LIST OF CHURCHES, 1840.

Hence the list of churches in Bombay, at the death of Dom Pedro in 1840, is as follows :—

(A) *Propaganda churches* :—(1) Esperanca at Bhuleshwar ; (2) Fort Chapel ; (3) St. Teresa's, Girgaum ; (4) Rosary, Mazagon ; (5) St. Michael's, Mahim ; (6) Sion Chapel ; (7) Salvação ; (8) St. Anne's, Byculla ; (9) St. Joseph's, Colaba.

(B) *Padroado churches* :—(1) Gloria, Mazagon ; (2) N. S. de Saude, Cavel ; (3) The Hospice Chapel at Middle Colaba ; (4) Private Chapel of de Lima at Byculla.

## THE CATHOLIC POPULATION.

In a previous section we discovered that at the coming in of the Carmelites in 1720 the Catholic population was estimated at about 6,000 out of a total of perhaps 15,000 inhabitants.

It was in the year 1780 that the first systematic census of Bombay island was taken. The results (published in the Materials Vol. III, p. 527) ran as follows :—

			Total population.	Christians.
Mahim division	..	..	13,726	5,726
Bombay division	..	..	33,411	6,960
			47,170	12,686

We cannot be sure whether the census was correctly taken, or what proportion of the Christians were Catholics ; though at a guess we may place them at above 10,000, as the European Protestants were comparatively few and native Protestant converts practically nil.

In a letter to Rome dated 1791 the Vicar-Apostolic speaks roundly of 10,000 Catholics in the island, and out of these 7,000 have remained with the churches assigned to the Vicariate, while only 3,000 belong to the Archbishop. In the report of 1804 we get details of the whole Vicariate : "In Bombay under my jurisdiction 10,000 [an advance on the 7,000 mentioned above] ; Surat 500 ; Carwar 285 ; Poona 50, besides the soldiers in the English army ; Golkonda (=Hyderabad) 4,000 Malabarese soldiers ; a few in the rest of the Deccan and a few in Gujerat. [This gives at a guess a total of 14,835 specified figures ; but Coorg with its 700 or more is left out].

The transfer of Salvação church in 1813 brought over perhaps 2,000 more to the Propaganda jurisdiction, and reduced the 3,000 of Padroado subjects, as estimated into 1794, to a small remnant attached to Gloria church and Cavel chapel numbering perhaps 1,000 in all.

Finally the Mauritius MS. also attributes the following population to the two jurisdictions at this time :—

(A) *Propaganda* :—The European soldiery, and 15,000 Native Christians (?).

(B) *Padroado* :—300 Native Christians of Bombay, and 1,000 Goan Christians.



How far these figures are reliable we cannot say. As the Government census of 1816 shows a total population of 161,550—of whom only 11,500 are reckoned as Native Christians, Portuguese and Armenians—the Propaganda figure (15,000) seems clearly mistaken. If we cut down this 15,000 to 10,000 we shall probably hit near the truth and reach the following results :—

A. Propaganda	Civilians	10,000	} 10,100
	Soldiers	100	
B. Padroado	Local Christians	300	} 1,300
	Immigrants	1,000	
C. Armenians (?) .. .. .		100	
To agree with the census of 1816		=	11,500

#### NUMBER OF MISSIONARIES.

In 1720 Government sanctioned the introduction of six Carmelite missionaries into Bombay island; but the actual number seems hardly ever to have been so many. In about 1787 they were so few that two Carmelite Fathers were holding charge of four parishes. In 1789, when the churches were handed over to Goa, there were (putting aside the Vicar-Apostolic) only three Carmelites to take their oath of submission in order to retain for the time being their parochial benefices. In the report of 1804, besides the Vicar-Apostolic, there were only three Carmelites and two Capuchins in the whole mission (and one more lent to Hindustan). In 1814 there were only four Carmelites and Fr. Raphaelle Cicala (of the congregation of St. Vincent de Paul, from Mauritius). In 1823 there were only five European missionaries in the whole Vicariate, "all old and weak."

#### NUMBER OF SECULAR CLERGY.

When the churches were handed over to Goa in 1789, all the secular clergy in the island submitted to the Archbishop of Goa. When in 1791 the churches were restored to the Carmelites, the number of seculars who took the oath of allegiance to him was 16—how many held aloof we do not know. When the churches were divided in 1794 the distribution is not recorded; but the Vicar-Apostolic complains of great shortage of priests, while the Archbishop had plenty. Most seem to have gone over to his side, including some that had been ordained for the Vicariate. In 1804 he reports that his secular clergy are only eleven in number. The Ordination book of the Vicariate shows that 19 priests were ordained between 1775 and 1800, and 12 were ordained between 1801 and 1817—that is to say, 31 in 12 years, less than a man per year. The number of "clerics" under training in 1804 was four only, while in 1828 (in the improved seminary) they amounted to ten.

#### LAY EDUCATION.

As regards lay education, Bombay had nothing remarkable to show for itself in the Portuguese period of its history. There were orphanages and boarding schools in the greater centres: Bassein, Thana, Mount Poin-

ser, Chaul, Karanja and the famous College of St. Anne at Bandra, all of which were destroyed by the Marathas in 1739. Bombay however was a poor, outlying, undeveloped island, and except for three churches and two chapels, seems to have had no institutions at all.

In 1720, when the Portuguese missionaries were expelled, it is mentioned by Niebuhr, as one of the complaints against them, that they did nothing for the education of the people; and that candidates for the priesthood were sent to Goa for ordination, which was not conferred without payment.

1770 (?). In the undated "*Articles to be considered.*" No. 11 reads: "That the European missionaries do (*i.e.* should take proper care of the education of the children of the Romans, to render them good subjects to his majesty and faithful servants to the Hon'ble Company. The manner of conducting and managing a school for this purpose to be formed by the said missionaries, subject to the approbation of the Hon'ble board."

1775. About this time we find the first indications of an incipient seminary, *i.e.*, a school in which a few boys are beginning to be trained for the priesthood (See section XIII), and which was subsidised by Propaganda.

1786. The will of John Barretto of Calcutta, who died in this year, shows that some time before this date he had established a private charity school somewhere in Bombay, for which he left an endowment.

1789. In a petition during the turmoil of this time, the Carmelites are accused of not helping education but of keeping people ignorant, and forbidding them to send their children to Goa or elsewhere for education.

1789. At the time of the reversion to Goa it is complained that a school which was held in the Fort Chapel had been closed, and the people request that it should be reopened. Fr. Pinto da Gloria is mentioned in connection with it, and we cannot make out whether it was identical with the "Seminary" school, or was a school for the general public.

1795. The de Souza School at Gloria church was founded by the head of that family [under Padroado].

1800 or earlier, the chapel of St. Anne, Byculla, founded by Mrs. Rose Nesbit, is provided with the salary of a school-master at Rs. 35 per month.

1801. The Report to Propaganda states that the "Seminary" is conducted in the Fort Chapel, where the candidates for the priesthood come as dayscholars only, to be taught by Father Raphaele Cicale. That year there were only four clerics. [In 1828 the number had risen to ten]. Possibly lay children were also admitted.

1804. The same Report states that in every parish there is a master to teach the boys catechism and reading and writing. It adds that some poor widows send their children to Protestant schools, where they are obliged to attend the Protestant Church and be brought up in the

Protestant religion.\*

In 1817 the Vicar-Apostolic had occasion to complain of the children of Catholic soldiers being forced to attend the services of the Church of England. Government in reply promised to issue orders forbidding this in future (Archives No. 86 and 99). Later on (in 1828) a question arose about children of Catholic soldiers being compelled to attend the regimental schools. Such compulsion was, however, disavowed by the Government in 1829; and in 1811 express orders were issued that it should not occur (Archives No. 121).

## PART IX.

### CREATION OF NEW VICARIATES (1832- 1838).

#### CHAPTER I.

#### THE MISSION PROBLEM AND ITS SOLUTION 1832-1836.

THE Congregation of Propaganda had for several years been working over the whole question of mission enterprise in India in general, and was just at this time maturing an extensive and important programme of reorganisation. This programme was drawn up by Gregory XVI, who was Prefect of Propaganda from 1825 to 1830, in which year he became Pope; and two years later (in 1832) the execution of the ready-made scheme was begun. Pope Gregory XVI was a man remarkable for his power of organisation; the inaugurator of reforms and framer of concordats; a vigilant and efficient business-man who "knew what he was doing." His programme, begun at Madras in 1832, was completed at Madura in 1846, the year of his death.

Before giving details of this programme, however, we must make a survey of the changes which had come over the whole situation in India as regards missions, from the time when the original Portuguese enterprise began say in 1510, down to the year 1832 with which we are now concerned.

#### THE OBJECTIVE OF PROPAGANDA.

The preliminary subject which it is necessary to discuss is that which concerns the very *raison d'être* of the Vicars-Apostolic, namely the conversion of pagan India. The Congregation of Propaganda Fide had been founded in 1622 expressly with this object, not only in India but

\* As regards Protestant schools at that time: In 1718 a charity school was founded in connection with St. Thomas's Church. The Bombay Education Society was founded in about 1815; the Bombay Native Education Society in 1822; Christ Church School, Byculla, in 1825; The Elphinstone Institute in 1822; Wilson School in 1829; Money School in 1835. The education movement among Catholics really began under Bishop Hartmann in 1850.

in all other parts of the newly discovered world where there was need for special efforts. The purpose in the East was quite expressly defined in 1633. It had become manifest that Portugal alone was unable to cope with the task of extending the Gospel to the vast continents which had been placed under the Royal Patronage; and it was therefore necessary that the Holy See itself should enlist missionaries of other nations to carry on the evangelical enterprise at the point when Portugal was, on account of the sheer limitation of its resources, obliged to leave off. Two questions therefore call for inquiry: (1) In what way and for what reasons did the Portuguese mission enterprise come to an end; and (2) In what way and to what extent did the Propaganda mission enterprise take its place and carry on the work? Let us take these two questions in turn:—

#### THE PADROADO MISSION COLLAPSE.

It is a commonplace of history that Portuguese missionary enterprise, which began to evolve itself about 1510 and reached its climax about 1600, began from that date to decline, and by about 1680 had come practically to an end.\* A complexity of causes have been suggested for this decline: (1) The subjugation of Portugal by Spain (1580-1640); (2) The inroads of the Dutch and the collapse of the Portuguese ascendancy (1656-1663); (3) The diminution in the number, and also unfortunately in the quality of the missionaries sent out; (4) The growth of wealth, and absorption in material objects among the religious; (5) The loss of fervour and zeal, partly due to worldly interests and partly to the novelty of the work having passed away; (6) The alienation of the Indian mind on account of the objectionable conduct of so many of the Portuguese; (7) Finally, the working out of what we once called "the Choke-law"; viz., that as Christians increase in number, missions develop into parishes, and missionaries into parish-priests, fully occupied in ministering to old Christians with neither time or energy to seek for new ones.

Under this altogether changed condition of things, which set in generally soon after the year 1650, the term "mission" lost its old Gospel-spreading significance, and began to mean nothing more than outlying stations of existing Christians which were not yet canonically erected into parishes, some of which were only visited; and in case of religious, "being on the mission" came to mean being stationed as parish-priests in churches which not attached to "convents." In this sense is to be understood the statement that at the suppression of the religious orders in 1835, there were about 300 religious under the Portuguese regime, of whom 72 were "working in the missions." Quite probably not a single

\* There were of course exceptions. Thus the Mission of Madura still preserved its Mission character down to the suppression of the Jesuits in 1773; and small bands of Jesuits, Augustinians and Theatines were doing pioneer work in Hindustan, Orissa, Bengal, Arakan, etc. Quite possibly there may have been many instances of individual zeal which escape notice. Still as a prevailing state of things, and particularly in the districts covered by our present history, the proposition in our text stands absolutely true—as can be proved from the local mission histories.

one of them was working for the conversion of pagans ; certainly not in any organised way. They were merely resident or visiting parish-priests *extra domum*, that is all. The same holds good equally among the secular clergy, whose ideas (with possibly a rare exception here or there) were exclusively parochial.

#### STATE OF THINGS IN 1700.

Father D'Sa (Damaun p. 59) amongst other documents, produces one which is valuable for the light which it throws on the general situation as it presented itself by say the year 1700 : -

In a letter written by Domingos Dourado de Oliveira on the 19th January 1703 to the King of Portugal on the Missions of India, he says that in Goa there were seventeen convents with not less than five hundred religious, and more than one thousand five hundred secular priests fit for any work. In Chaul there were five and thirty religious. In Bassein there were four convents with about thirty religious. In Damaun there were four convents and about twenty religious. He complained that the religious were occupied in looking after their private interests only, and that they did not preach publicly to the heathen.

His recommendations were that His Majesty should order the religious superiors to send one out of every ten religious to preach to the heathen ; and that His Majesty should likewise instruct the Archbishop of Goa to give the same occupation to the secular priests. With regard to the districts of Chaul, Bassein and Damaun, he recommended that from each convent some religious of each Order should go alternately every day to preach to the infidels. As the villages of the two jurisdictions of Damaun and Bassein were more numerous and extensive, he recommended that secular priests were more suitable as they knew the language of the people ; but as the secular priests here were so few, and most of them occupied, he recommended that every two years twenty or thirty secular priests should be sent from Goa to preach in turn in all the villages. (Archivo Port. Or. Vol. X doc. 53).

When this document was sent to the Viceroy for his information, he replied on the 22nd Dec. 1705 refuting the accusations of laxity against the religious. He gave the number of native secular priests of Goa, including Ilhas, Bardez and Salsette, to be two thousand five hundred. He wrote at the same time that many of the most suitable secular priests declined to go to the service of Missions (Arch. Port. Or. Vol. X doc. 57).

So far as regards the collapse of Padroado mission enterprise ; let us now see what Propaganda was doing to take its place.

#### THE PROPAGANDA MISSION FAILURE.

The early Vicariates-Apostolic established in India were only four : (1) That of *Canara* (Thomas de Castro) was of a temporary nature and lasted only ten years. (1674-1684). (2) That of *Malabar* (1657) had for its object the special work of reconciling the seceding Thomas Christians ; and its history lies outside our scheme. (3) The Tibet Mission established

in 1704, which became the Thibet-Hindustan Mission in 1784, and the Vicariate Apostolic of Agra in 1820.

(1) That of *the Great Mogul*, the proper subject of this monograph, which must occupy our full attention; and the question before us is this: How did that Vicariate fulfil the task placed before it, of working for the conversion of the heathen within the territory assigned to it? The almost shocking answer which we have to make to this question is: The Vicariate practically did not fulfil its task at all!

In the course of his report to Propaganda in 1801, the Vicar-Apostolic remarked that "nothing was being done for the conversion of the heathen." Startling as this confession may appear, it seems to be broadly true not only of that time (1801) but of all the previous time during which the Vicariate had existed. I do not mean to say that nothing whatever had been attempted, nothing at all done, during that long period of more than a century and a half (1639-1801). Here and there we find the incidental mention of converts made by this or that missionary; but the numbers must have been very small, and the permanent results negligible. Nowhere did there exist any recognisable community or body of Christians who could trace their religion back to the pioneer-work of the missionaries of the Great Mogul. In regard to that one great missionary object, the conversion of the country, the history of the Vicariate so far was practically a blank.

#### REASON OF THE FAILURE.

The reason was that the Vicar-Apostolic from the very first found all his available resources pre-engaged for another work; and that work was parochial or quasi-parochial ministrations to existing Christians: foreign merchants and sailors (chiefly French, Italian and Portuguese) that frequented the ports and factories at Surat and Karwar; native Christians, mostly from Goa and Malabar, who flocked to the centres of foreign trade as dealers, agents, clerks, artisans, servants and other employees; and also to the royal capitals of Bijapur and Golkonda, which enlisted large numbers of Christian in their armies, as well as giving them civil employments.

Imagine now a small handful of Carmelite Missionaries, rarely more than five or six: one at most stationed at Surat, one at Karwar, one travelling hundreds of miles on a flying visit to Bijapur or Golkonda, and (after 1720) three or four tied down to the parish churches of Bombay. You will see at once that they must have had their hands full all the time, ministering to the needs of Christians who already existed, with never anything but now and then an incidental opportunity to make a convert or two just by the way. Hence the necessity of acknowledging that, without any one to blame for it, the Vicariate-Apostolic of the Mogul, for the whole of its existence down to the period we are studying (and by way of parenthesis, later on down to very recent times indeed) was not a mission at all in the "Propaganda" sense of the word. It was at the most a loose aggregation of clergy doing

more or less casual parish work, mostly for *peregrini*, and in no effective sense an organisation working for the propagation of the faith.

Such was the case down to the year 1804. But from then to the year 1832 the same tale has to be told. On account of the British occupancy of Gujerat, the Konkan and the Deccan, a large number of new stations were added to the Vicariate: five in Gujerat, (Broach, Baroda, Kaira, Ahmedabad and Deesa); one in Bombay; five in the Deccan (Poona, Kirkee, Ahmednagar, Sholapur and Belgaum); two temporarily in the Konkan (Ratnagiri and Malwan); but only for the purpose of ministering to troops and civil servants. What was true in 1804, (and had been broadly true of the previous century and a half) was equally true in 1832 (and for several decades later): In the Vicariate of the Mogul "nothing was done for the conversion of the heathen." For two whole centuries the Vicariate, as regards the very *raison d'être* of its creation, had proved a complete failure—no matter how much good work it had done in other ways.

#### SCATTERED PADROADO SUBJECTS.

A curious corollary emerges from the foregoing consideration. Putting aside the European troops, and a small number of English Government servants, practically the whole flock under the jurisdiction of the Vicar-Apostolic of the Mogul was (by origin at least) made up of Padroado subjects. This is true no matter whether they were "Goans," or "Mangaloreans" or "Canarese," or "Tamils" or "Malabarese" or what we now call "Bombay East Indians." In Surat and Karwar, and perhaps in Bombay, there may have existed a few who had at some time or other been "received into the Church" by the Propaganda Missionaries, forming a small percentage of the whole; but that is the most that can be claimed. The Vicar-Apostolic was indeed carrying on the work where Padroado had left off; but that work consisted practically in ministering to scattered Padroado Christians, with no leisure to seek for new ones.

The same, broadly speaking, was true of the rest of India.\* The "Mission" of Coorg consisted entirely of "Mangalorean" fugitives from Tipu Sultan. The Telugu "Missions" of Madras were made up of fugitives from Tipu Sultan in the Carnatic. The Catholics in Bengal and Orissa included some converts of the Augustines or Theatines, but were mostly Goans, with perhaps some Tamils from the Missions of Pondicherry or Madura. In Hindustan and Behar there were a few converts made by the Capuchins, and a few others previously made by the Goan Jesuits; but probably the greater number were immigrants from the South of the Peninsula. In Malabar the Christians consisted chiefly of those of the Syrian rite (pre-Portuguese) and Latin Christians mostly converted by the Portuguese before the Carmelites came. Finally, the first Christians of

\* The two exceptions seem to be (1) a small group of original converts in Bettiah numbering perhaps 1,000; (2) the Carnatic Mission of the French Jesuits of Pondicherry between 1700 and 1773, perhaps a few thousands.

Burma were all immigrants from Goa and the South of India. India was by this time, in all its centres of political and commercial life, dotted over with groups of Catholics. Everywhere a traveller went he found them in larger or smaller numbers. But (leaving aside European merchants and troops) if he inquired into the origin of them, he would (except for an almost negligible percentage) find that they all hailed from those parts in the South and West of the Peninsula which had been the field of the old Portuguese Mission regime between 1510 and 1639, before the first Vicar-Apostolic of Propaganda arrived with the design of carrying on where Padroado had left off.

#### POPE GREGORY'S NEW START.

It is difficult to realise the desolation which India presented in the beginning of the 19th century to the eyes of the Congregation of Propaganda. Within actual Portuguese territory, (Goa, Damaun and Diu) although real missionary work had ceased, at least there existed a full organisation of canonical parishes plentifully supplied with priests. But outside these limited regions, there prevailed a general state not merely of stagnation but also in many parts of utter ruin. The suppression of the Jesuits in 1773 had rendered desolate the Madura and Carnatic Missions; and those missionaries who had been sent to take their places were only just beginning to realise what was required of them. The missions had been nominally taken over by priests from Goa whose inadequacy, added to their attempts to keep new missionaries out, only added to the calamity. Ceylon, devastated by the Dutch, had made but a very partial beginning of recovery. The Madras and Mylapore areas were distracted by political and ecclesiastical complications; so that constructive work was out of the question, and hardly dreamt of.

The communities of immigrant Catholics all over the northern and central parts of India were wretchedly supplied with pastors; and of the mofussil villages, those which saw a priest once a year had to consider themselves lucky. At what date Propaganda visualised this scene of desolation in its full significance we find it impossible to say. But at any rate by the year 1832 a matured programme was ready to put into execution, by which at least a fresh start might be made in the direction of a remedy. The carrying out of this programme, which was completed just before the publication of *Multa praeclare* in 1838, consisted in the creation of four new Vicariates-Apostolic which, taken with the three already existing, would cover the whole map of India, Portuguese territory and its immediate environs excepted. And they were to be entrusted, as far as possible, to Religious Orders and Congregations which could take upon themselves to furnish both the men and means necessary for their effective working.

In order to follow out the meaning of this programme we have compiled three lists:—

- (1) The old Padroado Dioceses of India and their condition in 1832.
- (2) The Old Vicariates which remained as they were.



## (3) The New Vicariates created between 1832 and 1836.

## I. THE PADROADO DIOCESES.

Starting with the Padroado sees, we find the following state of things in about the year 1832 :

*A. Archdiocese of Goa.* (1) A great number of churches and monasteries in Goa, with many canonically erected parishes throughout the Portuguese territory. The same at Damaun and Diu.

(2) Scattered over Canara and the Konkan coast and Deccan a number of emigrant Catholic colonies, with an insufficient number of resident priests and visiting priests, united under Vicars Forane. These outlying places were called "missions" in the sense of not being canonically erected parishes, but not in the sense of being missions *ad paganos*.

(3) In Bombay, as we know, jurisdiction over the churches of Gloria and Cavel only.

(4) In Salsette, Bassein and Tarapore, a large number of Catholic villages with churches, served by resident or visiting secular priests.

*B. Diocese of Cranganore,* practically consisting of the Syrian Christians with some Latins, and occupying a very small area.

*C. Diocese of Cochin.* (1) A large number of churches canonically erected with resident priests along the Cochin and Travancore coast-lands. (2) The inland area of the Madura Mission with a large number of villages formerly served by the Jesuits, but now very inadequately attended-to by the occasional visits of priests from Goa. Small bodies of Propaganda missionaries (Foreign Missions of Paris from Pondicherry) were doing what they could to minister to the abandoned Christians. (3) Ceylon, with a few clergy looking after the Christians who had been oppressed by the Dutch and had in some degree been resuscitated by the Oratorians of Goa.

*D. Diocese of Mylapore,* with a number of canonically erected parishes in Mylapore and Madras neighbourhood, and also a few scattered churches in Orissa and Bengal, founded by the Theatines and Augustinians.

In none of these areas was there, at this period, the slightest attempt being made at real mission work. Everywhere it was at the most a mere keeping up of what had existed in the past ; and in several districts not even that.

## II. THE OLD VICARIATES UNCHANGED.

(1) *Verapoly*, (or Malabar). No change was made in the Vicariate-Apostolic of Verapoly at this time. The Vicars-Apostolic of Malabar had charge of the Latin and Syriac Christians on the Cochin and Travancore coasts, while a number of Latin churches as well as those of the Thomas Christians were under the Padroado dioceses of Cochin and Cranganore.

(2) *Bombay or the Great Mogul.* No new delineation was made in the Vicariate of the Mogul at this time, except that the district of Golkonda (=Hyderabad Deccan) was transferred over to Madras ; while Gujerat, no longer a part of the Mogul Empire, was recognised as belong-

ing to the Vicar-Apostolic and not to the Thibet-Hindustan Mission. The attachment of Coorg to the Vicariate of Canara a few years later, brought it about that in future the Vicariate of the Mogul came to be coterminous practically with the Bombay Presidency. Hence the title of "the Mogul" was officially dropped and that of "Bombay" adopted instead. All Padroado churches that lay within the Bombay Presidency belonged of course to the Archdiocese of Goa.

(3) *The Thibet-Hindustan Mission* (Capuchins) with its centre formerly at Patna, but since 1820 erected into a Vicariate-Apostolic with its centre at Agra. No new delineation was made.

### III. THE NEW VICARIATES ADDED.

(1) There had been at Madras a Capuchin Prefecture Apostolic (starting from 1642) which chiefly concerned itself with the seaports of Madras and Masulipatam, and since 1786 attended to the Telugu Christians who had fled from the persecution of Tipu Sultan and settled in the districts north of Madras.

*Madras* was erected into a Vicariate-Apostolic in 1832, and in 1834 was placed under an Irish Vicar-Apostolic with Irish priests under him; and the Capuchins withdrew entirely. The Vicariate comprised approximately the Madras and Crissa portions of the Padroado Diocese of Mylapore, with Golkonda taken from the Vicariate of the Great Mogul, and the plateau of the Central Provinces added. (Nagpur and Berar).

(2) *Bengal* was erected into a Vicariate-Apostolic in 1834 and placed under Irish Jesuits. It comprised the whole of Bengal East and West, and covered the remaining northern portion of the Padroado Diocese of Mylapore. (Omitting Patna, etc., which belonged to the Capuchins).

(3) *Ceylon* had suffered severe persecution from the Dutch since 1660, and had recovered somewhat under the care of the Goan Oratorians who succeeded to the apostolate of Ven. Fr. Vaz. It was erected into a Vicariate Apostolic in 1836, being left in charge of the same Oratorians—who henceforward accepted their authority from Propaganda, instead of the Padroado Ordinary of Cochin to whom Ceylon had hitherto been subject.

(4) There was an old Capuchin Prefecture of Pondicherry dating from about 1678. From about the year 1778 the Capuchins confined their attention to Europeans and "those who wore hats." The Society of Foreign Missions, which succeeded to the Jesuits in 1778, was striving to do what it could to replace them; but it was merely a struggle for existence, to save what was inherited from the past, with not the least hope of setting any new missions afoot, or even of reviving mission-enterprise in the old ones.

*Pondicherry* was erected into a Vicariate in 1778; but it was confirmed and its area better defined in 1836 under the title of "the Coromandel Coast." It comprised the whole of the Tamil country except that near Madras, and also the Canarese country of the Carnatic (Mysore). The Madura Mission however was at the same time assigned to the Jesuits,

and in 1846 was erected into a separate Vicariate-Apostolic of Madura. The Coromandel Vicariate covered the whole of the eastern portion of the Padroado Diocese of Cochin, and also the southern portion of Mylapore.

#### RESISTANCE FROM PADROADO.

The creation of the four Vicariates (1832-1836) gave rise immediately to resentment and opposition on the part of the Padroado authorities - which placed before the Holy See a choice between withdrawing the measures just taken, or insistence on them by a strong hand. Withdrawal meant an abandonment of the interests of the Church in India, while insistence was certainly attended with serious risks. The Pope determined nevertheless to hold on against all opposition, and the means taken was the publication of the Brief *Multa praeclare* in 1838. This Brief was designed not only to confirm the Vicars-Apostolic, and extend their field of work, but also to disarm opposition by depriving the Padroado clergy of all jurisdiction within the areas assigned to the Vicariates.

We may anticipate by saying that the *Multa praeclare* was promptly and absolutely rejected by the Padroado authorities, who continued their hold on all the mission centres which they had in possession, and to exercise their ministry just as if the *Multa praeclare* had never been issued. However that part of our history lies still in the future. Here we have merely to observe that the publication of the *Multa praeclare* was an epoch-making event which put the whole ecclesiastical condition of things in India on a new footing. The remainder of this section, therefore, will be devoted to completing all details which pertain to the earlier period down to 1838, where the publication of the *Multa praeclare* draws a line across the page, and introduces us to a new era of history.

## CHAPTER II.

### CONDITIONS IN THE VICARIATE BEFORE 1838.

THE publication of the *Multa praeclare* in 1838 was such an epoch-making event that it may be said to cut our history in halves; and therefore it is necessary to complete everything pertaining to the earlier period before drawing the line across the page---and across the mind too, for that matter.

People who have merely read the history as a whole are too apt to overlook the demarkation, or at least to miss its significance. They get into a sort of "traditional" way of viewing the *whole* of the Propaganda *vs.* Padroado conflict as if it were one homogeneous thing from beginning to end; and so they form judgments on what happened before the *Multa praeclare* in the light of what happened after it. But in this matter we have to be on our guard. The *Multa praeclare* put the conflict on a totally different footing, and gave an altogether new standpoint to both the opposing parties. Hence if we want to under-

stand the history of the earlier period (down to 1838) we must clear our mind of everything that pertains to the later period. We must in short forget the *Mulla praeclure* and everything that happened after it.

#### BEFORE MULLA PRAECLARE.

As soon as we do this, it will appear that the conflict (such as it was) down to 1838 was a very simple affair; vexatious no doubt to all concerned, but still elemental in its points of contention.

Broadly speaking, the Vicar-Apostolic of the Mogul and the Goa authorities would probably have got on quite well together if they could only have kept out of each other's way. I do not think that either Portugal or the Archbishop would have minded if the Vicars-Apostolic had worked in places where there were no Goa clergy. This was the case in Surat and Karwar, where the Propaganda missionaries began and continued their work without any interference from Goa for over a century. The same seems to be true of Bijapur and Golkonda in the earlier period. I believe the same would have been true of Coorg if the Vicar-Apostolic had gone quietly on without raising questions.

What Goa really resented was the Vicar-Apostolic introducing himself into places where the Goa clergy were previously in possession. Thus if Mathaeus de Castro (1639) had quietly gone straight off to his proper destination at Bijapur and stayed there, instead of building churches just over the Goa border and flouting his jurisdiction in the face of the Viceroy, I quite expect he would have been allowed to evangelise in peace. The same if Thomas de Castro had gone to work for new Christians in Canara instead of setting up as the prelate of old ones converted by Goa. In Malabar, when the Carmelites came expressly to succeed when Cranganore had failed, it was just this fact that made frictions and jealousies inevitable. But the worst case was that of Bombay, where the Archbishop had the mortification of seeing his own clergy ignominiously expelled by Government, and the Carmelites, by studious pre-arrangement, stepping quietly into their place.

#### RELATIONS IN BOMBAY.

In this last instance the English Government was of course the responsible party. But they made use of the Vicar-Apostolic as an instrument—who had therefore to bear the brunt of the odium. The Portuguese ought not to have “persecuted” him as they did by denying his jurisdiction and excommunicating him; since he could not prevent the catastrophe, and could hardly refuse to step in to minister to the deprived Catholics. However, I suppose the Portuguese put the worst construction on his action, and suspected him of suggesting the expulsion to the Government, and aiding and abetting them in the act, and rejoicing to acquire for his Order such a flourishing community with no cost to themselves. We have no proof that this sinister view was a just one; but at any rate it became the traditional view of the Goa authorities, who therefore always spoke of the Vicars-

Apostolic as “usurpers” and “intruders in another’s field of labour.”

In any case the Archbishop was fully conscious of his canonical rights to the island of Bombay, and was therefore justified in taking all means in his power to recover those rights as soon as ever he got the chance. When in 1789 he did recover them, he was naturally chagrined at losing them two years later (1791). From this time for several years a studious effort was made to get the Carmelites altogether out of the island. Pius VI in his *Jam Dudum* reproached the Archbishop for this as a “dog in the manger” policy; for it meant: “If I cannot exercise my jurisdiction there, I won’t let any one else do so either.” But the reason of this desire to get rid of the Vicar-Apostolic was a deeper one, for which something can be said. The notion appears again and again in the letters of the Archbishop, which say in effect: “So long as the Carmelites are in Bombay, so long will my jurisdiction be insecure. There will always be a party working in their favour and against me. Insinuations and suggestions against my jurisdiction will be poured into the ears of Government by the Carmelites themselves; and those who are discontented under me will always be able to slip over to the other side. Once get the Carmelites out of the island, and there will be only one prelate who can be appealed to; only one who can supply for the needs of the people. And as they are all properly my own subjects, and many of them Portuguese or Goan in race and sympathy, it is not likely that the Government would raise any difficulty against the full and sole exercise of my authority.”

There is a good deal in the argument; but on the other hand it must be remembered that the Carmelites were not their own masters. They had been placed in Bombay both by the Government and the Holy See, and could not simply walk out of it at their own sweet will. To resign their care of the churches required the leave both of Government and of the Pope. In point of fact Fre Pedro had done his best to resign; but Government would not hear of it. He willingly offered all the churches to the Archbishop if he would only persuade Government to grant them to him. He wrote to Rome in the same strain: expressing his wish to retire if possible, but resigning himself entirely to the will of the Holy See. Hence if the Archbishop of Goa had good reasons to regard the Carmelites as a nuisance in the island, at least he could not lay the blame altogether on them. Consequently the few rather unfriendly letters of the Archbishop of Goa which we have managed to reproduce, while to a certain extent excusable, hardly seem to be justifiable under the circumstances.

#### OTHER PARTS OF THE VICARIATE.

After the particular case of Bombay Island comes the series of petty squabbles about other parts of the Vicariate (Coorg, Golkonda, Poona, etc.) They all turned on the question: How do the two jurisdictions stand towards each other with regard to particular places? The Archbishop of Goa never really seems to have doubted the fundamental validity of

the jurisdiction of the Vicar-Apostolic. He knew full well that the Holy See had power to grant such jurisdiction to Vicars-Apostolic, and that he had in fact granted it to this particular Vicar-Apostolic. Nor did he object to his using such jurisdiction in remote fields which he himself was unable or indisposed to work. He however claimed for himself at least a potential jurisdiction over any part of India except the portions assigned to the suffragan sees; and therefore he could send his priests anywhere he liked in the territories of the Great Mogul. Even where the Vicar-Apostolic was already working, he claimed the right to send his own priests either to supersede the Vicar-Apostolic or to work side by side with him. Moreover, if he had once sent a priest from Goa to any place, the Vicar-Apostolic *eo ipso* had no right to come to that place. His view was that the Vicar-Apostolic was essentially a supplementary prelate who could be tolerated to work in the vacant parts of the Archdiocese, but who had no rights against the territorial Ordinary, and did not possess any territory exclusively his own.

The Vicar-Apostolic, on the other hand, believed that Surat, Karwar, the Deccan and Golkonda (and down to 1781 Hindustan) were his own exclusive territory; that they had never formed part of the Archdiocese of Goa; or at least if they had, the erection of the Vicariate of Bijapur, Golkonda and the Mogul had separated them off- so that they were at least *now* outside the Archdiocese, and the Archbishop had neither the right nor the power to extend his jurisdiction there.

In support of this contention it was possible to quote the briefs of various popes which had declared that the Vicars-Apostolic were absolutely independent of the Ordinary bishops; that they possessed exclusive jurisdiction (*privative quoad omnes*) in the territories assigned to them; and that any one who sent Vicars Vara or Visitators or others into those territories, or who sought or accepted such offices in those territories, incurred excommunication. On the other hand the Archbishop could fall back on the bulls of the establishment of the Goan See, which left a practically unlimited range to the Archdiocese; and could argue that such solemn arrangements could not be regarded as cancelled by later briefs of a general nature, which had never been applied specifically to the Vicariate of the Great Mogul.

#### WANT OF DEFINITION.

With such principles as a background, it is easy to see that as soon as a dispute about a particular place arose, each could honestly argue from his own standpoint without in the least convincing the other. Nothing but a clear clean-cut definition of the rights and limits of the two jurisdictions by the Holy See could put the question to rest. But although the Vicar-Apostolic, after repeated experiences of the futility of discussion, impressed on Rome the necessity of such a definition in order to obviate interferences and quarrels, Rome never gave that definition. Hence the two disputants, weary of the wrangle, had to end in agreeing to differ, and to try and keep out of each other's way as much as possible.

Advice to this effect was the most that Propaganda would vouchsafe in reply to the Vicar-Apostolic's urgent appeal in 1804; after which the two authorities settled down in a more or less friendly attitude towards each other.

Hence it was that when the Vicar-Apostolic wrote to Rome in 1830 asking once more for a definition of the rights and limits of the Vicariate, Propaganda replied in May 1832:—

"The Sacred Congregation does not think it opportune to make new delimitations of the Vicariate, or to restrict his jurisdiction to places depending on Bombay presidency—since up to now there is no disagreement between the Vicars-Apostolic and the bishops of the neighbouring dioceses, but perfect harmony and concord has existed. But whenever the circumstances described by you, or the greater good of the Catholic religion, demand in future the proposed or other delimitation, you will inform the Sacred Congregation, so that they may make other provisions. Meanwhile accept Government help [*re*: salary, seminary, etc.], since it is offered *bona fide*."

The next point is to consider how the rivalry of two jurisdictions arose in the outlying parts of the Vicariate.

#### EMIGRATION FROM GOA.

Keeping strictly our own geographical area, we find that the Early Portuguese Mission work (*i. e.*, conversion work) which left a permanent Christian population as a result, was confined practically to Bombay, Salsette, Bassein, Karanja and Chaul, with Damaun and Diu lying to the north. At Bijapur and Golkonda very little was done, or at least very little survived. The Jesuits of Madura and of the Carnatic Mission had established a few communities of converts in the "Ceded districts" (Anantapur, Bellary, Kurnul and Cuddapah) and at Mudgul and Raichur in the Doab; and perhaps there were a few other places in the Nizam's Dominions and neighbourhood effectively missionised, which have disappeared since. But otherwise the Deccan and Central-plateau country was practically unworked under the ancient Mission regime.

Between 1650 and 1800 however, Christianity spread itself to these parts in another way: first by the flocking of Portuguese, Malabarese and other Catholics to the political and commercial centres such as Golkonda, Bijapur, Surat, Karwar, etc., and secondly by the emigration of Christians of the peasant class from Goa territory. The causes of this latter movement seems to have been various. Sivaji's raid on Goa in 1646 is said to have "caused large numbers of people to flee to other places" (Mangalore History p. 18). The wars with the King of Sunda and the incursions of the Dutch probably had a like effect; and scarcity or over-population may have done the rest. Some of the emigrants wandered along the coast and settled at Savantwady, Vengurla, Malvan and Ratnagiri. Others swarmed up the plateau and domiciled themselves in North Canara at places like Sirsi, Yellapur and Halyal; or in the Dharwar and Belgaum districts at Toomaricop, Alnawar, Godoli, Kakery,

Khanapur, Bidi, Kittur, Asgaon, Bhironda and even as far north as Ajra, Alkorna, etc., within the Kolhapur State. These emigrants sometimes attached themselves to existing villages and sometimes formed villages of their own; making these places their permanent home, and keeping themselves distinct as communities.

#### THE VICARIATE OF THE GHAUTS.

These scattered groups of Christians, although out of sight, were not out of the mind of the Goa authorities. Individual secular priests, and sometimes religious (*e. g.* the Carmelite tertiaries) wandered from place to place to visit them and minister to their religious needs; and here and there, where the people were numerous and well enough off, a resident priest was secured.

No details of the earlier period are forthcoming except the dates of the building of churches. But some time after 1790 ecclesiastical organisation begins to show itself. The reader will have noticed how in the discussion between the Archbishop and the Vicar-Apostolic in 1799-1800 the latter raised a protest against Poona, the Deccan and Golkonda being called "Vicaria do Arcebisado" or "Archiepiscopal Vicariate." In point of fact the Archbishop had actually constituted such a Vicariate of his own, covering the whole ground of the South Konkan, the Deccan plateau and as far east as Golkonda. This Vicariate was divided into several "Varados"; one apparently at Savantwadi, another at Mudgul or Raichur (?) another at Golkonda itself. In 1798 we find a priest residing at Golkonda (=Hyderabad Deccan) entitled the "Vicar Vara of the Eastern Ghauts" [=of the country east of the Ghauts? or Eastern portion of the Ghaut plateau?] with a circle of stations including Bidar, Jalna, Ilespur (=Ellichpur), Tindur (=Tandur), Nagapur (=Nagpur), Amraoti (in Berar) and other unrecognisable names. Then there was in 1801 a resident priest at Raichur with his circle of stations also. There were resident priests from time to time at Mudgul and Bellary.

In 1794 there was a resident priest at Poona in charge of the Nizam's troops, and later on (before 1812) he is reported as visiting Satur (=Sirur?), Jalna and Aurangabad. There were Carmelite tertiaries at Toomaricop, Kittur and Bidi in the Canarese country, and other priests at Ajra, Alkorna, Savantwadi, Vengurla, Malwan and Ratnagiri; and from these centres the neighbouring villages of Goa Christians were visited from time to time.

#### CONSEQUENT RIVALRY.

All this organisation had been going on before the Vicar-Apostolic had given a thought to these countries. Hence when in 1799 he sent Fr. John Luigi on circuit, he was astonished and scandalised to find everywhere Goan priests in possession with full ecclesiastical titles; who naturally treated the Carmelite Missionary as an intruder, so that he was forced to retire. The same happened when the Vicar-Apostolic sent chaplains for the British camps at Ratnagiri and



**Malwan** in 1815-1819. In each place he found a Goa priest in possession, with his settled congregation of Goa Christians, and ready to minister to the troops, if it were not that the British Government had forbidden the officers to accept their services.

When after the Battle of Kirkee in 1817 the British occupied the Deccan country, the military Camps and newly created Collectorates drew round them groups of Goan as well as Tamil Christians; and by this means a number of fresh stations were added to the Goan Vicariate of the Ghauts.

Among these may be mentioned such places as Mahableshtar, the summer seat of Government (1828); Belgaum (1830); Ahmednagar (1831); Sholapur (1833); Poona and Kirkee (1835); Dharwar and Kaladgi (1836); and others later. To several of these places Military Chaplains were appointed by the Vicar-Apostolic of Bombay, as the British Government was not willing to countenance the Goa clergy for this purpose; and in some of them there arose a double jurisdiction which divided the congregation and caused the usual troubles.

It is not however our intention to go further into these local matters. What seems worth while noticing is the fact that, although in the period between 1650 and 1832 a considerable spread of Christianity under Padroado over various outlying parts of the Vicariate did take place, this was not due to conversion from paganism in those places, but solely to the immigration of already existing Christians from the Portuguese dominions, where their ancestors had been converted under the ancient Padroado mission regime.

#### GOA PRIESTS UNDER THE VICAR-APOSTOLIC.

There is one feature which repeatedly presents itself and runs like a thread through the history; and that is the large number of Goa priests who at various times gave their allegiance to the Vicar-Apostolic and accepted posts under his jurisdiction.

In 1720 all the secular priests in Bombay Island had been ordained by the Archbishop and had taken their oath of obedience to him. Yet they all, apparently to a man, transferred their allegiance to Fre Maurice, and retained their posts in the churches under his jurisdiction. According to the rules of ecclesiastical war under the circumstances, the Archbishop should have excommunicated them; but apparently he did nothing of the kind, and acquiesced in their alienation. Later on, in the "abridgment" and "the articles to be considered" (dated perhaps 1770-1786) we get an obscure hint that a definite game was being played. While professedly functioning with the Vicar-Apostolic's faculties, these Goa priests were having secret recourse to the Archbishop, and securing faculties from him as well, to cover any defects in the Vicar-Apostolic's jurisdiction; and the documents clearly imply that it was the Archbishop's jurisdiction and not that of the Vicar-Apostolic that they believed and trusted in. As soon as the churches were restored to Goa

in 1789 these priests re-joined their own prelate (as they had all along believed him to be). But as soon as the Carmelites came into power again (1791) they all without hesitation (16 in number) transferred their allegiance once more to the Vicar-Apostolic.

The same happened at Salvagão in 1813, where the priest inhibited by the Archbishop had no scruple in accepting rehabilitation from the Vicar-Apostolic. In Coorg in like manner, all the priests ministering to the Christians were Goans by ordination and obedience. Yet they accepted jurisdiction from the Vicar-Apostolic; and the Archbishop, instead of excommunicating them for schismatical desertion, allowed them to function in peace.

#### IN SUBSEQUENT TIMES.

In subsequent times we find the same thing going on. At Sholapur in 1833 a Goa priest accepted from the Vicar-Apostolic the post and salary of a Military Chaplain, deriving his faculties from him; and yet all the time Sholapur was marked down among the list of stations subject to the Vicar General of the Ghauts at Hyderabad or Raichur, under the jurisdiction of Goa. The Goan civilians of Sholapur too, as soon as a difference with their priest arose, entered into communication not with the Vicar Apostolic but with their own Archbishop, who sent other priests from Goa to try and set things right. When in 1850 the Goan priest of Sholapur got into disgrace and was dealt with firmly by the Vicar-Apostolic, he at first took willingly the oath of obedience and allegiance which the Vicar-Apostolic demanded of him; but when things got more serious he ended in discarding this oath and declared for the Archbishop, and in this way introduced double jurisdiction into Sholapur.

At Poona, similarly, we find two Goan priests, a Fr. Britto and then a Fr. Leitao, suddenly superseding the Vicar of the Peshwa's chapel as Military Chaplains under the jurisdiction of the Vicar-Apostolic; the latter taking an oath of subjection which is still preserved, "to the quiet of his conscience and for the validity of his ministrations." Similarly Goan priests accepted such chaplaincies as Belgaum (1830); Ahmednagar (1831); Dharwar (1838); besides the earlier ones at Malwan (1815); Ratnagiri (1819); and others in Gujerat about then and later, for instance at Baroda, Kaira, Ahmedabad, Deesa, Bhuj, etc.

The number of candidates for the priesthood in the Vicariate Seminary were too few to supply such a number of priests, and it is quite certain that most of them received their theological training in Goa. The writer R. M. P. in a pamphlet published in 1885 (*Plain Facts* p. 32 and 68) states that "the R. C. chaplains attached to the various regiments before 1836 were all priests of the jurisdiction of the primate of Goa" (p. 32) and mentions "Fr. Dias of Sholapur, Fr. Leitao of Poona, Fr. Gama of Hyderabad, Frs. Godinho and Farias of Ceylon, as having been induced to join the Vicars-Apostolic" (p. 68). There are no signs of the Vicar-Apostolic having taken active measures to secure such priests from Goa. But evidently they saw his need of clergy, and found

openings to his service which they must have applied for and been accepted.

A good number of them, it seems, must have actually received ordination from the Vicar-Apostolic himself. Between 1831 and 1844 the See of Goa was vacant and (as we have seen), the Vicar-Apostolic was invited to go to Goa and hold ordinations and bless the holy oils there. Down to 1836 he seems to have rendered this service several times. But from 1837 to 1843 he no longer did so on account of the Archbishop-elect Carvalho and his rejection of the *Multa praeclare*. Fr. D'Sa mentions that between 1832 and 1843, a hundred Goa priests were ordained with demissorials outside Goa; and amongst these it seems as if a certain number offered to serve under the Vicar-Apostolic in the way just described. (India II, p. 167; Cf. Damaun, p. 65).

It is remarked by Dom Pedro D'Alcantara writing to Rome (August 28, 1840) that "a number of the Goa clergy, otherwise inclined to submit to him, were afraid to do so because they might be regarded by their relations at Goa as having 'fallen off,' and their families might be ill-treated by the Portuguese Government." But apparently this was not the case with a large number who actually did take service under the Vicar-Apostolic, and continued under him till old age or other reasons caused them to return to Goa.

#### WHAT IS THE EXPLANATION?

Our information on this subject, though scrappy and confused, shows a certain consistency extending over a long period, which calls for explanation :—(1) Were these priests for the most part convinced of the legitimacy and validity of the Vicar-Apostolic's jurisdiction, so as to feel secure in accepting and exercising it? (2) Or were they merely on the look-out for employments and emoluments which they could not get at home; professing allegiance to the Vicar-Apostolic but disbelieving all the time in his jurisdiction, and validating their ministrations by faculties privately secured from Goa? (3) Did the Ordinary of Goa merely acquiesce in their transfer to a rival jurisdiction as a thing he could not prevent, and abstain from passing censures on them out of motives of tolerance, or charity, or to avoid public scandal? (4) Or was there a deliberate policy on the part of the Goa Ordinary, to allow and encourage Goan priests to apply for stations controlled by the Vicar-Apostolic where Goan communities were found, sanctioning their professions of allegiance and giving a sort of *sanatio in radice* in each case; on the principle that if the Padroado could not *openly* penetrate into places under British Government control, at least it should do so *covertly*?

We enumerate the questions which suggest themselves in explanation of a series of otherwise anomalous occurrences, without the least power to draw conclusions as to what answer would really meet the case.

## CHAPTER III.

### CONDITION IN GOA BEFORE 1838.

TURNING next to the condition of affairs in Goa itself, we have to go back to the year 1832, in which two closely connected events coincided.

- (1) The beginning of the erection of the Vicariates by the Holy See and
- (2) the breaking of diplomatic relations between Portugal and Rome.

The antecedents which led to the latter act were briefly as follows :—

In 1828 there arose a civil war in Portugal between one Dom Miguel, a supporter of the absolutist form of government, and Donna Maria da Gloria, who stood for a new and more liberal constitution. In this conflict the religious orders, and behind them the Holy See, are alleged to have supported the absolutist claimant Dom Miguel—not only morally, but also financially out of their monastic resources. And as Dom Miguel was defeated in the struggle, the successful party of Queen Maria da Gloria were naturally out for reprisals\*, which fell upon the religious and the Pope. A decree for the extinction of the religious orders in Portugal was published in 1833, and at the same time diplomatic relations were broken off with the Holy See. The order was extended to the colonies in 1834, and put into effect at Goa in 1835. The religious were turned out of their monasteries and shipped to the Italian shores; the churches were everywhere given over to the secular clergy; the property of the religious houses was confiscated by the State, and used in part at least to provide benefices to the secular clergy in parochial posts. A few of the churches with their attached conventual buildings in Goa (and also at Damaun and Diu) were kept in repair by the State. The rest were allowed to fall into ruin, or deliberately pulled down and the materials transported to Panjim, to help building up the new city that had taken the place of the old, which now became a “city of the dead.”

The Catholic Encyclopedia (Gregory XVI) says: “In Portugal the accession of Queen Maria da Gloria was the occasion of an outburst of anti-Catholic legislation. The Nuncio of Lisbon was commanded to leave the capital and the nunciature was suppressed. All ecclesiastical privileges were abolished, bishoprics filled by the ex-King Dom Miguel were declared vacant, religious orders were suppressed. The Pope protested in consistory, but his protest only led to severer measures; and no efforts on his part were successful till 1841, when the growing popular uneasiness forced the queen to come to terms.”

In the article “Portugal,” the party of Queen Maria are described as “Liberals and chartists,” and their “charter” as the “work of Liberals and Freemasons.” “The Liberals initiated an era of persecution and robbery of the Church. The religious orders of men were at once

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\* “The Holy See acknowledged Miguel (the Monarchist) as King of Portugal, which was met by a threat that none of the bishops presented by Dom Miguel would be left in power of the sees after he was defeated. The Papal Nuncio was dismissed from Lisbon because he had been a focus of conspiracy against the Liberal (Maria) party. (D’Sa, India II, p. 157.)

suppressed, and their property confiscated: nominally to enrich the treasury, but private individuals reaped the benefit. The orders of women were allowed to die out. The people, deprived of the monks and friars who were their teachers, preachers and confessors, gradually lost their knowledge of religious truth, because the secular clergy were unprepared to take the place of the orders; besides which the bishop and clergy were bound hand and foot to the State."

Alzog succinctly describes the situation thus:—"By a decree dated May 28th, 1834, the religious and military orders in Portugal were suppressed, their hospitals closed, and their property confiscated. Tithes were abolished; and the parish-priests, to whom the Government refused to pay the promised salaries, were reduced to utter destitution and forced to subsist on the charity of the faithful. By an allocution of August 1st, 1834, the Pope, after deploring the sad condition of religious affairs in Portugal, threatened with censures all those who violated the ecclesiastical liberties and interfered with the free exercise of spiritual authority. Dom Pedro, the author of this policy, died on September 24th, 1834; and after the accession of his daughter Donna Maria da Gloria to the throne, a new constitution was proclaimed which, though it was only indifferently received by the people, contributed largely to complicate the religious difficulties of Portugal."

The act of expulsion was of course substantially based on motives of political reprisal; a punishment which almost always seems to fall upon the Church whenever it takes part in politics—though the act itself is not thereby vindicated.

#### DETAILS OF THE SUPPRESSION.

The Jesuits had long before (1759) been expelled from Portuguese territory; but beyond those limits they were out of reach of the civil arm; and in spite of all efforts on the part of the State to lay hold of them, a few continued at their posts in the Madura Mission, and in various centres of Hindustan, etc. [and of course the French Jesuits of the Carnatic did the same]. When the Society of Jesus was suppressed by the Holy See in 1773, the Jesuits lapsed to the status of secular priests, and under the name of "ex-Jesuits" continued their work individually. But their number dwindled, and by about 1810 they had died out altogether. The other religious orders however had remained undisturbed, and their numbers in 1800 are recorded as follows:—

Franciscan Observantines	50	of whom 13 were in the mission
Do. Reformed	52	12
Dominicans ..	33	11
Augustinians ..	59	16
Hospitallers ..	23	
Theatines ..	11	2
Carmelites (Tertiary Order)	27	2
Oratorians ..	45	16
	300	72

*Notes :* -(1) To this list should be added, for sake of completeness, the nuns of St. Monica, 68 in number.

(2) We have already explained that "being in the mission" meant no more than occupying parochial or diocesan posts outside the convents.

(3) Out of these 300 religious, about 233 were in the convents or monasteries of Old Goa; 9 were at Damaun; 11 at Diu; the rest were distributed in ones, twos or threes in other parts of India (Mylapore, Bengal, Ceylon, etc.)

(4) The numbers at the time of the expulsion in 1835 were probably not much different. Cottineau fixes the number actually in Old Goa itself at 170, omitting those in Bardez, Salçete or elsewhere.

#### STATE OF THE RELIGIOUS ORDERS.

Although the suppression of the religious orders was itself simply an act of political reprisal, there were added the usual justifying reasons: that the religious houses were in a degenerate condition, and were neither a source of service or edification to the Church. Father D'Sa has published a valuable collection of official documents bearing on this subject, and dating from 1669 to 1819. They contain evidence which, broadly speaking, cannot be gainsaid. The documents have bearing specifically on the Dominicans, Franciscans and Augustinians; and the accusations lie in the direction not of lascivious disorders, but of ignorance, laziness, worldliness, ambition, quarrelsomeness and avarice, leading to the disedification of pagans and Christians alike; also of slackness in parochial duties, and of course total neglect of work for the conversion of the country. The root of the mischief, according to these documents, seems to have lain in "the sending out to India of inferior subjects whose behaviour was unsatisfactory in Europe, and superiors there were only too glad to get rid of them"—so much so that the convents of India became "real places of punishment of the convents, whither were sent friars of irregular conduct" (D'Sa, *India* II, p. 125)—a complaint not peculiar to Padroado, but found just as emphatically expressed in a report sent to Rome from the Vicariate-Apostolic of Bombay in about 1770.

Into the merits of the case we have obviously not the means to enter.† But one thing is certain. The removal of the Religious from Portuguese India did not exercise any disorganising influence upon church administration in general. It merely made an opening for about 100 secular priests to take possession of parish churches from which they had hitherto been barred. Nor was it the slightest loss as regards the work of converting the country. The one great and momentous effect of the expulsion was of another kind altogether. It was a proclamation

† Cottineau p. 92, writing of the year 1828 or so, while acknowledging disorders in the past, declares that there had been an utter change for the better in the manners and morals of the Indo-Portuguese for since more than a century; and the clergy and monks were no exception to this rule.

of war between Portugal and the Holy See ;—and it led to the epoch-making publication of the *Multa praeclare*.

#### THE POLICY OF ROME.

The campaign of Portugal against the Religious Orders (1833-1835) coincided with the creation of the four Vicariates in India by the Holy See (1832-1836). And yet the latter act of Rome must not be causally attributed to the former act of Portugal. The Propaganda programme had undoubtedly been maturing for years, and was already being put into effect in 1832, before the breach between Rome and Lisbon took place. The motive of the programme was obvious, and quite independent of political considerations. It meant simply that Propaganda had been reflecting on the original object for which the Congregation had been founded in 1622, and the utter failure of two centuries to achieve, or even to make a move towards beginning to achieve that object. Hence the necessity, greater than ever, of making a strenuous effort, *now* at least, to begin in earnest. The purpose of Propaganda was to carry on work for the conversion of India from the point where the Portuguese had left off. Now it became apparent that after the suppression of the Jesuits in 1773, and the obstacles placed by the Goa clergy against those who were attempting to fill their place, Portugal had not merely stood still but had gone backwards, and was even forcing others to go backwards. It was imperatively necessary that the Holy See should step in and plant its foot firmly down. The means to be used lay in creating a group of Vicariates-Apostolic which should cover the whole map of India—except the tiny areas of the Portuguese dominions, and such other areas as were under the full canonical organisation of the Padroado Sees.

Whether the authorities at Rome looked further forward than this—whether they had the ulterior plan of abolishing all Padroado jurisdiction outside Portuguese India and turning the rest of India into an exclusively Propaganda country—we have no means of knowing. It is quite possible that, but for the declaration of war on the Holy See by Portugal by expelling the religious orders, the Padroado jurisdiction would have remained officially untouched; and the Vicars-Apostolic would have been left to work independently and regardless of it, bearing this brunt of any opposition they might experience from that quarter while pushing forward towards their goal. On the other hand the Holy See may all the time have had in view the abolition of Padroado outside Portuguese dominions, as the ultimate climax for which the creation of the Vicariates-Apostolic was only a preparation of the ground. In this case the *Multa praeclare* was bound to come sooner or later. The expulsion of the religious orders and the breach with the Vatican merely brought it on sooner—that is all. Whether this was the case or not is a question of fact which could only be ascertained by research in the Propaganda archives at Rome—failing which we are left merely to conjecture.

## THE VACANCY OF THE SEE.

During Dom Pedro d'Alcantara's time the See of Goa had been occupied by Dom Manoel de S. Catharina (1784-1812) and Dom Manoel de S. Galdino (1813-1831) with both of whom there existed somewhat controversial but still friendly relations, as we have already seen. After that the See was vacant; and as Cochin had also been vacant from 1822, Cranganore from 1823, and Mylapore from some date not long after 1818, there did not exist a single Padroado bishop anywhere in India to ordain the clergy or even to bless the holy oils. To meet this emergency the Vicar Capitular of Goa asked and obtained a rescript from the Holy See (Sept. 9, 1832) allowing him to "invite and make use of any Vicar Apostolic depending on Propaganda for the purposes of ordaining the clergy and blessing the holy oils." An invitation was therefore sent to Bombay; and Dom Pedro in response sent his Coadjutor Mgr. Stabellini, to Goa for the purpose.

Then he wrote reporting the matter to Rome, and received back an approval. How often he did this service for Goa in the years that followed we do not know. But we are informed by Fr. D'Sa that "during the vacancy many of the seminary students of Goa, tired of waiting for ordination, came over to the Vicar-Apostolic to secure it, and thus entered into the service of the Vicariate" (apparently with the leave or connivance of the Goa authorities). This proved a great convenience for the Vicar-Apostolic, who at that time had to fill up a large number of military chaplaincies for which he had not sufficient priests of his own. And this went on till the year 1837.

## STATE-APPOINTED BISHOPS.

In 1832, just at the time when the programme of the new Vicariates Apostolic was on the point of execution, Pope Gregory XVI (so we find it stated without reference) "addressed an appeal to the King of Portugal to fill up the vacant Sees of India or else give up the patronage" (?) It is not stated what "king" was thus appealed to, as the civil war between Dom Miguel and Dom Pedro, regent for Queen Donna Maria da Gloria II, was then still raging. However it is added (in the Mangalore History, p.99) that the Pope the same year "appointed to Sees in India some bishops who were partizans of Dom Miguel." [Probably it meant merely the proposal of some names?] This (the same history relates) brought a protest from Dom Pedro, who in the queen's name nominated (Sept. 20, 1836) Antonio Feliciano de S. Rita Carvalho as Archbishop-elect of Goa. [About the same time an Augustinian, Dom Antonio Tristao Vaz Teixeira, was nominated as Bishop-elect of Mylapore, and Dom Fre Joaquim de Botelho, a Franciscan, as Bishop-elect of Cochin]. All might have been well if these names had been submitted to the Holy See for acceptance; but as diplomatic relations had been broken off in 1833 and not resumed, the Portuguese Court acted directly and independently.



## THE ALLOCUTION OF 1836.

The suppression of the Religious Orders and the confiscation of their property, the serious disorders which prevailed in Portugal and in India, the breaking-off of diplomatic relations with the Holy See, and the State-appointment of bishops, formed in general terms the subject of a Consistorial Allocution of the Holy See on February 1st, 1836; a selection from which runs as follows:—

“Not to mention other things, you know what was the state of the affairs of the Church in the kingdom of Portugal; when we, on two occasions, deplored before you the injuries offered to the Church, and the outrages perpetrated against her sacred power and her liberty. It is lamentable indeed, and altogether unworthy of a nation which has so gloried in the fact of her monarchs bearing the title of Most Faithful; that in defiance of our repeated solicitations and admonitions, and in contempt of our long patience, it has not only failed to put a stop to the disgraceful proceedings against the Church and her rights; has not only made no reparation to the Catholic world for the scandal afforded by such a perverse example; but with wicked obstinacy has proceeded even so far, that the fatal schism, formed by the machinations of the enemies of religion and of the Church, is still audaciously fomented, by the violent elevation to the government of churches, of men who have been the accomplices in these iniquities; the daring of one of whom has been carried to such excess that, claiming an authority which in no degree belongs to him, he has, under pain of an anathema, interdicted to the faithful all communion with the Holy See. You will sensibly feel how all this aggravates the grief with which our heart is penetrated, and confirms us in the design long entertained, of counteracting so many evils, according to the duties attached to our apostolic charge, and by the power which we have received from on high.”

## CARVALHO TAKES POSSESSION.

This declaration of the Holy See, however, seems to have had no effect. The State-appointments were adhered to by the Crown, and Carvalho was despatched to India, where he took possession of the See on December 2nd, 1837.

A writer in the *EXAMINER* of 1851 says: “The venerable old Canon who presided over the Chapter declined at first to hand over charge. But since Carvalho was fortified with credentials, the Civil authorities supported him and compelled the Chapter to recognise him; and so he was installed as Vicar-Capitular of Goa. He at once addressed a circular to the Vicars-Apostolic announcing his appointment by the Queen of Portugal. Bishop Alcantara of Bombay was the only one that took public notice of the incident; and he replied denying that Carvalho had any right to govern in the Church of Goa, much less outside the limits of the Portuguese dominions.” (*EXAMINER* Sept. 16, 1851, p. 71).

Hence it is that, already in 1837 or early in 1838, we find Pedro d'Alcantara complaining of the way he is being abused by the local Padroado clergy "because after the arrival of the late Archbishop-elect, Carvalho, without the approval of the Holy See, he (the Vicar-Apostolic) declared that he (Carvalho) had no legitimate jurisdiction in these parts." (Letter to Rome, August 1, 1839).

#### WITHDRAWAL OF COMMUNION.

As an outcome of these convictions, the Vicar-Apostolic naturally made a resolution not to hold ecclesiastical communion with that "prelate." Hence we find him reporting to Rome that he had decided to take no further part in the Ordinations or Holy Week services at Goa; and Rome replies approving his determination. In two of the letters from Rome reference is made to "that individual who actually styles himself Vicar-Capitular of Goa," and the Vicar-Apostolic is confirmed in his intention of not helping in any way to the recognition of his jurisdiction over the diocese of Goa. The "individual" referred to was of course Dom Antonio Feleciano de S. Rita Carvalho.

The Bishops-elect of Mylapore and Cochin also took possession of their respective Sees in the same manner. Not being consecrated, obviously none of these "prelates" attempted to perform episcopal functions; but by adopting the episcopal title under State-appointment, they secured a greater prestige and dignity in the eyes of the public and of the British Government than they would have had as mere Vicars-Capitular.

Dom Carvalho showed great activity in circularising his province and clergy with pastorals and letters of instructions just at the time of the *Multa praeclare*, and afterwards till his death in 1839; and within his own diocese of Mylapore, Dom Teixeira did the same. As none of these prelates were ever confirmed by Rome, the Vicars-Apostolic considered their titles invalid and treated them as "schismatics"; for the effort to fill the Sees without reference to the Holy See was viewed by them as an act of Erastian independence and a defiance of pontifical authority.

After Dom Carvalho died in 1839, the See of Goa was once more represented by a Vicar-Capitular down to the coming of Archbishop de Silva-Torres in 1844.

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## PART X.

### THE MULTA PRAECLARE 1838---1839.

#### CHAPTER I.

#### PUBLICATION OF MULTA PRAECLARE 1838.

WE have drawn the line across our history, and now step over it for a new start with the epoch-making document, the brief *Multa praeclare* of Gregory XVI published on April 24th, 1838. Papal documents are not as a rule easy reading. Not only is their solemn *stylus curiae* against them, but they convey very little impression to those who have not the whole historical context at their fingers' ends. We therefore preface the text with a simple and concise summary of what the brief says, and what it enacts, so as to facilitate the reading. [The reference to Malacca is omitted as being outside India]:—

#### ANALYSIS OF THE BRIEF.

The Holy See in the past has done a great deal for the Church in the East Indies, especially by encouraging and granting facilities to missionaries, and by conferring the patronage of certain sees in India on the kings of Portugal at a time when this was helpful to the cause of the missions. But circumstances have so changed, that it has become necessary to provide another form of government, particularly for these parts which lie within the dioceses of Cranganore, Cochin and Mylapore; the patronage of which dioceses was in the past granted by certain bulls.

In order to meet the requirements of these regions, the Holy See has recently created the Vicariates of Bengal, Madras, Ceylon and Coromandel; and by this means a large area has been provided for. But there still remain certain parts lying within the boundaries of Cranganore, Cochin and Mylapore where discipline, morals and faith have suffered great injury for want of a pastor; and where certain people, on the pretext of defending the rights of the dioceses, have been resisting the Vicars-Apostolic, opposing their authority, and endeavouring to excite a pernicious schism.

Therefore after due reflection and counsel the Holy See has decided to decree: First that the portions of the diocese of Mylapore which have not yet been assigned to any Vicar-Apostolic shall be added to the Vicariate of Madras; and secondly, that the portions of Cranganore and Cochin which have not yet been assigned to any Vicar-Apostolic shall be added to the Vicariate of Malabar. In future all jurisdiction and authority in these districts shall belong to those Vicars-Apostolic, who are immediately subject to the Holy See. They alone are to be regarded as the true Ordinaries of those places; and all must obey them and derive jurisdiction and faculties from them.

By these enactments the Holy See derogates from the past bulls by which the Sees of Cranganore, Cochin and Mylapore were erected; and

also from the bull of which the See of Goa was erected in this sense, that in future the Archbishop of Goa cannot exercise any jurisdiction whatever over the countries of which we speak, *viz.*, the diocesan areas of Cranganore, Cochin and Mylapore.

Having thus provided for the proper government of these countries, the Holy See trusts that all will obey its mandates; and that those who have hitherto resisted will take better counsel, and avoid in future the evils of schism.

The reasons for this submission are, first of all, their duty to the Holy See; and secondly, because there is no real excuse for their resistance, as the following points will show: (1) The Holy See, in conceding the patronage, never meant to impede its own liberty to provide for religion, or to deprive itself of the power of making new laws and arrangements. (2) The kings of Portugal no longer possess facilities for exercising the patronage, since those countries have passed over to other civil powers which will not allow of its exercise. (3) The Holy See has already in the past separated off portions of the old dioceses of the patronage and made them into Vicariates-Apostolic—and in this respect is only repeating what it has done before. Hence the Holy See looks for obedience on the part of those who have hitherto resisted; otherwise they will prove that, having no reason for dissension, they can only be actuated by a disobedient mind.

#### THE APOSTOLIC LETTER OF HIS HOLINESS POPE

GREGORY XVI

#### CONCERNING THE INSTITUTION

#### OF VICARS-APOSTOLIC IN THE EAST INDIES.

GREGORY XVI POPE.

*For Perpetual Memory Hereof.*

The Roman Pontiffs, Our Predecessors, in accordance with the obligations of the Pastoral Office, have determined many things very expressly that, in the most extensive regions of the East Indies, they might provide for the increase of the Catholic Religion. For whereas, on account of the very great distance of those countries from the Apostolic See, and on account of the length of journeys and the difficulties of places, the cultivation of that extensive portion of the vineyard of the Lord must be very arduous, the Roman Pontiffs have earnestly demonstrated their solicitude to sanction by their authority, and order to be accurately observed, whatever, according to the different changes of the times, might seem likely to be useful to religion among those nations.

We omit to make mention of the care, never neglected by the Apostolic See, that priests should be encouraged everywhere to perform the duties of the sacred ministry in those places. We say nothing of the singular favour and benignity exhibited by Our Predecessors, that, in order not to retard the progress of the Catholic religion in those places,

they made almost innumerable concessions, by which they suffered those nations to be treated more gently than the institutes of the canons and a more severe discipline required. We will only mention herein that indication of gratitude which in accordance with their dignity, the Roman Pontiffs showed to those who, it appeared, were useful to religion throughout those places.

The privilege of patronage, granted by the Apostolic See to the Most Faithful Kings of Portugal, that the Bishops of some dioceses in those regions might be elected upon their nomination, contains an evident proof of this matter. For, whereas the piety and munificence of those Princes had contributed much to the founding of certain bishoprics in those most extensive regions, Our Predecessors, desiring to reward their merits by a testimony of their gratitude, have granted that the Apostolic See would choose, as Bishops of those Dioceses, the persons whom, being worthy, they had nominated. Moreover, by the concession of this privilege the Apostolic See expected that the vacancy of those Episcopal Sees would not be of long duration; that those places would secure suitable Bishops more easily, and that due assistance would be at hand for the Bishops themselves, such as would accord with their dignity. But it has come to pass from the vicissitudes of the times that this, which was for a long time a benefit to religion in those countries, could not remain in that state which the decrees of Our Predecessors, published under circumstances entirely different, had commanded to be observed.

Often times, whilst as yet We presided over the Council for propagating the Christian Name, We felt it to be Our duty to weigh the importance of the reasons which demonstrated that those countries, so widely extending, which constitute a very great part of the vast peninsula on this side of the Ganges, necessarily require that the Apostolic See should succour religion in danger therein, and should modify the form of ecclesiastical government in such manner as would be consistent with the safety of religion. It was known to Us that those regions are comprehended within the limits of the Dioceses of Cranganore, Cochin, and Mylapore or St. Thomé. It was also manifest to Us that Our Predecessors had granted to the most Faithful Kings of Portugal, patronage with respect to those Dioceses, and the privilege of nominating the Bishops. For this is contained in the Apostolic Letter of Paul IV of happy memory, of the 4th day of February in the year 1557, which begins *Pro excellenti*, by which he founded the Diocese of Cochin; likewise in that of Clement VIII. of the 4th of August 1600, beginning *In supremo*, and of Paul V. of the 6th day of February 1616, beginning *Alias postquam*, concerning the erection of the Archbishopric of Cranganore; and finally, in the Apostolic Decree of Paul V. of the 9th day of January 1606, by which the Bishopric of Mylapore or St. Thomé was established. We have never omitted, from that time, to make every endeavour for promoting the welfare of religion which the circumstances of the times allowed.

But since that We, though unworthy, have been raised to the chair of Peter, We have been incited much more frequently, and by records of the utmost importance, to aid religion labouring under very great difficulty in those nations. Weighing those things deliberately, and bearing in mind the obligations of Apostolic solicitude, we have therefore been induced to constitute, by Apostolic Letters of the 18th day of April 1831, beginning *Latissimi terrarum tractus*, a Vicar-Apostolic depending from the Apostolic See alone, who would have subject to him the populous city of Calcutta and its political prefecture. Whereas, however, some persons were found to resist the jurisdiction of the Vicar-Apostolic instituted by Us, and to contend that obedience ought not to be paid to our Apostolic Letters, because in them We had not, by an express mention, derogated from those things which Paul V. on the 9th day of January 1606, had decreed concerning the boundaries of the jurisdiction of the Bishop of Mylapore or St. Thomé; We, by another Apostolic Brief, on the 4th day of August 1835, the beginning of which is *Commissi Nobis*, have rejected all this pretext of dissension, and have declared many things which would tend to establish more firmly the authority of the Vicar-Apostolic of Bengal. For the same reason it was that We determined that another Vicar-Apostolic should be instituted at Madras, by a letter on the 25th day of the April 1834, beginning *Ex debito pastoralis*. This was also the reason why We published on the 23rd day of December 1836, another Apostolic Brief beginning *Ex munere pastoralis*, by which we committed the most extensive Island of Ceylon to be governed by a Vicar-Apostolic instituted by Us. For this reason finally it was that, desiring to provide for the necessities of religion among those people who inhabit that part of the peninsula which lies towards the East of the Ghaut Mountains, and extends from the River Cauvery unto Cape Comorin, We have committed the entire tract of country which comprehends the kingdoms of Madura, Tanjore, Morava, and Mysore, through our Congregation de Propaganda Fide, on the 3rd day of June 1837, to the care and jurisdiction of Our Venerable Brother Clement, Bishop of Drusipare, Vicar-Apostolic of the Coromandel Coast, —in a provisional way, and until it may be otherwise decreed by the Holy See.

We understand that by these things, which have been hitherto decreed by Us concerning this country of the Indies, the advantage of religion in a very large part of India has been provided for. But, besides those places which have been given to be governed by Vicars-Apostolic, several countries yet remain, for the spiritual good of which We are bound to provide, and which are situated within the boundaries of the Dioceses of Cranganore, Cochin, and Mylapore or St. Thomé. We know that ecclesiastical discipline, the morals of the people, the Catholic faith in those countries, which so long lack a Pastor, have suffered great injury; and we are well aware that many use the pretext of defending and preserving the rights of those dioceses in order to resist the Vicars-

Apostolic whom the Apostolic See has constituted, to oppose their authority, and endeavour to excite a pernicious schism. We sensibly feel that We, by reason of the office which God has committed to Us in succession to St. Peter, are wholly obliged to have a care of the Church, even in every scattered portion of the World, and to decree all things whatsoever that we see would contribute to the support of religion everywhere.

Therefore, having taken advice on so important an affair with our Ven. Brethren the Cardinals of the Holy Roman Church placed over the affairs of Propaganda Fide, the opinion of the same being approved of, and a mature consideration of the entire business having been instituted by Us, in the plenitude of Apostolic power We judge it fit to decree as follows :—

Videlicet, in a provisional way, and as long as the Apostolic See shall come to no other new determination, We decree that all those countries which are contained within the limits of the Diocese of Mylapore or St. Thomé, and which have been up to this time committed to no Vicar-Apostolic, are to be united to the Apostolic Vicariate of Madras; and that all jurisdiction and authority, ecclesiastical and spiritual, over those countries belong to Our Venerable Brother Daniel, Bishop of Salditan and Vicar-Apostolic of Madras and to his successors. But with respect to the countries which are contained within the limits of the Dioceses of Cranganore and Cochin, and which up to this time have been delivered to no Vicar-Apostolic; in the same way We order that they be united to the Apostolic Vicariate instituted in the country of Malabar, the seat of which is in the town of Verapoly; and that all jurisdiction and authority, ecclesiastical and spiritual, over those countries shall belong to Our Venerable Brother Francis Xavier, Bishop of Amata, the Vicar-Apostolic residing at Verapoly, and to his successors. And that the country of Malacca beyond the Ganges may also receive the benefit of Our Apostolic solicitude, and that We may provide for the safety and increase of religion therein, We in the same provisional way subject that entire country to the jurisdiction of Our Venerable Brother Frederic Cao, Bishop of Zama and Vicar-Apostolic of Ava and Pegu.

We declare that in the ecclesiastical and spiritual government of those countries the Vicars-Apostolic above named depend immediately from Us, and from the Apostolic See alone; that they alone are to be regarded by all as the true Ordinaries of those countries; and that all should obey them, and receive ecclesiastical jurisdiction and faculties from them. Therefore We derogate from the Apostolic letters above recited of Our Predecessors concerning the erection and limits of the dioceses of Cranganore, Cochin, and Mylapore or St. Thomé, and likewise from that published by Paul IV. on the 11th day of February 1557, beginning *Pro excellenti*, concerning the erection of the Bishopric of Malacca; and moreover, We derogate also from the Apostolic letter of Our Predecessor Paul IV. of happy memory, of the 11th day of February

1557, beginning *Etsi sancta*, concerning the erection of the Archbishopric of Goa—so that the Archbishop of Goa cannot in future exercise any jurisdiction, under any title whatsoever, even worthy of special mention, in the countries of which we speak.

These things being thus determined, We consider that We have fully provided for the proper government of religion throughout those places; and we confidently hope that it will come to pass that, God Almighty blessing the design commenced by Us, these things may greatly tend to the increase of the Church. For We feel confident that all will pay to Our decrees that obedience which is due to Our dignity, to whom through Peter the power of feeding, directing, and governing the Universal Church has been delivered by God. Finally, We doubt not that those who hitherto have resisted Our will, will be susceptible of more wholesome counsel, and become sincerely averse to the most grievous evil of schism.

For besides that duty peculiar to every Catholic, by which he is bound to obey Peter speaking through Us, We are persuaded that they will now have realised, that those reasons which they have alleged in defence of their dissension can by no means excuse their opposition.

For it is well known to all that the Apostolic See, in conceding that patronage to the Most Faithful Kings of Portugal, never intended to place an impediment to its providing for religion in those countries, nor to its having the power to decree those things which, in consideration of the necessity of the times, the salvation of the Christian people might afterwards demand.

We think that they will also see how greatly different, and distinct from the present state of things, the times were in which that privilege was granted and observed. We suppose that they are also aware that those countries, to provide for the good of which We have turned our attention, are no longer subject to the old political Government, under which it was easy for the Kings of Portugal to exercise their patronage; but that they have come under the sway of a most powerful Sovereign, whose form of government and institutions, We are well aware, will not allow it.

Finally, We remember that the Roman Pontiffs Our Predecessors, notwithstanding the concession of the patronage, have rightly decreed that from the Dioceses comprehended under that privilege provinces should sometimes be separated, and Apostolic Vicariates, embracing those provinces, constituted for the benefit of religion. Wherefore We trust that those who have not hesitated to oppose Us hitherto will easily perceive that they should take care lest, by refusing obedience to Our Decrees made in the present state of things, they openly show that they can produce no reason for their dissension, except that of a disobedient spirit.

Declaring the present letters to be, and that they shall continue to be firm, valid and efficacious, and that they are to have their full and complete effect, and to retain the same, and are to avail to their widest



extent for those in whose concern they have been issued, or whom they shall at any future time affect, notwithstanding any enactments to the contrary.

Given at Rome, at St. Peter's, under the Ring of the Fisherman, the 24th day of April 1838, the eighth year of Our Pontificate.

E. CARD. DE GREGORIO.

## CHAPTER II.

### REJECTION OF MULTA PRAECLARE.

HAD the *Multa praeclare* been accepted in India by the Padroadists as it was accepted by the Propagandists, the whole ecclesiastical history would have taken another turn. In due time, perhaps, the Vicariates-Apostolic would have been elevated into Sees under Propaganda. As a final step the diocese of Goa might have been reduced to Portuguese territory, and within those national confines the Patronage would have survived. But the *Multa praeclare*, as soon as it was known in India to the Padroado authorities, was instantaneously, unhesitatingly and firmly rejected: hence our history becomes what it is.

When the *Multa praeclare* reached India, a few months after the date of its publication, it was the Vicars-Apostolic that received it direct from Rome, and at once proclaimed it to the world. The Padroado authorities, when it was thus thrust before them, took at first the attitude of regarding it as a hoax or a forgery—of which they thought, or pretended to think, the Vicars-Apostolic were quite capable.

It is difficult of course to regard this as anything but a “rhetorical affectation” or controversial expedient. More serious was the argument that the brief, even if allowed to be authentic, was lacking of the conditions to give it validity. It did not, they declared, follow the rules and customs of canon law in the promulgation of enactments; it contained misstatements of fact, and was unsound in principles. It undertook to derogate from the terms of the patronage, which could not be done without the consent of the king; and in any case, being without the *beneplicium regium* it must be treated as null and of no effect. Hence the subjects of the Padroado were declared not only free from any obligation to obey it, but actually bound not to obey it. In consequence it was resolutely, systematically and universally disobeyed by the Padroado Ordinaries and their clergy and people alike. In short, except for the bitterness it provoked, the *Multa praeclare* might never have been written.

At this time, as for a long time previously, the Padroado Sees were all vacant and were administered *sele vacante* by Vicars Capitular. As the story runs, a copy of *Multa praeclare* first reached the Capitular of Mylapore (through the Vicar-Apostolic of Madras) and was at once sent on to Goa. Goa, being metropolitan over the suffragan sees, was the natural spokesman for the whole province. So the Vicar Capitular (who, as we have already seen, claimed for himself the title of Archbishop-elect) set himself to work on the Brief. The result was a number of circular warnings sent out to the suffragan Capitulars, and also to the Vicar General of the North at Thana, followed by a long and elaborate treatise setting forth the reasons for its rejection, which was issued as a Pastoral on October 8th, 1838.

The Portuguese original is before us, but is too long for complete reproduction. So we must content ourselves with a summary, in which the salient points (the standard *topoi* of the Padroado apologetic ever afterwards) are sufficiently shown forth.

The Pastoral is addressed by F. Antonio Feliciano de Santa Rita Carvalho, Archbishop-elect of Goa, etc., to the governors, suffragan bishops, clergy and laity of the archdiocese, and runs in substance as follows :—

I. A rumour has been spread abroad on all sides by the Propagandists about the recent arrival of an apostolic brief issued by Pope Gregory XVI. abolishing the patronage of the crown of Portugal in the dioceses of Malacca, Mylapore, Cochin and Cranganore, handing them over to certain Vicars-Apostolic, and annulling in them the metropolitan jurisdiction of Goa. They (the Propagandists) have also given out that within a short time another apostolic brief will be issued, separating from the metropolitan of Goa, and giving over to the Vicar of the Great Mogul, the churches situated in British territories north of Goa—on the ground that the Queen of Portugal has lost her right of patronage in these dominions for not maintaining the missionaries sent to these parts.

II. It is quite conceivable that the propagators of this rumour are capable of forging such a document, or of extorting it from the Sovereign Pontiff by trickery and falsehood, in order to gratify their ambition, self love and avarice.

III. When a copy of this apostolic brief came into our hands through the Bishop of Mylapore, we could see at once from certain manifest signs that it deserved to be rejected from the very outset, either as apocryphal, or else as having been obtained surreptitiously. And this for the following reasons :

IV. First, it is contrary to the ordinary usage of the Holy See to treat of a matter of such importance in a mere brief and not in a bull.

V. But passing this over, it is strange that we should depend on a stray copy coming in our way, and that it should not reach us in

the official manner, accompanied by an apostolic letter to the metropolitans or ordinaries, and fortified by the royal consent, which is part of the prescriptive right of the crown.

VII. The absence of this royal consent, certifying that the brief contains nothing contrary to the rights of the queen, is in itself a sufficiently reason why it should be rejected at once.

VIII. Besides these external arguments there are also several internal signs that it is surreptitious.

First, the document calls the patronage "a privilege." This is manifestly false, since it is not a privilege but a right (*jus patronatus*) resting on the titles of foundation and endowment, and one which cannot be abrogated without the express consent of the king.

XI. Secondly it is false to say that this "privilege" had for its object that the sees should not remain vacant for long.

XII. The title by which the right of patronage was obtained are, first, the fact of foundation and endowment, as appears in the bulls by which those sees were established; and secondly, prescription or pacific possession for over 300 years. It is a true ownership legitimately obtained, legitimately maintained, and possessed in good faith; nor can it be lost by reason of the sees being left vacant.

XIII. It is a real ownership based on the natural law, and one which therefore cannot be abolished without the consent of the owner.

XIV. Hence we wonder at the culpable ignorance shown by the writer of the brief, not only of the principles of canon law, but even of the natural law also.

XV. If the rights of the queen are guaranteed by the natural law, it follows that even the existing Pope cannot abrogate them without diametrically opposing the will of Christ who came not to destroy but to fulfil, and who said: "Render to Caesar the things that are Caesar's."

XVI. It is impossible, therefore, that the Pope should attempt to violate the rights of the queen—rights obtained by legitimate titles and preserved and maintained by immemorial possession—a possession purchased by the shedding of rivers of blood and the expenditure of copious treasure for the spread of the Gospel. It is unthinkable that the Pope should do this; and since he cannot be the author of the pretended brief, it must have been fabricated by sacrilegious men.

XIX. But these are not the only arguments. Besides this, the pretended brief fails to satisfy the 42nd rule of the Chancery, which for the validity of a bull of abrogation requires these four conditions:—first, it must specify the time, etc., of the vacancy; secondly, it must show that the time for presentation has expired; thirdly, it must have the consent of the crown; and fourthly, it must specify the previous bulls which are abrogated.

XX. The brief makes no specification of the times, etc., of the vacancies, and hence it fails in the first condition.

XXI. The time for presentation to these benefices is not specified or limited, and does not expire. Hence it fails in the second condition.

XXII. Nor does it allege the consent of the crown no such consent having been given. Hence it fails in the third condition.

XXIII. There is no mention of the bulls which it is intended to abrogate, and hence it fails in the fourth condition. [Here follows a list of 19 bulls ranging from 1412 to recent times, express mention of which ought to have been made in the derogation].

XXVI. Another collection of falsities in the brief is, first, the alleged relaxation in faith, morals and discipline in the dioceses of the patronage through lack of proper pastors; secondly, the alleged unjust resistance shown to the Vicars-Apostolic by the Padroado bishops; and thirdly, the alleged change of circumstances due to these countries having passed under the dominion of a most powerful king, whose form of government is declared to be incompatible with the maintenance of the Padroado. All these three points are false.

First, as regards the relaxation of faith, morals and discipline, everybody knows how lax the Apostolic missionaries (Propagandists) are, for instance with regard to dispensations for marriages, etc.; and moreover, how they have no scruple in spreading calumnies against us, calling us schismatics and our jurisdiction null; nor have they any scruples in usurping churches and the jurisdiction of others—all with the object of promoting their sinister ends.

XXVII. Even if there be relaxation in the places named in the supposed brief, this is certainly not for want of pastors, but on account of the blunders and relaxed morals of the Apostolics already mentioned. For when our clergy show themselves strict maintainers of discipline, their subjects threaten at once to run off to the Propagandists, where they will easily obtain easier treatment, etc. In general, the charge of lack of proper pastors is false.

XXIX. Secondly, as regards the opposition shown to the Vicars-Apostolic by the Padroado bishops: This, being in defence of their proper rights against aggression, ought not to be blamed but praised. In fact they would deserve to be punished as unfaithful ministers if they did not make such opposition in defence of their rights, and against the invasion of foreign prelates.

[Here follows a long passage from the instructions given by King Jose I. in 1774].

XXXIX. As regards the third point, *viz.*, the change of circumstances. Even supposing the change referred to, this should not be made a ground for abolishing the right of patronage; which, being founded on the natural law, cannot be abrogated even by the Pope himself. But as to the argument that the British Government is of such a nature as not to allow the Padroado to be exercised, we reply that we have actually been exercising this right in British territory hitherto, and there is no reason why we should not continue to do so.

Besides this, it would be a grievous injury to Great Britain to suppose that she should fail in fidelity to the treaties sworn between herself and Portugal, by which she is bound not to interfere with ecclesiastical jurisdiction--besides her principle of extending toleration to all religions alike.

XL. With this we may conclude, having shown that the brief is apocryphal, and that it ought therefore to be rejected from the outset. It contains many signs, both external and internal, of its supposititious and false character, and cannot have originated from the sovereign pontiff. For we cannot attribute to the Pope a decree so faulty, so full of mistakes, so unjust and tyrannical, without offending his person and injuring his illustrious name. It follows therefore that the brief is the work of sacrilegious persons; and as such, should be despised from the outset.

XLI. And when the Apostolics of the Great Mogul appear with their other expected brief, by virtue of which they intend to claim certain churches under our immediate jurisdiction north of Goa, we shall in like manner examine into the motives on which it is founded, and see whether it is fortified by the royal consent or not, and shall admit it or reject it accordingly. They allege that the queen has lost her right over these churches through failing to give proper support to the pastors. This allegation is quite false.

XLII. It is well known that suitable subsidies were paid out of the royal treasury without interruption down to the year 1835, when the Prefect ordered them to be suspended till a new and perhaps more regular organisation should be given to the missions which had previously belonged to the religious orders now extinct. Secondly, it is well known that these subsidies were, with some modification, re-established in June of the present year 1838. Thirdly, it is well known that under the administration of Goa there were treasuries named after the different missions, *e.g.*, the North, the South, and Canara, from which funds were derived to meet local needs; and we ourselves have often made donations to these churches, as can be proved from our account-books.

XLIII. Therefore the assertion is false, maliciously made and spread about by the Apostolics in Bombay. But even if the accusation were true, this would not be a sufficient reason for arguing that the right of patronage had been lost. It is well known in canon law that failure of contribution on the part of a secular patron is not sufficient cause even to suspend, still less to abolish such a right.

XLIV. Hence it is manifest how ill-founded are the views of the Propagandists in Bombay. Should they come forward with some brief passed by the Congregation of Propaganda favouring their unjust pretensions, we have declared already that we cannot admit any such rescript unless it is fortified by the royal consent. Moreover, we shall make known to the Pope through competent channels that his Vicars in this part of the world have deceived him with their arbitrary and

false informations ; and that such briefs are *obreptitious* and *subreptitious*, and therefore he himself ought to approve of their rejection.

XLV. We have often made our profession of faith and obedience to the Holy See ; but this is not incompatible with another oath which we have also taken, of equal force and solemnity, to maintain fidelity and obedience to our sovereign, and to maintain untouched the prerogatives of the royal patronage and of our metropolitan see. And as the supposed brief attacks these royal rights, and offends against the ordinary rights of our suffragans as well as our own, we feel bound to protest against and legally to resist the execution of this or any similar brief—which bears clear signs, external and internal, of being supposititious and false. Moreover by a similar right we protest against its acceptance by the court of the British Government ; from whom we respectfully ask the necessary support for the maintenance of our sacred rights, in the name of reason and justice, and on account of the solemn treaties signed between the crowns of Portugal and England.

XVLII. We order all our subjects not to admit or to give effect to the brief referred to, unless it is fortified by the royal consent of the queen—to whom we have communicated an account of this new usurpation designed by the Propagandists, in order that she may make due protests to Rome, and ask the sovereign pontiff for a suitable declaration about the matter.

XLVII. This document is to be read and explained by the Vicars to their parishioners on the Sundays and holidays of obligation following its receipt, and to be filed in the archives.

XLVIX. The suffragan bishops of Mylapore, Cranganore, Cochin, etc., are also recommended to order the same to be read and filed.

Given at our palace, at Panjim, October 8th, 1838.

A. F. DE SANTA RITA CARVALHO, ETC.

### CHAPTER III.

#### WHAT FOLLOWED THE REJECTION.

##### AUTHENTICATION.

ON account of the discredit which the Goa authorities tried to throw on the genuineness of the *Multa praeclare*, a certificate of authenticity was issued by Cardinal Fransoni, Prefect of Propaganda on December 20th, 1838. The brief and this certificate were despatched to the Right Rev. Thomas Griffiths, Vicar-Apostolic of London, who in turn forwarded the document to the English Government on January 17th, 1839. This despatch was officially acknowledged by James C. Melville of the East India House on January 17th, 1839,

and a similar acknowledgment was made by the Madras Government to Dr. O'Connor, Vicar-Apostolic of Madras on April 8th, 1839. The text of these authenticating documents was published at Madras (See Roman Documents III), so that in the public mind there could remain no doubt that "Rome had spoken." After this, the resistance to execution could rest only on questioning the right of the sovereign Pontiff to legislate in the way he had done, and on the principle that no papal act could have effect without the *beneplicitum* of the crown of Portugal.

Whether the Portuguese Government protested against the *Multa praeclare* directly to the Holy See, we have not yet discovered, as diplomatic relations between Lisbon and Rome were at that time suspended. But they certainly sent official instructions to the Archbishop-elect of Goa repudiating the brief. They also ordered the Bishop-elect of Madras [=Mylapore] D. Antonio Tristao Teixeira, to make a formal protest to the English Government at Madras and Bengal, and to petition them not to recognise the Vicars-Apostolic of those places.

#### THE SITUATION CREATED BY THE BRIEF.

The authenticity of the brief being thus established, it is necessary next to analyse its contents, in order to show precisely the nature of its enactments, which were on the one hand accepted and put into execution by the Propaganda clergy, and rejected and resisted in their execution by the Padroado clergy :—

(1) The first point to realise is a negative one. The *Multa praeclare* did not legislate in any way for Bombay, nor for the Archdiocese of Goa in relation to the Vicariate-Apostolic of the Mogul. All that is left alone, and lies outside the horizon. The brief is concerned solely with the three suffragan Sees of Cranganore, Cochin and Cranganore.\*

(2) The territorial limits of these three suffragan Sees had been fairly well defined by the bulls of their foundation and a subsequent bull of delimitation published in 1616. *Cranganore* comprised (very roughly) the part of the Malabar Coast occupied by the Syrian or Thomas Christians, with a margin round and behind it, inland. *Cochin* comprised the remainder of the Malabar Coast (West) and the Coromandel Coast (East) up to the Palar river not very far below Madras, with the whole of the Madura Mission and the area of the Carnatic Mission; and it also included Ceylon. *Mylapore* comprised the East Coast from the Palar river a little south of Madras, and northwards the Circars, Orissa, Bengal and even Pegu or Burma, (though this latter country was made into a Vicariate in 1722). What remained of India counted as belonging to the Archdiocese of Goa, but with no defined boundaries; a fact which always caused contention between

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\*Also with Malacca in relation to Burma; but that, being outside India, can be omitted.

the Archbishop and the Vicar-Apostolic of the Mogul.

(3) The four new Vicariates (together with Verapoly) extended over practically the whole area of the three suffragan dioceses. That of Bengal comprised the northern part of Mylapore; that of Madras the southern part. Coromandel (Pondicherry) covered the eastern and inland parts of the diocese of Cochin, while Ceylon also belonged to Cochin. The western portion of the Cochin diocese as well as Cranganore was practically covered by the already existing Vicariate of Malabar.

Within the three dioceses (mostly near head-quarters) there were a considerable number of churches and parishes canonically erected, and fully occupied by the diocesan clergy. It does not seem to have been the original intention of the Holy See to give over these occupied churches to the Vicars-Apostolic. But there were also large groups of churches in the more mofussil districts which had formerly been real mission centres, and had been served chiefly by the Jesuits. After the suppression of the Society these places had been practically deserted; and the chief aim in creating the Vicariates had been to supply them with new clergy so as to reorganise and revive the ruined missions.

The missionaries who had come from Pondicherry to carry out this work soon met with serious resistance. A number of Goa clergy had been sent to the districts; in order to retain them under Padroado, rather than to minister to them in any effective way. The consequence was, that the Propaganda missionaries found their progress blocked in every direction, and disgraceful tussles ensued. As this was a very general state of things, and it was difficult to draw a line or discriminate between place and place, the Holy See determined to put an end alike to the impediment and the dispute. The expedient adopted was an extremely simple one; to deprive the three suffragan Sees of *all* jurisdiction, by placing equivocally the whole of the three dioceses under Propaganda, and making the Vicars-Apostolic the sole and universal Ordinaries over the whole territory. That would cut the knot of the difficulty, and eliminate all discrimination or controversy about particular places. It would exclude all possibility of interference by the Padroado clergy, by rendering them incapable of any spiritual ministrations except by putting themselves under the jurisdiction of the Vicars-Apostolic of the districts assigned to them. Under cover of a universal decree the whole of the Padroado clergy in these areas were practically suspended *a divinis* as far as public ministrations to the faithful were concerned. Any act of theirs which depended on jurisdiction or faculties was rendered *ipso facto* invalid, and other acts which did not depend on jurisdiction or faculties became at least illicit. Henceforward, according to the Brief, the situation was absolutely clear. Anyone who obeyed the papal edict and attached himself to a Vicar-Apostolic was in a sound position. Anyone who failed to do this, and continued to adhere to Padroado, was absolutely in the wrong; nay more, he was adhering to a shadow, deprived of the benefit



of the sacraments, and standing to all intents and purpose aloof from the Church.

#### THE SIGNIFICANCE OF THE PAPAL ACT.

The *Multa praeclare* was not a formal abrogation of the Padroado, nor an abolition of the Padroado Sees; for these still existed in name and title, though deprived of all the jurisdiction which is normally inherent in a bishopric. Effectively however, the Sees and the Patronage over them were just as if for the time they did not exist. It is precisely this which makes the difference between the situation before and after *Multa praeclare*. Previous to that event the most that happened was this: Portions of the Padroado dioceses which were practically unworked, or other portions in which the working of the Padroado Ordinaries was debarr'd, were placed in charge of Vicars-Apostolic under Propaganda as an emergency-measure, without in the least repudiating the Ordinary diocesan jurisdiction, or questioning the rights of the Patronage. But by *Multa praeclare* the ordinary jurisdiction was simply cancelled, and the Patronage in effect nullified—not in case of Goa, (a point which needs to be emphasised), but in the case of the three suffragan Sees which formed the ecclesiastical province of Goa.

According to the bulls by which these Sees had been created, such a thing could not be done, even by the Pope himself, without the consent of the King of Portugal. But the consent of the King of Portugal had neither been asked nor obtained, and yet the Pope had done it!

It was not precisely a direct frontal attack. The motive at the back of the Pope's mind was that the Padroado had not only to a great extent ceased to be a means to the great end, the spread of the faith and the promotion of religion, but had made itself an obstacle and impediment to those ends by obstructing the efforts of others. When a law ceases to promote the end for which it was made and rather produces a contrary effect, that law is cancelled by *epikeia*. The same with a contract, an arrangement, a concession of power and influence in the Church. According to the mind of the Holy See, the Padroado had fallen into this category, and must go by the board; and so without being finally obliterated, it was for the time effectually suspended, by a transfer of its jurisdiction to other hands—as far as those three suffragan dioceses were concerned.

#### THE RESULT OF THE REJECTION.

In the situation which resulted after the *Multa praeclare*, and in consequence of its rejection, there would be a good deal of complexity if we were to overlook the fact that the *Multa praeclare* did not stand alone. It was only the second part of what constituted one compound act. First came the creation of Vicariates-Apostolic which (with Verapoly) covered the whole diocesan areas of Cranganore, Cochin and Mylapore. When this ground was laid, there followed the cancelling of the jurisdiction of the three Sees, so that the Vicars-Apostolic became

the sole Ordinaries within the area of the three dioceses. Hence the resistance of the Padroado clergy involved not only a rejection of the *Mulla praeclare* but a rejection of the Vicariates. The position of the recusants seems to be expressible in three points:—(1) "We hold that the ordinary jurisdiction of Cranganore, Cochin and Mylapore, with the metropolitan jurisdiction of Goa, remains intact in spite of the brief; (2) that the erection of the Vicariates, being an encroachment of the diocesan areas, has at least no *privative* validity; that is to say, it does not deprive the three Sees of their ordinary right over those areas; (3) that the jurisdiction of the Vicars-Apostolic, even if allowed to be valid when exercised in places not worked by the Padroado clergy, has no validity whatever in places which are worked by them, or in any churches which they occupy or minister to, either now or in the future. In short, as soon as the Vicars-Apostolic come into clash with the Padroado clergy, there the Padroado clergy have the prior and absolute right; and the rights of the Vicars-Apostolic, being provisional and conditional taken at the best, cease absolutely and their jurisdiction is null.—The lesser right must cede to the greater." Such seems to have been the Padroado standpoint.

Hence the Padroado clergy took for granted their right: (1) to keep hold of any churches which they had in actual possession, (whether by resident or visiting priests), and to resist the intrusion of the Vicars-Apostolic as an aggression and a usurpation; (2) to recover any other churches which had formerly belonged to Padroado, but which had at any time been appropriated by the Vicars-Apostolic.

The Vicars-Apostolic, on the contrary, established and fortified by the authoritative acts of the Holy See in which they had absolute confidence, deemed it not only their right but their duty to take over, occupy and make their own any churches or congregations which existed in the territories assigned to them, and to expect the Padroado clergy to retire therefrom. They believed implicitly, on the strength of the Papal decrees, that the Padroado clergy had no longer any jurisdiction; that all their acts were invalid and illicit, and consequently sacrilegious; that they were schismatics, in the general, or even the strict sense of the term. The Padroado clergy were in effect denying the supreme authority of the Holy See, and putting the supreme authority of the King of Portugal in its place. Consequently they were (objectively at least) in a state of separation from the unity of the Church, deprived of grace and the sacraments, and doomed to hell unless they repented, with the congregations that adhered to them.

Such was the line consistently taken by the Vicars-Apostolic and their missionaries at the time. In fact their chief means of appeal to the laity was to warn them of the sinfulness of a state of schism, and tell them to get themselves out of it as soon as possible, by coming over to the Propaganda jurisdiction if they wished to receive the sacraments validly and to save their souls.

Under this firm conviction their zeal led them to resort to covert means for securing congregations from the clutches of Padroado where overt means were of no avail. They tried to win over to their side sacristans and catechists or groups of laymen, and with their aid entered into empty churches in the absence of Padroado priests, and said Mass there as a symbol of taking possession. When a Padroado priest came to the spot and offered resistance, there arose a conflict, sometimes even a physical one, which ended in the breaking of heads and police cases, followed by law-suits for the possession of the church—which generally went in favour of the Padroado clergy because they were the previous possessors.

#### A STATE OF WAR.

The local situation therefore was a state of war in which the Propaganda clergy were the aggressors and the Padroado clergy the defenders, both parties claiming to be in the right; the Padroado party because of their long possession resting on Apostolical constitutions and patronal rights which even the Pope could not abrogate; the Propaganda party because the Pope had actually abrogated all that by his enactments; and his supreme right and power to do so was a thing not to be questioned, because it rested on the essential constitution of the Church.

The stand-point of each party was perfectly clear, their inference and consequent policy logically consistent. Both were terribly in earnest; and both, it would seem, fully convinced of the soundness of their cause—at least during the earlier stages of the conflict. As regards the good faith of the Vicars-Apostolic there can be no question. The clearness of the orders sent direct from Rome, and their implicit confidence in the authority by which those orders were given, made doubt or hesitation impossible to them. As regards the Padroado clergy, the fact that they were opposing those same orders from the Holy See certainly put them in an unfavourable position. But they were deeply imbued with belief in the “rights of the patronage,” and convinced that some great blunder had been committed in Rome, and confident that if they only held out for a time it would ultimately be put right. We shall have an opportunity to work into this matter more deeply later on. Meantime, if any votary of either side feels inclined to quarrel with this “benign interpretation,” it will be enough to remind him that good faith is not a matter of ontology but of psychology. In any case, it will help us all to approach our further studies of this period with an impartial mind.

It was of course a highly disedifying spectacle, no matter how one looks at it. But when once you realise that the whole conflict was between two parties whose position rested on two absolutely contrary points of view, the whole thing becomes intelligible without the necessity of regarding either party as rogues or villains;—and therefore, however disedifying, ceases to be *scandalous*, at least to the extent that it is traditionally assumed to be.

The whole-hearted partizan, whether of Propaganda or of Padro-

ado, will still feel his blood boiling at the thought of what was done in those remote days—by the *other* side. But the historian cannot afford to be a partizan if he wishes to retain either his credit or his self-respect; and must view the whole situation calmly as a psychological phenomenon.

The ulterior question, which was objectively right and which objectively wrong, rests upon principles rather than facts; and pertains to the theologian, rather than to the historian.

## PART XI.

### SURVEY OF THE BATTLE FIELD (1838 seq.)

#### CHAPTER I.

#### BURMA, MALACCA, AGRA, CEYLON.

IN an earlier section we had to point out the importance of realising that the Propaganda *vs.* Padroado question was not confined to India, but extended all over the Portuguese colonial world wherever the Patronage extended; and that the conflict in India was merely one local element in the case. Nevertheless in our Bombay Mission history we found the local conflict a more or less self-contained thing which could be adequately discussed by itself. That was in the earlier period between 1637 and 1838. But as soon as we come to 1838 and the *Multa praeclare*, it becomes necessary once more to widen our horizon. For the *subsequent* quarrel in Bombay, although in itself a self-contained thing, really formed an element in a larger quarrel, which extended all over India. As a matter of fact the real storm centre after *Multa praeclare* was not in Bombay, but rather in the South. For the storm arose, in the first instance, out of the creation of the Vicariates of Bengal, Madras, Coromandel and Ceylon; and next, from the Holy See handing over to those Vicariates all the jurisdiction which had hitherto been enjoyed by the Padroado Sees of Cranganore, Cochin and Mylapore. With the quarrels which ensued in those parts Bombay had nothing whatever to do. But still, as the storm soon spread to Bombay for other and local reasons, and the conflict became a general one, the whole must be surveyed *per modum unius*, otherwise the principles and forces at the back of the contest will never be rightly understood.

Hence the necessity at this stage of taking a survey of the whole of India, by passing all the Vicariates under inspection one after another, so as to show what happened in each of them in consequence of the rejection of *Multa praeclare*. Those in which the history is simplest shall be dismissed first, so as to allow closer attention to the more

complex cases afterwards, before we return to Bombay.

It is to be understood throughout that our notes on these other Vicariates must necessarily be meagre, just sufficient to indicate the general situation in each. Our sole object is to furnish a comprehensive survey of the battleground of Propaganda *vs.* Padroado, between the years 1838 (*Multa praeclare*) and 1857, (The first Concordat)—the period of what in Propagandist literature has traditionally been called the “Indo-Portuguese or Goa Schism.” Not having specialised on these outlying districts, and being often lacking in sources, we must prepare the reader for possible mistakes in detail, and shall be glad to be told of them by any interested looker-on who knows better.

We begin with the periphery of the circle—those more remote districts which felt the conflict least or not at all, and which therefore can be very shortly dismissed. These are in turn (1) Malacca in relation to Burma. (2) Agra or the Hindustan-Tibet Mission. (3) Ceylon.

#### I. THE VICARIATE OF BURMA.

Burma (=Ava and Pegu) was comprised within the diocese of Mylapore when that Padroado See was erected in 1606; but except for some possible visits by a priest to look after the Christian immigrants from India that had flocked there, nothing seems to have been done in the way of mission-work. In 1722 however some Barnabites under Propaganda came there, and in 1741 a Vicariate-Apostolic was established under that order; but as the Barnabites died out the mission soon collapsed. In 1830, work was commenced again by the “Congregation of Pious Schools” and in 1842 by the “Oblates of Pinerolo.” As these withdrew in 1855, Burma was placed under the Vicar-Apostolic of Siam till 1866, when it was divided into three Vicariates, under the Foreign Mission Societies of Paris and of Milan. Burma was never troubled by anything like “double jurisdiction”; its only contact with Padroado being momentary, when in 1838 by the *Multa praeclare* the Burma Vicariate was ordered to take charge of the suppressed Padroado diocese of Malacca, as will be seen in the next section.

#### II. THE VICARIATE OF MALACCA.

Malacca was erected into a Padroado bishopric in 1557. We have seen it stated that Malacca had “never seen a bishop’s mitre.” Against this it was replied that “Malacca gloried in eleven bishops between 1558 and 1717” and this was met by the challenge: “How many of these bishops ever went there?” An article contributed the *Angelus* answered the question by giving a detailed list of the prelates down to about 1760, from which date the See remained totally vacant.

In 1838 the *Multa praeclare* extinguished the jurisdiction of this See and assigned it to the Vicar-Apostolic of Ava and Pegu (=Burma). That Vicar-Apostolic however, had no missionaries to take charge, and reported his inability to Rome. Hence a decree of Propaganda in 1840 erected the Malay Peninsula into a separate Vicariate-Apostolic, which

comprised the extinct Bishopric of Malacca and included Singapore and Penang, which were administered by Fr. Boncho the Vicar-Apostolic of Siam. It was only in 1815 that a priest (Fr. Faure) was appointed to take over the churches. He found two Goan priests there ministering to some communities of Christians—who on inspecting his credentials denied their validity, and referred Fr. Faure to Goa for information. Fr. Boncho became first Vicar-Apostolic of the Malay Peninsula in the same year. The existing Padroado churches remained apart, and have remained apart since, receiving jurisdiction from Macao. In 1879 we find there were two Goa priests at Malacca and two at Singapore. In 1888 Malacca was constituted a diocese, which by a subsequent decree was made suffragan to Pondicherry. It is manned by the Foreign Missions of Paris. The four Padroado churches still remain as “exempted” under the Bishop of Macao.

### III. THE VICARIATE OF AGRA.

The Vicariate of Agra, established at that centre in 1820, was successor to the old Thibet-Hindustan Mission of the Capuchins whose earlier history has already been traced. It was entirely unaffected by the *Multa praeclare*, for the simple reason that the Padroado jurisdiction had no effective existence there at the time. The old Jesuit centres at the Mogul capitals had been abandoned since the proscription of the Jesuits, (1759) and had fallen to the care first of the Carmelites (1760) and then of the Capuchins (1781); and no new effort had been made in those regions by the Padroado clergy since. Hence about this Vicariate there is nothing more to say.

### IV. THE VICARIATE OF CEYLON.

The island of Ceylon, which formed an outlying part of the Padroado diocese of Cochin, was evangelised early, for the most part by Franciscans and Jesuits, under whose care the number of Christians rose to at least 100,000 souls. The occupation of Ceylon by the Dutch (1633-1660) put an end to Portuguese influence there, and inaugurated a period of Protestant persecution, during which many Catholics fell away. An heroic effort at revival was made by the Ven. Fr. Vaz (Oratorian of Goa) in 1686, which brought up the dwindled number of Catholics to 70,000. In 1796 Ceylon was annexed by the English, and the Catholics were allowed to enjoy their religion in peace, under the continued ministrations of the Oratorians of Goa. In 1832 the Holy See entered into negotiations with the English Government regarding the appointment of a resident bishop, which, issuing favourably, resulted in the erection of Ceylon into a Vicariate-Apostolic by the Apostolic Brief *Ex munere pastorale* of December 23rd, 1836.

The Archbishop of Goa, Amorim Pessoa (Obras Part III. pp. 66-68) gives the following account of these negotiations:—

Lord Clifford to the Governor of Ceylon, dated Rome, Palace Descalchi, 8th June 1835—“From the letter Your Excellency was good enough

to send to my excellent friend, the Rt. Rev. De Baines, on the 1st Febr. 1832, which he brought to Rome last year with other information, the Congregation *de Propaganda* has taken the resolution to appoint as its first resident Bishop the present Superior of the Mission of Colombo ; not doubting that such a choice, considering the information given by Sir Alexander Johnston to Your Excellency with regard to the good conduct of the priests and Christian communities in his charge, will afford full satisfaction to the Government and to Your Excellency, as it will also prove the perfect confidence of the Holy See in these excellent priests. If subsequently an English ecclesiastic should be judged to be deemed desirable, Your Excellency will not fail to inform either Bishop Baines, or some other person who may acquaint the Holy See with such a wish ; but as there was no English priest of the Order of St. Philip Neri, it was found good, on account of the work hitherto done by that body, and the informations sent about it, to make the nomination.

In a reply to this letter, dated 12th January 1837, the Governor of Ceylon says : " That he had a conversation with the Reverend Father Vicente do Rozario, the Portuguese Vicar General in the Island of Ceylon, and a native of Goa. The latter had told him that he had had no information about the nomination, nor had the intention of nominating him a Bishop come to his knowledge ; but that he, the Vicar General, had addressed letters to Lord Clifford and the Holy See through the same Governor."

"From these two documents it may be gathered : 1st That from the year 1832 there was a movement between the British Government, the Holy See and the Portuguese Oratorian Congregation of Ceylon, for the transfer of the Padroado jurisdiction to the jurisdiction of the Propaganda ; 2nd that Gregory XVI, in deference to the English Government, and profiting by the occasion of the extinction of religious orders in Goa, had by the Apostolic Brief of the 23rd December 1836, - *Ex munere pastorali* - without the consent or previous knowledge of the Portuguese Government, dismembered the island of Ceylon from the Bishopric of Cochin to which it belonged, and erected it into a Vicariate-Apostolic subject directly to the Holy Roman See, under the control of *Propaganda*." [End of quotation.]

It seems that the transfer of jurisdiction was smoothly made by leaving the Goan Oratorians in charge, and appointing the first Vicars-Apostolic out of that Order. Thus we find from the Madras Catholic Directory that the first Vicar-Apostolic of Colombo was Fr. Francis Xavier of the Congregation of Saint Philip Neri, a native of Margao, Goa, who died in 1835 before consecration. Next comes Fr. Vicente do Rozario of the Congregation of St. Philip Neri, a native of Raia, Goa, in 1836, who died at Colombo on 29th April, 1842. His successor was Fr. Caetano Antonio Pereira, also of the Congregation of St. Philip Neri, a native of Divar, Goa. He was nominated in 1843 and died at Colombo on the 25th January, 1857.

## THE INFLUENCE OF TORRES.

Although singularly lacking in sources regarding the history of Ceylon, we gather that the acceptance of Propaganda in place of Padroado jurisdiction was at first universal. But the advent of Archbishop Torres in 1844 disturbed the established harmony. That prelate, claiming that by virtue of his bulls the erection of the Vicariates and the extinction of the suffragan sees was abrogated, made it incumbent on the Padroado clergy to return to his jurisdiction. Hence arose disturbances in Ceylon (not ascertained in detail) which drew from the Pope (Pius IX) the following Apostolic Letter: —

Brief of Pius IX to the Vicar-Apostolic of Jaffna (*probe noscitis*) dated August 1, 1849: —

You well know, Venerable Brother, that, being earnestly solicitous for the salvation of the faithful, we have frequently, and even last year by our letter of May 13th, gravely admonished them not to give ear to the deceits and wiles of some abandoned men who, with the design to introduce a wicked schism among the said faithful, were endeavouring either to withdraw them from the lawful authority of the Vicar-Apostolic, or to turn them away from the obedience due to the Apostolic See and to the Roman Pontiff.

For we have learned that factious men of this description have become so audacious as to maintain that the decrees and precepts of the Apostolic See were not to be obeyed [on the ground that] they had been published without our knowledge and consent — the reason alleged being that we had caused the decrees and precepts to be published or transmitted through our Congregation of the Propagation of the Faith, as was customary with our predecessors.

Wherefore we distinctly and publicly declare that all and everything which has been ordained, as well by the Pontiffs our predecessors as by ourselves, whether by Apostolic letters in form of a brief, or by letters of the said Congregation in our name or that of the Holy See, have emanated from the self-same authority and will of the Roman Pontiff and Apostolic See; and that the Congregation itself is to be deemed and judged the minister of the Sovereign Pontiff.

To remove entirely this deception, the Pope writes the present (third) letter to make clear that whatever proceeds from Propaganda is derived from the authority of the Holy See, and cannot be opposed or resisted without injuring the bond of Catholic unity.

On November 7, 1849, the Vicar-Apostolic of Colombo issued a pastoral which describes how in 1836 Ceylon had been erected into one Vicariate-Apostolic; and in 1845 a Coadjutor was appointed. In 1847 the Island was divided into two Vicariates. Finally in 1848 the Pope addressed a letter to the Vicars-Apostolic — the “special purpose of which was to remove all doubts about the alleged rights of the Archbishop of Goa and the Bishop of Cochin in this island—and we can congratulate you on that question being now satisfactorily disposed of,



we trust for ever." (Ex. 1850, p.11.)

#### SUBSEQUENT EVENTS.

In August 1850 a para in the *Abelha* of Bombay announced having received from Goa official news of the spontaneous submission to their legitimate prelate the Bishop of Cochin [non-existent] of one Fr. Mascarenhas, Oratorian, of Mathetana in Ceylon with all his congregation and the churches of his extensive mission amounting in number to 55. (Ex. 1850, p. 56). Authentic news soon followed. The foundation of the story was that the priest in question, "whose conduct had obliged the Vicar-Apostolic to suspend him, resolved to return to his former fold, and was received and proclaimed as the champion of priestly heroism and the herald of future events." (Ex. 1850, p. 83). Finally a letter from Kandy, dated September 17, 1850, showed that "we have only to lament the defection of 100 Christians in Colombo, who prefer to acknowledge the jurisdiction of the Archbishop and assemble in a house which they use as a chapel." Two Indian priests are at the head of that small congregation. "Besides this a native priest of Goa at Mantotte in the Northern Vicariate, having been suspended by the Vicar-Apostolic for imperative reasons, is now stirring up the people to acknowledge the Archbishop; and one other priest has gone to Mantotte to join him." (Ex. 1850, p. 106).

In consequence of these small defections we find incidental mention of "one schismatical church" at Colombo, which was used by Bishop Matta in 1853; and collections were made in 1858 for building a new one (D'Sa India II, 170). From the columns of THE EXAMINER we find that in 1851 there were only about 30 to 40 adherents in the Colombo Vicariate; that in 1855 there were two Goa priests in Jaffna with 15 adherents, and one priest in Mantotte with 1,000, who however were gradually leaving him. In 1865 we read of two Padroado priests at Jaffna with 1,000 adherents, and two at Colombo with 50 adherents (M. Dir. 1865). Finally a list published at Goa in 1870 speaks of three churches in Ceylon with four priests, and a total following of 3,000 adherents.

In 1845 Ceylon, as we have seen, was divided into two Vicariates, Colombo and Jaffna. In 1883 Kandy was separated from Colombo. In 1886 these three Vicariates were elevated into Dioceses. In 1893 Galle was divided off from Colombo and Trincomalee from Jaffna. At the establishment of the hierarchy the relics of Padroado jurisdiction were eliminated.

[The "Alvarez Schism," which caused some disturbance in Ceylon after 1886 has nothing to do with our history].

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## CHAPTER II.

### THE VICARIATE OF BENGAL.

BENGAL with Orissa had been comprised in the Padroado diocese of Mylapore when it was erected in 1606. Already there had been some Jesuits there in 1579; but the Augustinians of Goa soon secured the monopoly of that district, and from 1599 onwards built a number of churches in places frequented by Portuguese subjects who had flocked round the centres of politics and trade. They also seem to have been highly successful in converting the heathen at that time. No Propaganda missionaries came to Bengal except the Capuchins of the Thibet-Hindustan Mission in the outlying district of Behar (Patna), and the Capuchins of Pondicherry at Chandernagore, a French settlement on the Hugly river. After 1700 no conversion-work seems to have been carried on; everything settled down on a parochial basis, and there were apparently no schools.

The appointment of a Vicar-Apostolic for Bengal (already prepared for in the papal programme) seems to have been hastened by an incident which occurred in 1829. At that date, on account of a demand for schools, a party of Calcutta Catholics, with the parish priest of the principal church at Calcutta (Murghihata), wrote to Rome to ask for a British Vicar-Apostolic and British priests. Hence on April 18th 1834, by a Brief *Latissimi terrarum tractus*, the Holy See erected the Vicariate-Apostolic of Bengal, entrusting it to Mgr. Robert St. Leger, an Irish Jesuit, who landed in Calcutta with five fellow-Jesuits in October 1834. The parish priest of Murghihata accepted his authority, and that church became the (quasi) Cathedral of the Vicariate. The other church (Boitakhana) with its clergy adhered to Padroado, but most of the Catholics accepted the Vicar-Apostolic (Cath. Encey. Sub. tit: *Calcutta*).

As soon as the news reached Mylapore, the Vicar-Capitular of that See published a circular of protest, and also made an appeal to the British Government—which had in the past, at least at Madras, practically supported the Mylapore jurisdiction. The response was a letter from the Government of India dated January 16th, 1835 to Mgr. St. Leger, acknowledging his position and repudiating the Portuguese claim of patronage. Similar protests from Padroado having also reached Rome, the Holy See in a separate Brief, *Commissi Nobis* of August 4th, 1835, confirmed the previous one with fuller emphasis.

The Padroado clergy (Augustinians) in Bengal ignored the declaration of the Vicar-Apostolic to the effect that their jurisdiction would cease on January 1st, 1835; kept possession of their churches, and went on with their ministrations to the comparatively small number of people who adhered to them. The Augustinians continued in their posts till the last of them died in 1867; but secular priests under the jurisdiction of Mylapore took their place. One church in Calcutta, two in Hugly and five or six in the Dacca district were thus maintained

by Padroado till by the Concordat settlement of 1886 their position was confirmed, and they became officially exempted churches of Mylapore in the territorial dioceses of Calcutta and Dacca respectively.

We have no particulars about actual conflicts over the churches in Bengal, except that concerning Sibpur church in the Dacca district [See note later].

Of importance are the official documents of the case, as throwing light on both sides of the conflict with regard to this Vicariate. These we now reproduce in order, (cutting out unnecessary passages) as follows : -

#### I. BRIEF ERECTING THE VICARIATE.

The brief of Gregory XVI erecting the Vicariate is dated April 18th, 1831, and runs in substance as follows :-

The very widely spread tracts of territory subject to the British Empire often excited our earnest solicitude, even so far back as the period in which we presided over the Congregation de Propaganda Fide...

Whilst debating these matters in our mind, letters, addressed by the Catholic inhabitants of Calcutta, arrived more than once in Rome, in which they implored our aid, and the favour of the Congregation of Propaganda Fide, and especially entreated that we should send to Calcutta priests of the Society of Jesus. Willingly acquiescing in this wish we gave command to the Superior General of the Society of Jesus, to present to us a certain number of his religious, amongst whom Thou, Beloved son, wast offered to us. Wherefore, it is our pleasure to decorate thee with the office of Vicar-Apostolic; conferring on thee, for the more successful execution of this office, (which we have decreed to be subject to the Apostolical See only), an ample sufficiency of faculties from the plenitude of our power, that thou mayest uphold and extend more widely the Catholic religion in the city of Calcutta, and the Political Presidency annexed to it; those places excepted, which our Vicar-Apostolic in the Mission of Thibet has for a long time administered, and likewise the places subject to our Vicar-Apostolic of Ava and Pegu - to which districts of the said Vicars it is our will that thou do not extend thy cares, unless with their consent.

#### II. MYLAPORE CIRCULAR.

In protest against this act of the Holy See, *Fre Manuel de Ave Maria, D.D., Ex-Provincial of the Hermits of the Order of St. Augustin, Ecclesiastical Governor, and Episcopal Administrator of the Bishopric of St. Thome of Meliapore, etc., etc., etc.* published the following circular on December 3rd, 1834 :—

1.—It has been reported to us that a Vicar-Apostolic, sent by His Holiness, has arrived at Calcutta, who intends to assume all the authority of the Bishopric of Meliapore; so much so that he has already addressed a letter to the Rev. Vicar of Boitecanah, intimating to him that all the Rev. Vicars of that mission should administer the sacraments under his

jurisdiction from the 1st day of January 1835; usurping by this proceeding the right of the said Bishopric, which was erected in 1606 by Paul V at the entreaty of Philip, King of Portugal and Algarve. Therein the Pope and the King prescribed that the kingdom of Bengal should belong to the spiritual jurisdiction of the aforesaid Bishopric; as is clearly evinced from the 4th para of the Bull directing its establishment, which has been recognized and observed since its foundation until the present day.

2.—But since, from this usurpation of authority, great dissensions, contentions, scandals, and at last a schism may arise; we therefore make known to all our subjects, ecclesiastical and secular, that we are obliged, in the first place, to protest against this proceeding of the Most Rev. Vicar-Apostolic; and secondly, to appeal to the Archbishop of Goa, the metropolitan of this Bishopric.

3.—Moreover, we make known to all our subjects, and to the Rev. Vicars of the Mission of Bengal, that Paul V declares, in the 6th Para of his Bull of erection, that the Holy See of Rome could not, for any reason, deprive the said Philip King of Portugal and Algarves, and his successors, of the right of patronage; and that the said King should never consider himself deprived of it, without his own express consent to it; but if in any way he should be deprived by the Holy See, such deprivation ought to be considered of no force or efficacy. Moreover, whatever Bull or Brief might come from the Holy See of Rome, without the express consent of the said King of Portugal and Algarves or his successors, should be null and void.

4.—On the other hand, as Portuguese subjects we are strictly bound to obey the laws of our kingdom, and the decrees of his most faithful Majesty; and one of these decrees, of the time of Lord Don Joseph I, bearing date the 6th May 1765, ordains that no rescript, constitution, or Bull of the Court of Rome shall have any force over any Portuguese subject, without having first been sanctioned with the Royal approbation; and this under penalty of denaturalization. We hope, therefore, that every one will have in view this decree, as well as that which is contained in the 6th para of the Bull above-mentioned.

5.—Therefore we order all the Vicars at Calcutta not to acknowledge the Most Rev. Vicar-Apostolic as the Ordinary of that place, until this point is decided either by our metropolitan, or by the Court of Portugal to which we have also transmitted an account of this affair.

6.—These presents shall be read in all the churches of the said Mission, three Sundays successively, before the Parochial Mass, etc.

St. Thomé in Meliapore, 3rd of December 1834.

FRE MANUEL DE AVE MARIA,  
*Episcopal Governor.*

#### CALCUTTA CIRCULAR.

The Vicar-Apostolic of Bengal, on receipt of this circular, addressed his subjects as follows on January 10th, 1835:—

It is not without much pain that we call your attention to a

mischievous and seditious document, purporting to have come from a priest of the Presidency of Madras, and published, on the two last Sundays, in the churches of Boitacanah, Durruntollah and Bandel. This priest (who, for some time past has exercised a very doubtful jurisdiction over the Presidency of Calcutta) whilst he acknowledges that we are Vicar-Apostolic, and nominated to this office by His Holiness the Pope, still, with a most ill-advised and censurable obstinacy, refuses obedience to the voice of the Supreme Pastor until the King of Portugal, and a supposed Bishop who is not in existence, shall have ratified the brief by which we have been appointed Vicar-Apostolic. Lest anyone should be influenced by the words of these clergymen, we will notice the objections made by them to our authority: the only objections that have come to our knowledge: (1) They complain that we have paid no deference to Meliapore, nor acknowledged subjection to it. The reason we have not done so is that the Pope, in his brief to us, "decrees that we are in all things to be subject to himself only." (2) They complain we took no faculties from Meliapore. It is true we did not, because the Pope declares in his brief "that from the plenitude of his own power he has amply supplied us." (3) They say that the right of Meliapore and Goa have not been curtailed, nor their jurisdiction limited. This is an untenable assertion. The Pope has decreed that this Vicariate is to be subject to no metropolitan or other jurisdiction, as is made evident by the first quotation. (4) Finally, they complain that we assume authority over the clergy. This we do because the Pope declares that "it is his will to decorate us with the appellation and office of Vicar-Apostolic," and there is no Canonist who will say that a Vicar-Apostolic, in a district reserved to himself by the Pope, and excluded from all other jurisdiction, is not, to all intents and purposes, ecclesiastical superior of the clergy residing in it.

We have intimated (and the intimation has been universally given to the priests) that their faculties cease from the 1st January 1835, unless previously renewed by application to us. We now announce that no application has been made to us; and, consequently, that the sacraments requiring jurisdiction are invalidly administered by them, and the other sacraments illegally. Hence if they presume, resting on their supposed episcopal authority, to give or procure a matrimonial dispensation, the dispensation is null and void in case the impediment is an invalidating impediment; again if these priests presume to give absolution in the sacrament of penance, it is given without jurisdiction. We therefore entreat our dearly beloved flock not to approach those churches, nor to receive sacraments at their hands.

4. But there is still another light in which we must view this mischievous document. It is, if not seditious, a production bordering on sedition. Living under a British Government, and protected by British laws, the authors of it proclaim themselves Portuguese subjects, bound to obey the laws of Portugal, and the decrees of his most faithful Majesty.

They call on all persons to hold in view his decrees; and they state that they have transmitted to the King of Portugal an account of this affair, thus submitting to that King's decision the transactions occurring to British subjects, in the territories of His Britannic Majesty.

5. It was our earnest and most ardent wish to live in peace with all... Having learned that many of our Rev. Brethren were resolved to oppose, we allowed them more than two months for reflection... but our forbearance had no effect. Forced as we now are to the adoption of extremes, it will only remain to use the sacred trust placed by Providence in our hands with charity, but still with firmness, against those who, by their schismatical departure from the centre of unity, can, if they persevere, be no longer considered members of the Catholic Church.

It remains now only to entreat you, dearly beloved, to stand firm in faith, in attachment to your holy Church, and in respect and close adhesion to the Supreme Pastor constituted by Christ for its government.

Calcutta, 10th of January, 1835.

ROBERT ST. LEGER, D.D.,  
*Vicar-Apostolic of Bengal.*

#### DECREE OF PROPAGANDA.

Shortly after this circular was published there arrived from Rome the following decree of Propaganda dated December 27th, 1834 : -

"As Our Most Holy Father Gregory P. P. XVI has, by his Apostolic letter on the 18th April 1834, erected an Apostolical Vicariate comprehending the City of Calcutta, etc., it is clear that all the churches in that city, and in the districts belonging to the same Political Presidency, are subject to the jurisdiction of the Reverend P. Robert St. Leger, Vicar-Apostolic constituted by His Holiness. But the Sacred Congregation, wishing that the same should be declared by Apostolical Authority, in order to take away every possible occasion of contention, judged and decreed that the Holy Father be supplicated to deign, through its Secretary the Revd. Prel: D. Angelo Mai, to make a manifest declaration of his will regarding this matter.

Our Most Holy Father therefore, in an audience granted to the same Revd. P. D. Secretary to the Sacred Congregation on the 22nd of Dec., declared, in the clearest and most express terms, that all churches, even those of the Fathers of the Order of St. Augustine, in the City of Calcutta and the Political Presidency annexed to it, as well those now existing as those at a future period to be built, are, and are to remain under the jurisdiction of the Vicar-Apostolic.

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## CHAPTER III.

## VICARIATE OF BENGAL, CONCLUDED

## ATTITUDE OF GOVERNMENT.

MEANTIME Government, with letters from Mylapore, Goa, and the Vicar-Apostolic before it, sent the following answer to the Vicar-Apostolic on January 26th, 1835:—

Most Reverend Sir,

The letter addressed by you to the Governor-General in Council on the 7th instant, with the several documents enclosed therein,... have been laid before the Supreme Council of India, together with a petition from a large and influential body of the R. C. inhabitants of this city, and a letter also from the Governor of Goa; all on the subject of your recent appointment to exercise the high spiritual authority in the churches at this Presidency, and the claim of the Portuguese clergy to the possession of an exclusive spiritual jurisdiction in them.

2. The Governor-General in Council... has directed me to assure you of his readiness to recognize you, as possessing every spiritual jurisdiction which has been conferred on you by the Head of the R. C. Church in this Presidency, and to promise you such support and countenance as would be proper for the Government to afford, and as may not be inconsistent with the most perfect freedom of conscience in all who live under British dominion, and with existing rights of property.

3. It has given His Lordship in Council great satisfaction to see the control of the large community of this place in the hands of a born subject of the British Crown... The opinion also that His Lordship in Council has been induced to form of your personal character, leads him to anticipate very salutary effects from your exercise of the high spiritual functions with which you have been invested. . . . It is needless to add that this Government can never recognize the principle, that any class of persons born under the British dominion, and living in the enjoyment of all the privileges of British subjects, can owe allegiance to any foreign prince or sovereign, or be bound to recognize the authority of his acts in any of the relations of civil life.

4. The Government of this Presidency has already, by applying to you to recommend pastors for places of Catholic worship maintained from the public resources, evinced its disposition to support your ecclesiastical influence and authority. His Lordship in Council cannot believe that any public notice to this effect can further be required; and he feels confident that the good sense of the Roman Catholic community, and your own wisdom and discreet management, will prevent differences (which have unfortunately occurred) from leading to permanent dissensions and ill-will, or occasioning any serious impediment to the beneficial ends expected to result from your mission to this country.

5. To the petition from the Catholic inhabitants of Calcutta,

expressing sentiments corresponding with those conveyed in your letter, . . in respect to the notice published by certain members of the Catholic clergy officiating in two of the churches of this city, His Lordship in Council has replied in terms of general approbation and encouragement; and to the request of the Government of Goa, that matters should be kept in suspense until the questions at issue can be submitted to the respective Sovereigns, His Lordship in Council has made answer that he cannot recognize, intermediately (—as intermediary) any authority in the head of the Portuguese nation to regulate any matter, spiritual or temporal, within the British territory; and that the Government has no intention or desire to interfere with any existing rights.

I have the honor, etc.

H. T. Prinsep, *Secretary*.

26th January, 1835.

#### SECOND BRIEF OF GREGORY XVI.

On account of the resistance shown by the Padroado authorities to the Brief of erection, Pope Gregory XVI on August 4th, 1835 issued a second brief of emphatic confirmation :—

The sacred obligation of the Pastoral Office urged Us to publish, on 18th April 1834, letters constituting at Calcutta a Vicar-Apostolic. . . But although it be an essential and invariable condition of the office of Vicar-Apostolic, it was nevertheless Our will to affirm, in the most express terms, that the Office of Vicar-Apostolic, established at Calcutta, is subject to the Apostolical See alone. Moreover, to take away all pretexts for resistance, We judged it fitting to declare further, that all churches, even those of the Order of S. Augustine in Calcutta, and in the political Presidency of Calcutta, present and future, are, and are to be under the jurisdiction of the aforementioned Vicar-Apostolic, as set forth in the Decree published on 27th December 1831 by the Congregation *de Propaganda Fide*. After this so clear declaration of Our will, We could scarcely believe that any person would be found capable of entertaining a doubt of the jurisdiction of the Vicar-Apostolic, or of the places in which he is authorised to exercise it. It could never be adduced, as a motive for justifying such doubts, that We in Our Apostolical Letter had not, by a special mention, derogated from the Decree of Paul V by which, in the year 1606, he declared Bengal to be subject to the jurisdiction of Meliapore. It is, however, a matter of no small surprise to Us, that the same persons who affected such great reverence for Our Predecessor Paul V. should, at the present day, pay so little respect to the same plenitude of power which We have inherited. Although the clearness of the case precludes the probability of error, we wish nevertheless to take totally away every plea that may be devised for disturbing order and tranquillity. Having therefore possessed ourselves fully of the merits of the case, after mature deliberation, we declare by our Apostolical Authority, that we have derogated, (and by these presents a derogation is effected), from the provisions made by Paul V. in the year



1606, in so far as he decreed that the authority or rights of the Bishop of S. Thomé of Meliapore should extend to Bengal, or to any other places assigned by Us to the Vicar-Apostolic in Calcutta. We ratify and affirm anew our declaration that Robert St. Leger, S. J., Our Vicar-Apostolic at Calcutta, and all others who in future shall be similarly constituted by the Apostolical See, are dependent on the same Apostolic See only; that neither the Bishop of Meliapore, nor his Administrators, nor any other Bishop, has jurisdiction in the countries assigned to the Vicar-Apostolic; that the same Vicar-Apostolic is authorized, legally and of right, to hold the title of Vicar-Apostolic of Bengal; that he alone is the true Ordinary of the above mentioned places, to be held as such by all; that all owe obedience to him, and from him are to receive ecclesiastical jurisdiction and faculties. This we deem sufficient to remove every pretence for discord; which being banished, We trust that the Vicar-Apostolic will, with increased tranquillity and success, extend the Church by new acquisitions, etc. . . . Finally, we declare the present Letters to have all strength, validity and efficacy, . . . notwithstanding any enactments to the contrary.

FOR D. CARD. DE GREGORIO  
A. PICCHIONI, *Substit.*

#### GREGORY XVI TO THE GOA CAPITULAR.

The Augustinians continued their resistance under the encouragement of Goa and Mylapore, and all parties made the matter a subject of correspondence with Rome. Of this correspondence two letters lie before us. The first was a letter of Gregory XVI to Paul Antony Dias, Vicar Capitular of Goa, dated January 8th, 1837 :—

Your piety and reverence, Beloved Son, towards the Holy See is sufficiently expressed by your letters to us and to Propaganda. We therefore believe that you have with obedient mind accepted, and not despised, what we have decreed regarding the Church of Bengal, formerly subject to the Goan metropolitan. . . . You can therefore easily understand our duties on account of the disturbances and scandalous contumacy with which, under the leadership of the Vicar of Mylapore, the standard of schism (*Schismatis Vexillum*) has been unfurled against the Vicar-Apostolic of Calcutta established by us, and therefore against the authority of this See. Hence we are led to communicate to you on the subject :—

You know our Constitution of August 5th, 1835, of which a copy is enclosed, as well as what preceded and followed it. Passing this over, we turn to certain letters which were sent to us by some Augustinian religious last December. Taking part with the Vicar of Mylapore, they complain bitterly against our institution of the Vicar-Apostolic, and ask at least that they may remain under their old jurisdiction, *viz.*, under the Bishop of Mylapore.

Although we can assent to neither proposition, still, since they profess to reverence the Holy See and do not wish to separate themselves from it, we have written to them in a peaceful and friendly manner,

hoping that as obedient sons they will finally submit to our mandates and admonitions.

We communicate this to you, Beloved Son, in the hope that on account of your prudence, zeal and piety you will use your influence to prevent these disobedient men from consummating the schism already begun ; so that the Vicar of Mylapore may be withdrawn from the abyss of schism ; so that those who have followed him may return to the obedience of the Holy See ; so that the rest, who have not refused this obedience, may firmly persevere in it. Confiding in your prudence, piety and religiousness in this serious affair, we impart to you the Apostolic blessing.

GREGORY XVI.

GREGORY XVI TO THE AUGUSTINIANS.

The second is a letter addressed by Gregory XVI to the Augustinians themselves in Bengal, dated January 31st, 1837 (a year before *Multa praeclare*) :—

Your letter, Beloved Children, . . . has been lately brought to us. We grieved indeed exceedingly, understanding from the same letter that you as yet persist in your opinion against the deputation and authority of the Vicar-Apostolic of Bengal appointed by us, by refusing to him due obedience and submission ; and that the parties have not as yet deserted Fre Manuel de Ave, Ex-Provincial of your Order, who calls himself the administrator of the vacant episcopacy of Meliapore ; who, raising himself up contumaciously against the Apostolic Chair of Peter, does not blush, as it were, to wage war against the same. For he in his own circular letter, written in a sense and style plainly schismatical, to which his actions correspond, seems to be in such a disposition of mind that he would overthrow the rights of Apostolic primacy, and, if possible, excite you, and all the Catholics of the Vicariate of Bengal, to sedition, and withdraw you from obedience to this Holy See, and thus divide you from the Catholic centre of unity.

But because the tenor of your letter inspires us with great hope of your final submission to our commands ; therefore embracing you with paternal affection, we ourselves write back to you, in order to let you know that whatsoever we have decreed concerning the Catholic Church of Bengal and its spiritual government, has been designed to repair the losses of religion, which we have repeatedly known to be so long endangered there.

These things being understood, neither you nor the Vicar of Meliapore should contradict, but rather, with a Catholic mind and a religious obedience, should rest satisfied with them. But since the Vicar of Meliapore has proceeded to defend his right, already abrogated by us in virtue of our supreme authority, and you have complied with his order in contradiction to a greater authority, a great scandal among the people, and schism of the clergy has followed,—which it is your duty to bring to an end.

As regards the peculiar love of your Portuguese nation which you manifest, this we do not in general disapprove of. But still you know that the Catholic Church is one and undivided! . . .

Wherefore we exhort, and most gravely warn you, that all regard for parties and nations being laid aside, you should reverence with due honour the Vicar of Bengal appointed by us, and without delay obey and submit to the same. For neither is it lawful for you to be longer subject, after these our decrees, to the See of Meliapore, nor is it expedient that a twofold authority should be created by us in the city of Calcutta,—which neither the custom of the Church allows, nor would it be suitable for cherishing peace and unity.

Besides this, if you carry out what we expect from you by humbly and piously obeying our will, we will take care that our Vicar-Apostolic treats you with all kindness and affection; and we ourselves will omit no opportunity of assisting and consoling you.

You should make known this our letter to the same Meliapore Vicar; so that he also, hearkening to his most loving Father, may return to more wholesome counsel, and to the obedience of this Holy See. Meanwhile we impart to you the Apostolic benediction.

GREGORY XVI.

#### A LATER LETTER OF PROPAGANDA.

The Augustinians nevertheless continued to adhere to their churches. The *Multa praeclare* came out, but was unheeded. Later on a tussle over one of the churches, followed by a lawsuit, gave occasion to another letter to the Vicar-Apostolic dated January 31, 1851, which closes our list of documents :—

By the Apostolic Letters of Gregory XVI and Pius IX, [*Multa praeclare*, etc.] it is clear what spiritual authority should be held as alone legitimate, and to whom full jurisdiction belongs. His Holiness is therefore surprised and pained to perceive that in spite of these documents there are many who, though they seem to glory in the name of Catholic faith and unity, cannot even yet be brought to subject themselves to the legitimate authority, and to obey the commands of the Holy See. For besides what he knew to have occurred in other places, our Most Holy Lord has learnt with sorrow that the same has occurred in the Vicariates of Bengal, viz., that some have acted so perversely as not only to dare to resist the canonical power, but even to go to law with the Vicars-Apostolic, and institute suits against them.\*

Therefore to take away from these turbulent men every pretext of excuse, and if possible to recall them to a better counsel; by command of

\* The reference is apparently to the following: A pamphlet of 1885 (Plain Facts . . . by R. M. P. p. 56) speaks of Sibpur Church (Dacca Dt.) as “usurped” by Dr. Oliffe (1842—1858) but restored to Padroado by the Civil Court with heavy damages of 14,500. “The Vicar-Apostolic appealed, but lost, and was obliged to flee from a writ of attachment, and rescue himself from the effects of the sentence by resort to the court for relief of insolvent debtors.” The church seems to have fallen vacant through the Vicar having died, which gave opportunity for the Vicar-Apostolic to occupy it (?) The suit, it appears, was only concluded in 1857.

our Most Holy Lord I make known and solemnly declare by this letter, that all authority, jurisdiction and power in Bengal is by his Holiness given and conferred on Your Grace in the Western Vicariate, and to the Bishop of Milene in the Eastern;—just as it is conferred on the Vicars-Apostolic in the other legitimately constituted Vicariates; so that to you and to the aforesaid Bishop of Milene, in your respective Vicariates, belongs simply, solely and exclusively the entire ministration of the churches both spiritual and temporal—that is, of the goods and income which belong to these churches. Hence the faculty to exercise the sacred ministry in those places is to be obtained from the Vicars-Apostolic alone; and therefore all priests both secular and regular necessarily depend on them, in order that they may minister validly and lawfully.

Let them know, therefore, that no authority or jurisdiction is acknowledged by the Holy See in those who refuse obedience to and dependence on the Vicars-Apostolic.

We therefore exhort you to teach them that all those who act contrary to the unity and faith of the Catholic Church, who are not united with the Apostolic See both in words and also in deed and in heart, do not gather with her but scatter; and that they who do not adhere to the legitimate authority constituted by the Apostolic See, resist the divine ordination.

We hope however that these deluded men will at length put an end to those disturbances and dissensions; so that by reiterated admonitions they may be brought to labour with you, united in the bond of charity; and that entire peace may be restored to the Catholic body.

## CHAPTER IV.

### VICARIATE OF MADRAS.

THE English first established themselves at Madras in 1639. Three years later, in 1642, some French Capuchins under Propaganda, on their way to Burma, were delayed in Madras, and began to take care of the few European Christians who were connected with the English factory, and became so popular that the English Government invited them to stay. On referring the matter to Rome the Pope confirmed their design, and appointed one of the Fathers as Prefect Apostolic of the Capuchin Mission of Madras. The same year (1642) Fre Ephrem, O. C., was arrested and imprisoned by the Inquisition at Goa for presuming to exercise jurisdiction independently of Mylapore, and was released only through the intervention of a local Rajah. After this the Capuchins continued function independently under the Pope's jurisdiction and were but slightly molested by the Bishop of Mylapore. But when war broke out between England and France

in 1744, and was also waged intermittently between Madras and Pondicherry, the Capuchins, being French, began to fall under suspicion as being "alien enemies." Thinking the Portuguese to be safer, the English began to accept the Bishop of Mylapore as the official representative of the Roman Catholic religion for the purposes of Government; and in 1787 drew up a code of rules by which all missionaries (including the Capuchins) were placed under Mylapore, and all were obliged to take an oath of allegiance to the British in the presence of the Ordinary of S. Thomé.

This policy was kept up into the 19th century; and the visitation of Dom Pedro d'Alcantara of Bombay in 1819 had for its object to make certain ecclesiastical adjustments between the Capuchins and Mylapore in order to bring about a state of harmony.

#### ERECTION OF THE VICARIATE.

The inability of Dom Pedro to effect a settlement gave occasion to the Pope to create a Vicariate Apostolic of Madras on a new footing, apart from the Capuchins and independent of Mylapore. This was done on March 5th, 1833 by the brief *Pastorale officium*; and Dom Pedro d'Alcantara was appointed *ad interim* Vicar-Apostolic, till the arrival of Dr. O'Connor, an Irish Augustinian, who was appointed Vicar-Apostolic by the Brief *Ex debito pastoralis* of April 15th, 1831.

On Dr. O'Connor's arrival the same year, the appointment was communicated to the English Government, with a copy of the Brief. The Government, which had for nearly half a century (1787-1831) accepted the Ordinary of Mylapore as ecclesiastical head, seems to have been slow in taking action. The Capuchins ceded the churches they were in possession of and left the mission; while the Padroado prelate and his clergy and churches refused to recognise the Vicar-Apostolic's authority, and continued to hold on to everything they had. During 1836 Dr. O'Connor entered into some epistolary discussion, both in defence of his own claims and those of his confrère in Bengal, but without the slightest effect.

#### VICAR-APOSTOLIC'S NOTICE.

On August 5th, 1836 the Vicar Capitular (Fre Manoel de Ave Maria) died, whereupon, in hope of precluding the election of a successor, Dr. O'Connor issued the following public notice:—

As Episcopal Vicar-Apostolic of Madras, I do hereby give this Canonical Notice to the clergy and people of that part of the former Diocese of S. Thomé, otherwise Meliapore, within the Presidency of Madras: that I am their only lawful Ecclesiastical Superior, and that the said clergy are hereby required to receive jurisdiction from me, and to make immediate application for the same.

Given at Madras, this eighth day of August, 1836.

✠ DANIEL O'CONNOR, V. A. of Madras.

This notice, which was forwarded to Mylapore by letter, elicited from the Padroado clergy the following reply :—

RIGHT REVEREND SIR,

We, the undersigned, have the honour to acknowledge the receipt of Your Excellency's letter of the 8th instant, wherein Your Excellency claims the right of spiritual jurisdiction and superiority upon the diocese of St. Thomé : we do not know upon what grounds. The existing circumstances are the same as they were when Your Excellency arrived at Madras. We all are the subjects of the See of St. Thomé : we all consider ourselves bound to obey the lawful and only prelate of that See, the Rev. Fre Antonio de Assumpção, successor of our late Acting Bishop, Fre Manuel de Ave Maria, and present Provisor and Administrator of the same See, and none other. We all have lawful jurisdiction to exercise the functions of our respective ministry ; and for the sake of peace, we expect Your Excellency will not trouble us all any further on the subject ; and if Your Excellency shall trouble us any more, we will be compelled to give Your Excellency no answer.

We all remain, etc.

[Signed by seven clergy].

St. Thomé, 12th August, 1836.

On October 2nd, 1836 there arrived from Europe Dom Teixeira, the State-appointed Bishop-elect of Mylapore, who went through an extra-liturgical ceremony in taking possession of his See, and undertook its administration in the usual manner, ignoring the Vicar-Apostolic entirely.

#### THE ACTION OF GOVERNMENT.

After the lapse of another year, Government at last began to take action in favour of the Vicar-Apostolic. They began gently by informally "recognising" Dr. O'Connor (January 1837), and later on by announcing that in future the Mylapore clergy should send in their "returns" through Dr. O'Connor instead of directly as before. (Dec. 22, 1837).

On January 21th, 1837 the Madras Government had written to London reporting that "they had, with the concurrence of the supreme Government, recognised Dr. O'Connor, Vicar-Apostolic, as the official superior through whom all communications respecting the Roman Catholic religion and Church should be made." The Court of London in turn was very slow to reply ; and it was only on July 10th, 1839 (after the *Multa praeclare* had been authenticated to their satisfaction), that they answered as follows :—

"Any difficulties that may have arisen, from the rival claims of the British Vicar-Apostolic and the Portuguese Acting Bishop of St. Thomé to ecclesiastical jurisdiction over our Roman Catholic subjects in the Madras Presidency, having been removed by the decease of the latter, we approve of your recognition of Dr. O'Connor, a British subject of character and education, who holds a commission direct

from the Pope; and whose exertions, in the short period of his residence at Madras, have proved beneficial to the troops. The successor of the late Bishop of St. Thomé, who holds his appointment from the Portuguese Government only, has advanced claims to this jurisdiction; but as his predecessor could only have been recognised in the absence of a British Roman Catholic dignitary, the claims of the present Bishop cannot be admitted."

This verdict was duly communicated to Dr. O'Connor on September 28th, 1839; and that closed the question as far as Government was concerned.

#### PASTORAL FROM GOA.

As soon as the Madras Government forced on the Mylapore clergy the duty of sending in their returns "through the Vicar-Apostolic as intermediary between them and Government," Dom Carvalho, "Archbishop-elect of Goa and Primate of the East," addressed the following Pastoral to his suffragan at Mylapore on January 15th, 1838:—

In the *Government Gazette* of Madras of the 22nd Dec. 1837, we have read an order of that Government, directing all the Portuguese missionaries of the Bishopric of S. Thomé to render, every six months, an account of all the baptisms, marriages, and deaths occurring in their respective parishes to Dr. O'Connor, the Vicar-Apostolic. This notice confirms the extraordinary intelligence already announced in the press, that the same Dr. O'Connor has been nominated by the same Government as the head of the Catholics of Madras; with the result that our Bishop-elect of Mylapore is dispossessed of his authority and spiritual jurisdiction, which by canon law appertains to him; and We equally, without even being heard, are deprived of our jurisdiction and other powers and privileges which (by the Sacred Tridentine Council) as Metropolitan, solely belong to us. As we have been in peaceful possession from time immemorial, . . . it is our duty to . . . protest before the authorities of his Britannic Majesty, at Calcutta and Madras, . . . against this violent usurpation of our rights as Metropolitan and Primate. . . . You are advised not to permit any person of your flock to go astray; if necessary punishing them with the severest measures which the Church recommends against those who are rebellious, and who, despising the sound and healthy advice given to them, manifest a tendency to withdraw themselves from their legitimate superiors and jurisdiction.

We recommend our Bishop-elect of Mylapore to utilise this our pastoral for the service of God and of our Church, and for the maintenance of our rights, and those of the Portuguese Padroado. All possible publicity should be given to this pastoral.

#### MYLAPORE REJECTS MULTA PRAECLARE.

This was before the publication of *Multa praeclare*. The text of that Brief seems to have reached India only about August 1838; and of course the Vicar-Apostolic lost no time in making it known to Dom

Teixeira, who at once drafted a pastoral of protest against it himself, and also passed it on to Dom Carvalho at Goa, who, as we have seen, issued a classical treatise on it in October.

The Mylapore pastoral, dated September 3, 1838, ran in substance as follows :—

The time has come when we can no longer remain mute ; when men, far from working in the interest of Jesus Christ and his Church, have only in view their elevation and their dominion over the clergy and flock which they never fostered. He who on the 4th of January of this year appeared before the public, and declared himself to be our most devoted friend, who never aspired to the Bishopric of Mylapore, who never even imagined to possess our churches, nor administer our properties ; he is the same person who now, on 28th August of this year (1838), appears before the public contradicting all his previous assertions, and, commands you, as if you were his subjects, to appear at his residence on the 2nd of September. And not content with this unheard-of presumption, he dared to inform us by writing, that it is his intention to establish himself on the same chair, which has never been occupied by any stranger since its foundation in 1606. On what does he base his irregular right ? On a Bull of the 24th April of 1838 [= *Multa Præclare*]. . .

You must have a copy of the Royal Order issued on the 6th of May 1765, which reads thus : “In absence of my Beneplacito, recognised as a right and as a practice of this Kingdom, I declare that all Bulls, Breves, Decrees, Orders, Encyclicals, Sentences or any kind of writing emanating from the Curia of Rome, and coming from any foreign country, should be held in suspense, as of no importance ; obreptitious, surreptitious, and as such, void and of no value.” To prove that this Royal order has always been observed among us, we remind you of the reply of the Archbishop of Goa, given to the Bishop of Mylapore when as Episcopal Governor or Vicar General he administered this Diocese in 1781, and which runs thus : “I reached this place in 1781 as Vicar General. Considering that the false news propagated by the Curia of Rome, specially in Mylapore and Cranganor or Angamale, tended to produce grave scandals and the ruin of these Bishoprics, I at once sent a full report to the Metropolitan of Goa, asking him how I should conduct myself in this important affair.\* The instructions sent to me were, that on no account I should suffer the Bishop of Tabraca [Vicar-Apostolic of Coromandel], or his successor to enter in any place subject to this jurisdiction of Mylapore, and that no consideration should be given to any Decree from Rome, which has not first passed through the Secretariat at Lisbon : because all the Bishoprics of India belonged to the Royal Padroado of His Most Faithful Majesty ; and without the knowledge of the Patron, the Pope, in virtue of existing Concordats, could not dismember nor make any alteration in these Bishoprics.”

\* The reference is to the appointment of the Society of Foreign Missions to take charge of the Coromandel Mission areas vacated by the Jesuits in 1773.



We must equally recollect the first article of instructions sent to us by the Minister for Foreign Affairs, under date of 11th April, 1836, which reads thus: "It is indisputable that the rights of the Padroado over the churches in the Orient constitute one of the great prerogatives of the Portuguese Crown. Hence Her Majesty the Queen orders that the Bishop-elect of Mylapore must employ prudent and just measures within his competence, to resist the attempts of any foreign power who displays an inclination to interfere with the administration of Portuguese churches, no matter how respectable this power may be; because it is unlawful for anyone to appropriate what belongs to another, or to dispossess the Portuguese Crown of what it possesses, and what it has enjoyed by lawful titles, by intruding in the government of those churches by improper ways, and ways repugnant to canonical rules."

From all what has already been said, Rev. Fathers, you must conclude that we cannot respect a Bull, the object of which is of such great magnitude and responsibility, so long it has not got the *Beneplacet Regio*. And as it does not affect any point of our Holy Faith, nor the discipline universally acknowledged, conscientiously we can and must reject it till the Court of Portugal or our Primate of Goa advises us to the contrary.

Meanwhile, Rev. Fathers and dearest brethren, let us be firm in our faith and administration... Let us consider that Gregory XVI has been misled by those persons who wish to dispossess us of this Bishopric. The time will come when, better enlightened, the Holy Father, who despises none of his children, will bless us, and bestow on us his favours and indulgences.

We direct the Vicar-General of our Cathedral to make a copy of this pastoral, and on three consecutive Sundays explain to the flock in vernacular its purport.

#### ALTER THE MULTA PRAECLARE.

After the *Multa praeclare* (1838) things went on in Madras practically as before. The Brief was absolutely rejected and ignored by the Mylapore authorities, and the churches which had previously been served by Padroado clergy continued under their care. We have record of certain conflicts and disorders in connection with Royapuram Church, which had been in charge of the Capuchins ever since it had been founded. When taken over by the Vicar-Apostolic in 1835, a certain section of the people seceded and built a chapel of St. Antony for themselves close by; and long and bitter quarrels arose about the funds of the old church, the right of burial in the cemetery, etc. In 1848, on account of the influence of Archbishop Torres, there were disturbances at Phringipuram in the Telugu Mission, due to a Goan priest intruding there. Another tussle occurred at Sellampalida in Chingleput district; and incidentally at other places. At Hyderabad in 1819 a Goa priest recovered possession of the old Padroado chapel, whereupon the soldiers went and pulled it down; and the Vicar-Apostolic, being supposed to have instigated them to this act, was banished from the cantonment by the Military authorities.

(Madras C. Expositor, 1849, p. 19).

But on the whole, the two parties merely kept hold of what they happened to be in possession of in 1838, and continued to do so. At the time of the Concordat of 1857 the Vicar-Apostolic had in the Vicariate 36,426 Catholics with 16 priests, while Mylapore had the adhesion of 5,570 Catholics with 16 priests. There were also 350 Catholics under 2 Goa priests at Hyderabad, which in 1850 had been separated from Madras and made into an independent Vicariate. (Mad. Dir. 1865, p. 232).

## CHAPTER V.

### PONDICHERRY AND MADURA.

It was in 1674 that the French first established themselves at Pondicherry (90 miles south of Madras on the Coromandel coast); and the Capuchins, who had previously been there for short periods about 1631 and 1671, were only then able to settle permanently. Of course being individual missionaries they accepted the ordinary jurisdiction of Mylapore; as also did some French Jesuits, refugees from Siam in 1686. In 1699 a division of labour was arranged—the Capuchins taking charge of the Europeans and “those that wore hats,” while the Jesuits (from about 1703) applied themselves to pioneer mission-work within the Carnatic (Mysore plateau). Here they laboured in full strength till 1764, when the Jesuits were expelled from France (though not from the colonies)—after which a few of them still continued work in the Carnatic till 1773, the suppression of the Order—and as ex-Jesuits, even later. Both the Capuchins and the Jesuits, being French, belonged to Propaganda.

In 1774 the Society of Foreign Missions (Paris) came to Pondicherry to take the place of the Jesuits, and the few ex-Jesuits that remained continued to work individually under them—the Capuchins retaining their special work in Pondicherry as before. In 1778 the abandoned mission of Madura and the Fishery coast was also subordinated to Pondicherry, and a Vicar-Apostolic was appointed under the title of “Superior General of the Malabar Mission” (as it was then called, having belonged to the Malabar province of the Society). Before taking this step the Holy See had first appealed to the other religious orders in Goa, but with a feeble and transient response; then to the Carmelites of Verapoly, who declared their inability to assume the task; so Pondicherry was the only option left. In this way the Madura Mission was taken over by Propaganda.

But while easy to make such an appointment, it was by no means easy to put it into effect. By about 1810 all the ex-Jesuits had died. The new missionaries were few in number and inexperienced, and had plenty to do in and round Pondicherry itself, and could at best make a

few prospecting visits to the more remote fields. In 1814, however the Society of Jesus was "restored" and by 1836 had grown sufficiently to be able to take up mission-work again. Hence in that year, by a brief (dated July 8, 1836), the Holy See reorganised Pondicherry as a Vicariate Apostolic, in charge of French territory and the Carnatic Mission, while the Madura Mission was separated off and given over to the new Society of Jesus as a suitable inheritance from the old Society. The *Mulla praeclure* followed soon after (1838), and by suppressing the jurisdiction of Cochin, Cranganore and Mylapore, made it clear that the Madura Mission was no longer Portuguese or Padroado but totally Propaganda. In 1846 the separation from Pondicherry was completed by making it a distinct Vicariate Apostolic of Madura.

#### SUBSEQUENT EVENTS.

(1) Of the disturbances arising within this Vicariate we have no record—except within the Madura district, of which later. In a list drawn up shortly after 1860 we find that within the Pondicherry district there were 3 Goan priests with 3,414 adherents (outlying stations of the old Portuguese Mission) while the Coimbatore district showed 500 adherents without a priest, and Mysore showed none, as it had always been outside the sphere of Portuguese Mission influence.

(2) It is interesting to notice that when the Vicariate Apostolic of Coromandel was reconstituted in 1836 under the Foreign Mission Society, the Capuchins of Pondicherry were allowed to retain their place in the Vicariate under the title of the "Prefecture Apostolic of Pondicherry" (for French Settlements only, created in 1828). This institution was retained by the Capuchins till 1879, when it was handed over to the Congregation of the Holy Ghost. Finally, in 1886 the Prefecture was merged in the Hierarchy.

(3) The Pondicherry Vicariate, after the separation of Madura, was divided in 1850 into Pondicherry, Coimbatore and Mysore. In 1887 these three were erected into dioceses. Later on in 1899 a fourth diocese of Kumbakonam was formed by division from Pondicherry.

#### THE MADURA MISSION.

The Madura Mission is of prime importance to our present history; for it was there that the conflict between Propaganda and Padroado was the acutest, and lasted longest. On this account we intend to devote quite a considerable space to the Madura Mission, so that our readers may get a very clear idea of what the situation really was.

We are accustomed to speak of the old Portuguese regime as if it were a more or less homogeneous thing; whereas in fact the name really covers several heterogeneous parts. In Goa and the other strictly Portuguese territories (Bassein, Damaun, Diu) Catholicism was the State religion, with a regular organisation of canonically erected parishes; and conversion-work was fully under the subsidy, patronage, and moral and civic influence of the State. The same is true of certain outlying centres along the Western and Eastern coasts, where Portuguese forts existed

with a sphere of influence around them. [*e.g.* Chaul, Karanja, Cannanore, Cochin, Mylapore, etc.] In Ceylon the Portuguese acquired little of the territory ; but they exercised a strong political influence there through fleet and army, which made it a point of political value to profess Christianity. That gives us the first category in the Portuguese Mission regime ; a category which very soon became static or parochial.

The second category is found in those outlying places which did not belong to the Portuguese, but which were centres of politics or trade ; such as Surat, Cambay, Honore, Mangalore, Barcelore and Quilon, etc., on the west coast, and various scattered ports along the Coromandel, Orissa and Bengal coasts on the east—besides inland the Moslem courts of Bijapur, Golkonda, Agra, Delhi, etc. Here the ecclesiastical object was to minister to Christians immigrated from the Portuguese Mission areas—Portuguese, Konkane, Malabarese and later on Tamils ; forming permanent stations where possible, otherwise paying visits in circuit. Under this category the main work was merely parochial. At the same time a fair amount of pioneer mission-work was attempted in certain places, sometimes with success. But in the end everything settled down into the parochial grooves, and this category also soon became static. I do not think it an exaggeration to say roundly that by the year 1700 there did not exist a single place in India falling under these categories I and II in which there survived anything in the way of organised effort for the conversion of the heathen ; the exceptions, if any, being so individual and sporadic as only to emphasise the rule.

The third category is that of places altogether outside and removed from Portuguese State control and influence, and at the same practically free from Portuguese or Goan immigration—places where Christianity found an open field, and had to spread by its own merits if at all. Under the Portuguese Mission regime there lay only one district of this kind, *viz.*, the Tamil country near the Coromandel coast, which from its centre acquired the name of the Madura Mission—the master-piece of the Jesuits of the province of Malabar. This mission stands unique under the third category. First because it began late, *i.e.*, after 1600 ; secondly because it was neither helped nor hindered by association with the Portuguese State or nation ; thirdly because it derived only a limited financial support from Portugal, and was sustained by the resources of the order itself ; and fourthly because it preserved its mission character throughout, never stagnating into the parochial condition as every other mission under Padroado quietly did. The Jesuits of the Goa province, just like the rest of the religious orders, were content to take a leading part in the educational and parochial activities of a canonically organised diocese. The Jesuits of the Malabar province, though they also lent themselves to these academic occupations in certain centres such as Cochin, Colombo, etc., maintained the spirit of pioneer missionaries all the time, and made the Madura Mission their primary work.

That is why, when Portugal expelled the Jesuit Order in 1759, it is said to have "given a knock-out blow to the missions of India." The expression is incorrect in more ways than one. There was only *one* Portuguese Mission in India (in the evangelising sense), and that was the Madura Mission. But that one mission *as a mission* was thereby annihilated. So from that date Padroado had no missions in India at all--everything else was mere parish-priest work, or visiting circuit-work for old Christians. Had Portugal suppressed all the other religious orders in the lump, very little difference would have been made from the evangelisation point of view. But by suppressing the Jesuits the evangelisation element disappeared from the Portuguese regime altogether, as far as organised effort was concerned.

It is true that such Jesuits as were in the Madura Mission--and were wary enough not to obey the Royal summons to Goa--went on with their work in dwindling numbers. It is also true that on top of the blow from Portugal came the blow from Rome, by suppressing the Society altogether in 1773. Even after that a small remnant of ex-Jesuits (now secular priests) continued their work till they died out (the last I believe about 1810).

But these were merely individual workers under the Society of Foreign Missions, who in 1774 were appointed officially to take the place of the Society, as we have already seen.

#### HISTORICAL DETAILS.

It is from this point that the story which we have to tell begins, and we shall tell it in the words of one who has mastered it thoroughly. What follows is a bodily adoption from Father Castets' recently published brochure *The Madura Mission* (Trichy, 1914) a few passages being omitted and a number of what are called "controversial" expressions changed:--

In 1774, Pope Clement XIV's Brief of suppression of the Society of Jesus throughout the world was promulgated to the Jesuits of the Carnatic, Mysore and Malabar Missions. Nevertheless those ex-Jesuits were asked and even pressed to continue to work in their missions, under their respective Ordinaries. In 1777 those of the Carnatic handed over their Mission to, and amalgamated themselves with, the Paris Foreign Missionaries, who took over charge of the Mysore Mission as well. Moreover, according to the arrangements made by the Congregation of the Propaganda in 1778, and confirmed both by another decree of the same Congregation dated 1785 and a Bull of Pius VI issued in 1788, the Madura Mission and the Fishery Coast were brought within the jurisdiction of the Vicar-Apostolic of Pondicherry,\* Bishop of

\* Nevertheless, through a caution of subtle diplomacy, the Vicar-Apostolic of Pondicherry was not formally proclaimed the sole territorial Bishop of those Missions, but only "the Superior General of the Malabar Missions which the Jesuits cultivated in the provinces of Telingana, Carnatic, Madura, Mysore, Tanjore and the Fishery Coast, having sole and entire pastoral care of the faithful, either Europeans, Eurasians or Indians, found in those Missions." But in the confusion which then prevailed in Indian ecclesiastical affairs, such a want of precision left the door open to rivals and was bound to become a source of difficulties.

Tabraca; and the missionaries working in them were directed to seek their administrative powers from him. This meant not only a change in mission agencies, but also new methods of administration of the Indian Missions. Up to that time all the Catholic missions in India had been considered as Portuguese, and had been conducted, in point of fact, by missionaries who were for the most part Portuguese; volunteer missionaries hailing from other countries being obliged, as a condition of admittance, to join some Portuguese missionary body and swear allegiance to the Portuguese Crown. The only Mission which was able to break through that rule had been the French Carnatic Mission, which however had allowed itself to be placed under the jurisdiction of the Portuguese Bishop of San Thomé or Mylapore.

But when, by the suppression of the Society of Jesus, the supply of Portuguese missionaries for those missions was cut off, the Pope decided to bring back under his own disposal the administration of those adjacent territories; well convinced that, in so doing, he did not in the least interfere with the really conceded rights of the Padroado. Indeed, in order to show that his intention was in no way simply to interfere even with what mere usage had added to those rights, but only to provide for the spiritual needs of the peoples thus left abandoned, the Holy Father appealed first to other Religious from Goa to go and take the place left vacant by the Jesuits. But the few volunteers that could be found did no more than put in a fleeting appearance; and finding the task too unpleasant and too hard, they soon returned to their convents in Goa. Then the Pope, unable to find Portuguese religious willing to take up the care of those missions, or capable of doing so, next called on the Italian Carmelites of Verapoly to adopt the orphan churches. Verapoly, however, declined the offer. Then, and then only, did the Holy Father entrust the shepherdless flock to the Vicar-Apostolic of Pondicherry and the priests of the French Foreign Missions.†

So long as this decision of the Sovereign Pontiff did not come into force, the clergy of the Portuguese dioceses did not betray the slightest concern about the forlorn missions. So it was in the case of the Mysore Mission, even after the fall of Tippoo Sultan; and so again in the case of the Madura Mission. But no sooner was any action taken to enforce the Papal ordinance than the Archbishop of Goa, then the only representative of the Portuguese hierarchy in India, backed and instigated by his Government, sent in a vigorous protest. He questioned the Pope's right to effect such a change, on the plea that it was precluded by the concessions made by the Popes to the Padroado.

Unheeding this opposition the French missionaries, desirous only to fill the void, quietly penetrated and did what good they could in the Missions of Mysore and the Carnatic. But in 1787 the Madras Govern-

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† This exposition of the Padroado question formed the substance of a Memoir presented by the Bishop of Dolicha to the Madras Government of the E. I. Company, in 1796.—Pondicherry and Madras Records.—It is moreover fully borne out by the Goa Records.

ment of the E. I. Company began to consider with distrust the possible political effect which the presence of French missionaries, spread everywhere over their territories and those of the Nabob their ally, might have over their Catholic subjects. Unwilling, on the other hand, to wound the feelings of the Catholics by going to the length of expelling those missionaries by force, they thought they would best meet all difficulties by establishing the Portuguese administrator of San Thomé, on whose loyalty they thought they could rely, as sole responsible superintendent of all Catholic missionaries within the Company's territories. This new arrangement made it impossible for any Catholic missionary to work in the Company's domains without the permission of the Madras Government and the license of the administrator of San Thomé.

For a time, however, the position of each party continued as before; and in spite of protests, even accompanied at times by orders, whose execution was not pressed, the Propaganda missionaries continued their laborious ministry in the missions they had entered. But, on the capture of Pondicherry by the English in 1793, the Vicar-Apostolic of the place, Mgr. Champenois Bishop of Dolicha, willingly took the oath of allegiance to the new rulers and soon gained the friendship of the British officers by his charming manners. Nevertheless, as he refused to recognise the authority of the administrator of Mylapore over himself and his doings, he was compelled to leave the place; and the administrator, in virtue of the decision issued in 1787, sent licensed priests of his own to officiate both at Pondicherry and at Karikal. Thereupon the Bishop of Dolicha bethought himself of the Madura Mission, where there remained only four ex-Jesuits, with two secular priests in the Tanjore district and two Franciscans in the Marava; and deemed that the time had come for him to take charge of that mission at last. His Lordship's visit to two neighbouring centres on either side of Trichy, Avur and Purattacudy, proved very beneficial to the Christians; and this encouraged the prelate to stay for a while at Trichy, in order to make a thorough inquiry into the state and needs of the mission.

## CHAPTER VI.

### THE MADURA MISSION, CONTINUED.

SHORTLY after the visitation of Mgr. Champenois, the Administrator of Cranganore, suddenly alarmed by this exercise of averse episcopal jurisdiction, despatched three *catenars*\* to contest the Bishop's claims and assert his counter-claims. On their arrival quarrels arose which had to be brought before the Nabob's tribunal. The final judgment denied all the claims of the *catenars*, and ordered their expulsion as disturbers

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\* Syro-Malabar priests.

of public peace. Further, the Bishop's cause was so highly recommended and supported by Major General Floyd, the British Commander at Trichy, that the Madras Government, to which the matter was ultimately referred, unconditionally approved of the decision and commended the Bishop to the protection of the aforesaid officer.†

#### EXCLUSION BY GOVERNMENT.

The Administrator of Mylapore, on hearing of the Government's decision, wrote to the Council and accompanied his letter with strongly worded petitions from the Administrators of Cranganore and Cochin, as well as from native Christians of their party at Trichinopoly, Madura, Dindigal and Manaparai. These letters and petitions complained that the French priests, and particularly the Bishop, had usurped the Portuguese ecclesiastical privileges, and that the Portuguese adherents had suffered persecution because of the encouragement given to those French intruders by General Floyd and the Nabob. They therefore asked the Government to support the regulations passed in 1787. The Government, thus reminded of their old rules (and influenced especially by the charge of spying on behalf of the French, brought against the Bishop by the Administrator of Mylapore) resolved once more to maintain the supremacy of the Administrator of Mylapore in their own and the Nabob's dominions. They ordered General Floyd at Trichy to signify to the Bishop of Dolicha either to submit to this ruling or to return to Pondicherry, which had meanwhile become French again. The Christians of Trichinopoly, about 3,000 in number, who had welcomed him, protested at once against those orders; but their protest only brought other and more explicit orders for the Bishop of Dolicha and his clergy to leave for Pondicherry at once.‡

The Padroado party thus gained everything they wanted. No French or Propaganda missionary was allowed for many years to penetrate into the Madura Mission or the Fishery coast, so that the Padroado priests were left in undisturbed possession of them. However, one should not imagine that the Padroado clergy profited by their victory to come to the mission in great numbers. On the contrary, only a few conventual Franciscans came to take charge of the pilgrim centre of Velangany, together with four or five catenars who distributed between themselves the vast districts of the mission. Those catenars were hardly six years in the mission before the Administrator of Cranganore, moved by complaints raised by the Christians, felt himself obliged in 1806 to send a Visitor to inquire into their conduct and send them back to their country. They were replaced by some nine or ten priests from Goa. But these too do not seem to have done much better; for in 1813 we find the Administrator of Mylapore congratulating another Visitor for having sent most of them back to Goa.

† Madras Records, Consult. 23rd Dec. 1796 and 7 April 1797.

‡ Madras Records, Consult. 19th July 1797. Also cf. *The Church in Madras* by Rev. Penny, p. 463-481.



## RENEWED EFFORTS.

No wonder, then, that some of the aggrieved Christians of Trichy sought refuge among the Protestants; whereas others, better advised, turned to Pondicherry, imploring that missionaries might be sent to them. But two attempts to send such missionaries proved unsuccessful. For one reason or another the Padroadists, who were masters of the place, succeeded in inducing the Collector of Madura to send them out of the country. A third envoy, F. Mehay, was more fortunate, and he soon received a helper in the person of F. Mousset. Christians everywhere opened their churches to them, and defections from the Padroado camp grew apace. When affairs had come to such a pass, the Padroado party opened a more active campaign. F. Mousset describes the state of affairs as follows:—"This Madura is a regular battlefield. I am pitched against one priest from Cochin and one Syro-Malabar; the war with them is continual. The Christians moreover are at variance among themselves. Civil quarrels have degenerated into religious quarrels; some are for Pondicherry, others are for Goa. The parties, seeking to injure each other, start lawsuits. I know, however, no decided partisans of Goa except the catechists and some ten influential men together with their clients. It is chiefly at times of festivals that enmities break out: the two camps are then placed one against the other; and the signal for battle frequently sounds from the enemy's camp. When will all that end? Only when His Holiness will be pleased to restore order, by withdrawing the Padroado priests." F. Mehay, on his part, draws a rather dark picture of the Christians of the Marava. Everywhere ignorance, corruption and disorder prevailed. He feared that the demoralised Catholics would become an easy prey to Protestantism, which was gaining ground in the Tinnevely District. Together with these painful descriptions, there were sent to Pondicherry desperate complaints from 10,000 families in the Marava, from as many others in Tinnevely, and from 12,000 Parava Christians.

## ERECTION OF VICARIATES.

Mgr. Herbert of Pondicherry, on his part, while forwarding all this information to Rome, added strong entreaties of his own that Rome might at last efficiently remedy this sad state of things. In response to this, Rome resolved at last to withdraw these missions definitely from the Padroado field of action. In July 1832 the Vicariate-Apostolic of Madras had been created; thereupon followed in rapid succession the institution of that of Calcutta in 1834, and of the Coromandel coast in July 1836. Finally, on the 23rd Dec. of that same year the Madura Mission, together with the Fishery coast, were detached from the Vicariate of Coromandel and made into a distinct Mission which the Pope entrusted to the Jesuits.

The erection of these Vicariates, and the papal decrees concerning the absolute and exclusive jurisdiction of the Vicars-Apostolic within their Vicariates, were rejected by the Padroado party. Then followed

the *Multa praeclare*, (1838) which was similarly rejected. At this time, in the districts of Coimbatore and Mysore there was not a single Padroado priest, and Pondicherry had only two. Madura, on the contrary, owing to the policy of the British Government at the beginning of the century, was almost entirely in their possession.

#### COMING OF THE JESUITS.

Let us now turn our attention to the fact that the Holy Father had confided the Madura Mission once more to the Jesuits. As soon as that trust was given to the Society, four Jesuits of the Province of Franc—Frs. Joseph Bertrand, Alexander Martin, Louis Garnier and Louis du Ranquet—started at once to join their new mission. One of them, F. Bertrand, had even been nominated Vicar-Apostolic; but on his and Fr. General's entreaties, the Pope had agreed to let Madura remain attached for a while to the Vicariate of Pondicherry. After a preparatory stay of a few months at Pondicherry, the four pioneers reached their mission at the beginning of March 1833. At Pondicherry they had been given two experienced guides, Frs. Mehay and Mousset, the scout-missionaries already mentioned.

They began by marking off each one's field of labour. F. Garnier pitched his camp at Trichinopoly; F. Bertrand went to the Marava; F. du Ranquet obtained Palamcottah and the interior of Tinnevely; and F. Martin, with his headquarters at Tuticorin, took charge of the Fishery Coast. While the two last set out separately for their respective destinations, the two first jointly took possession of Trichinopoly, where they were triumphantly received by the Christians of the place. From there, on the advice of the Christians, they hastened to Madura and took possession of the church, in the absence of the Padroado priest. But the latter, on his return, vindicated his rights before the Madura Magistrate; the two newly-come missionaries were ignominiously expelled from their church, and conducted under police escort to a small bungalow they had secured at the other end of the town.

#### ORGANISED CAMPAIGN.

This rebuff taught them the need of proceeding, not off-hand as hitherto, but on carefully prepared plans. They therefore made an exploration-tour of the villages of the Marava. This visit soon convinced them that not only from the Padroado priests, but also from the Christians themselves, would arise difficulties that would complicate their fight. Their taking possession of the mission did indeed involve a real fight. Churches had to be wrested, one after another, from their Padroado possessors; and for every church thus won they had to expect expensive lawsuits, with the chances of an adverse decision at the end. All this was added to the spiritual care of whole provinces, each some thousands of square miles in extent; which they had continually to visit either on foot or on horseback, exposed to all the inclemencies of a torrid climate, without proper food or shelter or

accommodation. As for the Christians whom they had to care for, it was found that catechism and public instructions were unknown among them, and the use of sacraments was abandoned; they had lost all respect for the character and person of the priest. Accustomed to live as they pleased, they were little disposed to obey the prescriptions of their new pastors, and even tried to extort from them concessions which could not in conscience be granted. When such concessions were refused they were ready to revolt, and even bring back the Padroado priests in their place. So much for the Marava.

On the Fishery Coast, conditions, as F. Martin found them, were perhaps even worse. The greatest disorders had become common, both in towns and villages. Many old men did not even know how to make the sign of the cross. Drunkenness had spread through all ranks and classes: even women were addicted to that shameful vice. The sanctity of marriage was forgotten; concubinage was so frequent that it seemed to have lost all its shamefulness. Sundays were not distinguished from ordinary days. In many places devilish practices and sorcery were openly practised. The revenues of the churches, their treasures, even their ornaments and sacred vessels had become the prey of intriguing and greedy persons. In several places certain headmen had arrogated to themselves rights over the discharge of priestly duties. The priest could not bless a marriage, administer baptism, preside at funerals, admit to, or refuse the sacraments without their authorisation. Besides this, there were the various Protestant Missionary agencies to contend with.

In spite of such tremendous odds the four missionaries bravely opened their first campaign, but with results rather discouraging. Thus in the Marava, F. Bertrand had rapidly taken possession of some fifty churches; but only to find himself obliged, by a decree of the Collector of Madura, to give them all back to the Padroado party under a special prohibition of ever retaking them. At Tuticorin, the Parava *jaditalaiver* had arrogated to himself the right of administering the churches and, on occasion, of pillaging them. F. Martin, having set his face against such disorders, saw the whole Parava caste stirred up against him, and the Shanars too being led to join the party of revolt.

#### INCREASE OF WORKERS.

By 1845 three of the Fathers had died of sickness; and the fourth, broken down, returned to Europe. By this time, however, 29 new missionaries had joined the mission; but of these, within less than four years, seven succumbed victims to fatigues, privations and the insalubrity of the climate. On the other hand, an extraordinarily numerous priestly ordination at Goa, including the arrears of the last ten years' vacancy of that See, brought in reinforcements to the opposite camp; and in consequence the struggle became only fiercer and more extensive than before. In March 1845, Gregory XVI sent to Archbishop Torres a Monitorium, couched in most forcible terms; and in 1848, Pius IX obtained

his recall and resignation. The See of Goa thus became vacant again and remained so till 1863.

Meanwhile F. Alexis Canoz, F. Bertrand's successor in the Marava and then Superior of the Mission, was consecrated Vicar-Apostolic of the Madura Mission, at Trichinopoly, on the 29th of June 1817. The new mission thus became autonomous. As it then was, this new Vicariate counted 31 priests and 160,000 Christians, 120,000 of whom acknowledged the authority of the Vicar-Apostolic. It extended over an area of over 19,000 square miles. It was expected that the creation of such a separate Vicariate would bring about the submission of the Padroado party; but such was not the case. War therefore continued as before. The prospects, however, brightened up. In the south, the excessive misdeeds and calumnies against the missionaries, circulated by the partisans of the Jaditalaiver, had procured for a number of them sentences of imprisonment with hard labour. Then again, a new decision of the Madras High Court, in connexion with the ownership of a church in the Marava, had favourably modified the previous case-law on the ownership of churches. For, while former judgments had been based solely on the consideration of the prior claims of the first occupant, it was now declared that churches could be appropriated by the Jesuit later comers, provided they entered into possession of them peacefully. As soon as this decision was known, the new Superior of the Marava, F. Castanier, led a carefully planned campaign of peaceful church appropriation, with the courage and skill of an army leader. In the year 1852 alone, he succeeded in appropriating nearly all the churches of the Marava, and bringing 12,000 Catholics under his jurisdiction. In all other parts of the Mission, similar successes attended the missionaries' efforts.

#### SUBSEQUENT EVENTS.

The period of rivalry and contention was supposed to be brought to a close by the Concordat of 1857 (published in 1860). But in point of fact contentions continued much later, in spite of a theoretical settlement. The Madura Mission remained divided between the two jurisdictions, the position of both parties being now legitimised. A list published in the Madras Directory of 1865 shows 143,683 Catholics with 48 priests under Propaganda, and 25,000 Catholics with 12 priests under Padroado. By the Concordat Settlement of 1886 the *status quo* was approximately preserved. The district of Tanjore was separated off and given over to the Diocese of Mylapore; while the other Padroado parishes, 14 in number, were made exempted parishes of the diocese of Mylapore within the territory of the diocese of Trichinopoly.

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## CHAPTER VII.

## THE MADURA MISSION, CONCLUDED.

IN order to create a picture of the kind of squabbles that went on after the publication of the *Mulla praeclare*, we draw upon a list compiled by the Vicars-Apostolic of the Madras Presidency and attached to a petition they sent in to Rome later on (August 15th, 1883). Nearly all of them occurred between the *Mulla praeclare* (1838) and the publication of the Concordat (1860) at which date they ought to have ceased ; but a few others between 1860 and 1881 are also given, showing that the unrest continued even then. We have no means of course of checking the statements ; which however rest on Court records. Our object is merely to convey an idea of the turmoil and chaos which prevailed. The narratives have been somewhat curtailed, and asperities of language eliminated.

Readers will notice that it is a very miscellaneous lot. Sometimes the squabble began from the Padroado and sometimes from the Propaganda side ; in some cases initiated by the clergy, in others by the laity. The result, too was sometimes in favour of one party, sometimes the other.

1. *Trichinopoly, 1839.*—The church, being in the hands of the Padroado party, was invaded by a large body of the Propaganda party. The Sub-Collector was pulled from his horse and narrowly escaped with his life. The matter was investigated by the Magistrate and several of the rioters were condemned to hard labour. Father Garnier, the Propaganda priest, being a Military Chaplain, was tried by Court Martial for having instigated the rioters, but was honourably acquitted. A little later the same Father was accused before the Magistrate of having led 500 men to the door of the church with the intention of breaking it in. He had no difficulty in proving the falseness of the charge.

2. *Tuticorin, 1839.* The headman of the caste, who had identified himself with the Padroado cause, struck Father Gury and closed against him the door of the church with the intention of introducing a Padroado priest therein. However, to avoid the troubles he was threatened with, and to gain time for a more successful blow, he made a feint of submission to the Vicar-Apostolic, Mgr. Drusipare. The Propaganda Missionary was called back to the church and retained possession of it until the year 1841, when, on the occasion of a great festival, the door was again closed against the Rev. Fr. Castanier. A single word from the Missionary would have been sufficient to enable him to force his way into the church, but he refrained for sake of peace. He was however charged before the Magistrate with having caused a disturbance. Father Castanier and some of his Christians were bound over in various sums to keep the peace ; and they were not permitted to enter the church without the consent of the Padroado party. Some months after, Mr. Montgomery, the Magistrate, discovered his mistake

and *viva voce* made an apology to the Rev. Father Castanier ; but it was too late to alter the sentence. From that time 3,500 parishioners were deprived of their church and their burial-ground. This adjudication created innumerable quarrels and complaints. At each burial amongst the 3,500 parishioners the funeral cortege used to be assaulted by the Padroado party, until the Vicar-Apostolic put an end to further disputes by providing a separate burial-ground for his congregation.

3. *Periataley, 1844.*—The troubles were subsiding in Tuticorin when the Padroado party made a move towards Periataley, 40 miles to the south. On this occasion there were no assaults, as in the absence of the Propaganda priest the Padroado priest obtained from the sacristan the keys of the church and thus took possession of it. On Father Castanier complaining to the Magistrate, Mr. Elton, the case was referred to the Court at Madras. The Court's decision was that as no disturbance had taken place at the time the church had changed hands, the possessor was to be left in possession of it. As soon as this decision became known, the people grew excited, and petitioned the Magistrate to prevent the entry of the Padroado priest into the church. On enquiry the Magistrate, Mr. Thomas, having satisfied himself that great disturbances would take place were the Padroado priest permitted to occupy the church, ordered it to be closed and the doors to be sealed. The case having been referred to the Government of Madras, the Governor-in-Council in 1848 approved of the course taken by the Magistrate. The church consequently remained closed to the congregation for four years. It was only when the whole population had unanimously petitioned the Magistrate, that the church was re-opened and made over to Father Castanier.

4. *Puneikael, 1848.*—At Puneikael, ten miles from Tuticorin, in the absence of the Propaganda priest, the Padroado party closed the church, took from the sacristy all the vessels and concealed them in private houses. Father Gregoire complained to the Magistrate, Mr. Willingham ; the church was re-opened to him, the sacred vessels recovered and the parties punished.

5. *Tuticorin, 1849.*—The headman of the caste, on the occasion of his daughter's marriage, summoned all the influential persons of each village, from Tuticorin down to Cape Comorin, and invited the attendance of five Padroado priests. During Mass one of these priests addressed that large assembly from the pulpit, inculcating rebellion against the Vicar-Apostolic and his clergy, as a duty of conscience prescribed by the obedience due to the King of Portugal and to his substitute, the headman of the caste at Tuticorin. So solemn an appeal, made to a mass of people assembled from so many villages, had the effect of a brand thrown upon a heap of inflammable matter and produced the following results : —

6. *Puneikael, 1849.*—At Puneikael, where the troubles had been put down by the Magistrate's decision, there was a revival of discord and

hatred. The Padroado party aimed a blow at the Propagandists; their homes were assaulted, their wives insulted and their houses pillaged. This was at night. A native Magistrate was informed of all this. He came at once and found the mob still in the act of pillaging. A search was made immediately, and a great part of the missing property recovered; the delinquents were hand-cuffed and conducted to the Court. On their way they met Father Verdier coming from Palancottah. They threw themselves at his feet asking for pardon and mercy. Father Verdier went at once to inform the Magistrate, Mr. Child, of the possibility of restoring public peace by shewing mercy to the guilty. The Magistrate kindly consented to stop further proceedings. A full reconciliation was established between the inhabitants of Puneikael to the Magistrate's satisfaction, and peace was restored. Seven years later the division again burst out on account of fishery privileges claimed by one portion of the inhabitants and contested by the other. The Padroado priest and his adherents took occasion of this dispute to revive the religious quarrels.

7. *Virapandiapatam, 1849.*—At Virapandiapatam, 8 miles south of Puneikael, the persons who had attended at the above-mentioned inflammatory speech, shut up the church in their village. The Magistrate, Mr. Bird, sealed the doors, which remained closed until the 29th April, 1851. Besides being thus deprived of the use of their church, the Propagandists were declared outcastes, and were unable to buy or sell, to have their graves dug, or linen washed, and even unable to have themselves shaved. By this declaration many of the families were ruined. Later on, however, the barbars were fined for refusing their services, but the instigators of the declaration escaped punishment.

8. *Manapad, 1850.*—At Manapad, 12 miles further south, the public peace suffered still more severely from the consequences of the Padroado priest's sermon at Tuticorin. A funeral procession of parishioners was assaulted in the public street. The cross was thrown down and broken, and the dead body left in the street until the arrival of the police. The authors of this disturbance were examined and punished by the Magistrate, Mr. Levinge. Some months after the above riot, (February 1851), the Father in charge of the congregation was informed that another assault on a nuptial procession was contemplated by the Padroado party. He gave information to the Magistrate, Mr. Bird, and asked for two police men to prevent a breach of the peace. The only answer given was an order to shut up the three churches and the cemetery. The native Magistrate sent to execute this order added to its severity by calling as auxiliaries the very persons accused of having planned the assault. They were allowed to force their way into the priest's house, to take therefrom the priest's palanquin and carry it into the church to be shut up therein. The priest was then ordered to leave his house; and on his refusal, sentinels were posted at each door. When informed of these doings the Magistrate suspended his

subordinate and fined him. He refused, however, to re-open the churches or the cemetery, although cholera was raging in Manapad at that time. The Father had to purchase a piece of land and provide his congregation with a burial-ground, wherein twenty persons, who died of cholera, were buried in a very short time. The Father made an appeal to the Sessions Judge, Mr. Douglas, who cancelled the Magistrate's order and directed him to re-open the three churches and the cemetery, and made them over to the priest.

9. *Manapad 1854.*—The Padroado party committed assault by attacking a religious procession, plundering numerous silk banners and silver and ivory emblems. They succeeded in gaining to their cause the native Magistrate and all his subordinates and then preferred a complaint against the priest and twenty of his Christians, charging them with having perpetrated the crimes of which they themselves were guilty. Fortunately the Magistrate, Mr. Child, discovered the plundered property in the house of one of the Padroado party; and after full proof of their guilt he passed severe sentences on the native Magistrate, the village Munsiff and several persons of the Padroado party.

10. *Puneikael, 1857.*—The Padroado party had asked the Government for a piece of ground on which to build a church. This had been refused on account of the troubles which it was foreseen would arise from it. They then tried by force to take possession of the church of St. Mary Magdalen in that town. They were convicted and fined by the Magistrate.

#### AFTER THE CONCORDAT.

11. *Manapad, 1859.*—Owing to false statements of the lay-head of the Padroado party, who wished to show his authority over the parish, the Sub-Magistrate ordered the priest to open the church to him or to deliver up the keys under pain of arrest. On the truth being explained to the Chief Magistrate, he cancelled the order and directed his subordinate to apologize to the Father.

12. *Periataley, 1859.*—The head of the party thus frustrated in his designs sent emissaries to Periataley, eight miles from Manapad, where peace had reigned for ten years. Through their machinations some people were persuaded to refuse the fees for marriages or burials, and proceeded to break open the gates of the cemetery for the purpose of instituting civil burials. This was done as a pretence to obtain from the Government a separate piece of land, for the purpose of building a church in support of the Patronage. To strengthen their cause, a dead body was placed in front of the church, where the Magistrate might see it. On enquiry the Magistrate discovered that the whole story was a deception and that burial had never been refused. He consequently refused their petition and severely reprimanded the head of the party, threatening to bind him over to keep the peace; and he left a policeman in the village to prevent disorder.



From this time, peace was preserved for five years, when a Padroado priest came in person to Periataley, took forcible possession of a piece of land belonging to the church, and caused a burial to be made therein, in spite of the protestation of the Propaganda priest. From the Magistrate the case was referred to the High Court of Madras, which issued a strong prohibition to the Padroado party, not only to refrain from burying on the land in question, but also to refrain from interfering in any way with it. This order having been disregarded, and the police also having been insulted by them, the rioters were prosecuted by the police before the Magistrate, Mr. Underwood. In order to escape punishment by giving their proceedings a colour of right, one of the prisoners began a Civil Suit in the District Munsiff's Court of Strivigundum for the possession of the above-mentioned land. Judgment was pronounced in favour of Propaganda. The judgment was subsequently confirmed by the Zillah and High Courts, on appeals preferred by the Padroado party. These proceedings lasted nearly four years. During that time the Padroado party violently dispossessed all the tenants cultivating the lands of the church and took possession of the lands. The matter was brought before the Civil Court, and the priest succeeded in recovering several pieces of land. Such was the excitement, that for a period of five years Periataley was transformed into an arena of combatants, and almost each day was marked with a breach of the public peace.

13. *Obarry*.—A Padroado priest, named Pinto, went to Obarry, seven miles distant, where he kindled the fire of revolt against the Vicar-Apostolic. There were three or four cases of riot before the Criminal Court, besides Civil processes, all arising from the same cause. On one occasion, the Padroado party went into the church during the time of prayer, struck the catechist and the sacristan, and dragged them out of the church. One of them was so much hurt that he was obliged to remain above three weeks in hospital.

14. *Calladitidel, 1865*.—A Christian, in order to wreak his vengeance upon the Missionary, passed over to the Padroado party together with several others. He set fire to the catechist's house. Then followed plunder, open violence and other disorders. Great discord prevailed for two years.

15. *Tiroopattoor, 1866*.—Here a Pariah woman turned against the Missionary. She sent for the Padroado priest, who forthwith set about taking possession of the church. A body of police had to be called to the spot and surprised the intruders in the very act of taking possession.

16. *Tiroopattoor, 1867*.—A second inroad was made by the Padroado party. A prosecution was instituted against them in the Sessions Court of Madura, and ten of the delinquents had to undergo the penalty of the law.

17. *Virapandiuputam, 1871*.—The Padroado priest of Tuticorin accompanied by the headman of the caste came to the village, and turned

a house into a chapel; and there followed a disturbance. Frequent fires burst out in the village, till at last the church was burnt down. The incendiaries were never discovered.

18. *Calladitidel, 1875.*—Here a general revolt took place against the Missionary. The seceders were received with open arms by the Padroado priest. The neighbouring villages joined the revolt. The chief instigators closed the church against their Missionary; and it was not until after a criminal prosecution that this quarrel was brought to an end. Six of the guilty were sent to jail.

19. *Sooseyperpatum and Andisourani, 1876.*—Here the same disturbance was renewed: the same claims, the same passing over to the Padroado clergy. Twice the conflicting parties were on the point of a bloody battle even inside the church. The police were constantly on the lookout. This state of things lasted for two years.

20. *Kullicullam, May 1876.*—A Padroado priest set out from Manapad for Kullicullam, with a crowd of people armed with cudgels and a gun, to take the church by assault. Twice the assault was repulsed by the Propaganda party defending their church. Some of the latter were wounded and carried before a Magistrate, from whom they sought protection. The Padroado party encamped for a whole month at a short distance from the church with the hope of taking possession of it. At last an injunction was issued from the Civil Court, and they were warned by the police that they would be held responsible for any new breach of peace.

21. *Tuticorin, 12th May, 1877.*—A religious procession, while passing near the Padroado church, was assaulted by the headman of the party and a mob rushing out of the Padroado church. The crosses, shrines, images and flags were torn into pieces and trodden upon, whilst the bearers had their ceremonial dresses torn and themselves were beaten. It appears that orders had been passed forbidding processions to pass that way, but they had not been published; in fact a procession had passed peacefully by that way only a short while before. The Propagandists were severely punished for having broken the order, of which however, it seems they were unaware.

## CHAPTER VIII.

### THE VICARIATE OF VERAPOLY.

WE have kept Malabar (with Canara) till the last of the series because it brings us nearest home. For in the first place the Vicariates of Bombay and Verapoly were entrusted to the same Order of Carmelites, and the intercommunion and interchange of missionaries was frequent. In the second place Verapoly happened to get involved in the turmoil which arose in Canara; and thus, through Karwar and

Coorg, came into immediate connection with Bombay.

The Vicariate of Malabar (with its centre at Verapoly), was from the first a complicated affair of which for lack of sources we have not been able to form a very clear idea. Planted in the very thick of Padroado activity, it was engaged in the first instance in the task of succeeding with the Thomas Christians where the Ordinary of Cranganore had failed; and later on enjoyed the privilege of free ministrations under the Dutch when the Padroado clergy were excluded. Naturally, therefore, there never was a time when the relations between the two jurisdictions were not strained. The situation was of course aggravated by the common practice of churches passing, for incidental and often not spiritual reasons, from one jurisdiction to the other. Something of this sort, it appears, had happened just before the *Multa praeclare* reached India; and this, as well as the tidings of conflicts which were taking place in Bengal, Madras and Coromandel in connection with the new Vicariates just established there, seems just at that time to have brought the strain to breaking point.

#### A PADROADO MEMORIAL.

This statement is best illustrated by a lengthy document, a translation of which appears in Mr. Godinho's recent brochure (*Padroado of Portugal in the Orient* pp. 136-140), and which we produce in full, as a manifestation of the Padroado attitude of mind in those parts at the time:—

To D. Antonio Feliciano de Santa Rita, Archbishop-elect of Goa, Primate of the East, of the Council of His Majesty, etc.

We, the undersigned subjects of the Archbishopric of Cranganore and the Bishopric of Cochin of the Padroado of His Faithful Majesty, take the liberty of enclosing herewith a protest, dated 1st Oct., which a portion of the clergy and parishioners of the same Dioceses have been compelled to make, in view of the publication of the brief of His Holiness dated the 24th April, by the Vicar-Apostolic in Malabar: declaring that His Holiness had handed over to him the government of these Dioceses, in spite of the Concordat between the Courts of Rome and Portugal.\*

We expect that Your Reverence, through the proper channel, with all despatch, will forward it to the Court of Rome, as also an authentic copy to the Court of Her Majesty, in order to take necessary measures for the preservation of the Padroado; and will give us shortly a definite reply, so as to enable us to proceed according to the state of affairs; as we have done, for the present, our duty, not holding ourselves responsible for future consequences.

We also expect that Your Reverence will treat with the Government of this city on this important subject; so that the same Government, as is bound, [may] take the necessary steps for the protection of

\* The word "Concordat" here means the whole of the agreements between Rome and Portugal as to the Patronage.

the Royal Padroado in these regions; and also inform the other Governors of these parts that they have to protect the rights of Portugal until the receipt of definite instructions on this matter—otherwise we do not know what the consequences may be, considering the indifference shown to the rights of the Padroado by the same authorities.

We also request you to give the necessary publicity to this protest, as well as the accompanying letter."

With all respect and veneration, we are, etc. Padre Francisco R. Torres, Vigario de Vara, [and other names]. *Cochin, 10th Oct. 1838.*

#### THE ENCLOSED PROTEST.

Let all those whom this public Instrument of Protest and Declaration may reach, understand that we, the undersigned Catholic clergy and laity, subject to the jurisdiction of the Bishops of Cochin, Cranganore, and the Padroado, on behalf of ourselves and of all those subject to those Dioceses, solemnly declare as follows :—

1. That after the establishment of the Vicars-Apostolic in Malabar and in other parts of the East, their missionaries and Vicars-Apostolic, in spite of the genuine orders of the Congregation De Propaganda Fide, in spite of the Bulls of the Supreme Pontiffs, in spite of the Sacred Canons, in spite of all natural and divine right, have always proved themselves, instead of a help to the Dioceses, a continuous hindrance and obstruction to the very religion we profess; stirring up disorders among the Catholic populations of the same Dioceses, without any visible benefit to religion, only to exercise a precarious jurisdiction, with the hope of acquiring our churches; deceiving those simple Christians with pretexts which have not their origin in truth, but in inventions of the same missionaries and Vicars-Apostolic—all which is so well known, that the frequent disorders and quarrels caused by the Apostolic missionaries among the Catholic communities, even among persons of the same family, have suggested to them such opinions that many have left the Catholic Church.

Portugal is an ally of Great Britain which now dominates in India. Great Britain always protected the rights of the Royal Padroado in conformity with the treaty when Bombay was ceded as a dowry. Now, the Apostolic missionaries do not cease their intrigues, nor pause to reflect on the dangers to which the churches in India are exposed. This danger is best revealed by the celebrated pamphlet of Dr. O'Connor, and the reply to it by a Catholic; besides other publications which have appeared in the Press.

For a proof of the peace and the unity reigning in the Catholic Church, it is sufficient to take a review of the churches of Portugal and Spain where fortunately the intrigues and disorders of the Vicars-Apostolic and their missionaries have not yet been introduced; and we pray to God that they may not be the authors of a schism, to the detriment of the religion they themselves presume to profess. On the contrary, they should have persevered with all their energies for the

maintenance of peace, Catholic unity and stability of the churches in India under their ancient Dioceses, as any other effort will only tend to imperil the solidity of the same churches. For when two quarrel, it is the third party that wins.

2. The dominant religion of Great Britain is the reformed one, but still this nation tolerates all other cults. This nation is indifferent whether the spiritual pastors of the churches in their dominions be Portuguese, Italians or of any other nation. Above this, we have every reason to believe that Great Britain must favour Portugal; not only for her ancient rights, but also for their old alliance and constant friendship. We are confident that this nation will not view with indifference any violation of the bulls, agreements, and concordats ratified between the Supreme Pontiffs of Rome and the Kings of Portugal during the last three centuries. Portugal has spent a large amount of money for the efficient maintenance of her Padroado. Rome has unjustly been influenced by the sinister reports of the Vicars-Apostolic and their missionaries; and we sincerely hope that their acts may not be prejudicial to the Church in the East, as has been the case in the West.

3. We further declare that the Dioceses of Cranganore and Cochin have up to this date been administered by duly qualified Pastors. The Diocese of Cranganore is supplied with so many priests, that even if there be no ordination for some years, there will be no want of priests. If the Prelates properly elected by the Sovereigns of Portugal have not yet received their briefs of confirmation, we do not know the reasons thereof, nor is it our obligation to enquire into them.

4. In the beginning of this year, contrary to Natural and Divine Law, and with great scandal to our Religion, the Vicar-Apostolic in Malabar, under pain of excommunication, ordered all the subjects of his jurisdiction not to have any intercourse with the subjects of the Diocese of Cochin, not only in an ecclesiastic sense, but also in civil affairs. This order, devoid of sense, was scoffed at to such an extent, that when a certain subject of the said Vicar-Apostolic was accused before his Vicar of infringing the command of his Prelate, by receiving in his house some persons of the Bishopric of Cochin, the reply of the accused was that in his opinion, the Vicar-Apostolic was out of his senses when he indited that order. It is necessary to remark that this person and the others are not the proselytes of the said missionaries, but subjects of the Diocese of Cochin, who by intrigues have been drawn to the precarious jurisdiction of the said missionaries. They have hardly any converts except those thus acquired. Most of them are of the Bishopric of Cochin, in Alleppey and other parts. The same missionaries, instead of aiding and assisting the Dioceses of the East to keep the faith alive, by these acts inculcate wrong notions in the minds of these simple Christians, which, being corroborated or upheld by other ministers, their adherents, do incalculable harm to the cause of religion.

5. On the 9th April of this year, the Vicar-Apostolic of Malabar, in a scandalous publication, declared the Queen of Portugal and the Portuguese nation to be schismatics, as also the Primate of the East and his suffragan Bishops.\* The truth of this is generally doubted, first because we have no authentic information ; secondly, because by such intrigues and manœuvres these missionaries and Vicars-Apostolic have dismembered the churches and dioceses of the Royal Padroado.

6. We declare that, as a result of these unjust publications, Fr. Bernardino de S. Ignez, with the assistance of the officials and Police of Anjuna, effected a division in the parish of that place ; took possession of that church and appropriated its treasury, refusing burial to the Catholics of the section who remained loyal to the Bishop of Cochin. After this, in the same manner, he took possession of some other churches in the South, and finally the churches of Salem and Quilon. Into the last he entered by force, assaulted the parish-priest and flung him out. The disorders were so great and general that the case is under judicial inquiry in a heathen Court, to the shame of the Catholics and the laughter of the gentiles and Moslems.†

Fr. Ludovico, who in a similar manner had taken possession of a church in our Diocese, that is by force and assault, was by order of the Civil Courts directed to restore possession to the original owners. The judgment runs thus : "The law recognises the right of all subjects to choose their pastors, but is repugnant to interfere in the possession of churches already owned by others."

7. We declare that all that is stated above is well known to the people. The authors themselves are conscious that they are weakening the Church. Evidently Rome knows nothing of these disorders and misunderstandings, and in good faith, believes the coloured and interested reports of the Vicars-Apostolic.

8. We further declare that in September of this year, the Vicar-Apostolic of Malabar published that he had received a brief of His Holiness through the Congregation de Propaganda Fide, dated 24th April, in virtue of which the Archbishop of Cranganore and the Bishop of Cochin in future would be subject to his ecclesiastical jurisdiction, contrary to the Concordat between the Court of Rome and the Sovereigns of Portugal. This brief has not yet reached India through the competent channel, as it should according to the conditions of the Concordat. The Court of Rome cannot partition the Dioceses of the Padroado without the express consent of the Sovereigns of Portugal.

\* These strictures against the Queen of Portugal and the charge of "schism" were in way of protest against the Queen having appointed three bishops to the vacant Sees of Goa, Cochin and Mylapore without going through the proper process of proposing their names to the Holy See for appointment.

† The reference to "the Church of Anjuna" (Angonja) is explained by Mr. Godinho in the same work on p. 109 ; where the Church is described as being usurped (with its valuables) by the Pro-Vicar-Apostolic in 1837 (before *Multa Præclare*) but to have reverted to Padroado in 1843 (without its valuables), and to have finally passed back again to the Vicariate in 1853.

All breves, encyclicals and orders which are contrary to the Concordat will not be recognised, but considered as null and void, and will be resisted and opposed, as has been done in the past; since such opposition does not offend the unity of the Church, but is in accordance with the Sacred Canons and the Scriptures—all which has been clearly proved in a pamphlet recently printed in Goa by a priest for the information of the public.

9. In consequence of what has been said above, the violent acts of the Vicars-Apostolic and missionaries of Malabar, anterior to the brief, are under enquiry. We consider it our duty, as sons of the Roman See scattered in the East, to inform the Holy See in what a sad state are the churches of Cranganore and Cochin; hoping that His Holiness, as the common and benign Father of the Christians, considering all what has been exposed, will, for the sake of the religion we profess, replace these churches in their ancient condition, as they were governed since their foundation by the Kings of Portugal,—without which there will be no peace and concord among the Christian communities of these places. The Vicars-Apostolic must limit themselves to the duties assigned to them by the Congregation de Propaganda Fide, and for the promotion of religion must co-operate with other missionaries, instead of being a scourge to the Dioceses, etc., etc.

10. Finally we declare we shall hold them responsible for any damage or loss to any person arising from their interference in our jurisdictions; not only to the Royal Padroado in the East and to the Pontiffs, but also to the Catholic religion, etc., etc.

In proof of which we certify this with our respective signatures. [Signed by twenty ecclesiastics, Curates, Vicars, Rectors, Professors of Seminary and over sixty laymen.]

#### SUBSEQUENT EVENTS.

What happened locally after *Multa praeclare* we are out of sheer ignorance forced to leave a blank. But there was certainly a deal of passing backwards and forwards between the two jurisdictions—a thing which never happened either graciously or sweetly. From some tabulated lists kindly lent from Verapoly we learn the following :—

#### CHURCHES UNDER THE VICAR-APOSTOLIC OF VERAPOLY.

Date.	Latin Churches.	Syriac Churches.
1767	20	45
1786	19	44
1833	22	41 before <i>Multa praeclare</i> .
1850	29	76 after <i>Multa praeclare</i> .
1861	23	116 Madras Directory.
1865	23	87 Madras Directory.

After this the lists becomes complicated on account of parishes which are split into two jurisdictions.

At the establishment of the Hierarchy the Padroado jurisdiction disappeared altogether as regards the Syrian Christians, who received

autonomy and were erected into two Vicariates, afterwards divided into four. As for the Latin Christians, they were distributed between the restored Padroado Diocese of Cochim and the newly erected Dioceses of Verapoly and Quilon.

Although the disturbances in Malabar after *Multa praeclare* must have helped considerably to augment the general strain, lack of details forces us merely to make a mental allowance for it in our estimate, and leave it as a blur in the background of the general storm.

## CHAPTER IX.

### THE VICARIATE OF MANGALORE.

CLOSELY connected with Verapoly is the Vicariate of Mangalore (or Canara) which, though not separately established till 1845, had its beginnings in events which occurred just before the *Multa praeclare* of 1838 ; and so it must find a place in our picture.

The district of Canara owed its first Christianity to the early emigration of merchants and others from Goa territory, (especially Salçete) to such places of trade as Honovar, Mangalore and Barcelore. A large accretion of immigrants in 1574 was followed by some priests who founded churches at those chief centres. Later on other immigrations of the agricultural classes took place, and local converts were also made ; so that Canara was gradually dotted over with Catholic congregations, both North and South. [The only Propaganda station was the English factory at Karwar in North Canara, which was served from the Bombay Vicariate].

In 1784 came the wholesale deportation of these Christians to Seringapatam by Tipu Sultan ; and the remnant that returned in 1800 is said to have numbered about 20,000.

What follows is taken from the History of Mangalore, (p. 100 seq.) :--

The Catholics of Canara (except at Karwar) had always been under the jurisdiction of Goa ; and when the Archbishop-elect Carvalho took possession of the See of Goa in 1837, they accepted him as a matter of course. But "when they were informed by Bishop Fortini, Coadjutor to the Vicar-Apostolic of Bombay, of the illegality of his election, they withdrew their allegiance and compelled the two priests of Mangalore, who were not willing to reject Carvalho, to do the same. [This was before *Multa praeclare*]. Great confusion and excitement arose among the people. Appeals were made to various Vicars-Apostolic for directions ; and the counsel received was to submit to the *nearest* Vicar-Apostolic until the Holy See should order what was to be done, or matters should be satisfactorily settled with Goa. The Christians of Canara accordingly determined to place themselves under Mgr. Francis Xavier, Carmelite Vicar-Apostolic of Verapoly ; but not without first making overtures to



Carvalho to set himself right with the Holy See" (Mangalore History, p. 100). Carvalho having indignantly rejected their proposals, 16 parishes in Canara transferred their adherence to Verapoly, while of the rest some remained attached to Goa, and others were divided into two conflicting parties.

"In November 1838 (after *Multa praeclare*) Pope Gregory XVI by rescript authorised the Vicar-Apostolic of Verapoly to exercise jurisdiction over Canara. This was a great comfort to the Catholics, who about the same time were in danger from two emissaries sent by Carvalho to draw them to his allegiance. Not succeeding in this, the Padroado prelate appealed to the secular arm, and as acting Governor strove through the intermedium of the Collector to gain his end; but the Collector answered ascribing all the trouble to himself (Carvalho) and his agents."

After the death of Carvalho (Feb. 1, 1839), in order to "put an end to the unhappy state of affairs in Canara, the people of Mangalore sent a petition to the Holy See in 1840 to have the district erected into a separate Vicariate-Apostolic. In 1844 Propaganda answered in a letter to the Catholics of Mangalore, that though it was the ardent desire of the Holy See to comply with their request, there was an obstacle in the way." It seems that the obstacle here alluded to was the opposition of the Carmelites, who were against having a new Vicariate, perhaps belonging to another order, wedged in between their two Vicariates of Bombay and Verapoly.

"As soon as Archbishop Silva-Torres was installed in 1844, many of the priests of Canara who had separated from Goa returned to their old allegiance. Their flocks however did not follow them, but built for themselves chapels where they performed their religious duties as best they could.

"Meantime the Vicar-Apostolic of Verapoly determined to make a special effort to check the Padroado ascendancy. He deputed his Coadjutor Bishop Louis Martins as his Commissary to visit Canara. Arriving at Mangalore in 1844, he immediately excommunicated the principal defenders of the Padroado, but was excommunicated in turn by their leader under orders from Goa. The Commissary thereupon determined to employ vigorous measures. He proceeded to Pejar with three clergy and some people of Mangalore to take possession of the church there; but was resisted by a strong force of men armed by clubs under the leadership of the Goa priest. Supported by an Assistant Superintendent of Police the bishop tried to force his way into the church, but was successfully repulsed. The Assistant Magistrate then came forward and summoned the Goa party to open the church. No heed having been paid to this, "the forces of law and order" camped under the walls of the Church; and in the morning the Goa priest came out and entered a protest against the action of the Commissary. The bishop thereupon withdrew to Mangalore, where he remained compara-

tively inactive till his return to Verapoly in March 1845. Meantime (Feb. 17, 1845) the Holy See finally complied with the wishes of the Catholics of Canara and erected the district into a new Vicariate, with jurisdiction (also) over North Malabar, Coorg, etc. [Coorg was transferred to Mysore in 1850]. This finishes our quotation from the Mangalore history.

#### LETTER TO ARCHBISHOP TORRES.

On May 12th, 1845 Mgr. Bernardine, Coadjutor of Verapoly, was appointed Pro-Vicar. He came at once to Mangalore to take possession ; and before his departure he addressed to Mgr. de Silva-Torres, at that time Archbishop of Goa, a letter dated August 17th, 1845, which surveys, from his point of view, the whole of the relations between Goa and Verapoly, and is worth reproducing on that account :—

I have the honour to send to Your Excellency this my first letter as the forerunner of many future communications. For since the Holy See has been pleased to appoint me Prelate and Pastor in the neighbourhood of Your Excellency's Diocese, I desire to live in good harmony and friendly correspondence with Your Excellency. I offer myself to you and hold myself entirely at your service, confiding in your goodness that you will receive this letter with a mind free from preoccupation.

My object in writing is no other than to communicate to Your Excellency the new arrangements made by the Apostolic See regarding the better regulation of the Indian Vicariates, over which Your Excellency claims Metropolitan, nay even Diocesan jurisdiction. If the well-known Brief *Multa praeclare* and other successive Apostolic Decrees, if the Briefs which His Holiness time and again addressed to Your Excellency, declaring that you have no authority over the places and peoples confided to the Vicars-Apostolic, have been insufficient to disabuse and convince Your Excellency and make you lay aside such pretensions, I trust that the new arrangements from Rome, whereof I am going to speak, may completely convince Your Excellency.

Omitting what concerns other Vicariates, I come to that relating to the Vicariate of Malabar. The Sacred Congregation, in a general session held on February 17th of the present year, thought fit to divide the extensive Vicariate into three parts, *viz.*, that of Quilon, that of Verapoly, and that of Mangalore. The first, reaching from Cape Comorin to Paracaud, is bounded on the east by the Ghauts and on the west by the sea ; the second, that of Verapoly, is bounded on the east by the Ghauts and on the west by the sea, by the mission of Quilon on the south, and by that of Mangalore on the north. To this latter, reaching from the Ponany to the boundary of the Goa Diocese, was assigned all the territory between the Ghauts and the sea above Verapoly, the Civil Collectorate of Canara as far as Seevashwar, and that part of Mysore which is separated from the west of that State by the Toongabudra river.

For the government of the Mission of Quilon, by order of the said Holy See, one of the missionaries subject to the Vicar-Apostolic

of Verapoly, Father Bernardine of St. Teresa, has been appointed by His Lordship with the title of Pro-Vicar-Apostolic for the time being, without episcopal character. But as regards the Mission of Mangalore, His Holiness has been pleased to constitute me, Bishop of Tanen and Coadjutor Vicar-Apostolic of Malabar, to govern the said mission bounded as above. In view of all the foregoing, and further instructions communicated in the letter of the Sacred Congregation of May 12th, which accompanied the Papal Briefs of my promotion and appointment, Your Most Reverend Excellency will easily see what right or pretension you can have over the above-mentioned three missions of the Malabar Vicariate, and what steps you are bound to take, to the end that all men who glory in the name of Roman Catholic may acknowledge and obey the jurisdiction which the Sovereign Pontiff of Rome holds over the whole Catholic world. The same Vicar of Christ who constituted Your Excellency Archbishop of Goa, has likewise constituted me the only immediate Prelate of Canara and of the Mission of Mangalore; in which, as there are some recalcitrant Goan priests exercising ecclesiastical faculties without my permission and authority, I confide in Your Excellency's exalted wisdom, prudence and zeal for peace and the salvation of souls, that you be pleased to command the said recalcitrant Goan priests either to recognize and obey me as the one lawful Prelate and Pastor of this Mission, without faculties from whom they cannot exercise any religious act; or that, if unwilling to do this, they may return forthwith to Goa.

As Your Excellency is one of the chief Prelates of the Ecclesiastical Hierarchy, I have no doubt you will perform this act of justice and religion, which will merit for you esteem and praise before both God and men; for by one simple command you will secure the cessation of all disturbance and dissension among those who profess the same faith, prevent the nullity of many sacraments administered by priests without jurisdiction, and save many souls from the way of perdition.

Confiding in your goodness and in the justice of my plea, I await a kind and friendly reply. Meanwhile I have the honour to be, with all sincerity, profound veneration and respect:

Your Most Reverend Excellency's most humble and obedient servant. Fr. Bernardine of St. Agnes, Bishop-elect and Coadjutor.

#### SUBSEQUENT EVENTS.

Archbishop de Silva-Torres neither answered this letter nor acknowledged its receipt. After it however things quietened down in Canara, leaving the two jurisdictions crystallised. On March 15, 1853, Canara was separated definitively from Verapoly, and the Carmelite Fr. Michael Antony of Bombay was appointed Vicar-Apostolic of Mangalore, and consecrated on May 15th by Bishop Hartmann. He took possession of his Vicariate at Mangalore on September 4th, 1853.

Just about this time the Propaganda Delegate General of Canara addressed a letter to the Padroado Superior of the Canara Mission,

in which he quoted the Brief *Probe nostis* to show that the Goa jurisdiction was totally extinguished in places given over to the Vicars-Apostolic; urging submission and asking for an interview. The reply, sent by return of post, contained the standard arguments in support of the Padroado, besides giving reasons why resistance to the Pope for good reasons did not involve schism, or justify the use of the term schismatic. So the exchange of correspondence had no effect.

It is easy to understand how this sudden defection of a large and flourishing community, wholly Goan in race, which had hitherto been continuously under the jurisdiction of Goa from its very origin three hundred years before, contributed a large element to the general exasperation of the time.

Among the disturbances and disorders arising from conflicts of jurisdiction is mentioned the charge of the Propagandists having in 1853, at Bantwal, unearthed the bones of a Portuguese priest and flung them on a dunghill. The priest in question had given obedience to the Vicar-Apostolic and then again gone over to Goa, and been excommunicated by the Vicar-Apostolic. On his death he had been buried inside the church; but when that church came back to Propaganda, the Vicar-Apostolic ordered his body to be exhumed and buried in unconsecrated ground. Instead of doing this decently the local priest (one Fr. Gomes, a Goan who had attached himself to Propaganda) actually had the remains thrown out on a rubbish heap—which detail the Vicar-Apostolic of course had not intended. [See particulars in Godinho, p. 110 seq.] Scandals are also recorded of people being married to second wives while the first were living—on the ground that the first marriage, being performed by priests without jurisdiction, was null and void, etc.

It only need be added that about 18 or 19 parishes (with about 30,000 parishioners) which had refused to pass over to Propaganda in 1836, continued under Padroado till the Concordat settlement of 1886, when the Vicariate of Canara was elevated into the Diocese of Mangalore, and all double jurisdiction was extinguished. At the same time the diocese was restricted to South Canara (with British Malabar); while North Canara (including the Propaganda Mission of Karwar) was given over bodily to Goa—as we have seen in an earlier place.

This brings our general survey of the Vicariates all over India to an end. It reveals the turmoil which was raging everywhere in various degrees. It brings out the point which it was our purpose to emphasize, viz., that the conflict which arose in Bombay after the publication of the *Multa praeclare* was not a self-contained or isolated affair, but derived most of its bitterness from the general disturbance which was going on all over the country, which made the local struggle merely one element in a general campaign.

#### TABULATION OF RESULTS.

The active conflict went on for about 25 years from the *Multa*

*præclure* of 1838 to the (partial) execution of the Concordat in 1863, by which, provisionally the *status quo* of Padroado and Propaganda was stabilised, and the position of both parties legitimised side by side. During that period the Vicars-Apostolic had secured all the churches they could, and the Padroado clergy had retained (or recovered) all they could. The results can easily be realised in a tabulated list, first of the priests and people under the Vicars-Apostolic, and then those under the Archbishop of Goa in the same Vicariates—of which latter two divergent lists are given :—

## STATUS OF THE TWO JURISDICTIONS IN 1864.

FIRST LIST					SECOND LIST.	
	Propaganda (M. Dir. 1865)		Padroado (M. Dir. 1865)		Goa Almanac of 1870 in M. Dir. 1875	
Vicariate.	Priests.	Populations.	Priests.	Populations.	Priests.	Populations.
Malacca	22	7,000	3	2,600	4	2,000
Burma	19	6,850	..	..	..	..
Siam	16	7,000	..	..	..	..
Agra	27	21,213	..	..	..	..
Patna	19	8,383	..	..	..	..
W. Bengal	25	11,465	4	200	10	5,110
E. Bengal	8	6,600	4	2,200		
Vizagapatam	15	8,738	..	..	22	7,700*
Madras	16	36,426	16	5,570	2	445
Hyderabad	7	4,650	2	350		
Pondicherry	63	108,891	3	3,414	..	2,691*
Madura	48	113,683	12	25,000	7	13,500
Coimbatore	17	17,300	..	..	..	..
Mysore	20	17,100	..	..	..	..
Colombo	23	98,914	2	50	4	3,200
Jaffna	23	57,874	2	1,000		
Verapoly	370	180,000	20	50,000	121	118,137
Quilon	26	50,000	6	7,000		
Mangalore	31	44,000	12	9,000		
Bombay with Poona	42	21,126	33	30,000	63	23,803†
					(excluding Bom- bay and Salsette, illegible)	
Totals	837	857,213	119	136,884	255	202,022
Add Padroado subjects in Portuguese Territory					552	245,378
Total Padroado					807	447,390

\* The Goa distribution by districts does not correspond to the Vicariate divisions, so these figures do not give a comparison; they are merely "clubbed" to contribute to the total. They also represent a later date.

† Perhaps 20,000 ought to be added for Bombay and Salsette.

## PART XII.

### BOMBAY AFFAIRS ONCE MORE (1838---1843)

#### CHAPTER I.

#### THE SALSETTE DECREE (1839).

HAVING completed the general survey of the battleground in other parts of India, we now come home from our wanderings, and settle down to the history of the same conflict as it worked itself out in Bombay and neighbourhood. The first incident which raised a storm there was a decree of Propaganda issued in 1839, by which the Vicar-Apostolic was authorised by the Holy See to extend his jurisdiction into Salsette.

#### HISTORICAL ANTECEDENTS.

It will be remembered how in 1774 the English took Salsette from the Marathas ; and the Vicar-Apostolic, in accordance with the policy of the English Government, (*viz.*, to exclude the Portuguese jurisdiction from British dominions) obtained from Rome a reserve power of extraordinary jurisdiction to take charge of the churches of Salsette—on the ground that the Archbishop of Goa was prevented from exercising his jurisdiction there. As the Salsette clergy were in point of fact allowed by the English Government to remain peacefully in possession of these churches, the conditions for using this extraordinary jurisdiction were not realised ; and so the Vicar-Apostolic never made use of it.

Secondly, we have already seen how the British Government from 1798 began to resent the interference of the Archbishop of Goa in Salsette, and did their best to exclude it. They managed to suppress all public manifestations of the Goa jurisdiction, but it still continued to be exercised “clandestinely” or behind the scenes. From this time the Government began to think of excluding the Archbishop effectually by setting up a Church establishment for the Presidency, under the approval and appointment of Rome. As a secondary motive for this plan they laid stress on the low state of religion in Salsette, and the reported lapses of the Christians into Hinduism—a state of things they hoped to remedy by a more efficient clergy, and the spread of education under British control. The Vicar-Apostolic had here a splendid opportunity, if he had been of an ambitious or grasping disposition. But he carefully kept aloof, and informed Rome that he was doing so ; and in 1818 received praise from Propaganda for “not interfering with the clandestine activity of the Archbishop in Salsette.”

All this was well in keeping with the spirit and policy of the pacific and unobtrusive Peter d’Alcantara. But the publication of *Multa praeclure* in 1838 produced a violent change of atmosphere. True, the brief did not legislate either for Goa or for Bombay. But it asserted expressly the principle that the Vicars-Apostolic were the true and sole ordinaries in the districts assigned to them, and also laid stress on the idea that the British Government would not tolerate the patronage of

Portugal in British territory. Out of this came the impression that the patronage in British territory was a thing doomed to disappear, and that the Vicars-Apostolic would be falling in with the trend of the Roman policy by extending their operations to British districts which had hitherto been in pacific possession of Goa. Such a transfer from Padroado to Propaganda was at that moment taking place in Canara, which had of its own accord put itself under the jurisdiction of Verapoly. It therefore appeared feasible that the Vicar-Apostolic of Bombay should take steps for extending his jurisdiction over Salsette—an idea which had been on the *tapis* in Government deliberations for many a long year.

Dom Pedro was by this time old, weak and nearly blind—the big, almost printed letters of his handwriting bear pathetic witness to the fact; and the administration of the Vicariate had practically fallen into the hands of the Coadjutor, Bishop Fortini. Fortini, though certainly less popular throughout his career than Dom Pedro, seems to have been a mild and inoffensive man, and not likely to be aggressive. Hence we feel somewhat puzzled to conjecture how this scheme for getting possession of Salsette came about. Whether it arose from the instigation of Government, or under its willing acquiescence, or from “a sense of duty” on the part either of Alcantara or Fortini, we have no means of knowing. Unfortunately the letter to Rome containing the application has not been preserved; so we are left in the dark as to the grounds which were given for the proposal.

The letter must have been dispatched to Rome very shortly after the *Multa preclare* reached India, which was about July or August 1838. Information about this letter must however have leaked out and reached Goa almost at once; for on September 10th, 1838 the Archbishop-elect (Carvalho) addressed a warning to the Vara of Thana, in which attention is called to the italicised passage:—

To The Rev. Vara Francis Gonsalves:—

“The Vicars-Apostolic, our old and sworn enemies, have just spread the alarming news, that a Brief has come to deprive the Queen of Portugal of the right of Patronage over the Bishoprics of Cochin, Mylapore and Cranganore which are to be separated from the Metropolitan of Goa; and that they expect another Brief to deprive the Metropolitan of the churches which, lying to the north of the same city, are subject to the British Government. For the present we do not believe news so extravagant and absurd. Still, since they seem to get all they want, whether just or unjust, through the Congregation of the Propaganda, it is necessary that you and the other missionaries be warned not to do anything on this point without our positive orders. For you ought to know (1) that the Right of Patronage of the Most Faithful Queen was not *given* by the Holy See, but *acquired* by the lawful titles of foundation and dotation and immemorial possession, and merely confirmed and strengthened by the Sovereign Pontiffs, with the clause that it could never be taken away or derogated, not even by the same Holy See in

consistory; (2) that a simple Brief cannot annul perpetual Bulls in such matters; (3) that the Supreme Pontiff cannot give a dispensation from the Natural Law, according to which *suum cuique tribuendum est*, etc.; (4) consequently that he cannot take away the Right of Patronage from the said Queen; (5) that Briefs of such a nature require the royal placet to produce their effect; (6) that the Metropolitan of Goa has the right, as Ordinary of the place, to oppose the execution of Briefs or Apostolic rescripts which attack his rights; (7) and that finally there is no schism, nor any sin in not obeying unjust or tyrannical orders of the Pontiff so long as he is recognized as the legitimate Superior, and so long as obedience is rendered in matters spiritual which are just and reasonable—as is declared by the greatest theologians and ultramontane canonists, whom we shall cite in a pamphlet, which we shall shortly send you through the Vicar General of the North; to whom we have already sent the first ten leaves and particular orders on this point.

Palace of Panelim, 10th Sept. 1838.

Archbishop Primate Elect.

#### THE SALSETTE DECREE.

The answer from Rome to the Vicar-Apostolic's application was dated February 4th, 1839, but only reached Bombay in May. The text ran as follows:—

“Whereas the Sacred Congregation de Propaganda Fide, having on weighty information ascertained [it to be] necessary that measures be taken that the Church government in the Island of Salsette in the East Indies be duly provided for; the same Congregation has resolved and decreed, on the report of Ignatius, Archbishop of Edessa, Secretary to the said Congregation, to supplicate His Holiness that he be pleased to subject, in a provisional way, that island to the spiritual jurisdiction of the Vicar-Apostolic of Bombay.

“This decision of the Sacred Congregation having by the same Secretary of the said Congregation been reported to His Holiness Gregory XVI, by divine providence Pope, in an audience on the 27th January 1839, he graciously confirmed the same, and subjected in a provisional way the aforesaid island to the jurisdiction of the Vicar-Apostolic residing in Bombay.”

Given at Rome, in the palace of the said Sacred Congregation, on the fourth day of February 1839.

J. PH. CARDINAL FRANZONI, PREFECT.

J. Archbishop of Edessa, Secretary.

#### GOVERNMENT TO VICAR-APOSTOLIC.

The contents of this decree, having been communicated to Government, drew from them the following official confirmation and authorisation:—

To the RR. Dr. Fre Pedro d'Alcantara, Bishop of Antifal:—

Reverend Sir,—I have the honour to acknowledge your letter of the 23rd ultimo, acquainting me, for the information of the Governor-



in-Council, that you have received an order from his Holiness the Pope Gregory XVI, a transcript of which you enclose, directing you to extend your ecclesiastical jurisdiction over the district of Salsette; and you express trust that Government will permit you to do so.

I am desired to say in reply, that the principles established by the British Government have always maintained: that their Roman Catholic subjects are entitled, in the fullest sense of the expression, to the free and uncontrolled exercise of their religion respecting matters of spiritual jurisdiction, so long as no infringement is made on the acknowledged right of Government to confirm and protect the appointments recommended by the voice of the people; and that, entertaining the highest reverence for your character, and the fullest confidence that you would exercise your spiritual authority with mildness and judgment, and consistently with the established regulations of Government, the Governor-in-Council will not, pending the receipt of instructions from the honourable Court of Directors, offer any objection to your exercising over Salsette such spiritual jurisdiction as his Holiness the Pope may confer upon you as Vicar-Apostolic of Bombay.

I have the honour, etc.,

W. S. BOYD,

30th May, 1839.

Acting Secretary.

This provisional decision of the local Government was confirmed by the Court of Directors on the 21st of October, 1840:—"As the Vicar-Apostolic of Bombay has a direct order from the Pope to extend his ecclesiastical jurisdiction over Salsette, we approve of your having confirmed this appointment, provided always that the Roman Catholics of Salsette are favourable to him—which, as we gather from your proceedings, appears to be the case. We cannot recognise the claims of the Archbishop of Goa to appoint whatsoever priests he [may] please, and to control all the churches of our Roman Catholic subjects in India. It is our wish, however, that you should interfere as little as possible in questions appertaining to the Roman Catholic priests."

#### VICAR-APOSTOLIC TO VARA OF THANA.

On the receipt of the decree [from Rome regarding jurisdiction over Salsette] writes the *Bombay Catholic Layman* (April 1850, p. 160) 'Dom Pedro de Alcantara, after having it published in all the churches subject to his jurisdiction, forwarded a copy of it, on May 14th, 1839, to the head Vicar and other Vicars and clergy of the island of Salsette, with a circular of which the following is a translation:—

"This decree having been published in the Island of Bombay, we transmit to you a copy of it; in the firm expectation, and with the greatest confidence in the Lord, that you all, obeying the orders of the Holy See, will give public demonstrations of your reverence, submission and obedience to the Roman Pontiffs, to whom Christ our Lord has committed the care of all pastors.

"If any of you should care to inquire into the true origin of all

the evils which direly afflict Portugal, he will certainly understand that it is the pertinacious contempt of the Sacred Canons and of the authority of the Church—of that Church which (as St. Leo the Great teaches) by a well-regulated charity acknowledges Peter in the See of Peter, in the person of the Roman Pontiff the successor of Peter, in whom continues the care over all the Pastors with the guardianship of the sheep committed to his care," etc.

"Believe me, my Beloved Brethren, that we do not by any means intend to wrest from you your churches. On the contrary we wish that you should continue in them for the exercise of the holy ministry"....

Then after a kindly exhortation not to be discouraged in these troubled times, the letter concludes :- "Let us raise up our hearts and hands to the Most Holy Virgin that she may grant us the gift of unity and peace; and confiding herein, we with all our heart give you our blessing." (*B. C. Layman*, 1850 p. 160-161.)

#### TIANA TO VICAR-APOSTOLIC.

Father D'Sa (Damaun p. 133) gives from the Damaun archives a draft reply to the Vicar-Apostolic, which (according to a note) "was not sent, but another one, which is not copied here for being so long."

The text of the draft copy (not sent) runs as follows :—

From the Vara of Salsette the Rev. Francis Gonsalves, and all the priests of Salsette :—

"We have received the letter which Your Lordship wrote to us enclosing a copy of the Decree of the Congregation de Propaganda Fide; and from its perusal, though it seems to us not to be a true copy, we understand that the said S. Congregation for a grave reason (we do not know by whom and how) brought to its knowledge, desiring to provide duly for this Island of Salsette in spiritual matters has judged that it should be placed under your jurisdiction for the time being; and for this purpose it petitioned His Holiness Pope Gregory XVI, who confirmed the decree, and decreed it (the island) to be placed under you, as the S. Congregation had judged it ought to be placed.

"But as we are under the Archbishop of Goa, and in his absence under the Vicar Capitular or the Chapter *sede vacante*, we wonder that Your Lordship sent that copy to us directly, desiring us to put the decree into execution without the knowledge of our superiors. If therefore Your Lordship notifies to the said Chapter of the Archiepiscopal See, and if through it the Decree is devolved to us in due order and lawfully, (rendering to Cæsar what is Cæsar's and to God what belongs to God) willingly and with our whole hearts we shall submit to your jurisdiction.

"With reference to the accessory point, it is not convenient for us to reply to Your Lordship: God knows what is the origin and the cause of the evils which afflict Portugal, as your letter says. But if we

should speak of contempt of the Sacred Canons, and of the Decrees of the Holy Roman Catholic and Apostolic Church, we find that the Portuguese subjects are less reprehensible than those living in this and the adjoining islands. But as we do not desire to judge before the time, we close this letter praying to God for the health and prosperous condition of Your Lordship.

Your most obedient servts.,

Francis Gonsalves and other Vicars.

Of the other and longer letter which was really sent, the first part was probably a copy of the great Pastoral of Carvalho published in October 1838, of which a summary has already been given. Only the concluding portion has been preserved in the *Bombay Catholic Layman* (Feb. 1850 p. 162), and runs as follows :—

“But we, treading in the right path, earnestly beseech Your Worship to transmit the same decrees to the metropolitan See of Goa; assuring Your Worship that men so learned and virtuous as compose the chapter of the metropolitan Diocese will not permit that the salvation of so many souls shall be at stake from not executing that decree, if it be in the state of being executed [=if its execution be due?]. This will therefore be sufficient to debar Your Worship from sending us, for the future, similar rescripts leaving the ordinary means aside; so that Your Worship may not have the displeasure of receiving an answer equal (=similar) to this.”

They then go on to criticise severely the Vicar-Apostolic's letter, hinting that somebody else had slipped it before him to sign with his eyes shut. [They knew that Dom Pedro was blind and that Dom Fortini was practically in charge]. Then they conclude with an eloquent profession of respect and obedience “to all that the Holy See may order us agreeably to the canons and through lawful channels,” and the assurance that “in defending the same authority, [of the Holy See] we are ready to shed our blood and give up our lives.”

## CHAPTER II.

### DENUNCIATION BY THE VICAR-APOSTOLIC.

AFTER printing the reply of the Vicar Vara of Thana reproduced in the last section, the *B. C. Layman* concludes :—

“The Right Rev. Vicar-Apostolic, on receiving this letter, directed his previous orders to be again read in all the churches under his spiritual care, declaring the priests of the Archbishop of Goa to be in a state of schism, and all the laity adhering to his [the Archbishop's] jurisdiction to be ineligible for any of the rites of the Church.”

It is a pity that no copy of this public announcement is preserved

in our archives.\* From other sources we know that the priests who refused to submit to the Vicars-Apostolic were declared to be lacking in jurisdiction, but on the other hand they were not at this time (by Alcantara or Fortini) stigmatised as "schismatics." That usage came in vogue only later, as far as Bombay is concerned. These points are proved by the documents which follow :—

#### I. THE MONITORIUM OF 1839.

The following Letter of Propaganda was addressed in circular form to all the Vicars-Apostolic of India on July 23rd, 1839.

To P. D. Pedro de Alcantara,

Most Illustrious and Right Reverend Lord,

Your Lordship will easily understand what great pain the Sacred Congregation and His Holiness himself felt on receiving reliable information that the dissensions, which had been excited by those who refuse obedience to the Apostolic Vicars appointed by the Apostolic See, still continue in your parts. Now it is clear that this resistance to the authority of the Vicars-Apostolic can in no way whatever be excused :—

For the Brief of His Holiness Pope Gregory XVI, promulgated on April 24th, 1838, which begins "*Multa preclare*," contains the most decided disapproval of the dissension, and at the same time clearly shows that the Apostolic-Vicariates of Bengal, Madras, and Ceylon, lately erected in addition to those of Verapoly, Bombay, Pondicherry, Ava, Pegu, and what is called Thibet, have been truly established by the Apostolic See. Moreover, it is evident from the tenor of the same letter, that provisionally, and until the Apostolic See ordain otherwise, all those countries which were within the limits of the Diocese of Meliapore or St. Thome, and which were then [not] subjected to any Vicar-Apostolic, have been committed to the jurisdiction of the Vicar-Apostolic of Madras; and that the same has been done in regard to those countries which lay within the limits of the Dioceses of Cranganore and Cochin, which have been committed to the government of the Vicar-Apostolic of Verapoly. It is also signified in those letters that the country of Malacca beyond the Ganges, which formed the Diocese of Malacca, should be subject to the Vicar-Apostolic of Ava-Pegu. Finally, in those letters it is absolutely decreed that the Vicars-Apostolic are to be held as the sole true Ordinaries of those countries, and that all are bound to yield obedience to them and to accept from them ecclesiastical jurisdiction and faculties.

It is likewise easily understood that it would only be as a pretext for fomenting dissension, that any doubt should have been spread amongst the people, about the authenticity of that Apostolic Brief. For that Brief was sent through a Circular Letter of the Sacred Congregation to all the Vicars-Apostolic in the East Indies, and was promulgated in the most solemn manner possible in the name of the Apostolic See. Nor

\* During D'Alcantara's time (1794-1838) the archives were admirably kept. Under the regime of Fortini and Wholan they were badly neglected, and the most important documents are often missing (1838-1850).

did there remain any reason why that letter should be sent to those countries in the way formerly in vogue [*i.e.*, through the Court of Portugal]. For the privilege of the Patronage which the Most Faithful King of Portugal previously enjoyed in the said Dioceses has been derogated from by the Apostolic See, as specially appears in the Apostolic Brief *Multa pœneclare*.

It is therefore quite clear that those who still refuse submission to the Vicars-Apostolic can bring forward no plausible excuse. On the contrary, things have gone so far that on the 22nd April 1839, the Sacred Congregation rightly declared that all those who refused obedience to the Vicar-Apostolic of Madras, were to be held as manifestly disobedient.

This being the case, the Sacred Congregation, with the approbation of His Holiness, has written this letter to your Lordship, and gives you the commission to admonish (through the publication of this same letter) all, whether Clergy or Laity, who till now have not obeyed the Vicars-Apostolic, that they must give obedience to them as to their legitimate ordinaries. For the Apostolic See hopes that they will finally enter into a better mind, and avert from themselves the danger of being, by the same Apostolic See, declared schismatics and subject to those penalties which the Canon Law and Apostolic Constitutions have decreed against schismatics. We trust, however, that by complying with this admonition they will provide for their own salvation and the peace of the Church.

Meanwhile I pray God to preserve your Lordship long in health and happiness.

Given at Rome in the Palace of the Sacred Congregation *de Propaganda Fide*, the 23rd day of July 1839.

Your Lordship's most devoted Brother,

J. P. CARDINAL FRANZONI, Prefect.

J. Archbishop of Odessa, Secretary.

#### II. EXCLUSION OF THE LAITY FROM "RITES."

Dom Pedro d'Alcantara on October 22, 1839 issued exact instructions to his clergy as regards administering the Sacraments to those who did not recognise his authority :—

(1) Those who still adhere to the Goa jurisdiction are not to be admitted to marriage unless they have first renounced Goa and given their adhesion to the Vicar-Apostolic—whether in Bombay or Salsette. They must conform exclusively to our ministrations; and their names are not to be sent, for the publication of banns, to any parish churches where the priest still adheres to Goa.

(2) Those who adhere to the Goa jurisdiction are not to be admitted as god-parents in Baptism, unless they first acknowledge our jurisdiction in presence of two witnesses.

(3) Before accepting any of the same class of person to confession, they must be asked whether they submit to the authority of the Vicar-

Apostolic and detest the disobedience of the Goa priests. [End of instructions.]

*Note.*—In this document the term “schism” or schismatic is not used, nor is anything said about the invalidity of the Goa jurisdiction. Nothing but the duty of acknowledging the Vicar-Apostolic’s jurisdiction, as a condition for receiving his ministrations, is asserted.

### III. THE VICAR-APOSTOLIC THE *sole* AUTHORITY.

*Dec. 10, 1839.*—Propaganda writes to the Vicar-Apostolic:—

“We have received letters written on behalf of D. Antonio Mariano Soares to the Holy See, describing the discord which arises from the repugnance which some Portuguese clergy have to the determinations of the Holy See, which have given to the Vicar-Apostolic powers over Bombay and other regions. He describes himself as Vicar General of the Archbishop over Bombay and Salsette; and as such he asks the Holy See for not a few extraordinary faculties....

“As regards D. Soares, the Sacred Congregation is sending him a letter, in which he is told that the one authority recognised by the Holy See in Bombay and Salsette is none other than that of the Vicar-Apostolic, to which he (Soares) must of necessity submit himself.”

*Note.*—In this letter Propaganda asserts clearly to the Vicar General of the North, that the Vicar-Apostolic of Bombay is the true and sole authority in both Bombay and Salsette, but does not speak of schism or schismatics.

### III. COMMUNICATIO IN SACRIS AND “SCHISMATICS.”

*March 3, 1840.*—Propaganda replies to questions regarding jurisdiction: You have got everything already in the *Multa præclare*: (1) In places subject to your jurisdiction the metropolitan of Goa has no jurisdiction whatever.

(2) As to forbidding *communicatio in sacris* with priests who dissent [from your jurisdiction] the decree of Martin V is still in force: that communion is not to be forbidden unless with those persons or “colleges” or places (whether definite or indefinite) which are under a sentence or censure published by a judge, or are specially and expressly denounced. Consequently your Lordship will behave prudently, so that those who have not submitted may not be able to find a handle in this decree to justify their illegitimate conduct.

(3) It is also opportune to observe that the Holy See has not so far declared the above-mentioned priests “schismatics.” Down to now Rome has confined itself to the term “manifestly disobedient.”

*May 23, 1840.*—In reply to Propaganda the Vicar-Apostolic (Dom Pedro) explains: “I have never called them schismatics, nor do I regard them in that light until the Holy See declares them such. On the other hand I have never recognised their jurisdiction as legitimate or their sacraments as valid, whether in Goa or out of Goa; nor shall I recognise it until the Holy See approves of my doing so. Moreover I do not ordain their clergy or distribute the holy oils to them. If my

policy is too rigorous, I ask you to tell me so, as I am ready to obey any orders.

*Note.* This reveals at once the mind of Rome and the actual practice of Dom Pedro d'Alcantara. Under his successor, Bishop Fortini, however, the use of the term "schismatics" (which seems to have become common in the other Vicariates) began to be adopted in Bombay also. We find the express "schismatic Goans" in a letter of Bishop Fortini of 1842 to Rome; and again in pastorals, notices and petitions between that date and 1860, when a truce was arrived at through the Concordat of 1857.

#### THE PADROADO DEFENCE ASSOCIATION.

The *B. C. Layman* goes on to say that "The Italian Friars hoped, by putting the flock of the Archbishop under interdict, to promote desertion to their own standard. But they overshot their mark. The desertions were from their own ranks [This statement we have not verified] and an Association was formed for the special object of supporting the archiepiscopal and primatial rights against the encroachments of the Propagandists."

The writer then tells us that this Association was formed by a Rev. Agostinho de Rozario e Laurengo; who in 1826, *en route* for Madras to fill an ecclesiastical post there [under Mylapore] preferred to remain in Bombay against the will of the Archbishop, who thereupon suspended him for disobedience. Dom Pedro however, the Vicar-Apostolic, interceded for him and got the suspension removed; kept him in Bombay, and made him Rector of the Seminary—a post which he occupied till 1839.

In that year he changed his policy and began to take sides against the Vicar-Apostolic. There is a confused story of some discontented students who sent a petition to Rome, (drafted for them by Fr. Agostinho, the Rector), which showed an insubordinate spirit and contained disrespectful criticisms of the conduct of certain Italian missionaries. After that they ran away, and some of them went to Goa with Father Agostinho, where they were kept gratis by the Government. Next year they came back to Bombay and talked against the European missionaries, while Fr. Agostinho "goes about dressed as a layman and wearing the decoration of the Order of Christ for his defence of Padroado," and so on. Propaganda (Mar. 28, 1840) wishing to "lock the stable door after the horse is stolen," advises the Vicar-Apostolic to reorganise the seminary and to choose a more suitable rector, and then try to win the students back. But apparently this last step seemed undesirable; and therefore Bishop Fortini instructed them to put off their soutanes, and forbade them to accept orders from another jurisdiction. [In spite of this one of them, a Subdeacon under suspension, was elevated to the Diaconate by Archbishop Torres in 1841.]

Under the auspices of the Padroado Defence Association, founded by Fr. Agostinho when he left the service of the Vicar-Apostolic in 1839,

a memorial was addressed to the British Government, signed by 5,726 people of Bombay and Salsette, "praying for the restoration of the spiritual jurisdiction of the Archbishop of Goa." It was forwarded by Government to the court of directors in April 1842, but no answer is recorded.

Another version of the story is that the petition was taken direct to London by a lay agent of the Association. For we have a letter written by Bishop Fortini to Propaganda on April 1st, 1842, in which he warns Rome that "One Ignatio de Silva, a subject of the "*Schismatici Goani*" is setting out for London bearing with him a petition with 10,000 signatures [an exaggeration in the figure] to be presented to the Court of Directors, to obtain the exclusion of European missionaries, with the sole object of avoiding subjection to the true jurisdiction of the Vicar-Apostolic in accordance with the orders of the Pope."

[On receipt of this letter Propaganda wrote to the Archbishop of Dublin asking him to co-operate, according to the intention of the Vicar-Apostolic, to render ineffectual this endeavour of the Goans.]

The *Bombay Catholic Layman* proceeds to tell us that although this Association caused great pain to Dom Pedro d'Alcantara (and hastened his death) the blame of the Salsette campaign was not by the popular mind attributed to Dom Pedro, who certainly had no desire to cause pain, or to aggrandise his order. "For these sins they hold Bishops Prendergast\* and Dom Fortini and Fre Miguel (a Carmelite) responsible, as well as Dr. O'Connor the Vicar-Apostolic of Madras." One of the first acts of Dr. Fortini (who from being coadjutor succeeded to the Vicariate on the death of Dom Pedro on October 9th, 1840) was "the republication of the interdict against the adherents of the Archbishop of Goa, accompanied by a threat that its provisions would be enforced rigorously" . . . "Hence arose the scandalous doctrines of remarriages and rebaptisms" (p. 193).

*Note.*—It is difficult to see how "rebaptisms" could come in, as *anyone* can baptise; and the only thing legislated for was the exclusion of Padroado *Patrini*. But of course re-marriages were logically inevitable on the part of the Propaganda clergy, where they had been contracted before priests who, according to the unmistakable decision of Rome, possessed no longer any valid jurisdiction; since the Vicar-Apostolic was the sole authority to whom they were bound to submit (Propaganda to Soares, Dec. 10, 1839), and the metropolitan of Goa had no authority in the places subject to the Vicar-Apostolic's jurisdiction (Propaganda to Alcantara, March 3, 1840).

\* Bishop Miles Prendergast (Irish Carmelite) was Vicar-Apostolic of Verapoly from 1819 to 1831. On account of behaviour of which we have no details, he had to retire to Bombay in about 1828; and Dom Stabellini, the Coadjutor of Bombay, was sent there as a temporary substitute. In Bombay Miles Prendergast was utilised as military chaplain at Colaba or the Fort. He seems not to have been over-edifying there, and Rome recalled him to Europe in 1838. Ultimately he retired to a Benedictine Monastery at Rio Janeiro in Brazil, where he died in 1844 (*Madr. Dir.* 1878 p. 85). This being the case, it is difficult to see what connection he could have with the local jurisdiction-affair.



## CHAPTER III.

## THE VARA OF THANA AND GOVERNMENT.

JUST at this time an incident occurred which, though not connected with the quarrel about Salsette, throws a sidelight on the attitude of Government towards the jurisdiction of Goa.

A quarrel having arisen between the Vicar of Chaul (down the Konkan coast) and his parishioners, the Vara of Thana had withdrawn the priest, and written to the Collector of Thana to inform him of the withdrawal, and of arrangements which were being made with Goa for appointment of a successor—all without previously submitting the matter to Government. Thereupon Mr. Pringle, Acting Collector of Thana, addressed the following reply to the Vicar Vara of Thana (June 12, 1839) :—

Sir,—Whilst acknowledging the receipt of your letter of the 10th instant, informing me of the unauthorized removal of the Vicar of Chaul on account of the disagreement which took place with his parishioners; and that Your Reverence “has written to Goa with regard to the successor,” I have the honour to inform you, that the spiritual jurisdiction in the island of Salsette having been conferred on the Bishop of Antifale by His Holiness the Pope, and it being conditionally recognized by the Bombay Government, as it has been intimated in a letter of the Secretary, Mr. Boyd dated 30th ultimo, [addressed to the Vicar-Apostolic; see above] your application in consequence should be made on the present occasion to that authority.”

To this letter the Vara of Thana sent the following reply :

\* “To the Collector and Magistrate of Thana : —

I have the honour to acknowledge the receipt of your letter dated the 12th ultimo No. 789, assuring me, that as the spiritual jurisdiction in the Island of Salsette has been conferred by His Holiness on the Bishop of Antifale, and recognized conditionally by the Bombay Government, as you are intimated by the letter of the Secretary Mr. Boyd dated the 30th ultimo (May) and consequently my application respecting the successor of the Vicar of Chaul should be made on the present occasion to that authority: in reply thereto I have the honour to inform you that the jurisdiction conferred on the Bishop of Antifale extends only to Salsette; and as Chaul is situated in the Raopury Taluka the application cannot be made to that gentleman in this case.

I cannot let this opportunity pass without bringing to your knowledge that a few weeks before receiving your letter to which I now reply, I and the other Reverend Vicars of the Island of Salsette received a communication from the Bishop of Antifale, accompanying the copy of a letter, declared to be a Decree of the Secretary of the Sacred Congregation of its own Carmelite Order in Rome (*Sic*) in which it is mentioned that the said Congregation, having judged it necessary for grave reasons to revise the ecclesiastical regime of the Island of Salsette, [had] decreed

that the spiritual jurisdiction of that Island should be transferred "provisionally" to the aforesaid Vicar-Apostolic. This resolution (the same letter says), having been shown to His Holiness Pope Gregory XVI, His Holiness authorized the said Decree on the 27th January, 1839--at the same time asking for our obedience to the same, promising to keep us in our benefices as at present. With reference to it, [as] the Bishop of Antifale erred in sending it to us directly, we objected, and in that sense we replied showing the reasons why it (*the decree*) was not attended to.

We object to giving obedience to the requisition of the Bishop, for the following reasons amongst others:—First, because of the informal manner in which the document (we dispute whether it is genuine or not) has been sent by the Secretary of the Order of Carmelites instead of its coming from His Holiness, or from his legitimate secretary. Second, because that document was not sent to the Diocesan of Goa, who is the legitimate Governor of the Roman Church in the East. Third, because no intimation of such a communication, or such a Decree, has come to us formally and officially from our legitimate Superior—to whom we have promised our obedience by an oath, of which we have neither been nor wish to be absolved. Fourth, because the conferment of such an authority on the Vicar-Apostolic is contrary to the constitution and law of the Church, and at variance with the primitive agreement between the monarchs of Portugal and England, as well as with the Decree of Patronage\* conferred by the past Popes on the crown of Portugal in consideration of the zeal of the Portuguese crown in the erection and dotation of churches and the propagation of the faith at its own expense; on condition that this privilege would not be taken away without the consent of the same kings. Lastly because of the notorious fact that such an arrangement is disagreeable and repugnant to the people of Salsette.

His Lordship the Bishop of Antifale and his predecessors have on many occasions tried to take possession of churches belonging to the Archbishop of Goa in these parts; and on some occasions they have not abstained from usurping his churches contrary of the oath \*\*which they took, as also against Canon Law, and the discipline of the Roman Church, and by the infraction of the treaty concluded on the 17th February (1665?) at the handing over of Bombay to his Britannic Majesty, in which among other things it was stipulated that His Britannic Majesty would not interfere in matters of faith, but would allow the ecclesiastical ministers to exercise their jurisdiction without any impediment.

In addition they usurped the churches of Bombay against the letter of 1786 written by the Envoy Extraordinary of England residing at the Court of Portugal to the Secretary of State; in which he shews that Bombay and its adjacent (*islands*) belonging in spiritual matters to the Diocesan Archbishop of Goa, and are subject to the jurisdiction of their proper and legitimate Prelate; in consequence of which the Hon. Court of Directors ordered (in its letter dated the 21st July, 1786) His

Excellency the Governor of Bombay to remove the Carmelite Priests, and to restore the Roman Catholic churches to the Archbishop of Goa; and in effect, according to the letter of the 21th December, 1789 of the Government of Bombay, it is seen that possession was given. Subsequently, however, by unlawful means and petitions they again dispossessed the Archbishop of Goa of his long and uninterrupted possession of nearly three hundred years.

I should not, I believe, omit to declare that a few months before the receipt of the alleged Decree, the Bishop of Antifale announced, through his priests in his churches of Bombay, that we had no jurisdiction; that our doctrine was false and erroneous and our divine ceremonies illegal; and forbade his flock to frequent our churches. The object of this denunciation, combined with the desire and the diligence of the Carmelites to secure the possession of Salsette, can here be easily recognised.

Considering that a letter has been sent to His Holiness by us, all the priests of Salsette, on this matter, and pending its reply, we hope that we shall not be interrupted in the peace and tranquility which subsists among us. This short notice of what has happened I have ventured to bring to your knowledge, merely to acquaint you with the circumstances. I hope you will excuse me for having trespassed on your time.

I have the honour to be, etc.,

July 1839.

REV. FRANCIS GONSALVES.

#### DAMAUN ARCHIVE COMMENTS.

Father D'Sa here furnishes some footnotes of the Damaun Archives annotating the foregoing document:—

\*The asterisks in this letter have footnotes made by the writer of the above letter in the Book of Archives. Under the first asterisk is the following: "If the circumstances of Salsette appeared to the Sacred Congregation and His Holiness to be such as rendered its transfer to the Vicar-Apostolic necessary, it is a puzzle why Bassein and Chaul were altogether exempted, since they are united to the same regime which predominates in Salsette. It is not inconsistent, however, that the first-mentioned should have 'grave reasons' for its transfer and not the latter.

\*\*The second asterisk has the following note: "This confers on the Kings of Portugal the irrevocable right of nominating Archbishops and Bishops in their territory, but none of the persons nominated by them can exercise spiritual jurisdiction over him. Perhaps they will argue that since Bombay and Salsette are not now subject to them, this "Decree" ceases with regard to them. To rebut this objection I am going to extract the following rules from p. 22 of the booklet published by the defunct Archbishop-elect of Goa, which establish the Right of Patronage of the Kings of Portugal on the lost territories subsequently acquired by the British Government:—

It is well certain and known that by the treaty of peace and the

marriage contract of the Infanta D. Catharina, Queen of Great Britain sister of D. Alphonso VI of Portugal with King Charles II in 1661 it was agreed between the two Crowns of Portugal and Great Britain by Article II that there would be no alteration in religious matters; and [that] not only in the islands ceded by that Treaty and marriage contract, but in all the others which Great Britain in future might have of the old Portuguese possessions, the Catholic religion would remain without any change or alteration.

The two asterisks together have the following note :—"Signed on the 15th May, 1789 by Fr. Charles John of St. Peter, Fr. Raymond of S. Joseph and Fr. Peter de Alcantara (the present Bishop of Antifale) Carmelite missionaries, on the occasion when the Hon. Court of Directors of London, and the Governor-in-Council in Bombay, recognized, and ordered to be recognized, the Right of Patronage of the Kings of Portugal, and the jurisdiction of the Archbishop of Goa, Primate of the East. The terms of recognition were that they of their sincere and free will would recognize the spiritual jurisdiction of the Archbishop of Goa over the Island of Bombay and its dependencies, and promised faithfully to reside in the said Island, and to submit to the authority of the said Archbishop and to obey him, and his successors and his deputies in all matters touching and concerning ecclesiastical rights and the duties of parish priests." (Diocesan Archives).

#### THE VARA TO GOVERNMENT.

It seems that the Vara of Thana also wrote direct to the Government of Bombay (June 20, 1839) protesting against the jurisdiction assumed by the Vicar-Apostolic. For the Damaun archives contain a reply from Government without date, which Father D'Sa produces as follows :—

No. 3238 of 1839 -General Office.

Sirs,—The Hon. Governor-in-Council directs me to acknowledge the receipt of your letters of the 20th June last and of the 9th ultimo and of various others enclosed, referring to the spiritual jurisdiction which is exercised in Bombay by the Bishop of Antifale; and in reply to inform you that Government do not see any reason to disturb the orders of 1793 so far as Bombay is concerned.

I am also directed to signify to you that with regard to other parts of the territories of the Honourable Company, Government are not acquainted with the supreme authority claimed by the Archbishop of Goa.

The Governor-in-Council at the same time directs me to inform you that the British Government has always maintained that its Roman Catholic subjects have the complete right of liberty of religion, as far as spiritual jurisdiction is concerned; and that it has no objection to appoint, when recommended by the voice of the people, any Roman Catholic priests ordained by the Bishop of Antifale (Vicar-Apostolic of Bombay) on the ground that the said Bishop [of Goa ?] has no jurisdiction.

I have the honour to be etc.,

Boyd, Secretary.

## CORRESPONDENCE WITH GOA.

To complete this subject Fr. D'Sa publishes a series of letters which passed between Thana and Goa from July 1839 to March 1840. Thus he writes :—

(1) The same Vara Francis Gonsalves wrote to the Chapter of Goa on the 21st July 1839, giving "an account of the occurrences in connection with the aforesaid decree: In the first place about the receipt of the said Decree accompanied with a letter of the Vicar-Apostolic, and the reply made thereto; then of the communication of the Collector of Thana and the reply sent to him. Then he writes: "I with all the Vicars of Salsette and other priests residing in Bombay have sent a petition to His Holiness by post, with documents to prove that the Decree was obreptitiously and surreptitiously obtained; praying that in view of them the Decree might be revoked."

"It is true that the people, possessed of the true principles of religion, and convinced of the pure sentiments of their conscience, have animated themselves to form a commission of qualified persons, and through them have drafted their application to Government, full of energy, and the most convincing that was possible by means of its solid principles strong expressions and authentic documents; praying that the Right of Patronage be maintained in conformity with Pontifical Bulls and conventions made between the Governments (*potencius*) of Portugal and Great Britain...."

(2) The Chapter of Goa in its letter of the 8th Aug., 1839 praised the zeal of the Vara in defending the jurisdiction of the lawful Pastor, and hoped that he would continue to oppose with the same firmness the attempts of the gentlemen of the Propaganda, using all the means in his power, etc. At this time the Rev. A. M. Soares was appointed Vicar-General of the North, he being at the same time Vicar of the Gloria Church, Mazagon. The important affairs of the Vicariate-General were from that time managed from Mazagon. There was a Vara in Bombay as in Salsette, and the Vicar of Mazagon held that office from 1839 to 1867.

(3) The Vicar-Apostolic, however, continued to communicate directly with the Vara of Thana, as may be seen from the following letters of the latter to the Vicar Capitular of Goa: "Thana 30th September 1839. I am now going to inform Your Reverence that the Propagandists were quiet during the rains, but now they have commenced to disturb us again. On the 25th of last September Bishop Frey Peter addressed a letter to me, enclosing in it the copy of a letter of the Congregation de Propaganda Fide, which he says was received on the 7th September. Both of these were for me and the other Vicars, as well as all the Christians of Salsette, to obey the commands of His Holiness and to recognize the Vicar-Apostolic as our Prelate; with the threat that if we should disobey, we shall be declared Schismatics and punished with the chastisement decreed by Canon Law and Apostolic

Constitutions. Not [wishing] to reply at such [a] moment I did not accept the said letter; so I returned it with the remark "It is answered." And on that account I had no time to make a copy, which I would [otherwise] have sent to your Reverence with this letter. . . ."

(4) Again on the 10th March, 1810 the Vara wrote to the Vicar Capitular: "Bishop Fr. Luis sends me a copy of a letter which he says he has received from the Congregation, in which he exhorts me to obey the order of the Supreme Pontiff; nevertheless it is known to be from the Congregation. This same copy he has spread among some other parish priests of this Island of Salsette. . . ."

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## CHAPTER IV.

### STANDPOINT OF THE PADROADO CLERGY.

PRESCINDING once more from the ultimate question whether the Holy See was right in issuing the *Multa praeclara* and other decrees, or the Padroado clergy were right in resisting them, we cannot go further without making a dijudication on the behaviour both of the Vicar-Apostolic of Bombay on the one side and the Padroado clergy of Bombay and Salsette on the other.

In our previous comments on the local struggle which went on in the other Vicariates, we drew a picture of two parties, each with its own standpoint and set of principles, from which their respective policy and action was a strictly logical issue. In this respect the case was just the same in Bombay. Each party was undoubtedly earnest in its convictions. The Vicars-Apostolic were convinced of the soundness and validity of the pontifical briefs and decrees; that the Padroado clergy were deprived of jurisdiction in the Vicariate areas and administering invalid sacraments, and were objectively guilty of disobedience, sacrilege and schism. They felt it their clear duty to publish the pastorals and admonitions they did. Nor can one say that they were harsh or intemperate in their utterances, when once you realise the gravity of the evil which they believed themselves called upon to deal with. Of course the Goa clergy did not like to be thus denounced either as disobedient to the Holy See or as devoid of jurisdiction; and what exasperated them most of all was to find themselves called schismatics. Still, from their own conscientious point of view the Vicars-Apostolic were only "calling a spade a spade," and bringing home in the most forcible way possible the bad state in which they believed the Goa clergy were placed by their resistance.

But things begin to take another appearance as soon as you identify yourself with the Padroado clergy themselves, assume for the time their standpoint and principles, and realise what must have been going on in their minds.

## LOCAL CONDITIONS.

It will be useful to notice one difference between the situation in Bombay, and that which prevailed in the other Vicariates—at least in the southern ones. There it was a two-sided struggle, in which churches and congregations were actually passing over from one jurisdiction to another; and in the mission areas many of the churches were vacant, and the tussle arose as to which party should secure possession of them.

In Bombay and Salsette the conditions were quite otherwise. The Bombay churches were divided between the two jurisdictions, each in stable and pacific possession. In Salsette there was not even a divided distribution. The whole island had been in unbroken possession of the Goa clergy from the very first; and except for a casual visit once or twice to Bandra, neither the Vicars-Apostolic nor any of their priests had ever set foot there. Every church had its parish priest and its congregation permanently established; and as far as I can see, there was not the slightest jurisdictional unrest among them. True, the idea had got abroad that religion was at a rather low ebb there; the Christians ill-instructed, given to pagan superstition, and with a low standard generally. But even supposing this to be the case, the clergy of Salsette were not conscious of any alleged lack of efficiency, nor were the people pining for spiritual bread and crying out for some one to break it to them. To the Salsette clergy it must have seemed unthinkable that the Holy See should take so drastic a step as suddenly to separate them from their ordinary prelate, and place them under the jurisdiction of a stranger, unless misleading information and undue influence had been brought to bear on him. They knew too, that the plea alleged, *viz.*, that Government wished to expel the Goa clergy and introduce the Carmelites instead, was not practically true. It is a fact that Government had resented all interference in that island on the part of the Archbishop of Goa. But subsequent events show that the Government had no practical wish to interfere with the Salsette clergy actually in possession; and on each occasion when the Vicar-Apostolic tried to introduce priests there, Government actually opposed him and told him bluntly that he had no right to intrude [this will appear later on in case of Versovah and Maney]. They never got beyond allowing the Vicars-Apostolic to send a priest where a body of Christians unanimously desired it; and there was to be no ousting of the priest already in possession.

Given therefore a complete organisation of parochial clergy in stable possession of their churches, with congregations peacefully and contentedly subject to them, let us analyse the position in which these clergy found themselves when the Salsette decree and the pastoral of the Vicar-Apostolic was transmitted to them.

## NORMAL REGIME OF THE CHURCH.

Take first the normal regime of the Church. The local vicars and curates scattered about in the various districts are not supposed to

have absolute or arbitrary control over their churches and congregations. They are one and all subject directly to their Ordinary (Archbishop, Bishop or Vicar-Capitular) whom they are bound to obey, and without whose instructions they cannot take any steps of their own. They have nothing to do with any other prelate, and cannot receive orders or instructions from him; nor are they supposed to be in any direct communication with the Holy See. If the Pope issues certain orders or instructions, it is the business of the Ordinary to receive them, examine them, and consider whether they are applicable to his own diocese or not. If any difficulty arises, it is the business of the Ordinary to keep the mandate in reserve and suspend its application, pending representations to the Holy See. Even if the Holy See refuses any dispensation or abrogation, and urges execution, it is the business of the Ordinary, and not of the subordinate clergy, to act—these latter waiting until proper instructions are received from their bishop. Such is the normal regime of the Church.

#### WHAT HAPPENED IN 1838.

Now in case of the jurisdiction-conflict what happened? The first news which reached the local Padroado clergy about the *Multa praeclare* and other documents was from a Vicar-Apostolic with whom they had properly nothing to do. He proceeds to publish the decree in all his churches with a pastoral, which he forwards to them, demanding their submission, under pain of being counted as disobedient to the Holy See. What would be their natural answer except this:—"We are clergy of the Archdiocese of Goa, with the Archbishop of Goa as our ecclesiastical superior. It is under obedience to him and in trust from him that we hold charge of these churches and congregations, and to him and not to you are we answerable for the charge. If your decree is genuine, it is to our own prelate and not to you that we look for its promulgation and execution. If he is silent—or still more, if he instructs us to remain in *statu quo* and to take no notice of your pronouncements—surely our duty is to maintain the position which our Ordinary has given us; and no blame—still less the charge of rebellion against the Holy See—can be attached to us. If our Ordinary is wrong, that is a matter with which the Pope himself must deal. He must fight the matter out with him, come to an agreement with him one way or the other, or depose and excommunicate him and put another prelate in his place. But until that is done, how do we know which way the matter lies? If your decree is genuine, how do we know whether our prelate is not suspending its execution till he has made his representations to the Holy See and received an answer? [As a matter of fact, this is precisely what he had done.] In any case, this is not a matter with which we are competent to deal. The question must be settled in higher quarters; and until it is settled in such a way as to make our duty of submission absolutely clear, we beg to be excused for holding on to the established state of things and ignoring your claims."



These considerations stand altogether apart from the objective question of the principles involved, the rights and wrongs of the case looked at in itself. Leaving these aside, and confining the attention to local circumstances, and what may be called the subjective aspect of the situation, the thoughts just outlined will enable the votaries of both sides to take a more favourable view of their opponents *personally* than seemed possible in the excitement of the event; and the struggle, though none the less distressing, becomes more intelligible, and therefore less discrediting on that account.

#### THE QUESTION OF CONSCIENCE.

Of course it may be asked whether the local clergy, confronted with such definite and clear orders of the Pope—of the authenticity of which at least after a certain time they could hardly have a doubt—ought not gradually to have realised the unsoundness of their position? There is no doubt about the fact that the Holy See, after all protests and representations on the Padroado side had reached Rome, did persistently urge and insist upon the execution of the decrees. Was not this sufficient to bring to their mind the realisation that “Rome had spoken and the cause was ended,” and that it became their conscientious duty as individual men, if not to make a formal act of submission to the Vicars-Apostolic in spite of instructions from Goa, at least to resign their posts so as to escape from the guilt of resisting the ordinance of God as represented by the Holy See?

This question is one which will come up again for discussion at a later date (*e.g.*, after the Probe Nostis of 1853) when the issues will become far more definite. But at this early stage of proceedings it must be acknowledged that the situation was by no means clear, at least from the Padroado point of view.

It must be admitted that the Padroado clergy were beset with obscurities and perplexities from which the Propaganda Vicars-Apostolic and missionaries were altogether free. The Propaganda case was both simple and clear, —to the Propagandists themselves—for they were in direct correspondence with the Holy See itself. On the contrary, the Padroado clergy were involved in a complex ecclesiastical system and a still more complex State system of control. They had no direct communication with the Pope, and were in the habit of looking to their secular Government as the sole medium of communion between ecclesiastical head and members. The clergy were in complete dependence on their Ordinaries, and these Ordinaries in turn were “tied hand and foot to the State.” They had a Government representative on the spot in the Viceroy or Governor of Goa; they looked to the Government at Lisbon for instruction and guidance in every act. Without Government sanction they could not move a finger. No doubt they trusted their Government implicitly and were not desirous of having any will of their own. Nay, had they shown the slightest sign of independence either in judgment or action, they would at once have become liable to reprimand

or punishment. Even if the will of the Holy See had come to their knowledge in the clearest and most emphatic light, so that in conscience they felt themselves bound to obey, it would have been useless. They simply had no power to obey, and their efforts would have been thwarted at once and rendered futile by State intervention. The result would have merely been to bring punishment, privation and disgrace on themselves, without effecting the least good in the direction dictated to them by conscience.

It is of course no part of my intention to insinuate that the Padroado clergy had any qualms of conscience on the subject—which is a matter knowable to God alone. I am only picturing the situation which would arise in case any of them had.

#### REASONS OF OBSCURITY.

One reason why the will of the Pope could not impose itself upon their consciousness in the same clear way in which it imposed itself on the consciousness of the Vicars-Apostolic, was the fact, (already noted) that nothing came to them direct from the Holy See. Even the most important briefs issued by the Pope himself only reached them by hearsay, so to speak. The *Multa praeclare* reached them solely through printed copies published by the Vicars-Apostolic; the autograph originals they never saw at all. The same with the briefs constituting the Vicars-Apostolic, the decrees by which Salsette or Canara were confided to the Vicars-Apostolic, the *Monitoria* with their reprehensions and admonitions and threats—and even the *Probe Nostis*, of which no man in India except the Vicars-Apostolic and their secretaries ever saw the original. Not a word about these documents came from the Holy See to the Ordinaries or the clergy; not a word from the Court of Portugal except a note of protest and condemnation, and instructions to take no notice of them. The Padroado Ordinaries and clergy, in short, depended entirely on the Vicars-Apostolic as a means of knowing what the Pope wanted; and they certainly had not sufficient confidence in the Vicars-Apostolic to take their publications implicitly, still less to act on them.

But what is more, the Vicars-Apostolic were constantly receiving letters from Propaganda, guiding them, directing them, informing them on all points. They did not depend on occasional briefs or decrees, but were furnished with a series of commentaries on them, and had the satisfaction of being in constant and immediate touch with the Supreme Ruler of the Church, and with his mind and will on all points and all occasions. It was almost as if the Pope himself were on the spot, watching and directing them with his look and voice.

The Padroado clergy never saw this correspondence, and never even heard of it. It saw all locked up in the archives of the Vicariates; and no one ever ransacked those archives and brought out their contents to the light of day. Even this present pioneer attempt of ours is nothing but a sampling. One interesting result emerges from the search; and that is the edifying character of the archives. They might be published

*in extenso*, and the publication would redound to the credit of the Holy See, of Propaganda, of the Vicars-Apostolic and their missionaries; and dispel a world of misrepresentation with which they have for generations been surrounded. Nowhere in all the correspondence of the Vicars-Apostolic or of Propaganda is there the least sign or trace of that spirit of intrigue or conspiracy against Padroado which became one of the classical charges of the Padroado apologetic. It is the work of thoroughly honest men at both ends; men of direct and simple aims and motives. And even where indictments against Padroado are made, they represent honest convictions; sometimes strongly expressed, of course, but with absolutely nothing of that malice and bitterness which is usually the source of calumny, or the product of rivalry, jealousy or over-bearing ambition. Had everything which was known to, and knowable about the Vicars-Apostolic been known to the opposite party at the time, Heaven knows how much distrust and hostility and contention would have been avoided. The lion might have lain down with the lamb; swords might have been turned into ploughshares and spears into pruning hooks, and there might have been a reign of peace instead of the clangour of war.

#### THE PROMULGATION OF THE BRIEFS.

With regard to the promulgation of the Papal briefs and Propaganda decrees: The Padroado Ordinaries always stated that the documents first came to their knowledge through their publication by the Vicars-Apostolic, and that this was the only knowledge they had of them. At other times they declared that the documents had not reached them through the customary or proper channels—which of course meant the Minister of Marine, with the *regium placet* attached. The question arises, did the Holy See content itself with sending these briefs and decrees merely to the Vicars-Apostolic; or were they at the same time transmitted to the King or Court of Portugal, or to the Padroado Ordinaries direct?

As regards the documents from 1832 and onwards down to 1841, there seems good reason to believe that they were not sent out by Rome to any one else except the Vicars-Apostolic, viz., the fact that diplomatic relations were broken off, and there was complete insulation between the Government of Portugal and the Vatican. On the other hand, I believe, even during these times of alienation there were certain informal ways of intercommunication; the only question being whether these were availed of on either side. For total lack of data we have to leave the question without an answer. One thing is certain. Even if the Holy See did communicate its acts to Portugal, the Government either ignored them altogether, or at most, passed on private information to the Ordinaries of India by way of warning. Not possessing the royal placet, they counted to the Padroado authorities at both ends as so much waste paper. The prelates and clergy, being Portuguese subjects, were so committed to the obedience of the State that the lack of royal sanction was quite enough for them. While acknowledging in principle that the Pope had

power to command and it was their duty to obey, they were imbued with the conviction that unless the Pope's commands touching the "rights of the Patronage" received the approval and enforcement of the Crown, they were as if they had never been uttered.

## CHAPTER V.

### LOCAL CONTENTIONS (1840 -1843).

THE Government was all this time looking on, as a by no means uninterested spectator. The unrest among the population, divided in their sympathies between the two jurisdictions, had led to a considerable amount of trouble already, and was likely to lead to more. Government, having burnt its fingers already in several instances, began to take up the policy of interfering as little as possible in ecclesiastical quarrels; and at the same time sought to devise some way of settling those contentions which they could not altogether leave to settle themselves—such as disputes about church property.

But this passivity was by no means pleasing to any party in the struggle, and the authorities were being goaded from all sides to display a more active interest. In Bombay the Padroado party, through its Defence Committee, was sending in petitions for interferences in favour of Goa. In London Propaganda itself was trying to induce the Court of Directors to "co-operate in the suppression of the disorder" (Prop. to V. A. March 23, 1840). Hence in 1841 Government took the usual course of issuing a circular of enquiry. They instructed the police to draw up a number of queries, the answers to which were to be "laid before the British House of Lords." The following is a list forwarded to the Vicar-Apostolic in 1841, with his answers attached (some of which seem to be rather inaccurate) :—

(1) What is the supposed number of Roman Catholics in Bombay ?

*Answer*.—Including natives and strangers, nearly fifteen thousand (within Colaba, Mahim and Siam or Sion). [*i.e.*, the whole island].

(2) What is the number of their churches ?

*Answer*.—Altogether six churches and six chapels.

(3) At what expense and at what time were such churches built ?

*Answer*.—Some at the expense of the people with the aid of Government; some by private individuals; and others restored under the British Government.

(4) By what priests are they now served, and under what ecclesiastical jurisdiction are such priests, or are supposed to be ?

*Answer*.—Four churches and five chapels by priests under the Vicar-Apostolic, and two churches and one chapel by priests under the jurisdiction of Goa.

*Note.*—The four Propaganda churches are Esperança, Salvação, Mahim and Colaba. The five Propaganda chapels are Fort Chapel, Girgaum, Rosary, St. Anne's and Sion. The two churches of the Padroado were Gloria and Cavel; and the De Lima Chapel at Byculla.

(5) What number of such priests are or are supposed to be Jesuits?

*Answer.*—None Jesuits. Some Italian Carmelites; mostly Portuguese natives of Bombay under the Vicar-Apostolic, and eight only belonging to the Goa jurisdiction.

(6) How many of such priests are of British origin?

*Answer.*—None, except one of the Madras establishment on his way home, retained *pro tempore*.

(7) To what nation do such as are not of British origin belong, and do such priests speak the language of the people?

*Answer.*—All are Portuguese natives of Bombay or Goa. The former under the Vicar-Apostolic speak perfectly the language of the people.

(8) What proportion of the Roman Catholic population of the district adhere to the Vicar-Apostolic, and what proportion to the Portuguese priests?

*Answer.*—The principal part of the Bombay Christian Native population adhere to the Vicar-Apostolic, and a few families only to the Archbishop of Goa.

(9) Have the priests acting under the Vicar-Apostolic claimed and obtained possession, by law or otherwise, of any churches or other property previously in possession of the Portuguese priests?

*Answer.*—By order of the Court of Directors in the year 1720, the Vicar-Apostolic took possession of all the churches with their properties by the hands of Portuguese Native priests, who were under his jurisdiction up to the year 1788; but by disturbances promoted by some individuals leading the people in favour of the Archbishop of Goa, the Vicar-Apostolic lost all jurisdiction for a short time, which was in part restored to him by order of the said Court, as it is presently. Lastly in the year 1838, in consequence of the brief of His Holiness Pope Gregory XVI, the two churches and chapel under the jurisdiction of Goa were enjoined to submit to the Vicar-Apostolic, as well as the churches under the British Government unexceptionally; but none has as yet obeyed the brief.

(10) In how many cases questions of property arising between the Portuguese priests on one hand, and the priests under the Vicar-Apostolic on the other, have been submitted to legal decision; and in each case what has the decision been?

*Answer.*—Very few questions of this nature worth noticing have occurred; and in almost all, the legal decision has been a reference to the Vicar-Apostolic for solution.

(11) Whether in any case the disputes as to the possession of churches or other property between the two classes of priests have led to a breach of the peace?

*Answer.*—None, except [that] the unsubordination to the brief stated above in the 9th answer has somewhat tended to alter the peace of the Christian population.

#### PAROCHIAL CONTENTIONS.

The following two cases are instructive as showing the way in which the two jurisdictions from time to time came into conflict:—

Some time before 1810, a young man named “Antonio Manuel Pereira, Portuguese inhabitant of Bandra,” had joined the Seminary of the Vicar-Apostolic in the Fort. But shortly after receiving minor orders he was taken ill and placed under the care of his uncle, the parish-priest at St. Michael’s, Mahim, and then some time later removed to his own home at Bandra, where he died. The parents at once made arrangements for his burial at Mahim, and the funeral party started from Bandra headed by the Vicar of Mahim. The Padroado Vicar of Bandra, however, laid a complaint before the police, with the result that the funeral procession was stopped by two peons on the public road; and a long delay was caused, while the parties were summoned to the police court. The magistrate, in passing judgment on the case, decided that the parents had a perfect right to convey their son’s body to Mahim for burial, as had been done; but he censured the Vicar of Mahim “for entering the jurisdiction allotted by Government to another priest;” adding that “Government should strongly remonstrate with the Vicar-Apostolic on the highly objectionable course of proceedings carried on under his sanction; for it is evident that, unless timely checked, such an interference must, in the excited state of feeling existing between the two parties of the R. C. Church of Salsette, lead eventually to a serious breach of the peace” (Govt. papers I, Nos. 151 to 159, Sept. 1810 to Sept. 1811).

The second case is as follows:—

In 1811 two children, belonging to inhabitants of Bandra and Kurla respectively, were brought to the Vicar of Mahim (Father Lorenzo Pereira) for baptism. The Salsette clergy made a complaint to Government, which was forwarded to the Vicar-Apostolic for a reply. On inquiry into the matter the Vicar-Apostolic acknowledged the fact of the baptisms; but argued that the children had both been brought voluntarily by the parents for baptism, and that—especially in view of his authorisation from the Pope—he could not refuse to administer the necessary sacraments to those who freely applied to him for them.

#### BANDRA, MANEY AND VERSOVAN.

The decision of February 4th, 1839, regarding Salsette, strengthened by “a letter sent from the Holy See directing that the churches formerly under the jurisdiction of the Archbishop of Goa should be now under the jurisdiction of the Vicar-Apostolic *pro interim*” (Fortini A. 101), while finding no acceptance on the part of the Padroado clergy, seems to have made a considerable impression on certain sections of the people. Hence it came about that during the year 1840 some of the parishioners

of Bandra, Maney (in Trombay) and Versovah got up a petition to the Vicar-Apostolic, and another to the Collector of Thana, asking to be received under the Propaganda jurisdiction. Hence arose two lines of correspondence (Miscellaneous A Nos. 101 to 105, and 116). When the Vicar-Apostolic forwarded a copy of the petition to the Collector on December 21st, asking for instructions what to do, the Collector replied saying that "at present there are vicars in each of the villages of unexceptionable character, and that Bandra has two vicars who have resided there eleven years. On inquiry it has been discovered that the petitions were signed only by the lowest of the community, who had been induced to do so through presents of liquor; that neither the majority of the parishioners nor any of the higher classes had expressed any wish for a change of pastors,—and hence no action was called for; and finally, that according to the current rumour, the agitation was said to have been got up by the Vicar-Apostolic's own agents" (Jan. 25th, 1841). To this the Vicar-Apostolic replied repudiating all knowledge of the quality or character of the persons who had signed the petition, as also all improper action in the matter on his own part, and inviting an investigation into the case with a view of clearing his reputation (Feb. 6th, 1841). The correspondence between the people and the Collector was as follows:—First, the people, after alluding to their petition sent to the Vicar-Apostolic with 190 signatures, enclose another to the Collector signed by 515, asking to be exempted from the jurisdiction of Goa and to be received under that of the Vicar-Apostolic in accordance with the recent decision of the Pope (Dec. 22nd, 1810). On January 7th, 1841, they forward another list of supplementary signatures. Only a formal acknowledgment being accorded to them, they waited till January 31st, 1841, when they addressed another letter to the Collector begging for a full answer. This drew from the Collector a reply saying that as the villages were already supplied with vicars against whom no complaints had been raised, no interference on the part of the Vicar-Apostolic would be tolerated. He also reproached them with having got up the petition in an improper manner, thus rendering themselves liable to criminal proceedings for conspiracy (Feb. 3rd, 1841). To this they reply on March 12th saying that their intention of submitting to the Vicar-Apostolic had been openly declared to their vicar, who said that he would not prevent them from doing so, but that he (the vicar) could not hand over the church. They strongly repudiate the charge of having been enticed to change their jurisdiction by the Vicar-Apostolic, adding that the movement was due solely to the dictates of their conscience desirous to obey the decree of the Pope. They would be willing to transfer their attendance to the Mahim church, only for the great distance and inconvenience involved. [Signed by 800 persons out of a total Catholic population of 3,500].

The reply given by the Collector to this appeal was to the effect that they might attend their church at Bandra or not as they liked; but so

long as the present vicars gave satisfaction to the most respectable part of the parishioners they should continue in their office, and no interference would be allowed on the part of the Vicar-Apostolic (May 12th, 1841).

And so the matter ended for the time. It seems however that the petitioners at Bandra still remained bent on coming over to the Propaganda jurisdiction ; for in 1846 we find them applying to the Collector of Thana for leave "to build a chapel with house attached for the education of their children," which was accordingly granted [Nos. 131 to 133]. In 1849, one hundred and sixty-one inhabitants of Bandra, definitively withdrew themselves from their Vicar and submitted in writing to the Vicar-Apostolic (Misc. A. No. 150) and asked for clergy to be supplied to "your church." Nothing further occurred in that year, and it was only under Dr. Hartmann (1850 seq) that the actual transfer to the Vicar-Apostolic took place.

#### VERSOVAH.

As regards the village of Versovah, there is an undated letter of about 1841, apparently from the Vicar-Apostolic to the Collector of Thana, stating that "in consequence of the pressing circumstances of the parishioners of Versovah to accommodate them with a clergyman to administer the necessary sacraments, I was compelled to nominate the Rev. Braz Fernandez, inhabitant of Bandra, to assume temporary charge of that church until favoured with an official decision on the subject." Whether this priest took possession for a time we do not know ; but probably not. It was only in 1862 that the question was again raised ; and even then the attempt of the Vicar-Apostolic resulted in failure.

#### MANEY.

In the same way, the movement at Maney (Trombay) did not realise at that time, on account of the Goa priest being in possession. In 1849 however the application seems to have been renewed ; and Dr. Whelan directed his Vicar-General to take possession. On this subject Fr. D'Sa (Damaun p. 148) writes :—

On the 29th January, 1849 the Vara of Thana informed the Collector of Thana that emissaries of the Bishop of Bombay were causing disturbances in the parishes of Poinisar and Maney, calling his attention to the fact that similar attempts had been made in 1840 at Maney to hand over the church to the Bishop of Bombay. The same information was sent to the authorities in Goa on the 2nd Febr., 1849 for guidance in the matter. A letter was written to Goa again on the 11th May, 1849 to say that a priest sent by the Vicar-Apostolic of Bombay was exercising jurisdiction in Maney, where there was already another priest with jurisdiction from the Archbishop of Goa. On the same date the Vara was informed by the Magistrate of Thana that Government had not given their sanction to the appointment made to Maney by Dr. Whelan, the Vicar-Apostolic of Bombay, and consequently that the Padroado



priest would continue to receive his pay from Government as before.

Mr. Godinho (p. 42) treats the matter more fully thus :

The Vicar-Apostolic F. Luiz Maria, during his lifetime, never ceased worrying the curate of Maney. He was succeeded by Whelan [who] in 1849 directed his Vicar-General to take forcible possession of the church of Maney, with the assistance of some of his followers. They met with a stout resistance from the priest in charge,—who subsequently anticipating a second attack, informed the Police authorities, who placed sepoy before the door with orders not to admit to the church the Vicar-Apostolic, or any other priest of his faction.

At this juncture the Vicar-Apostolic Whelan ordered the construction of an altar in the house of Matheus de Aguiar, an adherent of his ; and in that dwelling house a Propagandist priest, Padre Aguiar, son of Matheus Aguiar, for nearly three months said Mass and performed other parochial functions.

During this time the followers of Whelan sent a petition to the Government, requesting sanction and confirmation of that priest Aguiar as their Vicar, and the payment to the proposed Vicar of the monthly stipend instead of the old Vicar of Maney. The British Government declined to accede to their request. They were of opinion that the Vicar of Maney, nominated by the Archbishop of Goa, was solely qualified to retain possession of the Church, and also to enjoy the Rs. 15 monthly stipend hitherto paid to him.

The Vicar-Apostolic Whelan considered this decision irregular [but the] Revd. Aguiar was transferred to another place. Whelan also transferred his improvised church to the dwelling house of Francis Aguiar. This second improvised church did not continue long, because when his Vicar-General was sent there to say Mass, he found the place and surroundings so unsuitable that he decided to say Mass [in] the house of Felix Leão, a native of the same village. The Vicar-Apostolic eventually ordered a bower to be erected in a field close by, for the performance of religious rites. At last Whelan recalled his creature, and the original incumbent of the Church remained in peaceful possession. And so the matter ended for the time. It was only in 1853 under Hartmann that the conflict was renewed, and part of the Maney congregation actually came under Propaganda. [End of quotation].

The apparent inconsistency of the Government in backing up the Padroado clergy—after repudiating the claims of Goa, and after having given full sanction to the Vicar-Apostolic to exercise his ministry in Salsette—is explained by the one underlying principle of their policy throughout ; *viz.*, that the placing or removal of the incumbents was a matter which rested simply with the prevailing wish of the parishioners. Hence, although they would not admit the authority of the Archbishop of Goa to make or change appointments, they had no objection to Padroado clergy holding office, so long as it was in accordance with the popular wish.

## CHAPTER VI.

## THE PORTUGUESE GOVERNMENT POLICY.

WHEN the publication of *Multa praeclare* came to the knowledge of the Court of Portugal, it does not seem as if any active steps were taken against it as far as the Roman curia was concerned; for the sufficient reason that diplomatic relations with the Holy See were still broken off. We have gathered from some source or other that instructions to defend the rights of the Patronage against the brief were sent to Goa; and Fr. Depommier, in his report of 1863, speaks of a decree issued by the Governor of Goa in 1811 confiscating the goods of all priests who submitted to the *Multa praeclare* or the decrees of Propaganda, with one year's imprisonment for any of them that were caught in Portuguese territory (Depommier II, p. 300). Certain it is that the resistance of the Padroado clergy in India had the whole-hearted support of the Portuguese Government at its back.

## DIPLOMATIC RELATIONS RENEWED.

Diplomatic relations however were re-established in 1841, and Mgr. Capaccini was sent to Lisbon as Internuncio. On May 19th, 1842, the minister of internal affairs brought up the question in the chamber and protested vehemently against the *Multa praeclare*. He acknowledged however that there was no one to send to the bishoprics beyond the seas. All the ecclesiastics (in Portugal) feared to go to that climate, especially when they saw no compensating advantages in return for the sacrifices made by going there. Even the secularised religious who had been expelled from their monasteries had refused to go (Capaccini's despatch No. 278).

Upon this a certain journal of the opposition had remarked: "In this way the usurpations of the court of Rome stands justified in the eyes of the Government. For the faithful cannot remain without a pastor; and if the Queen cannot find any one among her subjects to preside over the churches, they should not take it ill if the common father of the faithful sends his Vicars to rule the flock of Christ" (ib).

Besides being forced by the pressure of the chamber to such a humiliating confession, the Government increased the impossibility of reassuming the patronage of the churches by selling in 1844 the ecclesiastical properties in India. For this sale Viscount Sa da Bandeira in the chamber gave the following reason: "The See of Goa, founded when the Portuguese dominion extended as it were over the whole of the East, had enjoyed an endowment which to-day bears no proportion to the diminished territory which we possess there, nor to the ecclesiastical relations which we have in foreign territory."

Apropos of this reason the Viscount, in some documents published by the Government in its journal of October 1844, showed that in 1843 they had spent less than 10,000 scudi annually upon the metropolitan see of Goa, including the Archbishop, chapter and churches; and less

than 5,000 scudi on the 49 parishes of the diocese (Capaccini's despatches Nos. 19, 22, 241, 278 in Roman Report of 1861 p. 22-23).

*Note.*—I. This sale of the ecclesiastical properties (chiefly I suppose those of the religious orders confiscated in 1835) explains most probably the popular charge made in Goa against Archbishop Torres as a dispoiler of churches and a grabber of money [see later]. Apparently he was ordered by the Government to strip the empty churches in old Goa of their ornaments, distribute the images among existing parish churches, sell the buildings for demolition, and dispose of the lands. It would explain the total disappearances of those churches and monasteries, the systematic clearing of the ground for the growth of cocoanuts, and the erection of crosses to mark the sites, as we find them to-day.

*Note.*—II. This unwillingness of the Portuguese clergy and religious at home to go to India, even as bishops, affords a good explanation of the long vacancies of the Sees. It explains why so many of the bishops that were appointed, and even consecrated, never came out to occupy them. It may explain also why nearly all the bishops that did actually occupy the Sees were members of religious orders already residing in India.

*Note.*—III. The expulsion of the religious orders in 1833-1835 destroyed the last chance of finding bishops either on the spot or in Portugal. The same difficulty continued in later years. Mgr. Pessoa had to be translated from the Cape Verde islands to fill the See of Goa in 1860. He could only find two priests willing to accompany him as professors of the seminary, one of whom died, while the other returned to Portugal (Talbot, p. 90).

#### PORTUGAL DEMANDS A RETRACTION.

In spite of the acknowledged inability of the Portuguese Government to equip the churches in India so as to render the Vicariates-Apostolic superfluous, they were not in any way willing to acquiesce in their continuance. Consequently on November 29th. 1813 a note was sent from Lisbon to Rome and presented to the Secretary of State. This document, after quoting the ancient bulls of the Popes, and claiming that by them the patronage extended not only over actual conquests but over other places possessed by infidel princes, etc., demanded a revocation of the briefs of 1831 and 1836 constituting the Vicariates, and the *Multa praeclara* of 1838 (Report p. 28).

No reply was given to this note at that time. It was only in 1847 that the question was raised again and dismissed.

#### MONCORVO AND ABERDEEN.

Meantime the Portuguese Government was working in another direction. One of the justifying reasons given in the *Multa praeclara* for restricting the Portuguese patronage was that the countries in question had passed into the hands of the British Government, which would not allow of its exercise. Hence the importance of securing from the Court of London a declaration that the British Government did not present the obstacle alleged by the Holy See. Instructions were therefore given to

the Portuguese Ambassador in London to open up the question with the Prime Minister, the Earl of Aberdeen ; not merely in way of patching up the existing quarrel, but by going to the root of the matter, and trying to get the English Government at head-quarters to recognise and accept the fundamental claims of the Royal patronage once and for all. If only the opposition of England were removed, it would be an easy matter, they thought, to bring the Holy See to terms. Hence the two following items of correspondence between the Earl of Aberdeen and the Portuguese Ambassador respecting the claims made by the Government of Portugal to name the R. C. bishops in India. [A few notes and comments have been inserted in square brackets] :—

Letter of the Baron Moncorvo, Ambassador of Portugal at the Court of London, to the Earl of Aberdeen.

Portuguese Legation.

April 12, 1813.

To His Excellency the Earl of Aberdeen,

MY LORD :—It is known that Portugal always named to the R. C. Sees of the East Indies, which owed their creation and received their endowments from the kings of Portugal ; who obtained from the Popes the necessary pontifical bulls for their erection.

The Crown of Portugal nominated the Archbishops and Bishops in India, and then obtained the canonical confirmation and institution of the prelates. This right was always exercised, although the countries passed into the possession of other powers. Neither the usurpation of Portugal by the three Phillips of Spain, nor the expulsion of the Castilians and the acclamation of the legitimate heir to the Portuguese throne in 1640, impaired this right. John IV of Braganca continued the exercise of this right. So great was the value set upon these nominations, that when by the Treaty of 1665 [He means the treaty of 1661] Bombay was ceded to Great Britain on the occasion of the marriage (etc.), the nomination of the bishops of those dioceses was reserved *in perpetuum* to the Crown of Portugal. [No such clause is found in the treaty --See later].

Another and no less important document does exist, by which that right reserved to the Crown of Portugal was not only acknowledged as such, but far more extended to the appointment of all other Catholic prelates and ecclesiastical authorities in those countries ; which document is the convention signed between the commissaries and plenipotentiaries of Portugal and Great Britain for the delivery and taking possession of Bombay and its district [1665] ; a document which was only discovered some years ago at Goa. [This unauthorised convention was repudiated by the English King as soon as he knew of it].

It unfortunately happened that during the late usurpation of the kingdom of Portugal, and the *de facto* Government that existed there, and also during the civil war that followed, which ended in the glorious restoration of Her most Faithful Majesty's Government, all the prelates of the Eastern dioceses, who had received their nomination from the

King of Portugal, died; and for some years these dioceses were left without bishops. It is also but too well known that the Pope was the only power in Europe that acknowledged the usurper Dom Miguel as legitimate King of Portugal; and that in consequence of this act, the intercourse between the Courts of Lisbon and Rome was interrupted until very recently; so that although the Portuguese Government appointed bishops to some of those dioceses, they could never obtain the Apostolic confirmation and were never consecrated. [Carvalho, Botelho and Teixeira].

During this state of interruption the Order of Jesuits (partly from a natural spirit of revenge towards Portugal, and partly from their usual disposition to domination and thirst for power) carried on a deep political intrigue at Rome, and reminded the Holy See of the good opportunity of snatching from the Crown of Portugal the nomination of those bishops—an object which the Government of Rome could well attain under the plausible pretext of providing pastors for the flocks that had had none for several years. [We have so far found no evidence to show whether the Jesuit Order had anything to do with the matter or not].

The opportunity was too good to be despised, and several Jesuits were despatched to the various presidencies, and to other parts of the British dominions in the East, in the capacity and with the title of Vicars-Apostolic. [Jesuits were at that time made Vicars-Apostolic of Bengal only; and that at the request of the laity for the purpose of securing schools].

As soon as the civil war was at an end in Portugal, the Government lost no time in paying most serious attention to this subject. I received repeated orders to address myself to Your Excellency's predecessor, as I did on more than one occasion; and have also spoken to Your Excellency on the same subject, by special command of my Court.

H. M. Faithful Majesty's Government has frequently claimed from Great Britain the strict execution of existing treaties. But as in this affair the Pope's Government was also involved—with whom it was not lawful for the British minister to treat—it behoves the Portuguese Government to bring the affair to a settlement with the Holy See.

Your Excellency is well aware that negotiations are now being carried on at Lisbon for the settlement of various points at issue between H. M.'s Government and the Pope. The question is one of the most important of those which my Government is desirous of arranging as soon as possible; and for that purpose I am ordered to request of Your Excellency a declaration that the British Government does not interfere, nor has the least objection, that the Crown of Portugal should continue to exercise the right of nomination to the Catholic Bishoprics in the East Indies as it has ever done.

As the obligations emanating from agreements entered into between the Crowns of Portugal and Great Britain are so positive, and as Her

British Majesty's Government has always evinced an earnest wish to see an end to all the disputes between the Court of Portugal and the Holy See, because the welfare and tranquility of Portugal depends so much on the settlement of these questions—I am convinced that Your Excellency will readily make the declaration which is requested by my Government.

Allow me in conclusion to remind Your Excellency of two circumstances deserving some attention : (1) That by a decision of the Supreme Court of Justice in the British East Indies, this important question between the Bishops appointed by Portugal and the Vicars-Apostolic sent from Rome, has to a certain extent been decided in favour of the Portuguese bishops ; and although the Vicars-Apostolic insinuated that they would carry an appeal to the Privy Council, some years have already elapsed and no appeal has been presented. [The reference is to certain lawsuits in the Madura Mission, already mentioned in our history] ; (2) That the appointment to the various Catholic bishoprics by the Crown of Portugal never gave the least reason for complaint or suspicion to the British Government—Can as much be said with assurance for the future respecting the appointments in the sole power of the Papal Government ?

I have verbally mentioned to Your Excellency the opinion on the subject of the noble lord who at present holds the important situation of the Governor-General of India ; and I believe every one will agree with the said noble lord on this point.

I have, etc.,  
MONCORVO.

REPLY TO BARON MONCORVO BY LORD ABERDEEN

Foreign Office,  
September 18th, 1841.

....In reply to Baron Moncorvo's note, the undersigned does not consider that it belongs to H. M.'s Government to examine how far the election of R. C. prelates in India can be claimed by Portugal as a right, either generally or within the limits of the Sees which were created and endowed by Portugal.

But as in speaking of the diocese of Bombay, Baron Moncorvo states that the nomination to that diocese was reserved to Portugal in perpetuity by the treaty of 1661; and that by a document said to have been recently discovered at Goa, and purporting to be a convention for the surrender of Bombay and its district to Charles II in 1665, this right was extended to the appointment of all other Catholic prelates and ecclesiastical authorities in those countries—the undersigned deems it essential to observe that the first of those treaties contains no such reservation as that described by Baron Moncorvo. It simply provides that the inhabitants of the island of Bombay shall continue to enjoy the free exercise of the R. C. Religion ; and that the same order shall be observed for the exercise and preservation of that religion as was pro-

vided for and agreed upon in the delivery of Dunkirk into the hands of the English—upon which occasion there was no stipulation as to the right of nominating to the R. C. Sees or other ecclesiastical dignitaries.

As to the second document to which Baron Moncorvo refers, the undersigned begs to state that H. M.'s Governor have no knowledge of it. Moreover it is difficult to understand how a right to appoint bishops to the various Sees in India could have been conveyed by Great Britain to Portugal in 1665, when Great Britain possessed no territory in India except Bombay.

With respect however to the main point of Baron Moncorvo's note, and without examining further the claim of right put forward in it, the undersigned is enabled to state to Baron Moncorvo that H. M.'s Government are willing that the appointments to vacant R. C. Sees should continue to take place in the same manner as before the usurpation of Dom Miguel in 1828.\*

But the undersigned, at the same time that he makes this communication, thinks it right to correct a misapprehension into which Baron Moncorvo has fallen, where in the last para of his note he states that by a decision of the Supreme Court of Justice in India the question between the bishops appointed by Portugal and the Vicars-Apostolic sent from Rome has to a certain extent been decided in favour of the former. Certain proceedings have recently taken place in the courts in India concerning the possession of R. C. Churches and other property, claimed equally by the Portuguese ecclesiastics and those acting under the authority of the See of Rome.... The decisions have in certain cases, it is understood, been made in favour of those parties who could show a title by long possession to the estates in dispute. But these decisions have been made entirely without any right of episcopal nomination [being] claimed by the authorities under whom the parties before the court were severally acting.

ABERDEEN.

#### THE COURT OF DIRECTORS.

The closing document of this discussion is one from the Court of Directors to the Government of Bombay, dated September 17th, 1845,

\* As a curious and typical example showing how facts can be twisted, by a turn of words, into something altogether different to what was really said, we produce here a passage from a controversial pamphlet of 1885, written by R. M. P. (Observations on "Concordat Question," p. 10).

"Again on 18th Sept., 1844 Lord Aberdeen notified to the Portuguese Ambassador that "his Government recognises the patronage of the Portuguese Crown, and desires that the appointment to the vacant R. C. Sees be made in India in the same manner as before the usurpation of D. Miguel in 1828."

Against this, it is to be noted how Lord Aberdeen merely said that "without further examining the claims of right [which in the previous portion of the letter he had refuted], H. M.'s Government was *willing* that the appointments should continue as before" a mere tolerance *de facto*, and neither a "recognition" or a "desire."

We may say that a great deal of the controversial literature of the past is vitiated by such flagrant defects as this, with the result of creating in the minds of the people false ideas which became traditional.

which runs as follows :—

“The pretensions of the Archbishop of Goa to a supremacy over the Roman Catholic population, priests and churches of India have been repeatedly examined and rejected. His especial claims to that authority in Bombay and the districts adjacent has long been, and is still, preferred on the ground that it was conceded to the Crown of Portugal under the treaty by which the island came into our possession. We can find no clause in any treaty which confers the rights in question ; and even if the allegations were correct, the supposed treaty would be invalidated : *first*, by the fact that the capitulation forced on the British Officer who received Bombay was disclaimed by the King of England as contrary to the marriage-treaty ; *secondly*, by the fact that the Crown of Portugal has long since ceased to perform the obligation for which the alleged privileges were granted by the Pope ; namely, the support of a regular archbishop and priesthood at Goa and in the territories over which the claim is made ; and *thirdly* by the fact that the Portuguese priests are in a state of schism, and no longer recognised by the head of the Roman Catholic Church. These pretensions have caused much dissension between the Goa priests and the other Roman Catholic clergy, which still agitates their community. It would be highly gratifying to us if this dissension could be set to rest ; but we are of the opinion that the interference of public authority should be limited to cases affecting the public peace, when the tribunals of the country must decide the difference. Questions of the property in churches and their appurtenances must also be decided by the same tribunals.”

## PART. XIII.

### THE TORRES AFFAIR 1843—1849.

#### CHAPTER I.

#### APPOINTMENT OF TORRES (1843).

THE See of Goa had been vacant since 1831 and administered by Vicars Capitular. In 1836 occurred the State appointment of Carvalho as Archbishop-elect ; but through lack of confirmation by the Holy See he never became ecclesiastically more than a Vicar Capitular. On his death in 1839, another Vicar Capitular was elected, and so things remained as before.

In 1841 diplomatic relations between Portugal and the Holy See were re-established, and almost at once the affairs of the Church in India were taken in hand. The very first act of Portugal was (as we have seen) to raise a protest against *Mulla praeclare* and the Vicariates Apostolic. But the Holy See was firm in its intention to maintain



the *status quo* of what had been done ; and so the business on the *tapis* was reduced to providing an Archbishop to fill up the long vacant See of Goa.

When a candidate named Jose de Silva-Torres was selected, the Pope was particularly careful to inquire into his fitness for the post. Of the personal ability of Torres there was no doubt. The question at issue was whether he would respect the *status quo*, namely the Vicariates-Apostolic and the provisions of the *Multa praeclare* and other decrees.

These provisions (as we must repeat for sake of clearness) were:—

(1) That the suffragan sees of Oranganore, Cochin and Mylapore, though not abolished as Sees, were deprived of all jurisdiction, and their territories were placed under the sole jurisdiction of various Vicars-Apostolic.

(2) The Archbishopric of Goa was also deprived of its *metropolitan* jurisdiction over these suffragan dioceses, in order to prevent interference *as metropolitan* with the Vicars-Apostolic.

(3) The diocese of Goa (*as a diocese*) was not legislated for by the *Multa praeclare*, either as to jurisdiction or boundaries. The brief does not even mention its relations to the Vicar-Apostolic of the Mogul, but leaves things in the same state as they had previously been. The idea that the *Multa praeclare* limited the Archdiocese of Goa to Portuguese territory—although it very quickly became current, and afterwards became almost traditional—has absolutely no foundation in fact.

(4) Certain limitations of the Archdiocese, however, did arise almost immediately after. In 1839 the Holy See gave the Vicar-Apostolic of Bombay jurisdiction over Salsette ; and about the same time the Christians of Canara (Mangalore district) transferred themselves to the Vicar-Apostolic of Verapoly with the subsequent sanction of Rome. Both these districts had always been recognised as parts of the Archdiocese of Goa as well as Bombay, Bassein and northwards to Damaun ; and the question had never been settled as regards certain other places where the Goa clergy were in pacific possession, and others again in which the two jurisdictions existed side by side, all outside Portuguese territory—Bombay itself being the most important case in point.

#### THE NEED OF DEFINITION.

This being so, one would have thought it essential that in appointing a new Archbishop to the See of Goa, the exact limits of that diocese should be defined, and this down to the lowest detail, so as to close the door to all dispute. Yet this was precisely the thing that was not done ; nay which, it would seem, was deliberately avoided.

Piecing various scattered data together, we find that the Pope early in 1843 took care to have the situation explained to the new candidate by the Papal Nuncio ; who according to his own report, drew from Mgr. Torres a solemn promise to submit to the decrees of the Holy See, and a resolution that even if the civil power of Portugal should intervene

his answer would be that these matters must be left to the judgment of the Archbishop and the Holy See, and that he would do nothing new before he had consulted the Pope. The interview, we read, was conducted with such feeling that both the candidate and the Nuncio shed copious tears. [Cf. Papal letter of March 1st, 1845].

The Holy See therefore felt fully assured; and the assurance was confirmed by a letter which Torres wrote to the Pope on March 13th, 1843, in which he promised to conform to all the views and wishes of the Holy See, and to do nothing contrary thereto.

On June 19th, 1843 the Pope therefore gave him the appointment in a brief *Cum propter*, adding that on receipt of this letter he might at once begin to exercise his jurisdiction as Archbishop-elect.

#### DRAFTING OF THE BULLS.

Then came the drafting of the solemn bulls of appointment. In such documents a certain technical "stylus curiae," crystallised by centuries of use, is habitually repeated. Now it was clear that under the circumstances the obvious, nay imperative course would be, not to follow the formulas which had been used in previous appointments, but to modify the form in such a way as to express the new condition of things which had arisen out of the creation of the Vicariates, the *Multa praeclare* and subsequent decrees.

But what happened instead? Three statements happen to lie in our way. The first statement is an excerpt from the *Life of Hartmann* (p. 50), which runs thus:—

"The candidate presented, Jose de Silva-Torres, evinced dispositions and qualifications which promised an early end to the conflict. Rome however, though placing her trust in him, directed her Apostolical Nuncio to require of him a positive promise that he would respect the decrees relating to the jurisdiction of the Vicars-Apostolic. The prelate promised. When the question of his nomination came to be discussed before the Cardinals, the minority were of the opinion that the ancient form should be modified and the limits of the jurisdiction of the new Archbishop clearly defined; but a majority found it not advisable, now that the requested guarantees had been furnished, lest they should wound the susceptibilities of Portugal."

The second statement is taken from Bussiere's *Historia da Schisma Portugese na India* (Lisbon 1854):—

"When the Pope consulted the Cardinals as to the manner of drafting the Bull of consecration of a new Archbishop, some were of opinion that the old formula should be changed, and that it was necessary to specify the places where the new Archbishop was to exercise his jurisdiction, and also to mention the Vicars-Apostolic, who were entirely independent of the See of Goa. Others were of opinion that the old formula should be retained, with the precaution of reporting officially to Jose da Silva-Torres that his jurisdiction was confined to the limits of the Portuguese territory, and exacting from him a promise under

oath, that he would obey the Papal Bulls relative to the Vicars-Apostolic. *This opinion prevailed.* Gregory XVI sent to Jose da Silva, along with the diploma of his consecration, Apostolic Letters in which the changes indicated above were specified in clear and positive terms."

The third statement (nearer the sources) is that of the Roman Report of 1864 summarised as follows:

"The Portuguese minister (in Rome) had asked that the bulls should be despatched in the usual form without any provisional modification of territory or jurisdiction resulting from the existing Vicariates. As this was in conformity with the past practice after the erection of the older Vicariates, and also after the perpetual dismemberment of the territory of the Sees of China (Tonkin and Peking) in 1690, the Holy See made no difficulty" (R. Report, p. 28).

#### THE CALAMITOUS RESULT.

It proved most unfortunate that this easy-going policy prevailed. The bulls of confirmation (*Cunctis ubique pateat*), consecration, and conveyance of the pallium, etc., dated 12th and 13th of July 1813, were drawn up in exactly the same form as those of his predecessors Manuel de St. Catharina (1783) and Manuel de S. Galdino (1814) for "the Goan Church, sole metropolitan of the East Indies, under the *jus patronatus* of the Queen, from which nothing has so far been derogated." The letters moreover include (in the same old form) one to "all the Venerable Brethren suffragan to the Goan Church," which exhorts them to "obey their Archbishop as members to their head."\* And all this at a time when the three suffragan sees were vacant and deprived of all jurisdiction, and the metropolitan jurisdiction of Goa over those suffragan sees had been cancelled by the *Multa praeclare*!

One can only feel stunned at this fatally unbusinesslike performance; which is all the more astonishing when we consider that the Pope (Gregory XVI) had been Prefect of Propaganda before his election, and had planned out the whole programme of the Vicariates and put it into execution; had issued the *Multa praeclare* and had witnessed its complete rejection; and knew every detail of the spirit and policy both of Portugal and of the Padroado clergy, and the campaign which they were waging against the reorganisation of the missions.†

\* The copy of the Bulls in parallel columns, as published by Archbishop Torres in Goa, lies before us. The series contains, (1) Bull of appointment, (2) of absolution from censures, (3) to the suffragans, (4) to the queen, (5) to the chapter of the metropolitan church of Goa, (6) to the clergy of the city and diocese of Goa, (7) to the faithful of the same, (8) to the "vassals" of the Goa church, (9) Bull authorising the oath and consecration, (10) Bull conferring the pallium, (11) Brief (*cum propter*) allowing jurisdiction before taking possession, (12) The *Regium placitum* conceded for execution of the brief and bulls, (13) attestations and other Portuguese documents—the last dated January 19th, 1849. (Rom. Doc. V. end.)

† Try to imagine Lord Reading formally and officially proclaimed Viceroy of India with all public solemnity, with the understanding, privately arranged, and expressed in a private letter to him, that his jurisdiction was practically reduced to that of Governor of the United Provinces. The parallel of course is not exact; but from the practical point of view it is the nearest analogy we can think of.

As to an explanation we are simply lost in conjecture. Can it be that the ferment of political troubles, all deriving from the anti-clerical spirit which had permeated the ruling cliques in nearly all the Catholic States of Europe, had unnerved the Vatican; or that the Pope, impressed by the emotional protestations of Mgr. Torres, thought that he had secured his object by private diplomacy, and could trust that the new Archbishop was "a Catholic first and a Portuguese afterwards?"

Be the explanation what it may, the issue shows that it was a blunder of the first magnitude—but it is easy to be wise after the event.

This complete giving away of the case, in the most formal and official manner possible, was *supposed* to have been effectually counteracted (1) by the solemn assurances of Archbishop Torres in a private interview with a Nuncio; (2) a letter of Torres to the Holy See containing a general assurance of respect, conformity and obedience to the Pope's expressed views and wishes; and (3) a private letter sent by the Pope to Jose de Silva-Torres with the diplomas of his consecration, in which "the changes were specified in clear and positive terms." (So Bussiere).

Another reason, equally weak, seems to have been suggested, viz., that even under the former bulls the old Vicariates [of the Mogul, Hindustan and Verapoly] stood as *excepted*; and the new ones would also stand as excepted under the new bulls. (Roman Report of 1864, p. 27-33).

#### TEXT OF THE PRIVATE LETTER.

The text of the private letter, beginning "*Nuncium ad te*" dated July 8th, 1843, ran as follows:—

Pope Gregory XVI to Mgr. Joseph de Silva-Torres:—

*Venerable Brother.*—We judge that news has already reached you about the consistory held by us on the 13th [of June] in which we gave new pastors to several vacant churches, beginning with the eminent Archiepiscopal Church of Goa in the East Indies under the dominion of Portugal—over which we placed you, Venerable Brother, in charge. You will therefore receive our Apostolic Letters under seal, which we at once ordered to be published, concerning your promotion, your consecration, and the receipt of the pallium. Our mind was also directed to the condition of that church, and the grave calamities with which it had been afflicted during the long vacancy; and therefore, wishing to avert all the difficulties which might have deterred you from undertaking its care, we gave you other letters, under the seal of the fisherman, in which by a special favour we allowed you to exercise your pastoral jurisdiction at once, - and we had these letters sent you without delay.

Now, besides, we write you this letter, as a new sign of our benevolence towards you, and of the hope which in God we entertain, that you will be watchful and diligent over the salvation of the flock entrusted to you, and will not in any way recede from the due

obedience to the sacred canons and the decrees of the Holy See.

For there lay before us the expression of your most obsequious mind and will towards the Roman Church, which you wrote down in your letter of the 17th of March; which sentiment agrees with what we learnt about you from our beloved son Francis Capaccini, our Internuncio at Lisbon and Delegate Apostolic, —who amongst other things reported to us your repeated declarations, by which you wished us to be certainly assured that your deliberate and fixed purpose was never to exercise any authority, except what we have given to you. To this matter pertains what we decreed in the Apostolic letter *Multa praeclare*, and also the other decrees issued later, and any others that may be issued in future, concerning the care of Catholic affairs in certain regions where, on account of changed circumstances, the Goan prelate could not easily or sufficiently provide for the good of souls. In making these decrees we had no object in view but the salvation and increase of the flock of the Lord; and woe to us if we were to neglect to afford them spiritual help wherever they were placed in danger. Therefore as soon as we found your mind harmonising with our solicitude, we could not refrain from exhorting you never to allow yourself to be moved from that line of conduct; so that you might, in this as well as other matters, behave as should a pastor who looks only to the greater glory of God and the benefit of souls.

Meantime we pray God that he may shower his gifts upon you and all that are given to your charge. And we impart to you our Apostolic blessing, etc.

Rome, 8th July 1843.

GREGORY XVI.

#### CONFUSION SURROUNDING THE LETTER.

Around this letter a good deal of confusion seems to have arisen, which needs clearing up. The Pope in subsequent correspondence referred it as follows:—"At the same time as we sent you the Apostolic letters (=Bulls) we on the same day, July 8th, 1843, wrote you another letter in which we declared that we willed those decrees to be observed; encouraging you to persevere in your resolution, previously expressed, of exercising no authority except that given to you by us." From another passage we infer that the decrees were "expressly specified" in the same letter. We also learn from the allocution of 1851 that the letter of July 8th, 1843 was "delivered to him (*eidem redditae fuerunt*) at the very time when the Apostolic diplomas were despatched to Lisbon."

That Archbishop Torres actually received this letter cannot be questioned; it was handed to him by the Internuncio in person. Some pamphlets, etc., have stated that Torres publicly denied ever having received it, but no evidence which we have met with supports this statement. In his letter to the clergy of the North, and again in the circular to the Catholic Unity Committee in Bombay, Archbishop Torres in rhetorical form deprecates the very idea that the Pope would at once publicly give him the full powers of his predecessors and at the

same time privately restrict them ; but he does not expressly deny that the Pope *did* privately restrict them. Secondly, he deprecates the idea that he ever promised to the Internuncio a *blind* obedience ; but he does not deny that he promised some kind of obedience. Thirdly, nowhere have we found Torres denying the receipt of a letter from the Pope. He does expressly say that "those briefs (meaning *Multa praeclare* and others) were never sent to us along with the Bulls of confirmation."..... "They have not been sent to us through any legitimate and authentic channel." This we believe to be true. There is nothing to say that the Pope's letter enclosed copies of the briefs or decrees ; it seems that they were merely "specified" in the letter. Even if they had been enclosed, I suppose Torres, speaking technically, would deny that a private letter handed to him by the Pope was a "legitimate and authentic channel." Whatever may be the case, we do not find Torres publicly charged (by the Vicars-Apostolic or any one else) with having received "a letter from the Pope restricting his jurisdiction" and therefore he would have no call publicly to deny having received it. That he did receive it we cannot doubt ; but at least he kept absolutely quiet about it, and rather tried to create the impression of not having received from the Holy See any restriction of his powers.

#### AMBIGUITIES OF THE LETTER ITSELF.

Looking now to the actual contents of the letter, it strikes one as being not altogether adequate for its purpose. For although it inculcates obedience to the *Multa praeclare* and other decrees, it leaves us quite in the vague as to what other decrees were brought to the notice of the Archbishop. For instance, was his attention called to the Salsette decree ? Was he confronted with the decree regarding the Vicariate of Canara ? Again, what about the Island of Bombay where the Archbishop had two churches ; with the consistent acknowledgment of Rome in the past that he was the rightful Ordinary of the whole island, and that the jurisdiction of the Vicars-Apostolic was only auxiliary and provisional there ? Was he told in plain terms that he had no jurisdiction in Bombay ?

It is possible that the Pope's mind may have been quite clear in those points ; and he may have imparted them to Torres before the appointment, so that Torres had before him a definite programme of restrictions which he promised to observe. But there is no proving this ; and so it remains possible that the new Archbishop, came to India not only a perfect stranger to the country, but also with indefinite ideas in his head as to what lay before him there. The Pope suggests in one of his letters of reproof that Torres may afterwards have been "deceived by false information insinuated by men who despise the authority of the Church." As a matter of fact we know that before his departure he received from the Portuguese Government a note of instruction (dated Nov. 6, 1843), which certainly tended to put him on lines of mischief. A translation of these instructions

of Government is thus given by Father D'Sa :—

"The Holy See, after the renewal of relations with this Kingdom, has confirmed the nomination which Her Majesty made of Your Grace, with the knowledge of your merit and virtues, to be the Archbishop Primate of the East ; and in the Bull of confirmation has acknowledged Your Grace as a Metropolitan, in all the plenitude exercised by your predecessors, over the Bishoprics which they call disannexed. . . . But the Congregation of the Propaganda, most tenacious, as it always has been, in preserving what it has acquired by proper or improper means, must not be expected (availing itself of the customary interpretations) to withdraw the Vicars-Apostolic, nor to acknowledge the sphere of the Portuguese patronage, so as not to invade it. Under these circumstances go, Your Grace, prepared to enter the struggle, in which Her Majesty trusts that Your Grace will bear yourself with the zeal and energy becoming your Christian virtues, united to those of a true Portuguese." (Padroado Port. pp. 40-42).

Fr. D'Sa then continues :—

The new Archbishop, with his Bull of confirmation like that of his predecessors, came to rule over the Archdiocese of Goa as if no Brief *Multa praeclare* had been issued, and no Vicariates Apostolic independent of the Padroado dioceses had been established. He considered it his duty as a good shepherd to bring back to the fold of the Padroado the churches which had gone over to the Vicars-Apostolic [and instructed the Vicar-General of the Archdiocese and the Administrators of the suffragan dioceses, accordingly]. He was fortified in his efforts by the approval given to him by the Royal patron, and the official announcement that Cardinal Lambruschini, in his capacity as the representative of Rome in Lisbon, had affirmed, in an official note dated the 4th June, 1844, that there had been no suppression of dioceses properly so-called, nor any new and definite circumscription of the Church in the East. (Mitr. Lus. p. 468).\*

## CHAPTER II.

### TORRES IN BOMBAY.

BEFORE sailing from Lisbon the Archbishop's programme was already mapped out—the first item of which was not Goa but Bombay. Thus Father D'Sa writes :

"On the 26th September 1843 Dom Jose Maria da Silva-Torres, the new Archbishop of Goa, wrote from Lisbon to the Rev. Antonio Maria Soares, Vicar-General of the North, informing him that, being authorized by the Supreme Pontiff Gregory XVI to exercise his jurisdiction before

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\* A similar translation is given by Mr. Godinho p. 60.

taking possession of his Archdiocese, he would perhaps make pastoral visits to the churches of Bombay on his arrival in that Island, before proceeding on his journey to Goa. Fr. Soares accordingly informed the Varas of Salsette and Bassein, who sent circulars to the Vicars of their districts to prepare the people to receive the sacrament of confirmation with fruit, to keep their churches in proper condition for the purpose, and to have the accounts of their respective churches ready."

The *Life of Hartmann* (p. 51) describes the carrying out of this plan in the following terms :—

The new Archbishop arrived at Bombay on his way to Goa in January 1844, rallied round his person the [Padroado] clergy,† and repaired to the chief church [Gloria, Mazagon] through the streets of the city, preceded by a gorgeous procession under the very eyes of the Vicar-Apostolic; conferred there and in other parishes the sacraments of confirmation and holy orders [and] began a series of pastoral visitations in spite of the supplications and protests of the Vicar-Apostolic. He published moreover, along with his own bull of nomination, those of his predecessors, and from the similarity of their contents claimed for himself a similarity of powers."

This summary description is drawn from a Report of the Vicar-Apostolic to Propaganda written just after Archbishop Torres had left Bombay, which we translate as follows :—

"I take the liberty of informing your Excellency of the things done by the Archbishop of Goa while he was staying in Bombay. As soon as he left the ship a great number of priests, strenuous champions of the Padroado, with some lay-people who have always resisted the decrees of the Sovereign Pontiff and never been willing to recognise me as their legitimate pastor, attended on him, received him graciously, and with great joy and applause, led him in a procession headed by the crucifix, to the Church of Our Lady of Glory. There the following Sunday he celebrated a Pontifical High Mass, blessed the Holy Oils and gave confirmation to many.

Informed of these doings I at once sent him the pontifical decrees, the monitorium, the *Multa praeclare* and other documents, proving that the churches, both of this island and of the rest of the British dominions, belonged to my jurisdiction; but all in vain. In the reply which he sent me by letter, he said enough to show that he had come rather to disturb the Catholic Church than to pacify it. For he declared that he admitted no other law except the bulls of his election, confirmation and consecration, of which he deigned to send me authenticated copies. He protested that he venerated indeed the pontifical decrees, and was always ready to obey them—provided they were communicated to him through the Civil Government of the Queen of Portugal.‡ Nevertheless he carried out the visitation of churches which had so far refused to be under my jurisdiction, and in all of them administered confirmation and performed

† It is said that the Padroado Defence Committee organised his reception.

‡ No copy of this correspondence is preserved.



all acts proper to the office of a bishop. He promoted to the deaconate a subdeacon who had been suspended by my predecessor, although he was warned about this suspension. He frequently asserted that he was Patriarch and Primate of the East Indies, enjoying the same jurisdiction as his predecessors; and therefore he recognised the Vicars-Apostolic as merely his Vicars-General, or Missionary Vicars subject to his Apostolic jurisdiction;—besides many other things which it was unbecoming for a man endowed with the episcopal dignity to utter. And what wonder? Those who denied the schism, and had uttered every malediction in word and writing against the Holy See, the Vicars-Apostolic and Missionaries Apostolic, were his counsellors and advisers who accompanied him wherever he went. Hence it is evident that he was not acting with a right end and intention, and that he proceeded not according to a Catholic spirit. [End of Report].

#### CIRCULAR OF ARCHBISHOP TORRES.

The outcome of the correspondence between the two prelates was that the Archbishop, on February 19th, 1844, addressed a private circular letter to his local clergy, presumably in Portuguese; and the following is a summary of the lengthy document, of which Father D'Sa furnishes the full text:—

To the Varas of Bombay, Salsette and Bassein:—

Part of my commission in coming to India is to inform you that the Queen of Portugal appreciates your efforts on behalf of the rights of the patronage against the ambitious usurpations which oppose the determinations of the Holy See as expressed in the bulls of our confirmation. These bulls are identical with those of our predecessors, and impart to us the same jurisdiction; and since the bulls are of later date than the *Multa præclare* and other decrees, and contrary thereto in contents, they [the bulls] completely revoke them [the decrees].

It wounds our heart to see men who, while calling themselves Catholics, are so malicious that for lack of sound reasons they employ sophistry and frivolous pretexts to disprove the fulness and legitimacy of our jurisdiction.

These pretentious and zealous defenders of the Holy See assert that the Pope, in the very act of giving to us jurisdiction as ample as that of our predecessors, at the same time restricted it to the Portuguese dominions—thus insinuating to us the contrary to what is expressed in the bulls. Is this not the same as to say that the Pope told a lie in issuing those bulls? What could be more offensive and injurious to the Holy See? Is it not the same as to say that the Pope meant to deceive her most faithful Majesty? Is it not the same as to say that he intended to do us an unmerited injury by depriving us of the same rights which he conferred on us by the bulls—which neither we nor our Government would have accepted, if Rome had told us that they were to be understood in a sense contrary to what they say? Is it not the same as to say that the bulls of institution, instead of furnishing an authentic title of jurisdiction, are simply worthless? Is it not the same as to say

that no Catholic can henceforth know who is the legitimate pastor, since it becomes uncertain which bulls really represent the mind of the Holy Father? Could any doctrine be more opposed to ecclesiastical discipline and peace of conscience?

Behold the scandalous consequences to which those priests wish to lead the faithful, in order to defend their own designs, and uphold their projects of further usurpations against our legitimate authority, at the cost of the credit of the Holy See itself.

These reflections fill us with consternation and grief in proportion to the affection which we feel towards the Holy See; all the more so because we are persuaded that the Holy Father, far from having any share in these machinations, is completely ignorant of them.

In order to avoid giving scandal to the various creeds around us, and for sake of both charity and the credit of the Holy See, we beg you not to give publicity in the press to this letter.

Let these reflections serve to redouble your zeal, not only in drawing to the fold of our jurisdiction the lambs whom the false insinuations and doctrines of the priests of Propaganda have led astray, but also in opposing the future pretensions of these usurpers.

Please also abstain from any public denunciations of these disorders, since we shall ourselves take care, at some suitable time, to make such denunciations as will vindicate both our honour and our rights.

On a certain past occasion we declared to the Holy Father our firm resolution to obey his legitimate authority, and heartily desired that our own authority should be as much limited as possible, because thereby our responsibility would be the less. But since His Holiness has in our bulls of confirmation given us authority as ample as that of our predecessors, and as such they have been accepted by our Government as the standard of our conduct, it becomes our duty to make those bulls the only law of our jurisdiction—which we intend therefore to guard scrupulously and faithfully. We have also declared to the Holy See that no rescript of whatever kind will be regarded by us as revoking our bulls, unless it is communicated to us through the Government of Her Majesty, and with the same solemnity with which we received the bulls themselves.\* For in no other way can we know them to be properly promulgated so as to bind in conscience, or recognise them with certainty to be the work of the Sovereign Pontiff and not an imposture.

With all these principles, and others which will suggest themselves, Your Reverences can defend the rights of the patronage and of our jurisdiction.

Joseph Archbishop-Primate of the East.

Mazagon, Feb. 19, 1844.

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\* Torres wrote a letter to the Pope from Bombay on January 19th, 1844 in defence of his actions, treating the Pope's private letter of July 8th, 1843 as apocryphal and false, and saying that he had received instructions from his Government to the effect that he possessed metropolitan jurisdiction like that of his successors. The Holy See sent a note of protest to the Royal Minister on June 14th, 1844. The minister promised to dispatch it to his Government at once, but nothing came of it. (R. Report of 1864, p. 30).

## THE CAUSE OF HIS POLICY.

The question still remains open as to whether Archbishop Torres came out from Portugal with the foregoing policy already formulated, or whether he adopted it only on the spot, on account of the influences brought locally to bear upon him. On the one hand we have his previous acceptance of the invitation of Fr. Soares, Vicar General of the North, to perform pontifical functions in Bombay and Salsette. On the other hand, the EXAMINER (Oct. 2, 1854 p. 76) relates something which rather points in the contrary direction. The writer, in his serial articles "The Church in Western India," tells us that "some Propaganda missionaries, who travelled in the same ship as Archbishop Torres, found him expressing himself in such terms as to give the impression that he was bent only on carrying out the Pope's wishes." After watching his behaviour in Bombay they called upon him and expressed surprise "at witnessing the reverse to what they had been led to expect from his conversation." Hereupon the Archbishop "betrayed great uneasiness" and bid his attendant clergy to retire; and in a private conversation which followed with the missionaries, admitted the awkward position he had assumed, and urged in justification the importunities to which he had been subjected by the people and his clergy."

The same writer adds the following curious incident which we have not found elsewhere :—

"The Goanese at this time prevailed on Dr. Whelan, the Coadjutor, to volunteer himself as Vicar-General to the Archbishop. Bishop Whelan deemed the opportunity a favourable one to wrest the churches from his Grace's hands. He communicated his purpose to Dr. Fennelly of Madras. who gave it his cordial support. Though the offer was eventually made and politely declined, Bishop Whelan did not omit to apprise Propaganda of the same; and from Propaganda he is said to have received a just condemnation of the principle of doing evil that good may come!" (Ex. Oct. 2, 1854 p. 76).

## CHAPTER III.

## TORRES IN GOA.

SHORTLY after this date Archbishop Torres passed on from Bombay to Goa, where he was installed on March 7th, 1844. Meantime Bishop Fortini was preparing a pastoral which he published on April 28th, 1844—of which no copy has been preserved. Its drift we gather indirectly from certain allusions to it in a circular letter which the Archbishop addressed to the "Committee for the promotion of Catholic Unity in Bombay" and which was published in the *Bulletin de Goa* in the course of the same year. A translation of the main parts of the text has been

reproduced by Mr. Godinho (p. 61 seq.) from which we derive the following summary:—

#### THE TORRES CIRCULAR.

When we accepted the responsibility of our appointment we did not anticipate the cruel war which the malice of men would wage against the Portuguese Church in the East. Still we prayed to heaven to restrict our spiritual authority, as our responsibility would be very serious, and we would rather have the care of few souls than of many. Hence we could not conceal our disappointment, on receipt of our bulls, when we saw that they were identical with those of our predecessors. It was only by careful verification that we could believe this to be the case.

A close analysis of the bulls show that they are not only later in date but contrary in contents to the *Multa praeclare* and the famous decrees of Propaganda; and therefore it is clear that the bulls revoke those earlier enactments, at least so far as they would cancel the identity of our jurisdiction with that of our predecessors. The bulls prove that we are Archbishop of Goa, the sole metropolitan church of India, erected under the patronage of the Crown of Portugal, which has in no way been abrogated—the same church in short as that of our predecessors, which certainly was not restricted by the *Multa praeclare* and the decrees. Is it not therefore clear that by our bulls those enactments are revoked?

The Propaganda priests point out that the *Multa praeclare* extinguished the Sees suffragan to Goa (except Mação which is in Portuguese territory). If this extinction were meant to hold good, how could the Holy See address a letter to all the bishops suffragan to the Archbishop of Goa, ordering them to obey us as their Metropolitan? It is clear from this that the Holy See meant by the bulls to restore the Archbishopric to its old position which it had before the usurpation of the jurisdiction of the Metropolitan took place.

Under the authority of *those* bulls our predecessors exercised jurisdiction outside the Portuguese dominions; and by virtue of our own [identical] bulls we claim the same power.

The Pastoral of the Vicar-Apostolic [of Bombay] reminded us of our duty. We addressed to the Holy See a letter telling him all that was going on here, humbly asking him to shelter us from the passions of men who are bent on destroying the Church which he has entrusted to us by his bulls. We declared at the same time that we would willingly accept other bulls contrary to those of our consecration, provided these came to us through the same channels (of the Portuguese Government) and with the same formalities.\* Not only in this letter, but in others which we addressed to him, we declared that the bulls of our confirmation would be the only law for the guidance of our jurisdiction.

The Vicar-Apostolic states that among other documents he sent us a letter of the Sacred Congregation dated August 12th, 1843, in which the

\* This letter was addressed to the Pope from Bombay on January 19th, 1844. We find its contents summarised in the Roman Report of 1864 (p. 30).

Vicars-Apostolic are informed that we had promised to the representative of His Holiness in Lisbon to abide by the briefs.† This statement is destitute of truth. These briefs were never sent to us from Rome along with the bulls of our confirmation. They have not been sent to us through any legitimate or authentic channel.

In all the letters which we sent to the Holy See there is no paragraph in which we promised *blind* obedience,—such as would evade our obligation to render to Cæsar that which is Cæsar's and to God that which is God's. A promise so unlimited as to set aside our other obligations would not be lawful. Even if we had been so indiscrete as to promise to the internuncio anything contrary to the bulls of our confirmation, would he have been so imprudent as to accept it?

Convinced that a law can only be abolished by the same formalities which brought it into operation, we can only recognise its revocation as a reality, when it is known for certain to be not an invention of falsehood and imposture, but a product of the same legislature.

But the Vicar-Apostolic is guilty of a libel when he declares that we, in our reply, affirmed that we would not obey any orders from His Holiness which did not come to us in the same way as the bulls of our confirmation. What we meant was that His Holiness would never consent to have the bulls, which constitute our public and solemn law, revoked in an unreasonable manner. It was only after we had seen our rights and obligations that we accepted them from the Holy See and from the Government of our country; would the Holy See now wish them to be revoked by means other than those under which a Portuguese subject can alone accept the mandates of the Holy See,—as has been the practice in all Catholic countries, based on sound logic as well as respectable theological authorities?‡

These are the replies which we would even to-day give to the Holy Father, if the bulls of our confirmation were revoked by an epistolary brief, or by any means other than those which imposed these heavy responsibilities upon us. [End of the circular].

The EXAMINER of 16th October, 1854 (p. 78), states that Archbishop Torres, on reaching Goa, "wrote to the Pope on the evils of the situation in which he found himself; that he regretted the misunderstandings which had arisen regarding the provisions of his bulls as against the *Multa praeclare*, etc., and proposed that if the Pope persevered in his purpose of depriving him of jurisdiction in British India, the bulls might be recalled and new ones substituted through the same channels." This is ap-

† No copy of this letter is preserved.

‡ The meaning of this passage seems to be:—

"I did not say that I *refused to obey the orders of the Holy See unless they came through Portugal*. I merely meant to say that I *could not recognise them as genuine unless they came to me through Portugal*; —because surely the Pope would not convey orders to me except through the constituted channels." To the Propagandist mind, accustomed to direct dealings with the Holy See, this would look like an equivocation. Not so, however, to the Padroado mind, accustomed to the State censorship and control of pontifical acts.

parently the same letter as that alluded to above [see also footnote].

#### ORDINATIONS AT GOA.

Meantime, at Goa, Archbishop Torres was holding ordinations which were naturally very numerous, on account of the candidates which had accumulated during the vacancy of the See. Vulgar rumour asserted that he laid his hands on a swarm of unprepared students and ordained them in haste, so as to secure a large number of priests, however unfit, with whom to fight against Propaganda. Fr. D'Sa however, deals with this subject in the following terms (India II, p. 167):—

An accusation has been made against this Archbishop that he ordained a very large number of priests, and that too without due preparation. That is humorously expressed by saying that he ordained cocoanut trees. The author of the so-called *Historia do Scisma Portuguez na India* states (p. 16) that eight hundred priests were ordained soon after his first arrival in Goa. Those accounts are quite false. *O Oriente Portuguez* Vol. XV-1918, Nos. 3 and 4, in an article checked and found correct by the actual Patriarch Archbishop of Goa, puts down the number of priests ordained by Archbishop Torres from 1844 to 1849 as 321. This number compares well with that of his predecessor Archbishop Galdino, who ordained 456 from 1812 to 1831. It must be observed that the See being vacant from 1832 to 1843, only 100 priests were ordained with diocesan outside of Goa, the remainder waiting long for the arrival of the Archbishop. We have therefore  $(100+321=)$  421, and one ordained outside; that is 422 in all ordained from 1832 to 1849, that is 17 years. There does not seem to be much to complain of if 422 were ordained in 17 years, when nothing is said against 456 in 19 years of Archbishop Galdino. [End of quotation].

#### WIDESPREAD DISTURBANCES.

The aggressive policy of Archbishop Torres against Propaganda was felt not only in Bombay but in the other Vicariates, to which he sent out a large number of the newly ordained priests to win back churches and congregations to Padroado. The annals of the different Vicariates [Madras, Pondicherry, Madura, etc.] reveal a large up-crop of quarrels, splits, transfers of jurisdiction and contentions about property just in these years and onwards, mostly attributable to this cause. Hence we may be sure it was not only the Vicar-Apostolic of Bombay, but the others also who "sent in complaints and reports on the situation to Rome." On receipt of this information the Holy See proceeded in the first instance to deal with Archbishop Torres direct, by a *monitorium* dated March 1st, 1845, the substance of which runs as follows:—

#### FIRST MONITORIUM OF GREGORY XVI.

Gregory XVI to the Archbishop of Goa. Venerable Brother:—

We had reason to congratulate ourselves on your appointment to the Episcopal dignity, since you had promised to conform yourself to our wishes and desires. It was not with precipitation that we admitted as true, all that had been affirmed to us with regard to your love

towards our person and the chair of the Prince of Apostles. For, besides the letter which you yourself wrote to us on the 13th March, 1843, an important judgment had been submitted to us on the whole of this affair by our very dear son, the illustrious Francis Capaccini, our internuncio and delegate before the most faithful queen of Portugal, when he was residing at Lisbon and was negotiating your elevation to the Archbishopric of Goa. Not only did he express himself most favourably regarding the different virtues which shine in you, but he chiefly eulogised your intention and firm resolution never to do anything contrary to your particular veneration for the Holy See. On this occasion you showed a desire which seemed to proceed from the bottom of your heart, even shedding tears; and so touched was our Internuncio by your religious sentiments that he could not restrain his own tears. On sending shortly afterwards our Apostolic Letters of the 19th June 1843, whereby we declared that we of our own accord agreed to your nomination to the Archbishopric of Goa, you must easily have realised the joy that all this caused to us.

But this joy and happiness was only of short duration. For only a few months after your departure to India we received news about you which caused us great affliction. We were told that you were behaving so as to disturb, in all possible ways, the ecclesiastical forms of government established by us in India outside the dominions of Portugal, and were taking no notice of our decrees on this matter; explaining badly also, and understanding in a way contrary to our mind, some words of the Apostolic letters which concerned your appointment as Archbishop of Goa.

At first we could hardly believe such stories; because when we sent you the Apostolic letters of your appointment, we on the same day (8th July, 1843) wrote to you another letter in which we distinctly declared that we wanted these decrees to be observed, and encouraged you to persevere in your resolution, previously expressed, of exercising no authority except that given to you by us. Finally our Apostolic letter *Multa praeclare* regarding the constitution of the Vicariates-Apostolic was well known. The form and context of this letter was such that no person in good faith could imagine that it was legitimate to change the ecclesiastical government established by it, [or to justify such a change by] a discussion based on certain words [in the bulls of appointment] which were merely the customary formulas used in such documents.

As regards other decrees which followed the year 1838, forbidding the exercise of ecclesiastical authority in frontier regions [the reference is no doubt to Salsette, Canara, etc.] we judge also that these were not unknown to you. In any case we did not fail to mention these decrees in our letter of July 8th, 1843. Moreover since you had given such a serious promise to the Internuncio, before your consecration, of submitting to those decrees, we could never suspect that you would set up or change anything which would interfere with the authority of those in charge of these regions. For the same Internuncio bears witness that

you clearly and distinctly affirmed, that even if the civil power were to put pressure on you regarding these points, your answer would be : 'These matters must be left to the determination of the Archbishop and the Pope ; and I will do nothing new until I have ascertained the opinion of the Holy See.'

All this seemed to us so positive that we did not give much credit to the reports sent to Rome. But later on we came to know that, deceived perhaps by false information insinuated by men who despise the authority of the Church, you had renounced these resolutions which had previously caused us so much happiness.

Moreover certain letters, in which you have actually expressed such opinions in public, have been forwarded to us ; and men of credit have asked us to exercise our authority to keep you to your duty. Not only the reports of these men, but your own letters, leave no doubt that you have despised our decrees and those of the Holy See regarding the institution of the Vicars-Apostolic and missionary priests ; that you have despised the Congregation of Cardinals of the propagation of the faith, prejudiced the minds of churchmen who are in favour of authority, disturbed the order of jurisdiction, disregarded the *Multa praeclare* and other decrees ; and finally, a libel full of insults against the ecclesiastical government of the Vicars-Apostolic has been spread among the people, if not with your consent, at least without your opposition. In a word, everything that could be done to produce schism has been done.

Things having come to such a pass, we judge it our duty to reprehend you by this letter ; strongly exhorting you in our Lord to realise that it is necessary for you to follow the contrary course. We realise the evils which have arisen from exciting schism, and at the same time our obligation and power to maintain, govern and direct the Universal Church—a power which requires us to avert so great a calamity. Therefore we recommend you to show by your actions that you really respect the oath which you made to us on the day of your consecration.

We trust that you will in future fulfil your promises, and observe the things mentioned in the decrees regarding the institution of the Vicars-Apostolic ; and we hope to receive from you such expressions of submission as will be a consolation to us and a benefit to the Church.

Rome, 1st March 1845,

GREGORY XVI.

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We read that "on the 27th October, 1844, by order of Fr. Luiz of Santa Thereza, a copy of an Epistolar Brief and another letter were sent to the Vara of Thana on the jurisdiction question. No reply was sent by the Vara on the ground that a long reply had been sent in 1840. Copies were sent to the Archbishop of Goa for his information."

The Vicar-Apostolic apparently reported to Rome his failure to secure any response, suggesting that the Holy See should intervene and address an admonition direct to the Archbishop. As the Pope had just



written to de Silva-Torres on March 1st, Propaganda replied on May 13th, (1845) :—

“There does not appear any reason for sending another brief to the Archbishop of Goa by way of admonition, as he has been told already that he has no authority in places which have been given to the Vicars-Apostolic according to the *Multa praeclare* and subsequent decrees.”

## CHAPTER IV.

### REMOVAL BY PROMOTION.

GREGORY XVI died in 1846 and Pius IX succeeded in his place. This latter Pontiff, finding that Archbishop Torres had not conformed to the monitorium of his predecessor dated March 1st 1845, took up the matter in turn, and addressed to him a second letter of admonition, dated June 13th, 1847—the substance of which is as follows :—

#### MONITORIUM OF PIUS IX.

Pope Pius IX to Archbishop de Silva-Torres :—

The great desire of our predecessor Gregory XVI to give succour to the Catholic religion of India in its state of danger, must certainly be known to you, as to an eyewitness. . The same is also clear from the letter which he wrote to you on March 1st, 1845 (*Quanta laetitia*) in which he complained that, forgetful of your promises, you had acted in such a way as to disturb the ecclesiastical order set up by the Apostolic See in the vast regions lying outside the present Portuguese dominions, and altogether despised the Pontifical decrees. Hence the Pontiff strongly exhorted you that you should follow better counsel, realising the evils which had sprung from the schism which had been stirred up (*ab exitiali schismate*) and, understanding what was required of you, to remove the calamity of schism from the Church (*schismatis calamitatem*). Finally, commending to you the observance of the brief *Multa praeclare* and other decrees of the Holy See in this matter, the Pope entertained no doubt but that you would change your mind, and prove by your acts that you revered the oath which you had sworn to the Holy See at your consecration.

But since, after the death of Gregory XVI, we have been raised to the chair of St. Peter, we hear repeatedly such things about your way of acting that we can only conclude that the exhortations of our predecessor have been without fruit, and his expectations fallacious. For we understand that you still persevere in your policy, despising the Apostolic creation of the Vicariates-Apostolic, and showing contempt for the decrees of Propaganda approved by the Supreme Pontiff.

And since you must fully realise that your way of going on cannot

be viewed with equanimity by those, not only in Europe but also in India, who hold our person in reverence. . . . we confirm hereby everything which has been decreed by the *Multa praeclare*, and by the Propaganda Fide with the approbation of the Apostolic See, and declare that they have to be obeyed by all. And we hope that in future you, and all others led by your example, will by a change of mind give us that consolation, in this important matter, which our predecessor hoped for but did not receive. All the more we urge you, Venerable Brother, etc. . . .

We trust that, moved by a religious sense of your duty, you will without delay make up in the future what, to the astonishment of all good men, has been lacking in the past.

Rome, 13 July 1847.

PIUS IX.

THE "SINGULARI STUDIO" OF PIUS IX.

Meantime the chief trouble from the layman's point of view was the non-recognition of the sacraments administered by the Goa clergy in Bombay and Salsette, and the refusal of the rites of the Church to those who would not submit to the Vicar-Apostolic—which caused no end of domestic annoyance. Perhaps this was the motive, more than any other, which led to the despatch to Rome on February 1st, 1848 of a petition written in Portuguese, and signed by 224 Catholics, complaining of the erection of the Vicariates and of the *Multa praeclare*, and asking for the restoration of peace which had been destroyed by that brief.

As Dr. Whelan was just at that time returning to Bombay as Vicar-Apostolic, the Holy See commissioned him to convey an answer to the petitioners, in the following letter dated April 2, 1848:—

POPE PIUS IX.

To the Right Reverend Bishop Whelan, etc.

That singular care was studiously taken by the Apostolic See with regard to the interests of the Catholic Religion in the East Indies, is well known to you. . . . So that it is not necessary to explain why it was arranged that the said countries, which were formerly governed either by the Archbishop of Goa, or the Bishops of Cranganore, Cochin and Meliapore with ordinary episcopal power, should now constitute many Vicariates-Apostolic, established by and depending immediately upon the Apostolic See, and exercising the proper jurisdiction of Ordinaries.

It is moreover manifest to you, what grave reasons induced the Holy See to decree this form of government in those countries; although formerly, in times greatly different and distant from the present state and condition of affairs, a privilege was given to the Kings of Portugal in nominating the bishops who were to be elected to those Sees.

For if, in those bygone times, the concession of those privileges was made for the purpose of providing against the long vacancy of the Sees, and in order that bishops might be sent opportunely to those places, and, in fine, that the prelates might be supplied with a suitable maintenance in accordance with their dignity;—it is now notorious to

all that, on account of the vicissitudes of public affairs, and especially after the change of political power in those countries, these objects could not, for a long time back, be secured or obtained.

These things are treated at large in the Apostolic Letters of Our Predecessors and particularly in the *Multa praeclare*; and we know that you are fully acquainted with them.

But now, when you are about to return to Bombay, We have judged it opportune to signify to you that We lately received a letter written in that Island on the 1st February, 1848, in the Portuguese language, and subscribed by two hundred and twenty-four Catholics; in which they complain very much of the erection of the Vicariates-Apostolic, and especially of the *Multa praeclare*; and they implore the restoration of that harmony which they lament to have been destroyed after the promulgation of that Apostolic Brief.

We wish those Catholics, in whose name the epistle was written, to be informed by you that We received it, and accurately weighed its contents; that We indeed embrace them in Apostolic charity, and cordially impart to them the benediction of Almighty God; but at the same time, We have not been able hitherto to find out any means of satisfying their wishes for the recovery of harmony unless they obey St. Peter, speaking through the Roman Pontiff, and cease their resistance to what the Holy See has decreed in support of religion. We desire them to observe that the circumstances are not changed, which moved the Apostolic See, after diligent consideration, to adopt the policy which is embodied in the *Multa praeclare*.

We recollect that We ourselves wrote a letter to the same effect to the Venerable Brother Joseph de Sylva Torres, Archbishop of Goa, and that We set before his eyes the great importance of avoiding every occasion of exciting schism. [Reference to the letter of July 13th, 1847]. In fine, We hope that they will second our wishes, and will bring consolation to Us by their Christian docility.

But We recommend you to treat them, as far as you can, with gentleness and benignity; and be careful to remove everything which may afford them reasonable ground for grief and displeasure.

PIUS IX, POPE.

Rome, 2nd April 1848.

After this pronouncement had been published in the church of Esperança on November 12th, 1848, the petitioners on January 18th, 1849 addressed a reply to the Vicar-Apostolic, the substance of which is as follows:

The petitioners acknowledge the answer from Rome which was published at Esperança on Sunday (Nov. 12th, 1848). The answer shows that the *Multa praeclare* is to be strictly adhered to. But as they have always been kept from all knowledge of this brief, and as any request for a copy involved the danger of the applicant being denounced as a

schismatic, no wonder if great dissatisfaction is felt. They therefore request a copy translated into the language of the community.

They remark on their peculiar position. Many of them being of Salsette families, or related to such families, they find it hard to call their brethren schismatics until they have studied every aspect of the question, and request Dr. Whelan not to try and suppress the inquiry. When satisfied about the *Multa praeclare* they can speak to their priests in Salsette with greater confidence than at present; for after all those priests are ordained by the Archbishop of Goa, and it would be folly to turn against them [without proper reasons].

They complain of complications in case of marriages, to which obstacles are placed by the Vicar-Apostolic, resulting in families passing over to the other jurisdiction. In baptisms too, there is the refusal of a godparent of the Goa jurisdiction unless he is willing to denounce the rest of his family as schismatics. It is unjust to harry domestic feelings in this way, and they desire earnestly that harmony should be restored.

Signed by Daniel D'Silva and many others.

January 18th, 1849.

To this Dr. Whelan, sending them a copy of the brief *Singulari Studio*, replied as follows :—

Episcopal Residence, Parel.

21st January 1849.

TO MR. DANIEL DE SILVA AND OTHERS.

In answer to your letter of the 18th instant, I enclose you two printed copies of the Apostolic Brief of His Holiness, our Sovereign Pontiff, directed to me, and dated Rome 2nd of April 1848, with translations in the Portuguese and English languages.

If you closely peruse this important document, you will find all that concerns you in the Bull "*Multa praeclare*" fully explained.

Since the year 1838, there has existed no Roman Catholic ecclesiastical jurisdiction throughout the Presidency of Bombay, save that confided by the Holy See to the Bishop Vicar-Apostolic.

The clergymen professing the Roman Catholic religion in Salsette having embraced and persevered in the schismatical opinions and acts of the Archbishop of Goa, (who has been recalled to Europe from his See) I can allow no intercourse with them or with their adherents, save that adopted and acted on, as regards marriages and sponsors at baptisms, by my predecessor Right Rev. Dr. Fortini.

The rule, therefore, remains the same as hitherto. You have signed yourselves my children. Having your temporal as well as your spiritual interest at heart, it is my duty to advise you strenuously not to be led away by the Goa clergy, who on the one hand will not obey the commands of the Supreme Head of the Church, and on the other owe or acknowledge no allegiance to the British authority. As my children

you owe all spiritual obedience to the successor of St. Peter; and as Indo-Britons you owe everything to the British power, which supports, protects and cherishes you. A short time will possibly convince you how expedient it may be to adopt this advice.

Your faithful servant in Christ,

✠ W. J. WHELAN, D.D.,

Bishop and Vicar-Apostolic of Bombay.

Why Bishop Whelan did not also send them a copy of the *Multa praeclare* itself, is not shown. Perhaps he had no printed copy at hand. Perhaps he realised that after all it had nothing to do with Bombay, and would only lead to a side issue and irrelevant controversy. In any case the *Bombay Catholic Layman* subsequently satisfied the popular demand by reproducing the text of the *Multa praeclare* in its issue of November 1849.

#### THE PROMOTION OF ARCHBISHOP TORRES.

Whether Archbishop Torres made any reply to the Pope's admonition of July 13th, 1847 we do not know; nor have we any record as to what went on between the courts of Lisbon and the Holy See at that time. The Pope in any case became fully convinced that Torres was the wrong man for his place, and at last in 1847 the Papal Nuncio was instructed to negotiate for his removal—which was done under a serious apprehension lest Portugal should not consent.

After about a year's discussion the matter came to a head. On October 21, 1848 a concordat was signed between the Court of Portugal and the Holy See, the main object being the withdrawal of Archbishop Torres from Goa. The text of the Concordat is not available; but here are two documents of the Court of Lisbon showing how it was put into execution:—

(No. 2162). Her Majesty the Queen commands it to be made known to the Governor-General of her Indian States that she has been pleased to present the actual Archbishop of Goa as Coadjutor and future successor of the Archbishop of Braga; and likewise as Commissary-General of the Bulla de Crusada, which is again put in force in this kingdom—all in the form which has been communicated to the said Archbishop under this date.

And whereas it is necessary that he should return to this kingdom as quickly as possible, Her Majesty determines that besides the pecuniary allowance to be furnished him by the Council of Finance, the Governor-General shall afford every assistance and facility for the journey, and pay him all the honours due to him both in the ecclesiastical and civil hierarchy.

20, Nov. 1848.

Letter from the Court to Archbishop Torres No. 50 (same date):—  
MOST EXCELLENT AND REV. SIR,

Her Majesty the Queen, greatly esteeming Your Excellency's good services and merit, and desiring to save you from further annoyances

beyond those which have necessarily disturbed you in the discharge of the episcopal ministry of Goa, took it into her consideration to transfer Your Excellency to the Archiepiscopal See of Braga, Primate of Portugal; in the conviction that no one could discharge the duties of that eminent office with greater zeal than Your Excellency, and that such a measure would be the most fitting reward for your good services.

However as the See of Braga is not yet vacant...it pleased the said august Lady to enter into a concordat with the Holy See on the following points: (1) The approval of Your Excellency's nomination as coadjutor and future successor of that See; (2) that if necessary Your Excellency should be nominated Archbishop *in partibus* (3) and Comissary General of the Bulla de Cruzada; and (4) that Your Excellency should on this occasion send to His Holiness a written declaration of submission and respect.

Such being the articles of the concordat...it is necessary that Your Excellency should proceed *ad sacra limina*, forwarding to His Holiness through our minister at Rome the letter of respect and submission of which the concordat speaks....

In consequence of these arrangements Your Excellency will have to nominate a Vicar-General with the necessary faculties till the installation of a new Archbishop [at Goa]. Her Majesty also relies on your virtue, prudence and zeal [to see] that your nomination shall fall on an ecclesiastic worthy of being your substitute.

Finally Your Excellency will take your departure [from Goa] for this kingdom on the first opportunity; your presence being very necessary here. The Governor General of the States is furnished with orders to provide you with the expenses of your journey.

Secretariate of State of Marine and Ultramarine.

20th Nov. 1848.

A private news-letter to Bombay or Madras dated New Goa, 14th January 1849, states that immediately on receipt of the despatch from Lisbon the Governor-General of Goa paid a visit to the Archbishop—during which His Grace declared that “he did not accept this favour [*viz.*, the ‘promotion to Braga’] since Her Majesty had not power to transfer him against his will, or to suspend him.” To this the Governor replied: “In that case you can renounce the Coadjutorship, as well as the Archbishopric of Goa.” Whether the Pope had written direct to Archbishop Torres explaining to him the cause of his removal we do not know. But in any case, immediately after the interview just mentioned Torres addressed a letter to the Pope (dated January 19, 1849) in which he used “expressions which gave offence to the Holy See,” and wrote in a way which suggested that he wished to justify his actions, and even took pride in them. [See later correspondence].

The formal resignation of the Archbishop is marked in the *Catholic Directory* as having taken place on March 26th 1849, and he left India *via* Bombay for Lisbon by the overland mail on April 3rd.

The Goa newspapers, so it is reported, showed little respect to the Archbishop on this occasion. They called his promotion a "gilded pill" and charged him with "ambition, prepotence, vexatiousness and scandalous nepotism." It is even said that a *Te Deum* was sung in the churches on receipt of the news of his deposition; and his departure was looked forward to. [We give this news for what it is worth. It was culled from some Goa papers by the *Madras Catholic Expositor* of March 1849, p. 14].

Apparently his last act of self-vindication before leaving India was to publish a "Pastoral Allocution" at Goa which also gave umbrage to the Holy See. The date is given as April 8th, 1849 in the papal correspondence, and as March 2nd, 1849 in a statement of Bishop Whelan. This Allocution was accompanied by a reprint of the bulls of his appointment in parallel columns with those of his two predecessors, with the object of proving to the public that he had received the same powers as the earlier Archbishops, and had not exceeded the rights or duties therein expressed. For this act also he had afterwards to apologise to the Holy See.

This apology (required as one of the points of the "Concordat") was put off till Torres had settled down in Lisbon, as we shall see later on.

## CHAPTER V.

### THE ALLOCUTION OF 1851.

THE history of the Torres affair and the negotiations regarding it, was given publicity by the Pope (Pius IX) in his allocution delivered at the Secret Consistory of February 17th, 1851. Being a lengthy document, we have summarised briefly those parts which are otherwise known or are of less importance to our history, but rendered in full the portions which throw the most light on it:—

Venerable Brethren:—

Among the new prelates whom we shall propose to you will be the Venerable Brother Joseph de Silva-Torres, whom it has been resolved to create coadjutor to the Archbishop of Braga.... But we think it proper to explain to you the motive for this resolution....

The same Joseph was Archbishop of Goa.... Now in these countries which belong to either the ordinary or metropolitan jurisdiction of Goa, there were many Vicars-Apostolic in no way subject to that prelate, whom the Holy See had there constituted in the dioceses of the Goa church and its metropolitan province. To these relate the *Multa praeclare*, and other briefs and decrees of Propaganda which either proceeded or followed that brief by papal command and authority.

[Here follows the reason of these Vicariates—the needs of missions

and missionaries, because the clergy sent there were quite unequal to this charge, etc., and because of the vacancy both of the Goa and the suffragan churches.] Furthermore, the clergymen who administered the said churches, seeking their own and not the things of Jesus Christ, dared to contradict the Vicars-Apostolic; arrogating to themselves the spiritual authority over the churches and the faithful committed to the Vicars-Apostolic, thereby causing much mischief; whence have sprung up no slight difficulties, dissensions and scandals. This was the state of things when the Queen of Portugal presented Joseph de Silva-Torres for promotion to the Church of Goa.

Now the city of Goa and its neighbourhood belonged still to the Crown of Portugal and was not committed to any Vicar-Apostolic; hence there was no reason why a new prelate should not be given to it. It was however hoped that the Vicars-Apostolic elsewhere appointed would suffer no trouble from the same Joseph, because Pope Gregory XVI had received many credible testimonies regarding his faith, doctrine and probity, and knew that he had been told by the Papal Internuncio about the papal decrees regarding the Vicars-Apostolic. Finally the same Joseph had in special letters pledged his obedience and loyalty to the Roman Pontiff. Nevertheless the Pope wished to have the new Archbishop admonished by a pontifical letter regarding the Vicars-Apostolic and their authority—which letter was issued on July 8th, 1843, and delivered to him at the same time when the Apostolic diplomas of the conferred archbishopric were despatched to Lisbon.

But the Archbishop Joseph, having in the ensuing year 1844 proceeded to Goa, did in no way confine himself to the limits of his duty, but endeavoured to assert the former authority of his predecessors even in the places committed to the care of the Apostolic Vicars; nor did he obey the letters by which Gregory, our predecessor, and we ourselves tried to move him to a sense of his duty. Wherefore we easily perceived that some provision ought to be made for the recall of the said Archbishop from the care of the Goa church. At the same time we considered this measure to be one of the greatest difficulty and danger, lest the Royal Portuguese Government should not consent to it with us; and for this reason we gave special command to our extraordinary Internuncio and Apostolical Delegate to treat with the royal Government for the recall of the Goa prelate. [At length, on October 21st, 1848] it was agreed that the prelate Joseph should be transferred from the Goa church....and made coadjutor to the Archbishop of Braga, etc.; and in order to avoid dissensions hereafter in creating a new prelate for the Goa church, [it was also agreed] that mention should be made, in the apostolic diploma conveying to him the right of archbishop, of the limits within which he should exercise his authority.

Meanwhile we learnt that the Portuguese Government had by command of the Queen despatched letters to Goa, in order that the Archbishop might not delay his return to Lisbon. At the same time Her Majesty's



Ambassador humbly entreated us in the Queen's name that we might be pleased to create him coadjutor with right of succession in the coming consistory.

This request . . . caused us great anxiety because of the things which the prelate had so indiscretely done in Goa. On the other hand if we did not accede to what our Internuncio had consented to, it might jeopardise his removal from Goa; and he and his partisans might cause even greater dissensions there.

We therefore commanded our Secretary of State to reply that we would in the next consistory free the prelate Joseph from the burden of the Goa church, and transfer him to some other church *in partibus infidelium* . . . . But as the Holy See had grave reasons for complaint against the acts of the Archbishop at Goa, we could not in safe conscience entrust him with the church of Braga, unless we were in possession of some proper documents by which it might be shown that he was sorry for the things he had inconsiderately done, with a fixed determination never in future to swerve from his duty.

The Queen's Ambassador agreed to this: and entertaining no doubt with regard to the letters which were expected, he urged that we should do as much as could be done. Therefore on December 22nd, 1848 in Consistory we made him Titular Archbishop of Palmyra and Commissary of the *Bulla Crusada*.

Later on, when the Prelate returned [from Goa] to Lisbon, we commanded him to be distinctly informed that the acts he had performed in India, beyond the limits of his authority and in violation of the commands of the Holy See, as well as his letters and writings a little before his departure from Goa, had given us much anxiety. We are happy however to announce that the Archbishop has satisfied us that by the grace of God he has with all his heart returned to a more wholesome counsel; for we received from him a letter dated November 18th, [1850] conceived in such terms as were proper to a man who detests his errors, and proposes to reform his life in future, and is anxious to testify, by constant actions in the future, his obedience and adhesion to us. This letter, and our reply to the same, are now submitted to your inspection [see below].

Accordingly we have resolved to promote the said Archbishop to the office of Coadjutor to the See of Braga with right of succession . . . .

#### THE LETTERS JUST REFERRED TO.

(1) Epistle of Joseph, Archbishop of Palmyra to His Holiness Pope Pius IX (dated Nov. 18, 1850):—

Most Holy Father,

The purest affection, and not merely the submissive respect which I owe to Your Holiness's sacred person and the See of St. Peter, is the cause why I am earnestly sorry that certain things, which took place when I was Archbishop of Goa, were distressful to Your Holiness; as well as certain sentences of that letter which I wrote to you from Goa on

the 19th of January last year (1849) and likewise the pastoral allocution which I published there on 8th April the same year (1849).

Being by the grace of God a Catholic, and a Bishop too, I implore the clemency of Your Holiness to vouchsafe to receive the present letter in a gracious spirit, and to be persuaded that in those preceding letters I could not by any means have intended either to justify completely the acts of my administration in the East, or to boast of them. Again from the publication of the bulls which I attached to my allocution, let it not be inferred, Blessed Father, that I had in mind anything opposed to the Holy See and its decrees.

Since I am by affection and not merely by duty united to the Holy See, I shall always hold those decrees in honour; and I promise the most intimate loyalty and most submissive veneration to the sacred person of the supreme prince of the Church, as I have always regarded you in all my acts.

As a proof of this veneration and obedience, I hope your clemency will allow me to express the sorrow (which I cannot sufficiently utter in words) with which I was oppressed on account of the bitter and undesirable situation in which I found myself in the diocese of Goa. This sorrow was greatly increased by my inability to prevent the publication of various writings which went far beyond the limits of charity and reverence.

In conclusion, Most Blessed Father, I beg Your Holiness to accept in mildness and clemency not only my most just adhesion and canonical subjection to the centre of Catholic unity, but also my sincere retraction of all words and acts by which I may have opposed myself to the Catholic principles which are deeply rooted in my heart, and in which, by the help of God, I hope to persevere to the end.

(2) Reply of Pope Pius IX to Joseph, Archbishop of Palmyra (dated January 6th, 1851): —

The letter begins with a summary of what Archbishop Torres said in his apology, and then continues:—

“Such sentiments, Venerable Brother, which we trust proceeded from a pure heart, a good conscience and an unfeigned faith, were to us most agreeable; and they diminish the sorrow with which your former acts overwhelmed us and our predecessor Gregory XVI. We are further sustained by the hope that to this your declaration, so worthy of a Catholic prelate, your judgment and doings for the future will exactly correspond.”

Then follows an exposition of the supremacy of the Pope and the duty of submission to him on the part of all bishops; and the letter concludes with a hope that for the future “you will so act as to enable those who have been not a little scandalised and grieved by your acts in the administration of the church of Goa, to form a better opinion of you.”

PIUS IX, POPE.

## CAUSES OF HIS WITHDRAWAL.

As regards the formal cause and reason of the withdrawal of Archbishop Torres, the rumour was spread about in India in Padroadist circles that it had not been brought about by his championship of the Padroado cause, but on account of the complaints of his own clergy against him (EXAMINER 1851, p. 338). That such complaints were raised appears from an article in the EXAMINER of 16th October 1854 (The Church in Western India), which declares that Archbishop Torres gave very little satisfaction to his own clergy, chiefly on account of his covetousness. It reports that besides appropriating his State salary he levied excessive fees of all kinds, and even required payments for ordinations; and then spent his money on his nephews to whom he gave important offices, etc. The chapter, we are told, appealed against him to the Government, and tried to put a check on his ordinations by requiring each candidate to secure a certificate of qualification from the Civil Government, etc. If this story is true, it might easily explain why the Portuguese Court was so unexpectedly ready to consent to his withdrawal; but from the point of view of the Holy See, the formal and all sufficing motive of recalling him was that he had aggressively and obstinately carried out the policy of the Portuguese Government against the Vicars-Apostolic in "defence of the Padroado" as opposed to the policy of the Holy See in defence of Propaganda.

## THE CIRCUMSCRIPTION OF THE DIOCESE OF GOA.

There is one point connected with the Torres affair which cannot be passed over in silence. Seeing that Archbishop Torres was clearly warned against interfering with the Vicars-Apostolic in general, and ordered by the Pope to respect and obey the *Mulla praeclare* and subsequent decrees, there is no difficulty in understanding the blame which the Holy See put upon him as regards his aggressive policy in connection with the Suffragan Sees of Cranganore, Cochin and Mylapore, and the Vicariates-Apostolic of Bengal, Madras, Pondicherry and Verapoly among which those dioceses had been divided. The same might be said with regard to Salsette and even Canara, which had been assigned to Vicars-Apostolic by subsequent decrees. But with regard to Bombay, there arises a difficulty amounting to a puzzle; and on this account it seems necessary to devote some space to discussing the circumscription of the diocese of Goa.

It is certainly an error (repeated in numerous pastorals, pamphlets, articles and books so as to have become "traditional") to say that the *Mulla praeclare* "completely abolished the royal patronage" or "abolished it in British territory," or "restricted the jurisdiction of the primate of the East to the Portuguese possessions," or "limited the diocese of Goa to Portuguese territory." The *Mulla praeclare* legislated only for the Suffragan Sees of Cranganore, Cochin, Mylapore, [and Malacca] and withdrew the Metropolitan jurisdiction of Goa over these sees. But it did not legislate for the diocese of Goa as such, either in

the way of withdrawing jurisdiction or of restricting its territorial limits. It left the diocese of Goa as it was before.

And how exactly was it before? Our previous history shows how Propaganda expressly recognised that the Archbishop of Goa was the Ordinary of Bombay, Salsette, Bassein, Karanja and Chaul in our neighbourhood; also the Ordinary of Canara (except Karwar) and of the Mangalore and Malabar seaboard generally. In these places the Vicars-Apostolic had no right, except as emergency-helpers to step-in just where, when and so far as the Archbishop of Goa was excluded by the English or by native princes. As soon as the Archbishop was able to resume charge of these places, the Vicars-Apostolic were to retire. Down to the *Multa praeclare* the Archdiocese of Goa was recognised as comprising these places along the coast (from Damaun let us say to Cannanore inclusive); and as the *Multa praeclare* did not legislate for the diocese of Goa (did not even mention it), the inference seems to be that Goa retained the same ordinary jurisdiction in these places after the *Multa praeclare* as before it. Whence then arose the idea, which became "traditional," that the Goa jurisdiction over these places was cancelled?

The process was an indirect one. Besides its legislative enactments regarding the Suffragan Sees, the *Multa praeclare* enunciated one general principle, *viz.*, that the Vicars-Apostolic were the true and sole Ordinaries in the districts assigned to them. The principle was not a new one; it had already been declared by several earlier popes that the Vicars-Apostolic had full, independent and exclusive jurisdiction in the districts assigned to them. Hence the inference: If Surat, Karwar, the Deccan and Golkonda belonged to the Vicars-Apostolic of the Mogul, it followed that the Archbishop of Goa had no jurisdiction in those districts, and that the ministrations of the Goa clergy there were invalid.

Secondly, if the Holy See, by a decree subsequent to the *Multa praeclare*, gave to the Vicars-Apostolic jurisdiction over Salsette, the inference was that the Goa jurisdiction in Salsette was cancelled, and the ministration of the Salsette clergy became invalid. Propaganda confirmed this inference in 1839 by declaring that the Archbishop of Goa had no longer any jurisdiction, either in Bombay or in Salsette; and telling Fr. Soarez, the Vicar-General of the North, that the Vicar-Apostolic of Bombay was the sole true authority there—to whom it was his duty to submit.

As to Salsette this answer was consistent and intelligible. But a difficulty arises about Bombay. In that island the diocesan right of Goa had always been recognised by Propaganda. The Vicar-Apostolic, it is true, was in possession of three out of the four original churches; but only on the ground that Goa was excluded from them by the British Government. As soon as that exclusion ceased, the Archbishop could by right resume full possession of the whole island,

Hence we fail entirely to see how it came about that Rome regarded the Vicar-Apostolic as the sole authority in Bombay, at a time when the Archbishop was still in pacific possession of Gloria Church and Cavel. Rome had never, as far as we can find out, cancelled his ordinary jurisdiction over Bombay island or withdrawn it from him. On the other hand the Propaganda letters of 1839 clearly assumed that such a cancelling or withdrawal had taken place, when they declared that the Vicar-Apostolic was the sole Ordinary in Bombay.

That this was the mind of the Holy See comes out clearly later on. When Archbishop Torres in 1841 came to Bombay, and performed pontifical acts in the Padroado churches of Gloria and Cavel; and again when Bishop Matta in 1853 did the same, both prelates acted on the assumption that these churches belonged legitimately to the diocese of Goa. And yet not only the Vicars-Apostolic of the time, but Rome itself, regarded their act as an illegal intrusion into the Vicariate.

How this could be, consistently with the records of the past, is one of the puzzles of our history; and we have to leave it such, till new light is thrown upon the case.

The provisional conclusion we must arrive at is that Rome, without expressly passing any decree limiting the diocese of Goa to Portuguese territory, had made up its mind to do so by indirect means—namely by conferring on the Vicars-Apostolic piecemeal any of the outlying portions of that diocese which either the people, or the Vicars-Apostolic themselves applied for. According to the principle enunciated by the *Multa praeclare*, as soon as a particular district was given to a Vicar-Apostolic, it was by the same act taken away from Goa. The Vicar-Apostolic became the sole true Ordinary there: and by the principle of the “excluded middle,” the jurisdiction of Goa automatically ceased. Want of geographical details perhaps caused it to be overlooked that a few bits of British territory had not yet been formally assigned to Vicars-Apostolic by an express decree—of which Bombay island *as a whole* was one.

#### DELIMITATION OF THE VICARIATE.

A certain side-light on the views taken as regards the circumscription of the diocese of Goa is derived from a discussion which took place between 1843 and 1846 (just when the Torres affair was on), about the circumscription of the Vicariate of Bombay. For if we see what areas Rome regarded as belonging to the Vicar-Apostolic, we shall also see what Rome regarded as remaining under the Archbishop—just at the time when Torres was on the spot.

Before Archbishop Torres was appointed in 1843, the Holy See was busy with the question of making a clear definition of the Vicariates-Apostolic and their boundaries, and further subdivisions of the same. Apparently the Vicar-Apostolic of Calcutta was told off to collect the opinions of his compeers. We have a letter (Jan. 12, 1843) replying to his inquiries, which gives the ideas of the Vicar-Apostolic of Bombay about his own Vicariate. He considers that it ought to comprise

all the Bombay presidency except Damaun and Diu which are Portuguese territory ; that Coorg should be handed over to the newly constituted Vicariate of Cannanore or Canara ; but that Sunkery or Karwar should remain under Bombay. The Vicar-Apostolic of Malabar however thinks that Karwar should be attached to Canara. The coast of the South Konkan as far as Vengurla with Dharwar collectorate [which then included Belgaum and Kaladgi] should be formed into a separate Vicariate, or at least a Prefecture-Apostolic, with its centre at Belgaum.

As regards the northern parts of the Presidency, it is suggested that a Prefecture-Apostolic should be created stretching from Surat to Karachi (=Guzarat and Sind). The Bombay Vicariate should embrace all the territory of Bombay, Salsette, Bassein, and also the Ghauts (=the Deccan plateau). If however Rome prefers not to make any division, the whole Vicariate should form a semi-circular territory, with Vengurla and Dharwar at the South end, Karachi at the North end, and as far inland as Bopal in the middle. As a large portion of these districts was formerly part of the Archdiocese of Goa, and governed by three Vicars-Forane [Vengurla, Poona and Hyderabad or Raichur] they should be clearly separated from Goa ; and the difficulty which priests, now working in those areas under oath to Goa, might feel in taking an oath to the Vicar-Apostolic instead, would have to be removed.

Some ideas of this sort having been communicated to Rome, Propaganda (May 12th, 1845) urges a further working out of a plan on the lines suggested. They do not propose to divide up the Bombay Vicariate at present. But when a feasible programme has been formed, experiments might be made as to putting it into execution—especially in the more remote districts such as Malwa which approaches near to Agra. The coadjutor (Mgr. Whelan) might for instance make that region his centre to begin with. This decentralisation would enable the Vicar-Apostolic to concentrate his own energies nearer home, and pay special attention to the education of youth, and especially the development of an efficient native clergy.

Similar discussions were also carried on about the delimitation of the other Vicariates, but they do not concern us here. The outcome of these plans showed itself by degrees in the division of Malabar Vicariate into Verapoly and Quilon ; the delimitation of Canara, including N. Canara and British Malabar ; the divisions of the Coromandel Vicariate into Pondicherry, Coimbatore, Mysore and Madura ; the division of Bengal into East and West ; the division of Madras into Madras, Vizagapatam and Hyderabad ; and finally the division of our own Vicariate (in 1854) into Bombay and Poona.

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## PART XIV.

### FORTINI AND WHELAN. 1840—1850.

#### CHAPTER I.

#### FORTINI'S TIME 1840-1848.

HAVING carried the history of the Padroado *vs.* Propaganda question down to the coming of Hartmann in 1850, we now go back to 1840 and work over what we may call the domestic history of the Vicariate, under the regime of the two Vicars-Apostolic Fortini (1840-1848) and Whelan (1848-1850). It was a turbulent time; so much so that those ten years may aptly be called the Dark Ages of the Bombay Vicariate. The prevalence of the double jurisdiction, the excitement which arose out of the *Multa praeclare* and its rejection, the disconcerting campaign of de Silva-Torres, the erastian and democratic principles of the British Government in Catholic church-affairs, were the chief causes at work. They had produced their natural effect in the mind of the laity, by imbuing them with the spirit of rivalry and contention, of restlessness and independence, of disrespect for ecclesiastical authority, emancipation from canonical discipline, a sense of supremacy in church-affairs which enabled them to have their own way whenever they wanted it, in defiance alike of Catholic principles and episcopal control.

That there were grievances and provocations nobody can deny. The non-recognition of Padroado ministrations led to reiteration of sacraments, invalidations and revalidations, which were fatal to domestic comfort and harmony, and provoked bitterness between families and against priests. Ignorance of the English language on the part of the Italian clergy exasperated the European soldiers and civilians, while ignorance of Portuguese or the vernaculars exasperated the local population. The native secular clergy had a grievance because they felt their subordination to the Carmelites. The people had become quite accustomed to the "right of selecting their own pastors subject to the confirmation of Government"; and whenever their exercise of this supposed right was resisted by the Vicar-Apostolic they appealed to the Governor-in-Council, and generally got their own way. Similarly they had got imbued with the idea that the churches were theirs, administered by the wardens as representing the people. As soon as the Vicars-Apostolic tried to exercise their authority this was resented by the community, and regarded as tyranny and usurpation. Finally the appointment of a coadjutor helped to the confusion; for the people took sides with one or other of the two prelates, and played them off against each other, and used them as heads for opposing parties. The consequence was, the Catholic population was broken up into cliques and factions for and against this prelate or priest, for and against this administrative policy, and in opposition to each other. From all

sides Government was pestered with petitions and counter-petitions, till it got sick of the whole business and ceased to care what happened ; unless there occurred a breach of the peace, and the police had to interfere.

The tension grew as the years went on till it reached a climax in 1848, when for two years Bombay was ecclesiastically a regular hell—a microscopic miniature of the French Revolution, one might almost call it, with the guillotine left out ; and this was the state of disorder inherited by Dr. Hartmann in 1850, which it was his heroic task to face.

The sources of information for this period are scanty and unsatisfactory. The Vicariate archives, which were extremely well kept by Dom Pedro d'Alcantara, were very badly kept by Drs. Fortini and Whelan, and amount to a collection of scraps. The columns of the *Bombay Catholic Layman* 1849-1850 fills up the gaps most picturesquely ; but being a partizan journal its contents have to be used with discrimination. It has however the advantage of revealing to us in graphic realism the frightful chaos and turmoil of the time. Some comments on the situation in Bombay which appeared in the *Madras Catholic Exposition* of 1849 help us somewhat precariously with some details. With these materials before us, pored over till we almost know them by heart, we must set to work to tell our tangled tale.

#### THE ACCESSION OF BISHOP FORTINI.

The death of Dom Pedro de Alcantara having taken place on October 8th, 1840, he was succeeded by Dom Fre Aloysius (Fortini) of St. Teresa, the 16th of the Vicars-Apostolic. He had already (Aug. 8th, 1837) been nominated Bishop of Calama in Africa and coadjutor to Dom Pedro, and consecrated by him on May 13th, 1838. He succeeded to the full charge of the Vicariate on November 9th, 1840. On announcing his appointment to Government he received (Nov. 14th, 1840) a letter acknowledging it, and adding that "so long as you may continue to exercise your spiritual authority with mildness and judgment, and consistently with the established regulations of Government, the Hon. Governor-in-Council will be disposed to extend the same consideration to you as was shown to your predecessor the late Bishop of Antiphali."

#### THE DEMAND FOR IRISH CHAPLAINS.

With the distribution of European troops all over the presidency, there arose a demand for chaplains. As the European fathers were very few in number and had fixed posts in Bombay, Surat and Karwar, this demand could only be met by sending out native secular clergy—most of them, it seems, Goan priests who accepted ordination from the Vicar-Apostolic during the Goa vacancy, or gave their allegiance to him for sake of employment. Lack of knowledge of English was of course an insuperable difficulty. Government was always harping on the point, and offering higher allowances on condition that priests qualified in English were nominated. Then in about 1839 we hear for the first time of a somewhat imperative demand for Irish priests.



The following data have bearing on this matter :—

“USQUE AD CABUL.”

In 1835 a movement was started by the British to open out trade along the Indus. An entanglement between Afghanistan and the Punjab, in which Baluchistan, Persia and even Russia was involved, brought the British forces to Kelat, Kandahar and Cabul. Hence arose the demand for a chaplain from Bombay—and in particular an Irish chaplain. At this time there was one Irish chaplain in Bombay—Bishop Miles Prendergast, Carmelite, who had been Vicar-Apostolic of Verapoly from 1819 to 1831. His behaviour in Malabar seems to have made it necessary to retire thence; so he took refuge in Bombay, and was utilised as Military Chaplain for Colaba and the Fort for 8 or 9 years. In 1838 Rome sent him orders to withdraw to Ireland; and the Vicar-Apostolic, who announces his departure under the cryptic designation NN, expresses at the same time apprehensions that his loss may cause trouble—among the soldiers, I suppose, in case they found him replaced by a “foreigner.”

In 1840 Dr. Fortini writes to Rome that “In Cabul a new residence is about to be established”\*—meaning that he was on the point of sending a chaplain there. But apparently he did not succeed in finding one to send; and his failure was made a handle for complaint. This is incidentally mentioned in the following letter to Propaganda, which we publish at length because it contains other interesting information as well :—

On May 1, 1841 Dr. Fortini writes to Rome to this effect :—The former director of the seminary, Fr. Agostinho, a Goan, stayed in Goa with [some of the run-away] seminarians, who were kept there gratis in the seminary at the Governor's expense, with the hope of being ordained by an Archbishop who might arrive in course of time, who would send them back as Vicars to these parts [Bombay and Salsette]. In April these seminarians came to Bombay, where they stayed in various places and talked against the European missionaries. To their insults and lies no reply was given, and people bore with them patiently. Fr. Agostinho dresses as a layman and displays publicly the decoration of the Order of Christ, given to him for his defence of the Padroado. They (the students) tried to induce an English Catholic to arouse the Catholics of Bombay on the ground that I had not sent a priest to Cabul for the Catholic soldiers, and also for having defended the ecclesiastical immunity of the clergy [privilegium fori] against Government, who had ordered a Goan priest, one of my subjects, to Court. I could not discover who the Catholics were that wanted to interfere.

A very old house of the bishop [Fort Chapel] has been pulled down and is to be replaced by a new one destined for an orphanage on one side of the bishop's house, while the seminary stands on the other. He asks for a man who will take care of both; mature, discreet and of sound

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\* This Afghanistan incident explains why the limits of the Bombay Vicariate came to be defined as reaching “usque ad Cabul” in the Decree of 1854; a definition retained even in the *Humani Salutis* of 1886.

doctrine and good moral character. Fortini says of himself : "I am only 46 years old, but need spectacles. I have lost 7 teeth and am losing others, all the effect of over-work—of which I do not complain."

DR. WHELAN, COADJUTOR.

The want of proper familiarity with the English language, on the part of the Italian and native chaplains appointed to military stations, began now to occupy the closer attention of Government. The matter had been already alluded to several times in reference to particular appointments; and it seems as if representations had been made by the officers and men—of which we have no written record. It was apparently this which led to the appointment of a coadjutor of British extraction to Dr. Fortini, which took place in 1842 by the selection of an Irish Carmelite for the post. This was Dr. Whelan.

Dr. John Francis Whelan of St. Teresa, nominated June 7th, 1842, Bishop of Aureliopolis in Lydia, and coadjutor to the Vicar-Apostolic of Bombay, was consecrated on July 3rd the same year in the Carmelite church, Dublin. Before setting out for Bombay he applied to the India Office, London, stating that "he had been appointed assistant R. C. Bishop of Bombay, in consequence of the inconvenience experienced by the British Roman Catholics of that Presidency from the imperfect acquaintance of the Catholic clergy there (who are chiefly Italians and Portuguese) with the English language; and requesting that the Court would extend to him the same provision which has been allowed to foreign priests at Bombay." The Court replied (September 30th, 1842) that "they sanctioned no allowance to R. C. priests in any part of India except to such as are engaged in the actual performance of spiritual duties with the European troops at the principal military stations; and that the responsibility of appointing such priests rests with the authorities in India." (Govt. papers I, 178). After his arrival in Bombay, March 15, 1843, the Court sent instructions to the local Government directing that the application should be considered favourably (Sept. 26th, 1843). In accordance with this, a salary of Rs. 200 per month was granted "for his ministrations to the R. C. soldiery." (Govt. papers I, No. 186). [The salary of Dr. Fortini meanwhile remained only Rs. 30 per month; but in 1850 Dr. Hartmann inherited the salary of Rs. 200 given to Dr. Whelan. (cf. No. 223].

We have found it stated that between 1843 and 1846 Dr. Whelan, the coadjutor, and not Dom Fortini, the Vicar-Apostolic, was the prominent figure in the Vicariate; that (for what reasons we do not know) Dom Fortini had been instructed from Rome to take no important steps without the advice of his coadjutor; that the two did not go on well together—perhaps because the prominence and energy of Dr. Whelan put his principal in the shade. We read in the Mauritius MS. that "after three years the state of his health obliged Dr. Whelan to return to Europe on March 3rd, 1846." He still however retained his title of coadjutor bishop with the right of succession.

## CHAPTER II.

## FORTINI AND AFTER 1840 --1848.

SOME light on the relations between Fortini and Whelan is shown by a group of documents ranging between 1841 and 1844, in which not only these two prelates, but also Fre Michael Antony (Carmelite) was involved. We give the substance of the whole, which consists of two lay memorials: one to Government in 1841, the other to Propaganda in 1844.

## THE MISDEMEANOURS OF FRE MICHAEL ANTONY.

On July 13th, 1841, John de Faria and others addressed a memorial to the Governor-in-Council. They have heard with great alarm that Fre Michael Antonio, Italian Vicar-General, Vicar of Esperanca, Chaplain of the soldiers of Colaba and Fort St. George, has been declared guilty of contempt of Court, for which he is now confined in the common jail. This contempt consisted in administering matrimony to two minors against the will of the parents and against the order of the supreme Court. The memorialists state that many similar acts have been perpetrated by Fre Michael Antony (three instances given, two of them cases of elopement). These facts make them apprehensive for their peace and domestic well-being: so they ask Government to be vigilant in enforcing good behaviour and public morality, and protecting British subjects from apprehensions and abuses: and to prohibit Fre Michael Antony from resuming his employment, or being placed in a position where he can jeopardise the tranquility of families.

Government replies briefly on July 24th, 1811: "You should appeal to the Vicar-Apostolic, as it is not the practice of Government to interfere with the spiritual affairs of the Roman Catholics." [Vicariate File IX].

The subsequent history is culled from a petition by the same party to Propaganda dated September 1843, and published in the *Gentleman's Gazette*, Feb. 2, 1844:—

The petition tells how they had complained to Government on July 13th, 1841 of Fre Michael Antony's misconduct, and Government had referred them to the Vicar-Apostolic. On appealing to that authority they met with an evasive reply. They consider that Dr. Fortini and Fre Miguel are leagued together (for what object they do not say) and that their undesirable policy has caused all the principal parishioners of Esperanca to resign the wardenship, which has fallen into the hands of less respectable and less worthy persons. "Lands, houses, money and other properties, left by our ancestors to the Church, have been disposed of without the concurrence of the parishioners. The few small schools established in each parish have been discontinued, and education has been neglected."

The arrival of Dr. Whelan (coadjutor) in 1843 led (they say) to fresh machinations on the part of Bishop Luigi (Fortini) and Fre Miguel; and a month ago a letter was prepared for the Court of Rome praying

for his (Whelan's) removal. At least 2,000 names, they are informed, were attached to it; but all from men of the poorest and most illiterate class [the motive being to get rid of the restraint which the presence of Dr. Whelan imposed on them]. The petitioners ask Rome for the removal of Fre Miguel as the root of the mischief, and also of Dr. Fortini, so that Bishop Whelan may be appointed as their prelate.

They complain of their increasing grievances, without specifying them except one, *viz.*, Dr. Fortini's policy of "prohibiting the communication of our families with their relatives who belong to the jurisdiction of Goa, and of imprinting on their minds that the Roman Catholics of that Diocese are schismatics; [to justify which] Bishop Louis says he has received a positive bull from Rome. In one or two instances the bishop christened twice children from that jurisdiction in the Mahim church, alleging that all marriages and baptisms celebrated by the parsons of the Metropolitan of Goa are null, as they are schismatics" [Of course the remark about baptisms *must* be false; but some cases about marriages refused are given in detail.]

They then hark back to the need of parish schools, for want of which they are compelled to send their children to the Protestants. Dr. Whelan (they say) on his arrival in 1813 brought out a European named Smith and reopened a school at Esperanca; but Fre Miguel refused to lodge Mr. Smith in the parochial house. They also speak of respectable European Catholics in various places who are attending the Protestant Church, for lack of Catholic priests conversant with English language; and ask for the removal of all these evils by the appointment of Dr. Whelan as their prelate. [End of Petition].

Whatever may have been the case with Bishop Fortini, who seems to have been a mild and gentle character; or with Dr. Whelan, who was certainly a brisk and vigorous one - we know that Fre Michael Antony was a man who made both enemies and friends; and we shall later on find him figuring as "chief villain" in the melodramatic piece which was enacted at Salvacao in 1848. Whatever may be thought of his prudence, at least his masterful spirit seems to have been appreciated by the Holy See; for after weathering a series of somewhat violent storms in Bombay, we find him elevated into Pro-Vicar-Apostolic of Mangalore in 1853.

#### THE PETITION FOR BRITISH CLERGY.

During 1844 and the following years Bombay went through the wave of excitement which was raised by the coming of Archbishop Torres, during which very little else seems to have happened worthy of record. The feeling against foreign military chaplains was meantime growing in strength; and in 1847 (during the absence of Dr. Whelan) reached its climax in a petition to the Holy See (dated June 27th, 1847) which was transmitted for presentation by the Rector of the Irish College at Rome. The petition is a diffuse and windy document, and it will be sufficient to summarise its substantial contentions. Its main object is to secure a body of British clergy in place of the Italian Carmelites; and it

therefore enumerates the various needs of the Vicariate which these Italians are alleged to have neglected. Want of familiarity with the English language is of course the first point of the indictment; but there are also charges of positive neglect. It is stated, for instance, that down to 1816 the Catholic soldiers were compelled to attend the services of the Church of England. This seems to be true; but it is false to say that none of the Italian pastors interfered; for we have in our archives some correspondence between the Vicar-Apostolic (Dom Pedro d'Alcantara) and Government which put a stop to this abuse. It is also stated that no educational institutions have been established for the laity. The same applies to the want of orphanages for children of soldiers. We learn incidentally that there were at this time six Italian and two Spanish Carmelites in the Vicariate.

While this petition was being prepared for despatch, Dr. Fortini died on January 5th, 1848, at the early age of 53; leaving behind him Fre Michael Antony, his Vicar General, as administrator of the Vicariate.

#### THE INTERREGNUM.

The administration of Fre Michael Antony lasted from the death of Bishop Fortini on January 5th, to the arrival of Dr. Whelan on November 5th, 1848—a period of ten months which we may call the "interregnum." During that short period two things happened:—

(1) The handing over of the Vicariate property to the High Court, through the lay agency of the Bombay Catholic Institute (March 9th, 1848.)

(2) A conflict between Fre Michael Antony V.G., and the parishioners of Salvacao over the appointment of a Vicar (March 15th, 1848.)

#### THE FORTINI ESTATE.

Apparently on account of some scruple arising out of the rules of the Order, Bishop Fortini made no will, and so died intestate. He left behind him merely a written dying declaration that he possessed no private property, (*B. C. L.* 1849, p. 47).\*

Already in Fortini's time there had existed in Bombay a small clique of laymen, mostly Irish, who had made themselves busy in the criticism of Church affairs and had given a great deal of trouble to the Vicar-Apostolic. Immediately after his death they raised an alarm that the mission property was not safe in the hands of Fre Michael Antony. They therefore organised themselves into what they called the "Bombay Catholic Institute," which according to the words of its Secretary, "was formed on March 9th, 1848 in consequence of several instances of misappropriation of church-property, of past neglect of our indigent

\* There was of course the legal possibility of Fortini's relations making a claim on his personal property if he had any. *R. M. P.* (*Plain Facts* p. 50) says that "some time after his death an heir of the deceased turned up and laid claim to all his goods and chattels, inclusive of his Church property." Whether this is true we have not found out. The same writer says that Fortini had transferred all the landed property of the Church to his own name in the Collector's books—which would not imply appropriation, of course, but would be merely a means of securing a recognised legal tenure.

poor, and the absence of all proper educational effort to improve the spiritual and social conditions of our community.”

One of its first acts was to apply to the Supreme Court, asking that letters of administration of all church-property held in the name of Dr. Fortini might be granted to the Ecclesiastical Registrar. This unauthorised application, though strenuously opposed by Fre Michael, was complied with, and the Ecclesiastical Registrar was sworn to the Trust. This act was initiated by two members of the Institute named Fleming and Kelly. The Nesbit Estate (connected with St. Anne's chapel, Byculla), was similarly taken over by the Court on May 6th, 1848 at the initiation of two other members, Dowling and Barry. (*B. C. Layman* 1849, p. 54).

#### TROUBLES AT SALVACAO.

On March 15th, 1848 (two and a half months after the death of Bishop Fortini) there arose a turmoil at Salvacao. A petition addressed to Government on that date reveals what the matter was. According to the memorial Bishop Fortini had for the past twenty years made Salvacao his residence, and constituted himself Vicar of that Church; and during the last 8 years [1840-1848] had retained as his curate the Rev. Braz Fernandes, with the prospect of making him Vicar. On the death of Bishop Fortini (Jan. 5, 1848) Fre Michael Antony had tried to introduce a Carmelite, Fre Augustino of St. Mary, into that post; but this step was resisted by the parishioners, who put in a request for Fr. Domingo de Souza; and this failing, for Fr. Gabriel D'Oliveira. Fre Michael then tried to induct another Carmelite, Fre Mauricio, and proclaimed him on February 20th. Next Sunday about 200 parishioners invited Fre Mauricio to a conference; where, in consequence of a protest against his appointment, he professed himself ready to retire if allowed to do so by his superior.

Thereupon they resolved to put themselves under the protection of Government, for the expulsion of intruders from their church. The petition contained charges of maladministration, both of parish and property, during the regime of Bishop Fortini, etc. To this was added an insinuation that the subsidy of Government to the seminary was not being properly used; that the education of the clerics was neglected, in order to keep them in a degraded condition and unfit to aspire to ecclesiastical posts—so that thereby the foreign Carmelites might monopolise the offices proper to the native clergy. [Government was so influenced by this insinuation as to order the payment to be suspended; but afterwards on making inquiries declared themselves satisfied, and in September resumed payment].

To the main draft of the memorial Government replied on June 30th, 1848:—

To John de Monte and others....

Sir,—In reply to your petition of March 15th last, complaining of the treatment to which you are subject by the Italian Friars in Bombay,

I am directed to inform you that the question of how far you admit the spiritual jurisdiction of that Order is one which is entirely for your own consideration. The right of pastoral election, I am directed to observe, being vested in the parishioners, Government will be prepared to confirm, if otherwise unexceptionable, the candidate who may be chosen by the majority of the parishioners as their Vicar; and it is quite immaterial to Government whether he be inducted by the Carmelite Superior or by the Archbishop of Goa.

I am also directed to intimate that Government have ordered an enquiry to be made into the manner in which its grant of Rs. 150 per mensem for the education of priests has hitherto been appropriated, and that further payment will be suspended until a reply has been received.

By Order, etc.,

30th, June 1848.

J. G. LUMSDEN, Secy. to Govt.

#### A POPULAR ELECTION.

Taking the cue here provided, the parishioners proceeded to exercise their electoral rights. On July 7th they acknowledge the letter of Government, and say that "in accordance therewith we have elected unanimously Rev. John Braz Fernandes our Vicar or parish-priest; and we trust the Rt. Hon'ble Governor-in-Council will be pleased to sanction this election.

Signed by John de Monte and 337 others

[out of a parish of 2,357 souls.]

On July 9th they next informed the Government that "Fre Michael Antony, calling himself Vicar-General of Bombay, had requested a meeting." But when the meeting was convened to the number of 400, Fre Michael declined to come down to the place, and requested the wardens only to come to him in the parish house. The wardens refused to discuss the matter privately. So they fell back again on Government, whom they warned not to believe any false reports that the Friars might make regards the result of the meeting—"the only result being that they insulted us by refusing to meet us."

After the meeting had dispersed, the clerk of Salvacao church was ordered to open the church only for the ministration of native priests, and that no Italian clergy were to be admitted. "Before adopting this course we sent notice of our intention to Fre Miguel, who replied: 'You can do what you think proper, the church being yours.'"

On the same day a notice was sent to Fre Maurice saying that they considered him an intruder, and requesting him to vacate the parish-house as early as possible; "so that we may be saved the disagreeable necessity of taking legal measures for your removal." Fre Maurice replied that "the majority of the parishioners and our ecclesiastical superior having retained me in my present office as Vicar of this church, I cannot comply with your wishes."

The same memorialists (John de Monte, etc.) on July 20th, 1848, sent to Government the warning that "a number of persons, most of

them unconnected with the parish, intend presenting a petition to Government denying the aspersions contained in *our* first petition, and stating that the majority of the parishioners are in favour of the Italian Friar Mauricio. In order to save Government trouble, and us loss of time, we beg that one of the magistrates of police be sent to inquire at the truth of the allegations of our first petition, and to take the votes of the majority of the parishioners; and should the report be favourable, that Government should confirm without delay the election of Fr. Braz Fernandes, and thereby restore peace and tranquility to the parish."

On October 18th Government replied, acquainting the petitioners that the Governor-in-Council was "pleased to confirm the election of Rev. Braz Fernandes as Vicar of your parish." Government at the same time wrote informing the Vicar-General, Fre Michael, of the election and confirmation; and accordingly "requests that you will have the goodness to place him in charge of that parish."

The Bombay Catholic Institute, which had been appealed-to by the party at Salvacao to give their support, preferred to assume the attitude of an impartial looker-on. But hearing of the election and confirmation of Government, two of the members went to Mahim to "watch proceedings." They reported (Oct. 20, 1848), having witnessed Fr. Braz Fernandes entering into the Church, reading out his Government confirmation, and celebrating Mass: after which the parishioners conducted the new Vicar to the parish house, where they politely bade Fre Mauricio farewell, asking his forgiveness if any act of theirs might have given him pain."

And so the incident ended - but not its effects. Waving aside all questions as to the prudence and wisdom of Fre Michael Antony's policy, what wonder, under the erastian system adopted by the British Government, that the people of Bombay should have lost sight entirely of all respect for ecclesiastical authority, and of the Catholic principles of Church administration? What wonder, in consequence, if the Church of Bombay during the interregnum and the Whelan regime (1848-1850) should be a little hell.

### CHAPTER III.

#### THE RETURN OF WHELAN (1848).

It was known that Dr. Whelan, then in Ireland, was coadjutor with right of succession, and might be expected to start soon for India to take possession of his Vicariate. From a long faded and almost illegible manuscript dated July 27th, 1848 we discover that the Bombay Catholic Institute got into communication with him at once, and gave him a horrible description of the state of things in Bombay, with a detailed



list of scandals, disorders, maladministrations, and a severe indictment of Bishop Fortini's regime, but particularly of the behaviour of Fre Michael Antony. They told him how the Institute had come to the rescue, and placed the property of the Vicariate in the safe hands of Government till the arrival of Fortini's successor. As far as the writing is legible we have managed to make a summary :—

The document first discusses the petition for British clergy. The writers express a wish to smooth Dr. Whelan's path for him. They complain against the Italian Carmelites under many heads, as an obstacle to the progress of religion. The funds of the Vicariate are abundant ; yet no use is made of them to promote education, etc., and they oppose the efforts of the Education and Orphan Society in that direction. The schools of Byculla (Nesbit endowment) and of Salvacao have been closed. The education at the Seminary, in spite of Government and other endowments, is at a low ebb. The Carmelites have bought a house in Duncan Road which is used as a brothel. Persons of immoral life are given charge of a female orphanage. Fre Maurice and Michael Antony behave themselves in an unseemly manner in administering the sacraments. The property of the Vicariate is squandered in rebuilding the Fort Chapel and other houses there. Wardens are allowed to alienate church properties ; charitable and mass trusts are not fulfilled ; no proper accounts are kept. The B. C. Institute had to be formed to save the church property from being misappropriated and frittered away. Fre Michael Antony arrogates to himself the title of Head of the Church, interferes with the rights of the people in the parishes, insults parishioners, holds charge of two parishes and consequently neglects them both ; accuses the B. C. Institute of having hastened the death of Bishop Fortini by their vexatious behaviour ; puts obstructions in the way of the Registrar in the administration of the Vicariate property, etc., etc. [It is interesting and gratifying to notice that there is no charge made of personal immorality].

Dated July 27th, 1848.

It seems that Dr. Whelan was completely taken in by the zealous and plausible tone of this document penned by his own fellow-countrymen ; and wrote back (so it is said) telling the B. C. Institute that he fully approved of what they had done, and looked upon them as having "played the part of providence" to the mission !

#### ARRIVAL IN BOMBAY.

Dr. Whelan arrived in Bombay on November 5th, 1848 primed to the full with all the information the Institute had given him, and filled with all the prejudices which their description was calculated to produce. He displayed marked favour to the Institute, and corresponding disfavour to Fre Michael Antony, who had prepared dinner and lodging for him at Esperanca church because the Fort residence was then under reconstruction. Dr. Whelan preferred to dine with the Institute, and

tried to take up lodgings for the night at the Fort Chapel—failing which he went to a hotel.

Soon finding reasons, however, to wonder whether the Bombay Catholic Institute was all it had professed to be, he ordered Fr. Sheehan to call for their record-books, (Nov. 20th) which were politely refused, though “authentic copies” were offered. This was the first rift in the lute. The second was when Dr. Whelan sent in an official application to have the Vicariate property handed over to him by the Court, now that he had taken possession of his See (Nov. 30th). The Attorney General referred the application to the Institute, which was angry at his having made the application direct without consulting them, and gave the vote of the majority that it should not be acceded to [voting five for and eleven against]. Dr. Whelan, altogether taken aback, found himself helpless. He at least asked that the Ecclesiastical Registrar should become Official Trustee, and that the annual income should be paid over to him. After some delay this was acceded to, and a decree to that effect was passed (*B. C. Layman* 1849, p. 79, 80.)†

A petition was sent in to the Court bearing 700 signatures in support of his claim on the property of the Vicariate, but without effect. The property remained in the hands of the Official Trustee for administration, with the effect that the Vicar-Apostolic had even to ask leave to live in his own villa house at Parel. [It was only in 1854 that Dr. Hartmann succeeded in recovering possession of the property.]

Dr. Whelan, though he retained the name of Patron of the Institute, was naturally estranged. Recognising that it was impossible under the circumstances for the two to work together, an impudent resolution was passed on January 27th, 1849, to the effect that “finding that it cannot carry out its objects without factional disturbances, the operations of the B. C. Institute be suspended during the Vicariate of its patron.”

#### EDUCATION AND ORPHANS.

The Bombay Catholic Education and Orphan Society seems to have been an outgrowth of, or rather a department of the Bombay Catholic Institute, and was worked by the same little clique of men. It took over that portion of the Institute programme which was “the promotion of all Catholic charities such as the support of poor widows, an asylum for the aged, blind and crippled, etc., and to promote the interests of all classes of the Catholic community”; and again, “its object was to bring about the formation of schools and orphanages, especially a female orphanage.”

When Dr. Whelan came from Europe he brought with him three Loretto nuns of Rathfarnham; and it was hoped that these would fall in with the designs of the above-mentioned Society regarding a female

† From the official statement of accounts published in 1849, we find that the Fortini Estate comprised Rs. 25,424-13-8 in Government Securities (probably trust capitals for Masses and charities), and landed property estimated at about Rs. 1,20,000. [Fort Chapel and Meadows St. houses, Parel Villa, some oarts at Mahim, a few houses, etc.]

orphanage. The Society accordingly, on December 9th, 1848, voted a sum of Rs. 600 "to provide and furnish a house for the Loretto ladies." But when Dr. Whelan pointed out that the "Loretto ladies" had to view their particular line of opening a school for children of the somewhat better classes, and perhaps only a day school at first they backed out of their proposition and a week later cancelled their subsidy. Matters in this direction came to a standstill; and so the Education and Orphan Society also suspended operations, and came to end with the Institute to which it belonged.

#### ENEMIES OF THE HOUSEHOLD.

The disillusionment which Dr. Whelan so soon experienced in connection with the Bombay Catholic Institute was only the first of a series of annoyances which he had to cope with, and that from just the section of the community from whom he naturally expected sympathy and support; viz., his own fellow-countrymen in Bombay, who were supposed to be hungering and thirsting for a British bishop and British clergy as the panacea of all their ills.

The situation which had grown up seems to have been as follows:— Besides the long-standing division between the two jurisdictions, and the constant wavering of different sections both of clergy and laity between them, there had gradually come into existence a third party, consisting of the Irish element among the troops, and a number of laymen who set themselves to foment ill-feeling. The ground of complaint was the want of chaplains who could speak proper English—no doubt a real grievance, but one which had behind it the ordinary instinctive dislike of "foreigners" so characteristic of the Britisher. Among the civilians appear the names of Cross, Fleming, Phillips, Barry, Dowling, Kelly, etc., while the greatest mischief-makers in Bombay seem to have been a pair of O'Mealys, father and son, the latter of whom in July 1849 started a small periodical called the *Bombay Catholic Layman*, which continued to run for about two years. Curiously enough this gentleman, though an Irishman, was the deadly enemy of Dr. Whelan, his fellow-country-man. He poured ridicule on the petition for a British bishop and clergy, which in his estimation was responsible for bringing Dr. Whelan to these shores. His paper consists of a series of witty, clever but scurrilous attacks on the Vicar-Apostolic, whom he called (in the terminology of Trent) a "vagabond bishop" and "the Pope's agent;" and who, he considered, had simply no right to be in Bombay at all.

Here for example is the way in which the reason for Dr. Whelan's arrival was described by him in the *Bombay Catholic Layman* of July 1849:—

"On the 15th of January 1848, a petition left Bombay under cover to the V. Rev. Dr. Paul Cullen, Rector of the Irish College at Rome, with the request that he would present it to his Holiness Pope Pius IX, and not only himself support the prayer for a British bishop with full power, assisted by a British clergy, but that he would obtain the support

of the Rectors of the English and Scottish colleges as well. This document was signed by about 1,200 persons, natives of Great Britain and Ireland and their descendants. At most 20 of these were free of the army; the rest were subject to the provisions of the Mutiny Act. Of the latter about 10 were commissioned officers and private soldiers. Its consequence was that on the 5th of November 1818 an Irish Friar of the Order of Discalced Carmelites, two Irish Jesuits, one native Jesuit, and, last but not least, three religious ladies, landed on our shores under a salute of 16 guns from the battery at Apollo Bunder."

The Irish friar referred to was of course Dr. Whelan. It is not true that his return was in consequence of the petition, as he would naturally come back after the death of Dom Fortini, to whom he had the right of succession in the Vicariate. But his original selection had been due to a movement in favour of an English prelate and clergy, and in this sense his arrival was an answer to the demand. It cannot be said that the result was successful. People who grumble for what they want are pretty sure to grumble again when they have got it; and moreover, a man who comes out, like Dr. Whelan, who has been imbued with the idea that things have been going wrong for want of him, and that he has only to step into the place in order to put everything right, is almost sure to come to grief unless he is very self restrained and level-headed indeed. The situation was certainly a difficult one, and the data at hand do not always make clear where the blame chiefly lay. But the result was that, in some way or other, everybody seemed to be set by the ears during his reign: and when he was withdrawn in 1850 he left behind him a situation so discouraging that it led to the ultimate resignation of the Carmelites and then of the Capuchins, besides nearly putting Dr. Hartmann in his grave.

#### THE DISTRESSFUL SITUATION.

The following is a specimen, though perhaps a mild one, of the same editor's style and temper. Summing up a few of his charges against Dr. Whelan he writes:--

"He became patron of the Bombay Catholic Institute; and its members, to save themselves from being involved in his measures, with the utmost delicacy suspend its operations during his Vicariate. He wrote from Dublin that the religious ladies were coming out here to attend to the hitherto neglected children of Catholics, European and native; and after his arrival he recommends the abolition of the Bombay Catholic Education and Orphan Society because, so long as it lasted, the Protestant supporters of the noble schools at Byculla would oppose all Roman Catholic intrusion into their establishments. The church of N. S. de Esperança being rich, he tried to get for himself its spiritual and temporal care...but was rejected; and he and his partizans then committed offences against property which they have now to answer for on the Equity side of the Supreme Court. All these scandals and more have been caused within the short space of eight months by a very unmilitary

movement for a British bishop with full power, assisted by a British clergy, for the British spiritual children of His Holiness within the Bombay Presidency." (p. 8).

The *Madrás Catholic Expositor* wrote : —

Catholic affairs at Bombay are in a very distracted state. The Catholics are at war with themselves and their bishop. Certain parties have been so long accustomed to dominance over the clergy that the authority of a bishop is now but little known there, and less respected. . . .

"When Dr. Whelan came to Bombay in November 1848 he found it impossible to reconcile the dissident parties to each other or to himself. The party which was opposed to the Italian clergy. . . . hated ecclesiastical authority in every shape and form, and raised opposition to the Italian clergy because they happened to be the only representatives of ecclesiastical authority against whom it was in their power to raise opposition."

A non-Catholic writer in the *Monthly Miscellany for Western India*, 1850, commented thus on the case : —

"The last Italian of this line was Dr. Fortini, better known as Fre Maria Louis ; an amiable, erudite, humble and truly devout man, on whom the mitre could reflect no dignity, while its cares and the harrowing disputations which occurred shortly previous hastened his lamented death. These harrowing disputations arose through a party of turbulent Irishmen, who had left the military ranks in which they had come out to India, and by dint of perseverance, economy and industry, had endeavoured to gain a fairer position abroad than they would have effected at home. The alleged grounds of their opposition were certainly very reasonable — they objected to foreign priests who did not sufficiently understand English, and they needed those who could freely communicate with them. The strangest part of this proceeding was that many of them had not for years entered a church ; and there were instances of those who for upwards of twenty years had not communicated with her in any form. [Yet] within that time Bombay had had an Irish bishop for some years at the head of the Carmelite community ; and subsequent to that period, and within the outbreak, Dr. Whelan had been the coadjutor of Dr. Fortini ; and moreover, two of the Italian clergy were perfectly conversant with the language of Britain. Shattered health obliged Dr. Whelan to return to Europe ; Dr. Fortini's death happened to follow very quickly. . . . The re-appearance of Dr. Whelan — also a member of the Carmelite fraternity — in India, as the chief director of the Church of the presidency, led the flag of truce to be presented by the belligerents who sought the expulsion of the Italians. [This detail is not true]. Yet with all his peaceful endeavours he has volcanic elements to control — which the most trifling circumstances may set in operation" (p. 24). "Owing to existing feuds and the absence of their favourite priesthood, the Bombay papists have become lukewarm if not absolutely cold in respect to attendance upon the ordinances of their church ; and

those edifices, which were crowded in former years upon a sabbath morning, have miserable congregations in point of numbers. The larger number of the Romish Christians are Kulis, Govanis, Salsetnis and natives of Bombay, who with Portuguese nomenclature attempt to palm themselves as descendants of European Portuguese; but all of whom are mere Indo-papists. There are a few Irish and others of this persuasion who are in civil employment, and numbers in the Queen's and Company's regiments. With two or three isolated exceptions the respectable portion of the European community and of this creed appear to be ashamed of it, and do not even acknowledge it" (p. 25).

## CHAPTER IV.

### THE ESPERANÇA SUIT.

FRE MICHAEL ANTONY, Carmelite, had been Vicar-General to Bishop Fortini from 1840; and on that prelate's death in 1848 was left behind as Administrator of the Vicariate till the arrival of Dr. Whelan. He had also been Vicar of Esperança parish since 1835, and seems to have been popular with his flock.

When Dr. Whelan reached Bombay in November 1848, he at once relieved Fre Michael Antony of the post of Vicar-General, and gave it to a native secular priest, Fr. Joseph de Mello. Four months later (Feb. 11th, 1849) he made his visitation to Esperança, where in a Lenten Pastoral he announced his intention to convert that church into his episcopal church (or quasi-cathedral) and to take the office of Vicar of the parish upon himself; which act caused Fre Michael Antony to tender his resignation the following day.

This revolution was deeply resented by the Fabriquero and wardens, and by at least a portion of the parishioners. During the week a meeting was held in the parochial hall (against the will of Fre Michael Antony) and a strong protest was drawn up. The affair became public; and on February 15th, a counter-protest was published by the secular clergy in the "Gentleman's Gazette," declaring that "we had no part in the proceedings lately taken by some persons in the parish of Esperança, in opposition to some of the measures announced to us in the Lenten Pastoral; and we now pray that your Lordship will persevere in asserting your rights to erect the church of Esperança into your episcopal church. [Signed by Joseph de Mello, Vicar-General, 12 secular priests, 7 clerics of the seminary and Mgr. Francis Menezes, D.D., (Rector). [*B. C. Layman*, 1849 p. 12].

Next Sunday (February 18th), Dr. Whelan announced in the church that he appointed a native secular priest, Gabriel d'Oliveira, as Vicar Administrator of Esperança. This act only stiffened the opposition, as it

meant the removal of Fre Michael Antony. At a general meeting on February 19th a written protest was prepared and sent by post to Dr. Whelan. It was also read by one of the wardens in the church on Sunday, February 25th; an act which gave rise to a disturbance. After service there was a meeting of 500 to 600 parishioners in the parochial hall, who deliberated how to prevent disorders in the church. With this end in view it was resolved to keep the church locked; and the clerk (who always had charge of the keys) received orders from the wardens accordingly. As Fre Michael Antony had left the place and Fr. Gabriel d'Oliveira had not entered it, the parish house was also locked up.

#### RESORT TO FORCE.

On Tuesday, February 27th, a party of six laymen (4 Europeans and 2 natives)—whether instructed by Dr. Whelan we do not know—came and broke open the church; but not without resistance which gave occasion for a case of assault. A few days later a similar party broke open a portion of the parochial house. By these militant means Fr. Gabriel d'Oliveira was enabled to occupy and to retain possession of the premises, which were guarded by a European constable and a native policeman as a "defence against the enemy."

Gabriel d'Oliveira however had only gained possession of part of the parochial house. The wardens had the rest, including pulpit, gallery, and vestments (=sacristy). On March 19th some parishioners, 161 in number, wrote to the wardens asking them to open these parts for use. On March 24th the wardens reply that they are arranging to ascertain the decision of the "parishioners" on these points. They instruct their lawyer to protest to Fr. d'Oliveira against his occupation of part of the house by force, and to make an inventory of the valuables in possession of that priest. In April, 54 parishioners protest to Dr. Whelan against the pretensions of the wardens undertaking the management of the church affairs regardless of the right of the other members of the community; asking him to adopt measures for the removal of the evil, and to appoint a day for holding a meeting. (File XI, 153-158). We do not find record that anything was done.

#### APPEAL TO THE COURT.

The result was a state of declared war. The wardens, backed up by some unascertained proportion of the parishioners, were determined to hold their own. They contested the right of the Vicar-Apostolic (1) to convert Esperança into his episcopal church; (2) to assume to himself the office of Vicar therein; (3) to appoint anyone Vicar who was not of their choice. As such claims could not possibly be yielded to by the Vicar-Apostolic, they determined on a lawsuit to assert and recover what they considered to be their rights. It took them four months to work up their case; (during which on May 11th they drafted a proposed "trust deed" for the administration of the property) and the suit was filed by them on July 14th, 1849.

The appeal to Court did not meet with the approval of all the parishioners. For on July 21st forty-nine of them signed a declaration that "the suit which has been filed by the self-named wardens has not our consent; and we solemnly protest against any such proceedings being adopted against our ecclesiastical superiors." (File XII, 158). But the remonstrance had no effect.

Meanwhile Fr. Gabriel d'Oliveira was in possession as Vicar Administrator; and Dr. Whelan was taking drastic measures to reduce the recalcitrants to order. He issued instructions to the Vicar that no parishioner was to be admitted to the rites of the Church except after signing a paper of submission to and acknowledgment of the ecclesiastical authority—a regulation which, it was publicly stated by the "opposition," was applied rigorously to baptisms, sick-calls and burials—it was not said what was done with regard to confessions and communions. This desperate measure, which was effectual with those of the milder sort, only exasperated the leaders of the "opposition" and drove them to extremes. Even the plan of handing over the church to the Goa clergy was mooted. This will be seen from a petition addressed to the Government on July 27th, 1849, a fortnight after the suit had been filed:—

#### MEMORIAL TO GOVERNMENT.

Memorial of the wardens and parishioners of Esperança to the Governor-in-Council:—

HUMBLY SHOWETH,—That in furtherance of their endeavours to regain the rights of which the Rt. Rev. Dr. Whelan had forcibly, and in their opinion unlawfully deprived them, Your Memorialists did on the 14th inst., through the Advocate General, file an information against the Rt. Rev. Dr. Whelan and others in His M<sup>s</sup>. Supreme Court of Judicature at Bombay.

That the usual summonses and notices had been served on the defendants on the 19th and 20th instant.

That shortly before and since these summonses were issued, the Vicar-Apostolic and his priests have been doing everything in their power to intimidate Your Petitioners, by denying to different members of the church its rites, unless they sign a paper acknowledging him to possess indisputable ecclesiastical power in the island. Two European widow ladies, and several native ladies, who took no part whatever in the painful measures into which Your Petitioners have been forced since February last, were denied the sacraments of the Church. One Mr. Miguel de Mello, desiring to have celebrated a solemn Mass on the feast of St. Peter, was refused. The child of Mr. Paulo de Rozario, a respectable parishioner, having died, the priest refused the corpse Christian burial . . . till the father signed the proffered acknowledgment of indisputable ecclesiastical power. On the death of another respectable parishioner, Mr. J. P. d'Almeida, the priest acted in the same way. All christenings are stopped, thus harrowing the feelings of parents. A poor native Christian man, being on the point of death, prayed for the consolations



of the Church, but the priest refused to attend in the absence of an adhesion to the pretensions of the Vicar-Apostolic from the patient. He died without the rites of the Church; and his son prayed that he might have Christian burial, and agreed to secure this by subscribing to the new document mentioned above. As he became submissive, however, the priest became exorbitant in his demands, and would not give the corpse Christian burial unless the whole of the Christians in the deceased's class of life [shoemakers] subscribed to the document. Of course this was impossible; and the corpse was interred, with the permission of the wardens, without these rites.

Your Memorialists, desirous to preserve the peace, see no alternative but to solicit the permission of Your Rt. Hon'ble Board to put into their parish one or two of the Archbishop's priests, or as many of them as may be necessary for supplying their urgent spiritual necessities—until the decision of the Court of Directors shall be received by Your Rt. Hon'ble Board to the reference made to that authority, as intimated to Your Memorialists in the Secretary Lumsden's letter of 16th June last.

And Your Memorialists would earnestly beg, etc.

Signed by C. J. Phillips and others.

27th July, 1849.

#### REPLY OF GOVERNMENT.

To Mr. C. J. Phillips and other Parishioners:—

I am directed to intimate to you that, pending the receipt of an answer from the Court of Directors, the Governor-in-Council can issue no instructions on the subject of your petition.

I am at the same time instructed to add that Government is not aware of any objection to your receiving spiritual aid from pastors of your own selection, provided they do not assume any right to interfere with the established arrangements of the church and parish.

By order, etc.,

12th Sept. 1849.

J. G. LUMSDEN,

Secretary to Government.

(B. C. L. p. 75-77).

#### THE PROGRESS OF THE SUIT.

The suit was filed in the Supreme Court, Equity side, on July 14th, 1849.

The *Defendants* were: William Joseph Whelan (Vicar-Apostolic); Gabriel d'Oliveira (the newly appointed Vicar); and the laymen who broke open the church: John Pierce, Patrick Kelly, Frederick William Fleming, John Antony d'Almeida, and Ignatio de Remedios.

The *Plaintiffs* (or "Relators") were: C. J. Phillips (Fabriquero and Supt. of Esperança estate); Joseph d'Mello (a layman, not the Vicar-General); Gaspar d'Silva, Francisco de Miranda, Salvador Viegas (all wardens).

The *Information* (a long statement of the case from the plaintiffs' point of view) was dated July 12th, 1849.

The *Summonses and Notices* were issued on July 19th and 20th.

The *Interrogatory* on the "Information" was drawn up on August 12th.

The *Defendants' Answer* to the "Information" was presented on August 20th.

The *Amended Information* by the plaintiffs in view of the defendants' answer was only presented on January 16th, 1850.

The *Defendants further Answer* to the "Amended Information" followed on January 26th, 1850.

Meanwhile Dr. Whelan had been summoned to Rome in connection with the "disorders of the Vicariate." He secured a free passage from Government, and sailed for Europe on February 2nd, 1850, leaving the unfinished suit behind him for Dr. Hartmann to face.

#### COMMENTS ON THE CASE.

The "Information" in which the plaintiffs stated their case, is a long document which attempts to establish the rights of the parishioners against the Vicar-Apostolic by an appeal to past history. It is an extraordinary mass of misstatements, which at first blush one would instinctively describe in colloquial terms as a "budget of lies." But it is sounder to regard it as a monumental proof how little the history was known, and how it had been transformed into a "traditional view of things" based on a lack of Catholic as well as historical education. What facts were known had come to be badly misinterpreted, and in the long prevailing chaos all touch with sound Catholic principles had been lost. Being an ephemeral concern the document is not worth a laboured analysis; but the following notes will be instructive:—

(1) The first point was that Esperança Church had been built out of the gifts or subscriptions of the pious laity, and therefore was their own property. Historically we know that the original Esperança Church was built by the Franciscan Order, and undoubtedly counted as the property of that Order. The second church was built at the expense of Government and on government land. The third (present) church was built by Government on land purchased by the Vicar-Apostolic. There is no trace in the records of it ever having been the property of the people, nor on ecclesiastical principles could it be so.

(2) The second point was that the parishioners had the right to select and reject their pastors. This was of course the result of that erastian arrangement of the British Government (1793) which decreed that pastors were to be selected by the people subject to the sanction and approval of Government—a system absolutely contrary to Catholic principles, and merely submitted to by the Vicars-Apostolic because they did not see their way to resist it.

(3) The third point (in support of the above) was that even the Archbishop of Goa made appointments only after consulting the parishioners. History shows that this is precisely what the Archbishop never did, and never would consent to do in any single case.

(4) The fourth point was that the jurisdiction of the Archbishop of Goa was acknowledged by the British Government by treaties. Although the Portuguese secular authorities habitually brought forward this argument, it was always denied by the British Government, and an examination of the treaties in question shows that they contain no such acknowledgment.

(5) The fifth point was that the Vicars-Apostolic had usurped their jurisdiction. Our present historical study on the contrary has shown that each Vicar-Apostolic derived his appointment and authorisation from the Holy See.

(6) That the Fabrica has the right of administering the church and its property as representing the people. This was at that time a widespread popular notion which was radically contrary to canon law.

(7) That Bishop Whelan intruded himself into the church and deposed Fr. Michael Antony, and appointed Fr. Gabriel d'Oliveira. True, the only question being about his right to do so.

(8) That the wardens closed the church, but that Bishop Whelan broke it open and took and still retains possession. True, the only question being the right of the wardens to close it against him.

(9) That Dr. Whelan has no jurisdiction [over the church ?] except what is conferred on him by the people. The wardens were not obliged to admit him, or to hand over to Fr. Gabriel d'Oliveira. This was of course the question to be decided by the Court.

#### ANSWER TO THE INFORMATION.

Dr. Whelan's answer covers the whole ground of this lengthy document, and is still more lengthy. It is a singularly feeble composition, due to the fact that the defendant knew practically nothing of the history of the Vicariate, and does not seem to have studied even his own archives. Of course it was easy for the plaintiffs to make statements emancipated from the restraints of proof; and difficult to refute them without a store of solid knowledge in the background. The answer partly consisted of saying that the defendants are "not aware" of the thing stated, or "do not believe it to be true"; and partly that the allegations as to rights, etc., were "not in accordance with the law of the Church." Nevertheless enough was said in the answer to call for an "amended information," in parts of which the plaintiffs climbed down considerably, and adopted a far more diffident tone. How the verdict would have gone if the suit had been carried through it is difficult to imagine; and considering the risks, it is well that it was dropped in the end.

[All the documents are in the *Esperança* Suit file in our Archives].

## CHAPTER V.

### EXPULSION OF THE CARMELITES.

HAVING seen the relations of Dr. Whelan with different sections of the laity, we have next to consider those with the clergy.

#### THE SECULAR PRIESTS.

With the secular clergy Dr. Whelan was on the best of terms throughout. Someone had unearthed that ancient decree of 1787, which ordered that in appointments to parishes the secular priests were to have the preference over religious, which latter were only to occupy parochial posts in the absence of a suitable native candidate. As a matter of fact in Bombay the churches of St. Michael's, Mahim, Salvacao, and Rosary were served by seculars Vicars before Dr. Whelan arrived, and the same was true of most of the mofussil military chaplaincies. The demand for British and especially Irish chaplains justified him in providing European priests as far as he could; and this he did at Colaba, The Fort, Poona and Kirkee, by means of a couple of Jesuits whom he brought from Europe (Fathers Sheehan and Kyan) and two Irish secular priests which he borrowed from Madras (Fathers Murphy and Carry). His policy in favour of the seculars was shown from the very first by appointing Fr. Joseph de Mello to be Vicar-General as soon as he arrived, and placing Fr. Gabriel d'Oliviera in Esperança Church a few months later. The result was a high degree of popularity among this section of the clergy, who sided with Dr. Whelan in all his conflicts, even championing his cause publicly where occasion offered. In the last phase of his troubles Fr. Joseph de Mello tried to work up a popular movement in his favour, and drew up a memorial for Rome. In this connection he was publicly accused of securing bogus signatures wholesale (of children on behalf of their parents, etc.) But this accusation was always made by the opposite party against every petition with which they did not agree—and although this points to the existence of a pretty common practice, one can never know when the charge was false and when it was true. Nobody seemed to scruple in raising that accusation whenever they thought it might serve their purpose. It was even believed that Fr. Joseph de Mello was appointed to accompany Dr. Whelan to Rome as a witness in his defence; but this design, if such it was, did not come off.

#### THE CARMELITES.

But Dr. Whelan's policy in favour of the secular clergy was accompanied by another policy against the Italian confreres of his own order, which from its drastic nature soon acquired the name of the "Expulsion of the Carmelites."

This policy was instigated partly by the B. C. Institute, who had filled Whelan's mind with the most unfavourable ideas of the behaviour of the Carmelites before he came out to Bombay; and perhaps also by a desire to conciliate his disaffected subjects, both European and native. By introducing a number of Irish Jesuits and seculars as military chaplains in

place of the Italians, he hoped to satisfy the Irish party ; and by giving over all the parishes to the secular clergy he hoped to conciliate those of the native population who were affected towards the Padroado. The measure seemed to derive justification from an instruction of Propaganda dated 1787, already mentioned, to the effect that "in the distribution of parishes the secular priests shall be preferred to regulars ; but in the absence of a proper secular priest it shall be lawful for the regulars to assume the charge of souls." Acting on what he imagined to be the meaning of this instruction, he simply cleared every Carmelite Father out of Bombay island, and to a great extent out of the mission altogether. But like the old man and his donkey, he succeeded thereby in conciliating one party only by rousing the hostility of another—which was entirely attached to the Carmelites. The trouble caused by removing a Carmelite Vicar from N. S. de Esperança has already been seen.

This policy seems to have been put into execution as soon as Dr. Whelan reached Bombay. The two new Carmelite Missionaries sent from Rome, who travelled by the same ship, were summarily disposed off at once—sent, we conjecture, either to Verapoly or Mangalore ; and others were threatened with a similar banishment. Dr. Whelan, it seems, even wrote to Rome rather proud of what he had done, and expressing his wish to extend the expulsion policy to three other Missionaries.

#### APPEAL TO ROME.

Meantime Fr. Michael Antony was not a man to take such treatment "lying down." He wrote a report to Rome coincident with that of Dr. Whelan, but from an opposite standpoint. This must have been in December 1848. The immediate response was a letter from the General of the Carmelite Order to Fr. Michael Antony dated February 12th, 1849, which in substance ran as follows : —

"I have just learnt the painful news communicated by yourself and the other missionaries of our Order to the Secretary of Propaganda — relative to the state of the Bombay Mission, and the treatment of the new Irish Vicar-Apostolic not only towards the old, but also towards the two new missionaries sent to Bombay viz., Fathers Carlos Jacinto and Leandro. This news has caused considerable surprise to the Secretary ; and considering the ingratitude of our brother Mgr. Whelan, who has shown so much aversion to us from the first hour of his rule, he (the Secretary) has advised me to put in to him a formal complaint against that prelate. I have adopted his advice, and he has promised to take instant measures. I expect he will address to the Vicar-Apostolic Whelan a letter prohibiting him from introducing any innovation without the previous knowledge and permission of the S. Congregation, and directing him to retain in Bombay the last missionaries sent out, to enable them to learn the requisite languages, and afterwards to take charge of the seminary. I have solicited the secretary to give orders for the maintenance of our rights in the Bombay Mission, and it appears to me that he is convinced of the necessity of this measure."

A further letter from the General written on March 20th covers the same ground, but adds a reference to some idea which seems to have been broached by Fre Michael Antony, of dividing the Mission between the Italian Carmelites and the Irish newcomers :—

“In regard to the proposed division, the Secretary dissuaded me from pressing the measure, assuring me that the whole of the Bombay Mission will continue ours, and will never pass into the hands of the Irish or English. By making the division we should lose for ever at least half of it, and this after so much trouble and sacrifices on the part of the Missionaries of our Order (*B. C. Layman*, 1850 p. 217).

#### ADMONITION FROM ROME.

The letter of admonition from Propaganda, alluded to above, followed in due course. It was addressed to Dr. Whelan on April 14th, 1849 :—

“The news received from India, and also the account given by Your Lordship, caused us both surprise and grief. The Vicars-Apostolic cannot arbitrarily change the system which is found established for the government of the missions, but must act conformably to it; and wherever imperative circumstances require some substantial variation, the case must be explained to the Sacred Congregation, in order to elicit suitable instructions. Now, your own letters clearly reveal a premeditated design of removing entirely from your mission the Carmelite friars. The Sacred Congregation, in sending you two valuable clergy, and recommending them in a special manner, has nevertheless left a certain latitude about their destination, in order that the prelates who preside over different missions may be able to distribute their fellow-labourers according to need. The reception which they met with was certainly not flattering, nor such as they expected to receive, after so long a journey, from a prelate of the same religious order. Afterwards Your Lordship, availing yourself of the liberty which the Sacred Congregation had left to you about their destination, equivalently turned them out of your Vicariate. In the meantime, without any reserve, Your Lordship now asks for the removal of three other Regulars. Since before all we must provide for the good of the faithful, we grant that the education of the native clergy ought to be promoted in the best manner possible. Nevertheless, we cannot approve that you should, through such illegitimate means, undertake to remove from the Vicariate an Order which has already proved itself so deserving, and with much zeal has done its best for the natives, and which we cannot accuse of neglecting the formation of a Native Clergy. It is, then, very unfair that such an arbitrary change has been undertaken by a prelate, a member of the same Order. I doubt not that Your Lordship will fully see the reasonableness and importance of our remarks; and, believing that you aspire to what is the best for the mission, we cannot doubt that after all we have said you will desist from the undertaking, thereby showing in practice that deference which you declare yourself to feel towards the Sacred Congregation.

“In this hope I leave to your discretion the best mode of removing

the sinister impression which your proceedings have excited, by treating the Carmelite Missionaries with that confidence which they deserve. I should also feel grateful if you would recall to Bombay Fré Carlos Jacinto, who was principally intended for your mission. Having been licentiate and prior, he can be of great use in the seminary, and at the same time be able to learn the languages requisite for your place.

"As regards the Catholic Institute, which after the death of Mgr. Fortini attempted to usurp the property of the mission, I do not wish to believe, (as is supposed) that it has obtained any support from you. Their proceedings should have excited in you a zeal to secure church property by legal means, as is practised in British Colonies by the Vicars-Apostolic; and then it would become the duty of the laity on their part to subject themselves to the sacred ministers, instead of usurping the property of the Church." (*B. C. Layman*, 1850 p. 214).

Already before this letter was written, Dr. Whelan had deposed Fré Michael Antony at Esperança, had refused to allow him to take up work at Surat, is said even to have suspended him (?), and given him his dismissal, with another Carmelite Fré Augustino, to Mangalore; so that by this time no Carmelites were left in Bombay except himself.

When the admonition from Rome arrived (perhaps in June 1849) we do not discover any signs of his endeavouring to undo his work by calling any of the Carmelites back. Meantime things were moving in another quarter.

#### INTERVENTION FROM THE SOUTH.

When the excitement in Esperança parish was at its height, a petition was drawn up by the "Catholic inhabitants of Bombay"—meaning of course *some* of them, as usual—against Dr. Whelan, and transmitted to Dom Bernardino, Pro-Vicar of Mangalore, for favour of forwarding to Rome. It was accordingly despatched on May 20th, 1849; and a reply from Propaganda soon reached Dom Bernardino, dated August 6th: "Neither the Prefect of Propaganda nor the Pope found anything to surprise them in the petition. [This means that they had heard it already.] Instructions have already been given to Bishop Whelan such as should put an end to the cause of the disaffections prevailing in Bombay; and the Sacred Congregation cannot say more pending Mgr. Whelan's answer. Dom Bernardino is instructed to tell the petitioners this, and to say that the Holy See has taken the matter into consideration."\*

We happen to have a copy of the letter which, under the instructions of Rome, was addressed by Dom Bernardino to the petitioners ("Francisco Fernandes and others") in Bombay on November 1st, 1849:—

He writes to say that the Vicar-Apostolic of Verapoly has received

\* As soon as a knowledge of this petition got abroad, another party, with Fr. de Mello, V. G. at their head, protested against the petitioners describing themselves as "the R.C. Inhabitants of Bombay," and declared that *they* and all well-disposed Christians in Bombay were highly pleased with the administration of Dr. Whelan (*B. C. Layman*, 1850 p. 51).

instructions from the Holy See to intervene in the affairs of Bombay. He is to see that the instructions already given to Dr. Whelan are carried out; viz. that the Carmelites are reinstated in their former position; that no innovation are introduced without the knowledge and consent of the Holy See; and that the dissensions with various parties are composed. The Vicar-Apostolic of Verapoly had written to Dr. Whelan on September 8th; but his discourteous and incoherent reply (in October) betrays an irreconcilable mind. Therefore he, with the Pro-Vicar-Apostolic of Mangalore accompanied by two Carmelite Fathers (Michael Antony and Augustino) are coming to Bombay; and Mr. Fernandes is commissioned to arrange for their accommodation. The two missionaries should lodge in the Carmelite house of the Fort Chapel, and the prelates be lodged either in one of the larger churches or in some other suitable place. Meantime Mr. Fernandes and his party are told to avoid agitations or disturbances. (End of Letter).

#### THE INTERVENTION RESENTED.

Fernandes, it seems, seeing clearly that the party of visitors would not be welcome to Dr. Whelan, made no negotiations to get them lodged as his guests, but took a private house for them all, somewhere in the Fort.

In accordance with the instructions received from Rome, Dom Louis, Vicar-Apostolic of Verapoly, wrote to Dr. Whelan a letter announcing that he had been "commissioned by the Holy See to procure a reconciliation between his Lordship, the Italian Carmelites and the people, and gladly offered his mediation for the settlement of the question."

But Whelan only wrote back protesting against any interference. As soon as the news of the proposed visit reached Bombay, Fr. de Mello, V. G., undoubtedly under the instruction of Dr. Whelan, sent a circular round to the clergy couched in the following terms:—

"As I have it from information that the Bishop of Mangalore and the Archbishop of Verapoly are about to arrive here accompanied by some Friars, I direct you that you shall not visit them nor have any communication with them; except only if out of curiosity or devotion they visit the [church] you will receive them and salute them as courtesy and policy demand, by greeting them with an Ave" [in other words, merely say "How do you do."]

[Signed by the Vicar General and dated Mazagon Nov. 24, 1849—Misprinted 1850 in the *B. C. Layman*, 1850 p. 113].

Fr. de Mello even went further, and drew up an appeal to Government for defence against the threatened invasion. Whether this petition was actually sent in we do not know. But at least it was circulated and signed by many of the native clergy and (so our copy is endorsed) was later on shown in confidence to Dr. Hartmann. Here is a summary of its contents:—

The memorialists thank Government for its previous protection and support, and speak of Dr. Whelan as an excellent and intelligent Bishop. But intrigues of an unprincipled nature had been set afoot by certain



foreigners, Friars, and a few of their adherents; the prime mover being Fr. Michael Antony, at present in Mangalore—who was once in prison [How everybody delighted in rubbing that in !] He is intending to come again to Bombay, bringing with him the Italian Vicar-Apostolic of Verapoly, for the avowed purpose of promoting disorders and dissensions. The memorialists ask Government for protection against them and their interference, and that a public notice be inserted in the *Government Gazette* declaring that such intrigues, carried on by those foreigners and their adherents, are not to be tolerated in Bombay. It might be well that Government should communicate with Dr. Whelan on the subject.

Signed by J. de Mello, Vicar-General; and 10  
others, Vicars, pro-Vicars and Chaplains.  
(File XI 169).

#### ARRIVAL OF THE PARTY.

Early in December Dom Louis set out from Verapoly and called at Mangalore on the way, where he was joined by Dom Benardino the pro-Vicar of Canara, and also by the two banished missionaries Fre Michael Antony and Fre Augustino. The whole party reached Bombay on December 24th, 1819, and proceeded straight to the private house near the Fort Chapel which had been prepared for them. There they remained in privacy for about a week, apparently in order to find out "how the land lay" before venturing to enter into communication with Dr. Whelan, and (we suppose) saying private Mass in the house—all of which of course was decidedly "bad form"; but probably they were rather scared. Then at last they addressed a letter to Dr. Whelan asking for a conference, and also to be allowed to say Mass at the Fort Chapel. They describe their letter as "friendly"; but if so, it did not meet with a friendly reception. Dr. Whelan merely sent back a verbal message through his (European) Vicar-General Fr. Sheehan, to say that without the production of some authority from the Holy See he declined to have anything to do with them; that without such a "mandate" they had no right to interfere, and hence he declined to hold a conference; that he could not sanction their saying Mass in his churches; and the sooner they returned to their own mission the better. The consequence was, the whole of the party remained quietly at home, receiving the visits of such as came to see them, but not exciting any ill-feeling or disturbance; on the contrary they exhorted the people to peace or obedience. They denied the rumour that they were gathering signatures for a petition to the Pope against Dr. Whelan.†

They knew, or soon found out, that Dr. Whelan had received an urgent summons to Rome: that he would soon leave the place, and would be succeeded by Dr. Hartmann from Patna as *ad interim* Adminis-

† Where reliable documents fail we have constructed the story for the most part from a letter written by Dom Fre Louis of Verapoly to Dr. Fennelly, Vicar-Apostolic of Madras (dated February 26th, 1850) in refutation of a misleading account of the affair published in the *Madras Catholic Expositor*. This letter was published in the *B. C. Layman*, 1850 p. 110—113.

trator. They deemed it their duty however to remain on the spot to watch proceedings and intervene if necessary—especially as there were rumours of a movement among the people to transfer themselves to the Goa jurisdiction.

## PART XV.

### HARTMANN'S TIME 1850—1858.

#### CHAPTER I.

#### THE COMING OF HARTMANN.

ALREADY before the prelates of Verapoly and Mangalore set out for Bombay, the authorities at Rome had realised that the situation was hopeless so long as Dr. Whelan was in the midst of it. Hence the decision to summon him to Rome, and appoint as his substitute some one who, having had no previous connection with Bombay or any of the conflicting parties, would have the better chance of getting affairs in order and making a fresh start. The substitute chosen was Bishop Anastasius Hartmann of the Capuchin Order, Vicar-Apostolic of Patna in Northern India, who on receiving his emergency appointment wrote on December 13th, 1849 to Dr. Whelan as follows :—

“Unexpectedly I have received a letter from the S. Congregation ordering me as soon as possible to proceed to Bombay, to take up the Administration of the Vicariate during Your Excellency's absence. I received the news with pain of heart as a sacrifice to obedience; but God's will be done, not mine. It is impossible for me to start before the end of this month, but I hope to reach Bombay early in February. I pray that God may direct my entering in and all my acts in the way of peace; and I recommend myself to your prayers.”

To this Dr. Whelan replied (Dec. 26, 1849) speaking of “the pleasing intelligence of Your Lordship's instruction to take charge of the Vicariate, which the Vicar-General and secular clergy also hailed with delight.” He then proceeds to transfer his faculties to Dr. Hartmann so far as he is able. He has already written to Government on the subject of his departure, and will forward the answer as soon as it is received. “Meantime it would be well that Your Lordship should proceed hither as soon as possible.” He adds that on Christmas eve the Carmelite Bishops of the coast of Malabar arrived in Bombay; but “up to the hour of writing no intimation has been made to me of their arrival, save what I read in the public papers.” (File XII.)

#### DEPARTURE OF WHELAN.

Dr. Whelan, after the lapse of a month, secured a free passage in a Government ship as far as Suez, and set sail on February 1st or 2nd,

1850. A party of his friends were at the bunder to see him off and to read to him a farewell address, "from the undersigned R. C. clergymen and inhabitants of Bombay," which can be summarised thus:—

"Learning with much regret... we avail ourselves of the opportunity to convey to you the sentiments of sincere esteem and respectful regard.... We are informed that your departure is caused on account of the affairs of this mission; and in the fullest confidence in you, we trust you will speedily bring all matters to an amicable settlement. We hope that your absence will be only temporary.... Acknowledging the great good you have effected since your arrival in India, we wish you a happy journey, and trust that your speedy return will enable you to resume the duties of your high office with the same zeal as has characterised your hitherto useful career." [Signed by 16 clergymen and about 500 laity, and dated February 1st, 1850.]

The *B. C. Layman*, reproducing this document from the *Times* and the *Gazette* (Feb. 1850, p. 59) in characteristic style apologises "for taking up so much space about poor Dr. Whelan," but protests against "the cowardice of his flatterers who shrink from the publication of their names," and sneers at their "very grand discovery of the *great good* Dr. Whelan has effected since his arrival in India." (p. 60).

#### DIJUDICATION ON WHELAN.

Steering a middle course between the flattering of his friends and the contempt of his enemies, the impartial impression which the survey of the whole history has made on our mind can be summarised as follows:—

(1) Dr. Whelan was by ordinary standards of judgment a capable and energetic man. But he came into a situation which required a calm, deliberate, statesmanlike character, clear in aim and principle and superior to mere impressions and impulses.

(2) At the very outset he fell a victim to the noisy clique of his fellow-countrymen, and was completely taken in. He came to India with a deep prejudice against the Italian Carmelites; and instead of waiting till he had investigated for himself, he acted on that impression, declared war on them, and swept them out root and branch.

(3) He was not to blame for the handing over of the church property to the High Court, for that was done before he came; but he ought to have recognised the irregularity of lay-interference, and not approved of the step.

(4) He was constitutionally right in his procedure regarding *Esperança*, and could not on principle yield to the resistance of the wardens. But a more prudent and statesmanlike man would have waited a little, and taken the measure of the situation before resorting to action. That the wardens would go so far as to file a suit against him he probably did not anticipate; nor could he get out of it after it was done.

(5) His policy in regard to the secular clergy would have been the one sound and successful item of the programme, if he had carried it out sweetly and not made it a means for depressing and humiliating the Carmelites.

(6) Against Whelan's moral character nothing could be alleged. At the most he was accused by his adversaries of being worldly, of frequent dining out, of fondness of good cheer, etc., which was probably exaggerated.

(7) He is to be pitied on account of the awful situation in which he found himself, and for the lack of those *exceptional* qualities which such a situation demanded. Being a man of average calibre, with average qualities and average weaknesses, he could not help turning out a failure. He probably "meant well" although he did so badly.

#### ARRIVAL OF HARTMANN.

Anastasius Hartmann, O. C., Bishop of Derbe and Vicar-Apostolic of Patna, arrived in Bombay on Maundy Thursday evening, March 28th, 1850, accompanied by Fr. Ignatius Persico, O. C., as Secretary, and took up his lodging in the parochial house attached to Esperança. The Vicar-Apostolic of Verapoly paid him a visit at 8 o'clock next morning (Good Friday). After the Mass of the Presanctified the whole congregation waited on the new Administrator Apostolic, and the first impression is recorded to have been "highly satisfactory." (*B. C. Layman*, 1850 p. 141).

#### PUTTING THINGS IN ORDER.

(1) Dr. Hartmann at once showed his intention of reinstating the Carmelite Fathers in their former position in the Vicariate. When the Malabar and Mangalore prelates went back to their missions, he retained Fre Michael Antony and Fre Augustino in Bombay. Before a week was out a joint protest was signed by the secular clergy against this step, as they declared Fre Michael Antony to be the whole cause of the discord in Bombay. They even proposed to select, from among their ranks, a priest to go to Rome to plead for his removal from the mission (April 7, 1850). Of this obviously distorted view Dr. Hartmann took no notice. He issued faculties to the two Carmelites on April 6th, and on May 17th reinstated Fre Michael Antony as Vicar of Esperança, and made Fre Maurice rector of the seminary. At the same time he appointed Fr. Gabriel d'Oliveira to Rosary Church and Fr. Jose de Mello (V. G.) to St. Michael's, Mahim. The secular priests grumbled at the appointment of a Carmelite to a parochial post, and questioned the right of the Administrator to make appointments at all in the absence of Dr. Whelan. In June they even drafted a complaint to Government, alleging that Dr. Hartmann had declared no secular priest fit to stand an examination with either himself or Fre Michael; and that it was a deliberate stroke of policy to keep the seminary education at a low standard in order that the secular priests might be kept down. Government (on July 31st) passed this petition on to Dr. Hartmann for comment, which he gave

at some length (Aug. 4th, 1850) telling Government what he wanted Government to know about the difficulties of the situation.

(2) On July 26th, 1850, Dr. Hartmann wrote to Fr. Jose de Mello relieving him of his office of Vicar-General, on account of his unsatisfactory and disaffected behaviour, which was specified in detail. At the same time he also took the office of Vicar-General (for Europeans) from Fr. Murphy, making no other appointment in place of either, but declaring in a circular dated July 27th that "from this moment I take the entire and exclusive administration of the Vicariate upon myself." These actions only served to stiffen the secular clergy against him; and Dr. Hartmann soon found that below the surface there was a deal of organised plotting which later on issued in mischief.

(3) The Carmelite and secular clergy having been thus dealt with, next came the turn of the B. C. Institute clique or British clergy party.

Cross and O'Mealy were just as hostile to Hartmann as they had been to Whelan. They held him up to ridicule in their paper, the *B. C. Layman*, quoted the decree of 1787 against him, questioned whether he possessed any authority, and demanded his credentials. In answer to this challenge Dr. Hartmann quietly had his *Mandatum Apostolicum* read out at Esperança church on August 4th, and also wrote to Government asking for its protection against such vexations and oppositions. He next encouraged the starting of a rival paper by one Mr. Briggs (a convert) under the title of the "*Bombay Catholic Standard*." But finding it soon assuming independent lines and waging war against the Carmelites he withdrew his patronage, and took over another paper (*The Examiner*, edited by one Mr. Borges) which had been started on June 10th, 1850, and in September expanded its title into the *Bombay Catholic Examiner*. It thus came under the entire control of Dr. Hartmann, as the organ of the Vicariate, with Fr. Ignatius Persico, O. C., the Bishop's Secretary, as its first editor.

(4) As regards the question of Irish Military Chaplains, there were only four available: Frs. Sheehan and Kyan, Irish Jesuits, and Frs. Murphy and Carry, seculars borrowed from the Madras Vicariate. The first soon died; the second was withdrawn by his Provincial; the third and fourth were available for Poona and Ahmednagar, and that was all he could do. A rowdy pensioner at Poona named Kelly made himself highly disagreeable over the matter for a time. But gradually the fathers in military posts worked up their English; the Madras auxiliaries were sent back; and in a few years all serious difficulties on this score disappeared.

#### THE ESPERANCA SUIT.

The Esperança affair was managed with admirable tact. Dr. Hartmann called the parishioners together round him, and conciliated the majority of them (the troublesome ones) by announcing his intention to restore to them their favourite Fr. Michael Antony; at the same time instructing them on his exclusive right to appoint, and also his right

to erect the church into his (quasi) cathedral. Of course by this act all those vexatious regulations about admission to the rites of the Church lapsed. The only thing that remained was the lawsuit. Such a scandal, Dr. Hartmann declared, must cease; the suit must simply be dropped. On April 30th he addressed to the wardens a public letter, wherein he went over the various erroneous ideas on which that suit rested; explained the sound Catholic principles of ecclesiastical authority; disposed of the alleged rights of the parishioners in regard to appointments and church management; declared that the suit must be withdrawn by mutual consent, and that each party should pay its own costs pending a decision of the Holy See. [In point of fact it was voted in a meeting that the whole of the costs should be borne by the *Fabrica* and *Confraternities*]. All this being agreed upon, the necessary notice was given, and the parties were officially declared by the court to have "joined issue" on May 13th, 1850. The costs amounting to Rs. 16,000 were duly paid, and the whole incident closed to the satisfaction of all.

#### THE FORTINI ESTATES.

This proved a slower matter to settle. On April 30th, 1850, Dr. Hartmann wrote to the Company's Solicitor, telling how the mission property had without authority been put into the hands of the Court by a clique of laymen until the arrival of Dr. Whelan; that they had then resisted the restoration of the same, and required that two trustees should be nominated by the Bishop. To this condition Dr. Hartmann agreed, although it was "against the general custom"; and he asked that the interest and rents should be paid over to him. It was only in 1854 that the Court finally decided to relinquish the property into the hands of the Vicar-Apostolic. But even then they retained a number of Government securities—on the ground that the Vicar-Apostolic's ownership of them had not been legally proved [they were apparently capital trusts for *Masses*, etc.]; and the interest on these securities is annually disbursed by the Official Trustee down to the present day.

#### ORPHANAGES AND SCHOOLS.

As far back as January 1847, we recall a lay petition for the establishment of an asylum for destitute R. C. children, and the opening of a public subscription for the same. There were already some orphan-boys housed in the Villa House at Parel; but the petitioners proposed to transfer them to the Nesbit compound of St. Anne's, using a rented house there till new buildings could be erected.

Dr. Hartmann, soon after his arrival in 1850, entered into a discussion about the Catholic inmates of the (Protestant) Byculla schools, urging that they should at least be allowed to receive instruction from a Catholic priest and also attend Mass at St. Anne's chapel close by. This request was refused in virtue of the rules of that institution, which was frankly a Church of England concern, and required conformity to Anglican teaching and worship on the part of all who made use of it.

Dr. Hartmann therefore communicated to Government (July 13th, 1850) the conclusion that "we must therefore establish our own orphanages"; and asked Government to confer on them the same benefits as were given to other like institutions. Government replied on September 30th, 1850 that it will issue instructions ordering the same advantages to be granted for children of deceased R. C. soldiers in our orphanages, as were granted elsewhere. The military paymaster was instructed to pay us Rs. 5 per month for children of deceased R. C. soldiers, and Rs. 2-8 for children of living R. C. soldiers, instead of giving it to the parents. (Feb. 24, 1851). On September 20th, 1853 the attendance of a surgeon and supplies of medicines were sanctioned. Finally this arrangement was commuted into a lump sum medical allowance of Rs. 60 per month (Mar. 29, 1855) for the male military orphanage, which was kept up till quite recent times (1923) and then dropped because the military use of our establishment had practically ceased.

#### FEMALE ESTABLISHMENTS.

The above arrangements had their application both to the male and female orphanages which were in course of formation, and need to be dealt with apart. The female orphanage had formed the first objective in the plans conceived in Dr. Whelan's time; and this not for military orphans, but rather for the general needs of the community. The Loretto nuns seem to have succeeded in making a start in 1849; but shortly after the arrival of Dr. Hartmann, sickness forced them to abandon their work. Their place fortunately was soon filled by four nuns of the Congregation of Jesus and Mary, who came down a forty-days journey from Agra in bullock carts, and reached Bombay on Christmas eve. A picturesque description of their experiences on the way will be reproduced in the next section.

The Nuns of Jesus and Mary immediately took over the female orphanage as already established in Mazagon, a prospectus of which appears in *THE EXAMINER* of August 1st, 1851. Next year, April 1852, there appears the prospectus of a girls' school for higher education. In 1856 we read that five establishments were combined under one roof: Boarding schools for Europeans and natives; Orphanages, ditto, and a foundling hospital. They shifted about Mazagon six times from one rented bungalow to another, till at last in 1865 Bishop Steins put his Parel Villa house at their disposal, which has been known as "Parel Convent" to this day.

In addition to this, a second convent school was opened in the Fort in 1855—which after two moves, found a permanent habitat in the back premises of the Fort Chapel property. Here it remained till 1904, when it was transferred to a new building in Wodehouse Road, still known as the Fort Convent School.

This is what happened in the way of female education in Hartmann's time. The other institutions (Clare Road, Buleshwar, Poona) developed later (1860 seq.); and the Daughters of the Cross only came to the Vicariate in 1862.

## MALE ESTABLISHMENTS.

Male education enterprise was a little slower in its development. Already there had been a number of small parish schools in which elementary Portuguese was taught—to which after 1850 English was gradually added. The boys' orphanage at Parel, started in 1847, was still there. A scheme for transferring it to the Nesbit Estate at Byculla did not realise itself; for we find Fr. Lopez (Spanish Carmelite) at the head of the male orphanage in 1853 with 17 orphan boys under him, still at Parel; and of course the orphanage included a school. Fr. Penistone, an English Jesuit who arrived in 1853, seems to have opened a boys' school distinct from the orphanage in 1856, somewhere at Mazagon. In 1859 he was succeeded by Fr. Esseiva, S.J., and in his time the orphanage was attached to it—somewhere in Mazagon, but I am not quite sure where. Meantime in 1854 Dr. Hartmann had bought a plot of ground close to St. Anne's Chapel, on which a large school-house was to be built. This enterprise however was only realised in 1864 after Hartmann's time. Thus was evolved St. Mary's Institution comprising a European Military Orphanage, with a European and Native High School, as we know it now.

In this way, by the pioneer work of Dr. Hartmann, the foundation of educational and charitable enterprise were firmly laid, and the way opened to rapid development under his successors.

## CHAPTER II.

## FILLING IN SOME DETAILS.

IN the last chapter mention was made of a picturesque description of the journey of the first Nuns of Jesus and Mary from Agra to Bombay in 1850; which is taken from a MS. preserved at Parel Convent and runs as follows :—

The party intended for the foundation in the Bombay Mission left Agra on the 9th or 10th of November 1850. It consisted of Rev. Mother St. Leo, who had been appointed Superioress, Rev. Mother St. Thaddeus her assistant, M. St. Francis, M. St. Peter of Alcantara (Novice) and Miss Lamb postulant. The two former were French. M. St. Francis (Miss Eyre), whose father, a captain in the British Army, had recently fallen in one of the Indian wars, was English, M. St. Peter (Miss Dalton) and Miss Lamb were Irish.

The journey, which lasted *forty days*, was made by bullock cart, as was usual in the days before railways. A travelling carriage in the style of a palkee gharie or shigram, to which bullocks were yoked, was provided, but proved of very little use owing to the roughness of the roads.



It broke down after a few stages, and was unserviceable until a village was reached at which it could be repaired. The village carpenters were not very expert, and could do very little with their rough tools and nails towards improving its condition ; so that for the greater part of the way it was drawn along as useless luggage. The party travelled by slow stages, halting at the Dak bungalows or under large topes. Sometimes a single banian tree, with its outspreading roots and branches, afforded sufficient shelter during the few hours' halt, when a hasty meal was taken. It usually consisted of a dish (*keer*) made of milk and rice, (the only articles of food, besides coarse flour, procurable in those villages) and flour cakes or chapatties. Some dry provisions such as rusks, biscuits, cheese brought from Agra served as refreshments between the stages, as long as they lasted.

Mother St. Leo, who had some knowledge of cookery, occasionally took on herself, when eggs and meat were available, to prepare for the community a meal which was somewhat more savoury than the everyday fare, and for which naturally their *Deo Gratias* was more than usually fervent. They continued well and cheerful despite the many hardships and fatigues of their tedious journey, and kind providence often alleviated these in unexpected ways. Occasionally an engineer or civil servant on tour would happen to be camped near the Dak bungalow ; and on the arrival of the party, without waiting to inquire into their wants, would send a supply of provisions and have a most luxurious meal served to them with as little delay as possible. At Indore the travellers put up at the Residency. The Resident, Mr. Hamilton, known for his kindness to Catholic Missionaries, was absent, but left orders with Captain (name forgotten) to receive the nuns and place the house and servants at their disposal for as long as they wished to stay. Accordingly for four or five days they were sumptuously lodged and fed at the expense of the Resident, and at their departure were provided with an escort of four mounted sowars to accompany them as far as Mhow. Doubtless all this consideration was shown to the nuns at the recommendation of the then Bishop of Agra, Dr. Carli, the successor of Dr. Borglii. At Mhow they were kindly received and entertained by a Catholic family for a day.

Nevertheless, despite these providential encounters, the travellers were exposed to many hardships and perils, and had many hairbreadth escapes. Often, when the carriage referred to above broke down, the occupants had to continue the journey on foot in the darkness of the night, along roads that ran either through dense jungles, or between low hills thickly wooded. On one occasion they walked as many as fourteen miles, all the while haunted with the dread of meeting some wild animals or one of the bands of robbers that were said to infest certain districts. True, the servants as a means of defence against these dangers carried torches, and arms in the shape of huge lathis, and kept up a continuous cry of alarm. But this did not allay their fear nor prevent them from

trembling at every sound ; even the rustling of the leaves seemed to them a warning of the approach of a wild beast.

At other times, when ascending or descending steepes, they incurred great risks ; for the bullocks, if tired or stubborn, as was often the case, would throw themselves down on the road and remain immovable till they were in the humour to rise. Often it needed an amount of goading and twisting of their tails to get them to their feet again. The descents were usually attended with most danger ; for when the bullocks fell, unless timely precautions were taken, the cart with its occupants risked turning over the heads of the animals. The Sisters however as a rule, when near a descent, usually alighted and went down the slope on foot, thus avoiding a catastrophe.

At Malligaum, and Julgaum further on, the nuns had the happiness of hearing Mass and receiving Holy Communion. Confession was a rather difficult matter, as the priests in the districts, who were Goans, had in those days a very poor knowledge of English.

Nothing worth noting occurred till the travellers reached the station before Thana. There they had to cross the arm of the sea ; which they did, not as it is done at present by train, but in a large, flat, open boat on which were placed the carts, bullocks, luggage, etc., etc. There were no seats for passengers. who usually remained in a standing position during the crossing.

Some days previous to arriving in Thana, the Superioress had been informed by Dr. Hartmann that he had recommended them to a very respectable gentleman in that station who would give them hospitality, and render them any service they needed. Great then was their disappointment when, on reaching Thana, the nuns found they had to put up as usual at the Dak bungalow. When they had been there some hours the said gentleman arrived. After introducing himself as a friend of Dr. Hartmann, by whom he had been requested to attend to their wants, and after making some inquiries regarding their journey, he concluded by saying, while pointing to the opposite side of the road, "And Madam, if you want anything the bazaar is there !" This saying was long kept up as a joke among the community.

#### SUMMARY OF MINOR EVENTS 1840-1850.

For sake of completeness we gather together a number of miscellaneous events which occurred during the Fortini-Whelan period (1840-1850) as follows :—

##### A. UNDER FORTINI.

(1) Grant of land and chaplain's subsidy for a chapel at Dharwar in 1841.

(2) Military chaplaincies established and salaries granted for Karachi in 1841, Sukker and Hyderabad in 1844, Kolhapur in 1846.

(3) In 1846 complaints regarding compulsory attendance of Catholic children at regimental schools are raised again, and met satisfactorily.

(4) In the same year, 1846, application was made for the rebuilding of the Fort Chapel, which was in a dilapidated condition. Permission was obtained.

(5) In 1847 the inhabitants of Ratnagherry decline to accept a chaplain from the Vicar-Apostolic; and hence Government refuses confirmation of the appointment.

(6) In 1847 a movement was got up for establishing "an asylum for distressed Roman Catholic children." It was accommodated in the Bishop's Villa at Parel, but a new premises was being planned for it in the Nesbit compound at Byculla.

(7) In 1848 Government first suspends and then resumes the grant of Rs. 150 per month for the education of Catholic clergy in the seminary of the Vicar-Apostolic.

#### B. UNDER WHELAN.

(1) In 1849 Father Lopez, Spanish Carmelite, started a Catholic school at Karachi, which was generously supported by the officers and troops.

(2) There were at this time only five clerical students at the Seminary which was situated at Parel. Some time previous to this there had been twelve.

(3) In 1849 there arose a dispute in connection with St. Teresa's Chapel, Girgaum, which had recently been restored. According to the complaining party, the chapel had originally been built in 1773 by one Sebastiao Lourenco who died without heirs, and was rebuilt or restored in 1836 out of moneys subscribed by the congregation. Mr. de Ga, having given more than all the rest put together, had caused a tablet to be put up stating that the church had been originally built and was now re-built by his family. They pleaded that this tablet should be removed as its allegations were false. (*B. C. Layman*, 1849, p. 136 seq). Apparently the counter-claim of Mr. de Ga was sustained; for the tablet is still there to this day.

(4) On December 10th, 1849, the foundation-stone of St. Patrick's Church, Poona, was laid by Dr. Whelan.

(5) In 1849 the Fort Chapel was still in course of reconstruction. It was finished by 1850.

(6) In 1849 Dr. Whelan renewed the attempt to gain a footing at Maney in Trombay; but without success.

(7) A Catholic European Female Orphanage was established early in 1850 "at the Loretto Convent, Byculla," under the charge of the Loretto nuns, which Dr. Whelan had procured from Ireland.

#### THE VICARIATE IN 1851.

It will also be of interest to reproduce here an official account of the Vicariate as it existed in the year 1850. It was written by Dr. Hartmann and published in the *Madras Catholic Directory* of 1851—the first volume of that enterprise, so rare now that I doubt whether any other copy

survives except the one before me. A few notes of explanation have been added in brackets :—

## VICARIATE APOSTOLIC OF BOMBAY.

Bounded on the south by the Archdiocese of Goa, the Pro-Vicariate Apostolic of Mangalore, and the Vicariate Apostolic of Mysore; on the west by the sea; on the east by the Vicariate Apostolic of Madras, the Pro-Vicariate Apostolic of Hyderabad (in the Deccan), and the Vicariates Apostolic of Vizagapatam and Agra. Catholic population 29,000 including 6,000 Europeans. Schismatic population 57,000.

THE RIGHT REVEREND WILLIAM WHELAN, *Discalced Carmelite, Vicar-Apostolic: Absent in Europe.*

THE RIGHT REVEREND ANASTATIO HARTMANN, *Vicar-Apostolic of Patna, Administrator, Residence, Fort George, Bombay.*

STATIONS.	NAMES OF CLERGY.
<p>BOMBAY, <i>Fort George.</i> The Chapel of Our Lady of Mount Carmel, capable of accommodating about 200 persons.            Lon. 72° 53' E.            Lat. 18° 53' N.            —Catholic pop. 1,000 of whom 500 are Europeans.</p>	<p>The Rev. Fr. Augustino, Discalced Carmelite, Superior of the Ecclesiastical Seminary.</p>
<p>COLABA from Fort George 2 miles S. Military Chapel built by Government [in 1828].            —Catholic pop. 600 of whom 200 are Europeans.</p>	<p>[The Seminary was in the back part of Fort Chapel building at this time.]</p>
<p>GIRGAUM, from Fort George 2 miles, N. the Church of Our Lady of Expectation,* capable of accommodating 1,500 persons.            —Catholic pop. 5,000.</p>	<p>The Rev. Fr. Ignatius Cap. Miss. Secretary to the Right Rev. D. Hartmann. Government allowance for ministering to the spiritual wants of the European troops at Fort George and Colaba Rs. 150 a month.</p>
<p>Sub-station, the intersection of the <i>Breach-Candy</i> and the <i>Chowpatti</i> roads. The Chapel of <i>St. Theresa</i>† capable of accommodating 100 persons.</p>	<p>The Rev. Michael Anthony, Carm. Miss. and three native priests.</p>
<p>[*Bhuleshwar—The "Cathedral" of Esperança]            [†Girgaum chapel, built in 1773.]</p>	
<p>MAZAGON, from Fort George 3 miles N. E. the Church of Our Lady of the Rosary, built by the Christian fishermen, and large enough to accommodate 600 persons.            Catholic pop. 2,000.</p>	<p>The Rev. Gabriel Oliveira,</p>
<p>Sub-station in <i>Nesbit Lane</i>, at By-culla, <i>St. Ann's Chapel</i>.‡</p>	<p>[built in 1794].            The Rev. Nicholas dos Santos.</p>
<p>[‡Mrs. Rose Nesbit's private Chapel, built before 1800].</p>	
<p>UPPER MAHIM, from Fort George 9 miles N. The Church of St. Michael. Sub-station: The chapel of Sion, about 1 mile East of Mahim.            —Catholic population 3,000.</p>	<p>The Rev. Joseph de Mello, late Vicar-General, and two other native priests.</p>
<p>LOWER MAHIM, from Fort George 7 miles N. The Church of Salvacao capable of accommodating 800 persons.            —Catholic population 3,000.</p>	<p>The Rev. B. Fernandez.</p>
<p>SURAT, from Fort George 100 miles N. For many years the Head Quarters of the Carmelite Friars. Church very large.            —Catholic population 50.</p>	<p>The Rev. Peter Oliveira, late secretary to the Right Rev. Dr. Whelan.            —Government allowance Rs. 50 a month.</p>

**BARODA**, and *Broach* (in the Guzerat province) the former about 280 miles N. of Bombay, the latter 50 miles nearer.

—Catholic pop. 70 of whom 20 reside at Broach, all natives, the remainder at Baroda consisting of a few East Indian writers, sepoys, and servants of officers.

**KURRACHEE**, from Fort George 600 miles N. W. by sea, and 800 miles by land. Church built by the subscriptions of the European Catholic soldiers aided by the liberality of Sir Charles Napier and some others.

—Catholic pop. 1,800 including 1,300 Europeans.

**HYDERABAD**, from Fort George 680 miles by water N. W.

—Catholic pop. 500 including 400 Europeans.

**SUKKER, BUKKER AND ROREE**, from Fort George 1,000 miles N. W.

—Catholic pop. (consisting of sepoys, camp-followers and a few Europeans) 70.

**AHMEDABAD**, from Fort George 350 miles N. Brigade station and Head Quarters of the Northern division of the Army. A small chapel.

—Catholic pop. (all natives) 70.

**DEESA**, from Fort George 150 miles N. A large Military Cantonment with one European Regiment of foot, a troop of Horse Artillery, a Regiment of Native Infantry, and a Wing of Native Cavalry.

—Catholic pop. 700 of whom 500 are Europeans.

**BHOOT**, from Fort George 590 miles N. W. (In the Cutch province). Church built in 1836 by P. A. Kelley, Esq., now a merchant at Poona.

—Catholic pop. (all sepoys and Camp followers) 80.

**MALIGAON AND DHULIA** from Fort George, the latter 208 miles and the former 176 N. E. (both in the province of Candesh.)

—Catholic pop. (all natives) 70.

**MHOW** (in the Malwa territory) from Fort George 360 miles N. E.

—Catholic pop. (including 70 Europeans) 300.

**AHMEDNUGGER**, from Fort George 150 miles E.

—Catholic pop. 300 Europeans and 200 natives.

**POONA**, from Fort George 90 miles S. E. Head Quarters of the Poona Division of the Army.

—Catholic pop. (including 2,000 Europeans) 2,500. A magnificent church\* capable of accommodating 2,000 persons lately erected here by public subscription through the exertions of the Rev. James Carry.

The Rev. F. Meneses.

—Government allowance Rs. 30 a month.

The Rev. Fro Lopez, D. C. and a native priest.

—Government allowance Rs. 150 a month.

The Rev. Fro Anthone, D. C. and a native priest.

Government allowance Rs. 150 a month.

Vacant—Government allowance Rs. 150 a month.

Vacant—Government allowance 50 Rupees a month.

The Rev. F. Ireneus.—

Government allowance Rs. 80 a month with Palanquin allowance during the rains.

A native priest—Government allowance Rs. 30 a month.

A native priest.—Government allowance Rs. 30 a month.

Vacant.

The Rev. James Carry—Government allowance Rs. 50 a month.

The Rev. J. Sheehan, S. J., Government allowance Rs. 100 a month. There are also two Schismatic priests in Poona, the Messrs. D'Rozario in receipt of a monthly allowance from Government of Rs. 100. They have a large church in the city with 1,500 adherents, and a chapel in the Cantonment with 500 adherents. †

[\*Now St. Patrick's Cathedral.]

[†Immaculate Conception, and St. Anne's.]

KIRKEE (Near Poona). —Catholic pop. 150 including 100 Europeans.	}	The Rev. F. Leithoo.—Government allowance Rs. 50 a month.
BELGAUM, from Fort George 300 miles S. Head Quarters of the Southern Division of the Bombay Army. —Catholic pop. 600 Europeans and 300 natives.		The Rev. Fre Maurizio, D. C.—Government allowance Rs. 50 a month.
KOLAPORE, from Fort George 220 miles. —Catholic pop. 100 Europeans and 120 natives.	}	The Rev. J. B. Mary D'Souza—Government allowance Rs. 80 a month.
SHOLAPORE, from Fort George 245 miles S. E. —Catholic pop. 80 Europeans and 200 natives.		The Rev. Ful. Perozi.—Government allowance Rs. 50 a month.
Islands of Bombay and Salsette. Seventeen schismatic churches with congregations amounting to 50,000 souls.	}	30 Schismatic priests, many of whom draw Government allowances. The two priests at Thana each draw Rs. 100 a month.
VINGORIA, <i>Ruthnaghery</i> , <i>Sallara</i> , <i>Dharwar</i> , <i>Boorce Bunder</i> ,† <i>Sawunt Waree</i> , <i>Bassein</i> , <i>Mahim</i> [Khelve] and <i>Chaul</i> (at the entrance of the Bombay harbour). —Catholic pop. 5,000.		All Vacant: The people left exposed to the encroachments of Protestant fanatics, and over zealous schismatic priests.

[†We can find no clue to this place;—apparently on the S. Konkan Coast].

[Karwar and Coorg had by this time passed over to other Vicariates. Bijapur and Golkonda had also dropped out].

### CHAPTER III.

#### TRANSFER OF SALVACAO (1850-1851).

HAVING given sufficient attention to what may be called the domestic affairs of the Vicariate to show how quickly Dr. Hartmann got them in order, we must again concentrate on the most important subject of our history, *viz.*, the sequence of the jurisdiction-conflict as it worked itself out under his regime (1850-1857). Dr. Hartmann had only been in Bombay for just over half a year when the first storm broke at Salvacao.

#### ORIGIN OF THE REVOLT.

Salvacao church at Dadar or Lower Mahim was one of the four churches taken over by the Carmelites in 1720. In the division of 1794 it was the first church chosen by the Padroado party, and it remained under Padroado till 1813. In that year, the suspension of the incumbent by the Archbishop of Goa led to a movement of the people to transfer themselves to the Vicar-Apostolic. Government acceded to their wish, and instructed the Vicar-Apostolic accordingly. Dom Pedro therefore rehabilitated the suspended priest, and so Salvacao passed to Propaganda. From 1840 down to 1848 Dr. Fortini made the church his residence with Fr. Braz Fernandes (secular priest) as parochial assistant. On Fortini's death in 1848 Fre Michael Antony appointed a Carmelite parish-priest. But the people refused to accept him. In

an appeal to Government they asserted their "right of election," and chose Fr. Braz Fernandes, who under Government confirmation entered into the church as Vicar, and so remained in pacific possession for two years till the coming of Hartmann in 1850.\*

Dr. Hartmann had not the least intention of displacing Braz Fernandes. But several complaints against his administration had been sent in, and on October 9th, 1850 he received a petition from "P. D'Silva and 40 other parishioners" complaining that the accounts were in the greatest confusion. They also found fault with the prevailing system of management, suggested the appointment of a committee of trustees, and asked that a general meeting should be summoned. Accordingly on October 13th, Dr. Hartmann made his visitation to Salvacao, called for the accounts, found them very badly kept, gave a due reprimand to Braz Fernandes and warned him to get his books into order. Braz Fernandes is reported to have taken the rebuke badly and to have started "plotting" against the Administrator Apostolic. Consequently on October 31st Dr. Hartmann issued a sentence of suspension, and sent it next day to Salvacao by the hands of his secretary Fr. Ignatius Persico, accompanied by a secular priest Fr. N. dos Santos, who were instructed to enter the church and officiate therein. Apprehending an attack they secured two policemen as a guard for the night. As soon as Fr. Braz Fernandes' friends heard the news they forced an entrance into the church, roundly abused the two Fathers, and would have turned them out except for the presence of the police. Next morning Fr. Ignatius tried to argue the matter out and secure pacific possession; but the people locked the church, and hustled the secretary so that he had to retire (without his hat) and report matters to headquarters.

#### HARTMANN'S RESISTANCE.

Dr. Hartmann at once consulted the Advocate General, who acknowledged the rights of the bishop, and advised the senior magistrate to afford assistance to gain possession of the church. Accordingly towards evening on the 3rd day Dr. Hartmann in person, with his two priests and a body of police, came to Salvacao. But as it was now dusk they postponed the opening of the church till next morning; so the party—and also the opposite party—spent the night camped out on the steps. Next morning Dr. Hartmann ordered the doors to be forced; but the party of parishioners blocked the way, and offered to die rather than yield; and the constables had no orders forcibly to remove them. Then up came a Notary of the Supreme Court of Judicature to inform him that the people had resolved to transfer the church to the Archbishop of Goa. The bishop after a remonstrance retired to St. Michael's, Mahim to say Mass. After his departure the Notary took votes of those

\* We have seen it stated that Braz Fernandes obtained his post by simony. But this is sheer nonsense. He might possibly have bribed people to become his adherents; but that is quite another thing. He obtained his post not by simony, nor by appointment, but by sheer rebellion of a clique against the administrator Fre Michael Antony, by popular election genuine or bogus, and by the confirmation of Government.

present, 210 in number (out of a parish of 3,200 souls). They then opened the church and (under the warrant of Father Soares, Vicar-General of the North) introduced a priest of the Goa jurisdiction who officiated for the morning. (Hartmann's Life, p. 51-65).

#### HARTMANN TO GOVERNMENT.

Dr. Hartmann, thus ousted, wrote a report of the affair to Government on November 5th and 7th (1850). The first letter (Nov. 5th) tells the story of what had just happened at Salvacao, and hints at the likelihood of similar occurrences happening in other churches. The second letter (Nov. 7th) is more explicit: "I am grieved to say that my apprehensions are going to be realised, and that other priests [not named] are intriguing and setting up dissatisfaction among their parishioners, so that a second church is already said to have been transferred to the Goa jurisdiction [what this rumour refers to is not known]. Likewise they are trying to transfer a chapel at Girgaun [S. Teresa's] and so to create new disturbances in Esperança parish. Similar attempts, I learn, are being made at Upper Mahim [St. Michael's]. The whole R. C. congregation in this island will soon be in greater confusion than ever, because they see the greatest facility in settling at defiance their own superior. I therefore implore the assistance of Government without delay to protect me in the possession of these churches, which, even by Government sanction, were under the exclusive jurisdiction of the Vicar-Apostolic; and to protect me against the encroachment of another jurisdiction, as well as against the treason of those refractory priests, who have pledged their solemn oath to the Vicar-Apostolic. If Government permits these things there cannot be any peace among the Catholic inhabitants. . . . I am, then, confident that Government will take such measures as will secure my right and make an early stop to the present disorders. . . .

After the usual office-delay, Government on January 20th, 1851 sent the following answer:—

To the Rt. Rev. Dr. Hartmann, R. C. Bishop.

SIR,—With reference to your letters dated 5th and 7th November last, I am directed by the Governor-in-Council to transmit to you a copy of a communication which I have this day addressed to the section of the R. C. parishioners of Salvacao who have taken upon themselves to transfer the church to the spiritual jurisdiction of the Archbishop of Goa.

I have, etc.,

J. G. LUMSDEN, Secy.

20th January, 1851.

#### GOVERNMENT CANCELS THE TRANSFER.

The enclosed letter "to J. de Monte and others, R. C. parishioners of Salvacao," ran as follows:—

GENTLEMEN,—I am directed to acknowledge receipt of your letter of the 4th November 1850, and to communicate to you in reply the view which the Government has taken of the proceedings therein reported.



2. You observe that "having no confidence in either the ability or inclination of the Vicar-Apostolic to govern the churches here so as to ensure peace, it has long been in contemplation in this parish to revert to the jurisdiction of His Grace the Archbishop of Goa."

3. You then proceed to state that for the reasons detailed in the letter you had applied on the 1st November to the V. Rev. Antonio Mariano Soarez, Vicar-General of the North, to take the church under the Archbishop's jurisdiction; and that while awaiting the Vicar-General's reply, you had adopted measures to prevent Bishop Hartmann (who had arrived at Mahim on the evening of Saturday the 2nd November accompanied by a large police force) from forcing an entrance, as you presumed he was desirous of doing, into your church.

4. On your pressing the Vicar-General of the North for an immediate answer in consequence of these proceedings of Bishop Hartmann, you inform Government that he sent you a priest on Sunday morning the 3rd November; when, acting on legal advice and after recording 210 votes within an hour, you considered yourselves justified in making over the church to the jurisdiction of the Archbishop, which was accordingly done.

5. You afterwards remark you have nothing to say against or for the suspension of the Rev. Braz Fernandes, the Vicar of the church, by Bishop Hartmann—a question on which you do not feel disposed or called upon to interfere. All you desire is to secure the better government of your church.

6. In effect, Government are apprized by this letter that you have taken upon yourselves of your own and sole authority (whether constituting a majority of the parishioners of Mahim or otherwise is at present unknown) to transfer the spiritual allegiance, (rendered since the year 1813 to the Superior of the Carmelite Mission) from Bishop Hartmann, the present head of the mission and the acknowledged R. C. Bishop of this diocese, to a foreign prelate between whom and the Government there are at present no relations, and whose pretensions to act independently of the Government in appointing priests to your church cannot under existing orders be admitted.

7. This summary proceeding you endeavour to justify by referring to my letter (No. 162) under date June 30th, 1848. In this letter the R. C. inhabitants of Cassaube and Worwle [=Mahim and Worli] were informed (in accordance with the liberal policy which it has always been the desire of Government to pursue in the decision of disputes between their R. C. subjects and the Romish Ecclesiastics) that "the question of how far the parishioners would submit to the jurisdiction of the Carmelites of whom they complain was one which was entirely for their own consideration."

8. The following passage from the same letter denotes the construction put by Government upon the foregoing remarks as applicable to the dispute to which it had reference: "The right of pastoral selection

being vested in the parishioners, Government (it is observed) would be prepared to confirm, if otherwise unobjectionable, the candidate who might be chosen by the parishioners as their Vicar; it was quite immaterial whether he were inducted by the Carmelite Bishop or the Archbishop of Goa." In other words, if the Carmelite Bishop should refuse to induct the priest selected by the parishioners, Government would not object to the induction by the Archbishop. I am here directed to remind you that this was the course pursued in your own parish in the year 1813, when in consequence of the Archbishop's refusal to induct your nominee, the church and parish fell under the jurisdiction of the Carmelites.

9. To the same free admission of your right to select your own pastor, the Government still in the fullest sense adheres. But it must be obvious, on the most casual reflection, that an acknowledgment of the prescriptive independence in no respect justifies you in setting entirely aside (as you have done in this instance) the authority of Government, as the arbiter to whom all parties are bound to appeal, and as possessing the right—maintained and enforced without question or exception up to the present time—of confirming the election of your pastors, withholding confirmation in the rare case of an improper selection; and especially of regulating and deciding disputes like the present, in which political considerations may form an element in the decision.

10. The exercise by Government of this right, I am desired to observe, even in a matter so comparatively unimportant as the confirmation of pastors appointed by the general voice of the parishioners, has ever *preceded*, and must precede, not *follow*, the removal of one priest and the induction of another.

11. Much more then was it necessary that the sanction of Government should in the first instance have been solicited and obtained, for the formal disposition of your Bishop from the spiritual government of a parish which has for years paid an implicit obedience to his predecessors and, since his arrival, to himself.

12. Apart also from their right to give or withhold their sanction to so extreme a measure, Government will require to be satisfied (before they can consent to it) that the opinions and wishes of the majority of the parishioners are such as your letter has assumed. This is a point which can only be settled by an official scrutiny, and which will not be decided by any *ex-parte* statements.

13. It is therefore manifest, from the foregoing recapitulation of the circumstances under which this transaction has taken place, that your declaration of the transfer of the church and parish to the jurisdiction of the Archbishop of Goa was highly irregular; and that in taking this step you assumed a power which the parishioners do not possess, and which a mere section of them had unquestionably no right to assume.

14. If you had reason to believe that the parishioners as a body were desirous of transferring their spiritual allegiance to the Archbishop of Goa, your course was to have requested Government to consent to a

scrutiny, and to sanction the transfer when satisfied that the general feeling of the parishioners was in accordance with your application. At present the Hon'ble the Governor-in-Council has no reason to suppose that your statements and your acts can be taken to express its prevailing wishes and opinion of the R. C. inhabitants of Mahim. Government have before them at the present time a petition signed by 462 individuals stating themselves to be inhabitants of the parish of Mahim, strongly objecting to your proceedings.

15. It must not be overlooked that—supposing you effect your purpose and withdraw yourselves and your fellow-parishioners from the spiritual government of the virtual and acknowledged head of your church in this island—the act may be reasonably regarded by many of your fellow-parishioners as of questionable validity. It therefore involves them in a serious responsibility which they may be anxious to avoid and yet unable to avert. They may find themselves driven to the painful measure of separating themselves from the seceding congregation, or may incur the risk of being censured as contumacious by the highest ecclesiastical tribunal which your church acknowledges.

16. I am further directed to intimate to you that the dissensions at the time subsisting, and which have unhappily continued to subsist, between the Roman Catholics of this island on questions of church government, as well as the nature of the control which the local Government has hitherto exercised in the decision of the disputes which have from time to time arisen, were fully reported to the Hon'ble Court as long ago as the 9th May, 1849.

17. While awaiting the instructions which were then solicited, the Rt. Hon'ble the Governor-in-Council is naturally disinclined to authorise any material alteration in the state of the two parties (*viz.*) the adherents of the Carmelite Bishop and the partizans of the Archbishop of Goa. At the same time he will not fail to redeem any pledge which he may have given if clearly called upon to do so.

18. Under the above circumstances I am instructed to inform you that Government are constrained to disapprove your late irregular proceedings - which, I am directed to add, are cancelled. Government cannot acknowledge that the jurisdiction over the church and parish of N. S. de Salvacao of Mahim is vested for the present in any other person than Bishop Hartmann.

19. If the parishioners should still be resolved to refuse obedience to his authority, they will have recourse to the regular procedure which has been indicated in this letter. In the meantime you are not at liberty to deny him free access to the church; a right which is incidental to his position as Ordinary of the diocese.

20. Government trust that no further measures will be required on their part in vindication of this decision.

I am Gentlemen, etc.,

18th January, 1851.

J. G. LUMSDEN, Secy.

## CHAPTER IV.

### THE SALVACAO SUIT.

OBVIOUSLY Dr. Hartmann could not assume possession on the strength of the Government letter; nor did the priest or parishioners take any notice of it. Instead of that, the seceding party began to prepare an equity suit in the High Court, which was filed early in April 1851—Dr. Hartmann being made a party thereto as defendant. The decision of the case was delivered on June 25th, the full text of which was published in *THE EXAMINER* of July 1st. We give here the salient passages:—

No judicial decree was arrived at. The judges merely declared that there was no basis for the institution of a suit, even supposing that all the plaintiffs alleged was found to be true:—

*The Wardens of N. S. de Salvacao vs. Bishop Hartmann and others* [six parishioners who had accompanied Dr. Hartmann, but had done nothing]. The plaintiffs “pray that the church property should be vested in trustees for the benefit of the parish; that Rev. Braz Fernandes may be declared by the Court to be their lawful Vicar; and that Dr. Hartmann may be restrained from intruding another Vicar into the parish, or intermeddling with the church property, and from deposing the said Braz Fernandes without the consent of the majority of the parishioners.

2. “The bill states that the church in question was built about the year 1651, by subscription among the Roman Catholics residing at Mahim; and that it has been always served by a Priest in Holy Orders, who by virtue of his office becomes entitled to the fees payable on performance of the Sacraments, and other rites of the Roman Catholic Church. The church has also been endowed with divers gifts of lands and monies, applicable for religious and charitable purposes to the use of the church and for the benefit of the Roman Catholics residing in its neighbourhood.

3. “The bill then states that while the island of Bombay belonged to the Crown of Portugal all Roman Catholic priests were appointed by the Archbishop of Goa as Primate of the East, but subject to the approbation of the majority of the parishioners; and that on the cession of the island of Bombay to the English, the articles of convention reserved to the Crown of Portugal the rights of patronage to all the churches of the island for ever: (I may here observe that in all discussions as to the rights of Portuguese in this Court we hear allusions to a convention of this kind, the legal existence or validity of which has never been established, and which certainly has never been recognized in this Court).

4. “The bill proceeds to state that spiritual jurisdiction and Episcopal Government being thus exercised in Bombay by the Archbishop of Goa, about the commencement of the last century a mission of Carmelite Friars, sent out from Rome by the Propaganda, established themselves in the island under the government of a Vicar-Apostolic, who after a time succeeded in ingratiating himself with several of the

Roman Catholic communions, and thereupon appointed Vicars of their churches as vacancies occurred. The Crown of Portugal having been moved by remonstrances from the Archbishop of Goa to apply to the British Government on the subject, the Court of Directors wrote out to the Bombay Government, in 1786, stating that the jurisdiction of the Archbishop of Goa had been interfered with, and that it was the desire of H. M.'s Secretary of State that it should be restored; and the Hon'ble Court accordingly ordered the Local Government to restore this jurisdiction, but to reserve to themselves, as heretofore, the power of rejecting all improper persons appointed by the Archbishop.

[5, 6, 7 and 8 summarise the history of the reversal of 1791, the division of the churches in 1794, the transfer of Salvacao to the Vicar-Apostolic in 1813].

9. "The Parish being thus transferred to the Carmelite jurisdiction, it is stated that in the year 1838 the Vicar-Apostolic, Bishop Fortini, procured himself to be appointed Vicar of the church, and so continued to officiate till his death in 1848. On his death a dispute arose between the new Carmelite Bishop Fre Miguel and the parishioners as to the right to appoint a new Vicar; the parishioners being desirous to elect the Revd. Braz Fernandez, who had been curate of the church for some years, and the Bishop claiming to nominate an Italian Friar. The parishioners thereupon addressed a letter to Government, and received a reply from the Secretary of Government Mr. Lumsden, the effect of which is stated to be that the question, as to the spiritual jurisdiction of the Carmelites, was entirely for the parishioners own consideration; that the right of pastoral election was vested in the parishioners; and that the Government would confirm any unexceptional appointment made by the majority, without reference to whether the induction was made by the Carmelite Bishop, or by the Archbishop of Goa. The local Government thereupon appointed the Junior Magistrate to take the votes of the parishioners; and Braz Fernandez having obtained the votes of a majority, the Government confirmed the election by a letter dated 18th October 1848; and Braz Fernandez has since performed the duties, and is still, as the bill alleges, lawful Vicar of the parish.

10. "The Bill then alleges that in October last Bishop Hartmann, who is now the Superior of the Carmelite Mission, in combination with six of the parishioners (who are made defendants) assumed to deprive Braz Fernandez of his vicarage against the will of the majority of the parishioners, and to appoint two other priests to the charge of the church; and on the 31st October Bishop Hartmann delivered to Braz Fernandez at the church a Latin letter of deprivation, and, accompanied by a large police force, proceeded to the church with the view of taking forcible possession of the church and property; whereupon the parishioners, on the 1st November 1850, petitioned the Vicar-Apostolic representing the Archbishop of Goa [They mean the Vicar-General of the North] praying to be admitted again within his jurisdiction—a prayer which that

prelate of course acceded to.

11. "The Bill then states that the priests appointed by Bishop Hartmann seek to take possession of the church, assume to act as Vicars, and claim to take the fees and emoluments ; and under these circumstances, the relief is prayed which I have already stated.

12. "The Bishop and other defendants have demurred to the plaintiffs' claim, *principally for want of equity* ; and the Court was occupied for the better part of three days in hearing the elaborate arguments of the Advocate General, and Mr. Jenkins of Counsel for the Bishop, and of Messrs. Howard and Dickinson for the Church Wardens.

[13-29 Discuss the grounds on which the right and jurisdiction of the Court to deal with the case are called into question by the defendants' solicitor].

30. "The facts stated by the plaintiffs' bill being admitted by the demurrer to be true, it appears that the legal right of electing a Vicar belongs to the parishioners ; that the majority of the parishioners elected Braz Fernandez, who has entered upon his office, and who has been confirmed by Government. It also appears that the parish funds are vested in trustees and are in no danger ; and it appears clearly that the Bishop's nominees are out of possession, and that no part of the church property has come into the hands of the Bishop.

31. "If this is the case, the complainants do not require the protection of this Court. *Beati sunt possidentes*, in the language of the civil law. If they disclaim the spiritual jurisdiction of the Bishop, his spiritual thunders may be disregarded by them ; and his letters and claims, whether in Latin or English, furnish no ground for the interposition of a Court of Equity. It is stated that the Bishop made use of a large police force with a view of asserting his rights ; but it is not stated that the police force *did anything* in infringement of the right of possession ; and it is evident that with the views expressed by the Government, and in deference to the general law, the executive *would never lend a constabulary force of the country to determine a disputed right*.

32. "The jurisdiction of this Court to interpose at all is manifestly based on the want of power in a Court of law to afford relief. If the office in dispute were a corporate office, or involved any franchise of the Crown, the mode of determining any controversy as to the right of election would be by *Mandamus* if the office were vacant, and by *Quo Warranto* if the office were full. The office is full in this case by the election of Mr. Fernandez ; and if the complainants seek relief on the ground that the Bishop has appointed another person to the office, the law is quite distinct on the point, that they cannot come to the court unless they show not only that the new appointee has accepted the office, but also the specific acts constituting acceptance and possession. A mere claim to the office, or asserted right to take the fees, [or] a demand to administer the parish funds, does not give the party in possession any right to come to the Court. See *Rev. V. Whitewell*, 5 T. R. 85., which has been

confirmed in many modern cases. [End of Report].

#### RESULT OF THE DECISION.

The result of this High Court decision was to leave the seceders in possession of whatever they had got. The Church had already been transferred to Padroado and accepted, with Braz Fernandes as its Vicar, under the jurisdiction of Goa. Government, it is true, had cancelled the act, but only on paper; and it took no measures to put the cancelling into effect. Consequently Salvação, which had passed from Padroado to Propaganda in 1813, now reverted to Padroado in 1850.

#### COMMENTS ON THE CASE.

This being so, it only remains to put together a few comments on the text of the bill and the verdict:—

(1) The date given of the foundation of Salvação Church in 1651 is interesting, but is much later than is usually supposed; the only question is whether it is reliable [perhaps it refers to rebuilding].

(2) The statement in para 3 that “priests were appointed by the Archbishop of Goa subject to the approbation by the majority of the parishioners,” is both false to history and to canon law.

(3) The description of the incoming of the Carmelites in 1720 is a characteristic travesty of history.

(4) The statement in para 30 that “the legal right of electing a Vicar belongs to the parishioners” is true solely according to the erastian rule introduced by the British Government in 1793, but is absolutely against canon law and Catholic principles.

(5) The decision of the Court in para 31 is merely this: The parishioners are actually in possession, and the Bishop is not in possession. This being so, “the spiritual thunders” of the Bishop cannot displace them, nor will the police be available to enable the Bishop to take forcible possession. Hence the Court has no ground for taking action, and declines to do so, alleging that it has no right or jurisdiction to do so. On the other hand, the court does not in any way declare that the seceders are in the right in behaving as they have done.

#### PRINCIPLES BEARING ON THE CASE.

We know on the contrary that the contention of the seceders was opposed to Catholic principles throughout, as the following summary of these principles will show:

(1) Parish-priests are appointed solely by the Bishop; and though the wishes of the people may be *considered*, they have no right of election either to select or reject any parish-priest or assistant.

(2) A suspended priest is incapable of entering into any ecclesiastical office, or of validly functioning therein till absolved by the Bishop. Braz Fernandes was suspended and deposed from office by Dr. Hartmann before the “election” of the parishioners.

(3) No church can be transferred from the jurisdiction of one bishop to another without a decree of the Holy See—no matter what the respective “right” of the two bishops may be in the abstract. Without

such a decree the one bishop cannot resign, and the other bishop cannot take over such a church.

(4) A parish church and its property are church goods, of which the supreme local administrator is the bishop. He can appoint clerical or lay administrators to act for him, and can remove them at will. Even if elected by the people, this is not by right but by concession. The wardens administer for the bishop and not for the people, and are answerable to the bishop and not to the people.

From this we perceive that the erastian and democratic principles imposed by the British Government were diametrically opposed to Catholic principles and canon law; and that the priests and people acting upon them were absolutely in the wrong both in *idea* and claim and in action.

#### A HISTORICAL COMPARISON.

One point deserves notice however; viz. the similarity between the process by which Salvacao passed from Padroado to Propaganda in 1813, and that by which it passed back to Padroado in 1850. In 1813 a Padroado Vicar was rejected by the Archbishop of Goa, but the people insisted on retaining him. Government acceded to the people's wish, and instructed the priest to apply to the Vicar-Apostolic for faculties—which the Vicar-Apostolic accordingly gave to him, and so took over the charge of the church. In 1850 the same thing happened in the opposite direction. On grounds of Catholic principle and canon law both transfers were irregular, and regrettable on that score. But there is one difference. In 1813 Government upheld and enforced the transfer to Propaganda; and it was the established rule of the time that if Government barred the jurisdiction of Goa, the Vicar-Apostolic was justified in stepping in to fill up the gap. In 1850, on the contrary, Government rejected and cancelled the transfer, which was sustained only because the rejection and cancelling remained on paper and was not enforced. Nor could Government very well have enforced it unless Dr. Hartmann had filed a suit in maintenance of his jurisdictional right, and secured a verdict in his favour which could have been put into effect by the court bailiffs. Had such a suit been filed, it is very problematical as to what would have come out of it. The judges of those days had absolutely no knowledge or respect for canon law, and were utterly at sea about the rights of the church whether in jurisdiction or in property, and often gave verdicts which would be comical if they were not pathetic.

#### MYTHOLOGY CONNECTED WITH THE CASE.

A large amount of mythology has clustered round the Salvacao case, which has become traditional in controversial literature; but which the documents dispose of entirely. Thus for instance we have seen it stated in a brochure quite recently that (a) Bishop Hartmann appealed to the Court and filed a suit against the parishioners to uphold his claims over the church; (b) that he demanded delivery of the security notes and other property of the church to himself; (c) that he lost the suit, and the



verdict was given in favour of the parishioners ; (d) that the Court thereby upheld the election of Braz Fernandes and the transfer to the jurisdiction of Goa. All these statements are absolutely false to fact, and are completely refuted by the documents of the event itself.

#### THE SEQUEL.

The congregation of Salvacao as a whole went over to Padroado with their church, but a few (perhaps 200) seceded and remained attached to the Vicar-Apostolic, who built for them a small chapel in Mahim woods further west. This chapel was dedicated to St. Francis of Assisi, and was blessed and opened for use on July 24th, 1855. About this time the people of Worli also attached themselves to the congregation of St. Francis' chapel ; but later on went back to Padroado.

### CHAPTER V.

#### THE MATA AFFAIR, 1853.

THE Allocution *Inter Novos* of February 19th, 1851, which brought the Torres affair to a close, has already been dealt with in a previous section. Here it is only necessary to note that when the text reached Bombay, it was published and read in the churches and followed by a pastoral (April 15th, 1851) by Dr. Hartmann, which made a running comment on the allocution and urged the duty of submission to the Holy See by obedience to the Vicar-Apostolic. In order to persuade the people to this, he made use of an argument which would in the eyes of the Padroado party rather defeat his purpose—according to the psychological law that a bogus argument does more harm than no argument at all. Dr. Hartmann pointed out correctly how Portugal had agreed that Torres should be withdrawn ; that he should give letters of submission, and that in the diploma of the next Archbishop mention should be made of the limits of his jurisdiction. He then proceeded to argue : “From this it evidently follows that the Crown of Portugal does not pretend [=claim] the right of patronage without [=outside] its own dominions ; and in fact since the promulgation of the Bull *Multa praeclare* no solemn protest from [=against] it has seen the light in these parts. This being so, is it not nonsense that people within the British dominions should be fighting so angrily for the pretended right ?”

Every intelligent votary of Padroado would of course recognise the fallaciousness of this argument. The trend of the history shows that during the whole of the time Portugal had abated none of its claims, which were impressed by the Court of Lisbon on Carvalho, Texeira, Botelho and Torres, and by them in turn impressed on the clergy and laity of the Padroado jurisdiction through pastorals and circulars without end. The most that Portugal had done was to consent to the removal of Torres for sake of peace, pending negotiations for a future settlement. That Portu-

gal should make such concession does not prove that any jot or tittle of its rights was given up ; it merely meant that Portugal could consent to *waive their exercise* in some particular direction, keeping the rights themselves intact.

There are no signs that this pastoral had the least influence on the public mind ; and the ease with which this bogus argument could be refuted had probably the contrary effect.

#### THE PETITION TO GOVERNMENT.

As soon as Dr. Hartmann had realised that the Salvacao transfer was a *fait accompli*, he felt the necessity of adopting means to prevent the repetition of such disorganising occurrences. Therefore after publishing the Allocution and the accompanying pastoral exhortation on April 15th, 1851, he drafted a circular to the other Vicars-Apostolic of India (June 13th, 1851) proposing "a collective address to the British Government, in order to engage it to put an end to the deplorable double jurisdiction by its interposition. Rome had already made a move in this direction, and Cardinal Wiseman had been charged with the preliminary steps." (Life of Hartmann, p. 97).

No copy of this circular has been preserved, nor the answers of the Vicars-Apostolic. But the petition to the Court of Directors was at once drawn up by Hartmann himself and (without waiting for signatures) was presented to the Bombay Government on October 2nd, 1851 for favour of forwarding the same to London.

The text of this petition is summarised as follows :—

To the Chairman of the Hon'ble Court of Directors,  
SIR,—

I take the liberty . . . of submitting the following circumstances, etc.

(2) Many and great collisions and disturbances of the public peace have originated from the interference of the Archbishop of Goa with the ecclesiastical jurisdiction of the R. C. Bishops in Indo-British territory . .

(3) The Archbishop of Goa and his adherents act on the principle of the right of patronage accorded by the Holy See in the past to protect the Church . . .

(4) But Portugal having lost nearly all its dominions is unable now to protect, and has neglected to fill up sees, etc.—the British Power having become rulers of the Peninsula . . .

(5) The Crown of Portugal would seem to have tacitly disclaimed its right of patronage from the fact of not having opposed the *Muliu praeclare*, and having allowed the late Archbishop to be recalled [A curious fallacy ; the same as before—One wonders that Dr. Hartmann should having fallen into it when all the facts were to the contrary].

(6 to 10) The Court of Directors never recognised such a right of patronage, but always acknowledged the Vicars-Apostolic as the Ordinaries. [Outline of events in Bombay, 1720, 1791, 1794 ; *Multa praeclare*, 1838 ; Archbishop Torres, 1844 ; the troubles at Esperança, 1849 ; Salvacao 1850 ; the suit dismissed 1851]. Government had decided that

the people had no right to hand over Salvacao to Goa and ordered them to reverse the act. Formerly, however, the people obeyed Government, whereas now they ignore Government orders.

(11) "I am aware that the Bombay Government have twice petitioned the Court of Directors to be relieved from interference in the matter of collisions between the two jurisdictions. Government does not know how to remedy the evil. But this shows how great that evil is : how impolitic the step of 1793 was [=the division of the churches and the principle of the people selecting their own pastors]. If that step during 60 years from 1793 has proved so fatal, why should the Court of Directors not at once and finally correct the mistake ? It can do this the more easily, as all the political motives which formerly might have influenced that step are removed. . . .

(12) "My most earnest petition is that at its earliest convenience the Hon'ble Court of Directors should pass an order declaring that it recognises no other ecclesiastical Superiors or Ordinaries for R. C. subjects in British India than the Vicars-Apostolic in their respective missions ; that every R. C. priest must in all ecclesiastical matters correspond with the authorities through the Vicar-Apostolic ; and that no Government sanction of salary or appointment is obtainable unless the priest recognises the Vicar-Apostolic as his ecclesiastical-Superior [the Government had actually made such a declaration in 1835-1839 in case of the Vicariates of Bengal, Madras and Ceylon, with the result that things were normally quiet and settled there, except for very incidental disturbances].

"I submit that the Vicars-Apostolic ought to be protected by the Government in fulfilment of their duty ; and that the civil and ecclesiastical powers should work co-operatively.

"Although this petition chiefly concerns Bombay, it is not to be considered as confined to Bombay, but as representing the interests of other Vicars-Apostolic. The names of these are merely attached below ; since to forward this petition for actual signature would cause too much delay."

Bombay, Oct. 2, 1851.

This petition was sent in to the Bombay Government on the above date with a covering letter to the Governor-in-Council (File XIV No. 146), remarking that if Government does not adopt prompt and energetic measures the revolts and defiances of authority will have no end.

After this, and during the year 1852, there was a lull in the storm. Feeling seems to have quietened down in Bombay, and all parties enjoyed a period of rest. Local occurrences there were, of small dimensions, which will receive attention later, but that is all. It was only in February 1853 that the storm burst once more, coming this time from outside in the person of Jerome de Mata, Bishop of Macao.

#### THE VACANCY OF GOA.

Before Archbishop Torres departed from Goa, he carried out the instructions of the Queen by appointing Dom Joaquim de S. Rita

Botelho administrator of the Diocese, and announced the fact in a pastoral dated March 2, 1819. Botelho had previously been made Bishop-elect of Cochin by State appointment in 1838 or 1839. He was formally elected Vicar-Capitular on May 7th, 1851; and again by a royal decree of September 5th, 1851, he was appointed Governor of the Archbishopric of Goa (Mitr. Lus. p. 499-500).

For canonical reasons the appointment appears to have been ecclesiastically invalid. But in the end Rome decided to legitimise his position, and in 1851 issued a *sanatio in radice* for all his jurisdictional acts which had been invalid down to that date. From 1851 his authority as administrator of the See of Goa was recognised by Rome down to his death in 1859.

As the vacancy of the See was prolonged, a large number of candidates accumulated in the Seminaries for ordination; and since the Vicars-Apostolic could no longer be requisitioned, a few students were sent in 1852 to the nearest Padroado Bishop at Macao. After this it was thought better that the Bishop of Macao (Jerome de Mata) should come to Goa on his way to Europe for sake of health. An order was communicated to him by the Queen in a royal writ dated August 5th, 1852. Details were then arranged, lists of candidates prepared, dispensations on account of age, etc., secured for some [six granted by Propaganda in December 1852, and five later on from the Nunciature of Lisbon in May and July 1853]; an invitation and authorisation from the Vicar Capitular issued, etc.; the arrangement being evidently with the knowledge and consent of Rome. Nothing however appears in the documents to suggest that episcopal functions outside Goa itself were contemplated, at least by the Roman authorities\*; and all the trouble which arose afterwards came from the fact that Bishop Mata exercised his episcopal ministry in other places on his way.

#### THE COMING OF BISHOP MATA.

Bishop Mata sailed from Macao towards the end of 1852 and reached Colombo in Ceylon, where he visited the small community of about 100 people, under one priest who had revolted against the Vicar-Apostolic and proclaimed his allegiance to Padroado in 1849. To them he administered confirmation, and then passed on to Bombay which he reached on February 1st, 1853. Here he was received with an ovation

\* The subject has been fully worked out from the Goa archives in an article entitled *Monimenta Goana Ecclesiastica* (1918) reproduced in English by the *Catholic Register* of August, September, October 1918. Fr. D'Sa however writes: "From the Royal Notification of August 2nd, 1852 it appears that the representations of the Vicar-General of the North (Soares) moved the Government of Lisbon to Order the Bishop of Macao to come and exercise episcopal functions in Goa" (India II p. 160). Moreover, a note in the Archives of Macao says: In answer to the request of the Vicar-Capitular (Botelho) Mgr. da Mata consented to go to Goa in order to visit and confirm the Portuguese Christians of the Padroado in the whole of the Archbishopric of Goa. The ministry of the said prelate was authorised by the Bishops or Governors of the dioceses through which he passed before reaching Goa." (Quoted in *C. Register* Oct. 1, 1918). This shows that a wider range outside Goa territory was contemplated by those who organised the programme.

and led to Gloria Church, of which Fr. Soares, Vicar-General of the North, was parish-priest. The next day he conferred minor orders and the subdiaconate on certain candidates in the presence of a large congregation. On the following Sunday he made a solemn entry into the church, and preached a vigorous sermon against the "manœuvres of the Propagandists."† He then conferred minor orders and the diaconate, sang Pontifical High Mass and gave confirmation. On Monday he visited Cavel Church and administered confirmation; on Tuesday he did the same at Kurla, and after that in various other churches in Salsette including Thana and Bandra. On the way to Bandra he passed by St. Michael's Church, Mahim, where he was stopped and greeted by Fr. Joseph de Mello; and on the way back he was entertained in the parochial house—an incident followed by troubles which will be recorded in their proper place. (Hartmann's Life, p. 116-127). The same evening he gave confirmation at Salvacao.

#### HARTMANN'S PROTEST.

As soon as Dr. Hartmann saw what was going on he addressed a letter to Bishop Mata (Feb. 4, 1853) which ran as follows:—

My Lord,—I learn with heartfelt pain that Your Lordship has exercised episcopal functions, and will continue to do so during your stay in the Islands of Bombay and Salsette. Your Lordship cannot be ignorant of the [*Multa praeclare*, and the Allocution *Inter novos* of 1851] to say nothing of the many other Apostolic Letters regarding ecclesiastical jurisdiction beyond the temporal territories of the Crown of Portugal. I deem it proper to transmit some documents relative to Bombay and Salsette, from which it is certain that the Vicar-Apostolic of Bombay or his viceregent has by the Holy See been constituted and confirmed the sole legitimate Ordinary of both islands. I transmit these official letters, praying that Your Lordship will be good enough to show me the Apostolic mandate by which the provisions made therein are expressly revoked or derogated from, and in virtue of which Your Lordship is authorised by the same Holy See to exercise in the aforesaid islands episcopal functions or jurisdiction. Until Your Lordship produces to me such an Apostolic mandate I solemnly, publicly and officially protest against all episcopal acts or jurisdiction which Your Lordship has exercised or may exercise in both islands; and I shall immediately refer the case to the Holy See.

I entreat Your Lordship, through the bowels of God's mercy, not to disturb peace and union or ecclesiastical order, and not to hold part with the manifestly disobedient. Rome has spoken, the question is decided; would to God that the division were also at an end. Your Lordship, no less than myself, must soon stand before the tribunal of Jesus Christ, who in giving to Peter the keys of the kingdom of Heaven said, etc. . . . and this not to Peter alone but to all his successors, the Roman Pontiffs, whom we in our holy consecration by a solemn oath have promised to

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† The contents of this sermon will be studied later.

obey, and to observe the Apostolic mandates with all our might. and to take care that they are observed by all.

I most ardently pray that the division may be removed, and that all may be of the same mind and submit to the Apostolic mandates and provisions. May God preserve Your Lordship long in health and happiness. Given at our Residence; etc., 4th February 1853.

A. HARTMANN, Adm. Ap.

The answer given by Bishop Mata was a simple acknowledgment of the receipt of the letter and its contents, after which he continued his episcopal ministrations as before. Bishop Hartmann then, seeing that his remonstrances had no effect, prepared a pastoral circular to the clergy of the Vicariate, which he published on February 23rd, 1853, two days after Bishop Mata left Bombay for Goa. It was in English and ran as follows :—

To the Venerable Clergy of the Bombay Vicariate :—

*Venerable Brethren*,—You will feel with us deeply afflicted at what has before our eyes just taken place. [He then recalls the past history from the Torres incident of 1844 down to the Allocution of 1851 and continues] :—That allocution did not produce for the Missions as good a result as was expected by His Holiness. The schism however since then was visibly on the decline until, by the arrival of Dr. J. da Mata, Bishop of Macao, it received a new life, from the moment he commenced exercising episcopal jurisdiction in the islands of Bombay and Salsette, as he had previously done at Colombo in the island of Ceylon.

We addressed him an official letter with annexments A, B and C published in *THE EXAMINER* of the 16th instant.‡ In that letter we requested his Lordship to show us his Apostolic mandate ; and intimated that until he did so we were bound to protest against all and singular of the episcopal acts exercised within the limits of this Vicariate ; and that we should have immediate recourse to the Holy See.

The Bishop of Macao acknowledged the receipt of our letter without a reply ; which alone is a clear proof that he has no authority either directly or indirectly from the Pope, or from the Apostolic Nuncio residing at the Court of Lisbon. Indeed the latter dignitary could give no such authority even suppose he were willing.

The Bishop of Macao continued nevertheless to exercise episcopal jurisdiction, administering the Sacraments of Confirmation and Holy Orders—this latter sacrament (amongst others) to five seminarians who had lately, for gross insubordination, been ejected from our Seminary. Besides this he inveighed against the Vicars-Apostolic and the missionaries from the pulpit, and so deluded the credulous people that throughout Bombay great disturbances have resulted ; the Vicars-Apostolic and the Missionaries are looked upon as impostors even by many of the

‡ These documents were : (1) *The Mulla praeclare* ; (2) the Decree on Salsette ; (3) the Monitorium to Dr. Whelan in 1848.

faithful who were previously wont to recognise them as their lawful pastors.

The spirit of schism is again rearing its head on all sides with its characteristic symptoms. We have acquainted all the Vicars-Apostolic of the schismatical proceedings of the Bishop of Macao, and requested their wise counsel and combined efforts. Seeing however the evil on the increase...we have resolved to depute our Secretary, the Rev. Fr. Ignatius [Persico] to Rome, in order to make a formal complaint to His Holiness and obtain the adoption of such measures, etc....It is impossible to govern if priests and bishops, despising the Apostolic decrees...seduce the people to revolt against the established hierarchy appointed by the Holy See; in a word, cause schism and scandal. Abiding by the orders of the Holy See, we solemnly and publicly protest against the episcopal acts which the Bishop of Macao has practised in these islands, and lament and deplore the scandalous part which several of our flock have taken in the schismatical proceedings...we entreat all to obey the Vicar-Apostolic...Finally we exhort you all to join in prayer for the extinction of the schism....

A. HARTMANN,  
Bishop, etc.

N. S. do Carmo,  
Feb. 23, 1853.

Dr. Hartmann then wrote out a report of the whole affair and sent it to Rome by the hand of his Secretary Fr. Ignatius Persico, who set sail from Bombay on March 1st, 1853 and reached the Holy City on April 18th.

Meantime Bishop Mata had completed his programme in Bombay and Salsette, and had departed for Goa on February 21st and reached his destination on the 24th. He remained at Goa about eight months, and departed for Macao on October 28th, 1853. During this period however, a serious event occurred in Bombay, with consequences which led to a considerable amount of correspondence from the Holy See, Dr. Hartmann, Bishop Mata and the Vicar-Capitular of Goa and even the Governor of that city. Before transcribing that correspondence however, we must deal with the event referred to, which occurred at St. Michael's Church, Mahim.

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## CHAPTER VI.

### TRANSFER OF ST. MICHAEL'S.

ST. MICHAEL'S, Upper Mahim was one of the four Franciscan parishes taken over by the Carmelites in 1720. In the compulsory division of the churches in 1794 it was the second church chosen by the Carmelites; and it had remained in pacific possession of the Vicars-Apostolic for 59 years. In the turmoil of Whelan's time, St. Michael's

was the only parish in the island which remained tranquil. It was then in charge of a secular priest as Vicar, with two assistants, one of whom had the care of the filial chapel of Sion. After the coming of Hartmann the Vicar in charge of St. Michael's was Fr. Joseph de Mello, who had previously been Vicar-General to Dr. Whelan and parish-priest of Rosary Church, Mazagon. The assistant in charge of Sion Chapel was Gabriel de Silva.

#### THE DEFECTION BEGINS.

It was only in connection with the advent of Bishop Mata of Macao early in 1853 that troubles arose at St. Michael's. When that prelate, after his visitation of Gloria, Cavel, Kurla, Thana, etc., proceeded next to Bandra, he had to pass St. Michael's in order to cross the creek. Fr. De Mello presented himself to salute the Bishop as he passed by, and invited him to step into the church; which Mata promised to do, not now, but on his return journey. When this took place he fulfilled his promise, and was met in the church by a number of parishioners. A domestic dissension had arisen in the parish over a question of church property, in which the Vicar had refused communion to the dissentients; and the outcome of this quarrel was of course a movement for handing over the church to the jurisdiction of Goa. This feeling found definite expression on March 10th, after Bishop Mata had passed on to Goa. Fr. De Mello, it seems, made a show of being opposed to the movement, and on March 11th he came rushing to Dr. Hartmann exclaiming "My Lord, the church is shut, the church is betrayed, I am lost." Dr. Hartmann at once proceeded to Mahim, but could effect nothing and came home again. But he wrote a letter to Fr. De Mello urging his duty to oppose the defection, under pain of *ipso facto* suspension in case he followed the lead of the parishioners. On Sunday March 13th, the day arranged by the parishioners for the transfer, Dr. Hartmann went to Mahim once more and unexpectedly entered the church. There he found Braz Fernandes in the parochial house awaiting the process of voting, which was going on in the porch of the church, in order to enter it in procession to take possession officially in the name of the Archbishop of Goa. [The votes in favour of Padroado taken in the morning are said to have been 354, while "Misquitta's" party gathered 400 votes on the other side in the afternoon].

#### HARTMANN OCCUPIES THE CHURCH.

Dr. Hartmann's sudden arrival however balked these proceedings. Before those present realised what was going on, he had taken his seat before the altar, and ordered the bells to be rung. Surrounded by those who were in his favour, Dr. Hartmann then complained of the proposed act of treason, and declared that rather than leave or give up the church he would die in it a martyr. He then called Fr. De Mello and his assistant before him. They showed him a respectful and submissive manner; but as a matter of fact the Vicar had just a moment before sent to Father Soares, Vicar-General of the North, a letter of obedience



and subjection to the Archbishop of Goa—a fact which Dr. Hartmann only learnt during the afternoon.

A popular tumult next arose in the parish house, on account of the Propagandist party trying to turn Braz Fernandes out. After it had subsided and the people returned to the church, Dr. Hartmann proposed to give exposition of the Blessed Sacrament, and asked for the key of the tabernacle. The Vicar replied that the key was in the hands of others who would not deliver it up. His Lordship next demanded it under pain of excommunication; but in vain. He then recited some prayers. While this was going on, in rushed some of the Padroado party and tried to cause a disturbance, but failed. In the afternoon they returned and tried to expel the Bishop and his supporters; and there was danger of bloodshed. Dr. Hartmann remained for most of the time praying before the altar. The constables, who had been called in by somebody or other, then cleared all the people out; but presently those attached to the Bishop came in again. At 11 o'clock of the night Mr. O'Mealy (Public Prosecutor) and the Superintendent of Police came in and insisted on Dr. Hartmann leaving the church. On his refusal the Superintendent forbade all religious services in the church. Dr. Hartmann protested and tried to explain matters. In the end the Superintendent promised protection for the person of the Bishop, and left him in the church with a few companions, who continued there all night.

Dr. Hartmann had meantime sent for Government assistance. The Advocate General and the Bishop's solicitor, Mr. Dallas, took the matter up. But Government replied (March 18th) that in consequence of a late dispatch from the Court Directors they were obliged to adopt a policy of non-interference. Whereupon Dr. Hartmann instructed Mr. Dallas to file a suit in the Supreme Court for the maintenance of his right to the church—but the filing of the suit was disallowed.

On the 19th March (Feast of St. Joseph) the Bishop said Mass privately in the closed church, which he had not left for a whole week—the doors being kept locked by the Police. On Sunday March 20th, the Padroado party had Mass in a corridor outside. Later on Mr. O'Mealy, some constables and Fr. De Mello entered the church through the sacristy, and his party began to nail up the door of the church so as to frighten the Bishop into leaving it. But when they requested him to go out by the sacristy door he refused once more. They then nailed up the sacristy door also, leaving the Bishop with 80 of his adherents inside—who were only kept from starvation by some provisions handed by friends through a window. When they found Dr. Hartmann handing out a letter to the Advocate General, they nailed up the window also, the Bishop's arm being jammed in trying to prevent it. As all the altar furnitures had been taken away, saying Mass was impossible. Later on the Padroado party entered by the choir gallery and asked if any one wished to go out. But all remained with the Bishop. The church was completely blockaded, so that even Dr. Hartmann's solicitor was not

admitted for an interview, though he was allowed to send in a letter. The whole party remained in the church without food or water (?) till on Easter Sunday, March 27th, the Magistrate ordered the doors to be opened. The friends of Dr. Hartmann flocked in, and the Bishop sang pontifical High Mass for them. Dr. Hartmann then allowed his followers, faint with hunger and thirst, to leave him alone in the church under the protection of the Police. The period of close confinement had lasted 14 days.

The Padroado party complained to Government against the Superintendent of Police for affording protection to Dr. Hartmann, and preventing them from appropriating the church, but in vain. On Easter Tuesday, March 29th, Dr. Hartmann addressed a circular to his flock which, after describing his experiences in Mahim conclude. :- "Our application to Government had no effect, the Court of Directors having recently directed it not to interfere; nor would the Supreme Court allow us to file a suit. Consequently we are still in the church of St. Michael and must look for help from heaven. . . . We are suffering all this in consequence of the unhappy interference of the Bishop of Macao with our jurisdiction, by which he has thrown both the islands of Bombay and Salsette into the greatest agitation."

On Low Sunday (April 3rd) being required to consecrate Fr. Michael Anthony as Vicar-Apostolic of Mangalore, he secured solemn guarantees from the Police for the security of the church, went down to the city to perform the function, and returned immediately to St. Michael's.

From time to time there occurred concourses of people; and quarrels took place both inside and outside the church, the Police declaring themselves unable to interfere until there was a "breach of the peace." Some bloodshed did take place, but it does not seem to have come within their "cognizance." [Here follows the usual list of "divine judgments" on individuals of the Padroado party—men falling from cocoanut trees and breaking their legs and so on. Quarrels about burials, etc., repeatedly occurred, etc., etc.]

#### FILING OF THE FIRST SUIT.

On April 12th Dr. Hartmann addressed and dispatched a circular to the other Vicars-Apostolic of India, to arrange a joint memorial to the Holy See.

On May 1st the Padroado party filed a lawsuit in the Supreme Court in support of their claims to the properties of the church. The Bishop however still continued in possession, but the church doors were opened and he had free communication with the outside world. He received from Rome a monitorium addressed to the Bishop of Macao, to be forwarded to him; also a second monitorium, and the Brief *Probe Nostis* (May 9, 1853).

On June 29th he published the papal *Monitorium* and the Brief *Probe Nostis* in all the churches. He addressed a letter to the Bishop of Macao (July 15th) and received the reply (no date) and replied again (August

18th). Under Police guarantees he was able to leave St. Michael's to bless St. Peter's, Bandra for the fishermen (Sept. 11th, 1853).

The suit in the Supreme Court was heard on September 22nd, 1853. The complainants were examined, but Dr. Hartmann, who had been summoned, was not questioned or called on to speak, and the case was adjourned. In October Dr. Hartmann received a petition from the people of Juvem to be received under his jurisdiction, and went there himself on November 11th. The movement at Maney in Trombay was revived, and Dr. Hartmann also went there on November 7th.

#### VERDICT OF THE COURT.

On the urgings of Fr. De Mello, the Mahim suit came on again just before Christmas (Dec. 23, 24) and the judgment was given to the effect that in the opinion of the Court the ownership of the church belonged not to Dr. Hartmann, nor to the clergy, nor to the parishioners, but to the *confraternity*—which however had not fully proved its right.

The conclusion of the sentence runs as follows :—

The question still remains : How is the court to deal with the case ? They cannot affirm the bill of the parishioners ; and the Confraternity of the Immaculate Conception are not parties to this suit, and consequently no declaration can be made affecting their rights. On the other hand it is quite clear that the Bishop (the defendant) has proved no title to the property, and his whole conduct seems to have been arbitrary and without any pretence of title to the property ; at all events if he had any title he has not thought fit to produce any evidence to substantiate it. It is impossible for the court to assume, and they think it very improbable, that as Bishop of the Roman Catholic Church he can have any title to the property of this church, whatever his spiritual jurisdiction may be ; and it is with the question of property only that the court has to deal in this suit.

On the whole we incline to the opinion that this church and property belong to the confraternity and not to the parishioners ; but we should be sorry, upon the imperfect materials now before us, to express any decided opinion in that subject. It is sufficient to say that the plaintiffs have not proved their case to our satisfaction. But considering the difficulty which attends the getting up of cases of this kind in this country ; and considering it possible that the plaintiffs may be entitled to the property in another capacity, as representing the confraternity ; and considering the total absence of evidence showing any title in the defendant, we shall dismiss this bill without costs, and without prejudice to the plaintiffs bringing a new bill or action as they may be advised.

Though unnecessary for the decision of this present suit, it might be some guide for the future to the contending parties, and thus prevent future litigation, if we distinctly intimate that their secular interests cannot be affected by their seeking the spiritual guidance either of the Archbishop of Goa on the one hand or the Vicar-Apostolic on the other. That is purely a question for their own conscience, and is a matter of

indifference both to Government and to this Court. (Hartmann's Life, p. 170-171).

The *Bombay Telegraph and Courier* (Dec. 29, 1853) considers the remarks on the conduct of Bishop Hartmann both "harsh and uncalled for. Thus in remaining in the building he never wished to keep out the parishioners, but simply to prevent a priest, whom he and all Roman Catholics must look upon as a schismatic, from officiating in the building. Looking upon the question as Roman Catholics would do, there is no doubt but that the true chief pastor is the Bishop sent by the Pope; and that Bishop is Dr. Hartmann. . . . We cannot perceive that Bishop Hartmann has behaved otherwise than any clergymen in his most difficult situation would have done.

"The Lord Chief Justice has declared that the proper persons to bring a suit against the Bishop are the Confraternity of the Immaculate Conception; but we hear that if those persons were to take such a step the Sovereign Pontiff would at once dissolve the Confraternity, etc." (Quoted in Life of Hartmann, p. 172).

#### AFTER THE SUIT.

The Padroado party returned from the Court highly dissatisfied. But wishing to celebrate Christmas in the church instead of the corridor, they sent a note requesting Dr. Hartmann to open the church, since it was theirs. No answer was returned. A large number of the Padroadists assembled in the evening, and were promised by the Police that they should have their services. Next morning (Christmas day), the Superintendent insisted that Dr. Hartmann should yield, especially on account of the verdict of the Court. Dr. Hartmann stood firm; and though he himself said two Masses for his own followers, the Padroadists had to be content to celebrate their feast in the corridor as before. In the evening a crowd assembled once more, this time to break open the doors; but they were prevented by the Police, and some were taken to chowky. After that Dr. Hartmann seems to have remained in quiet possession for about three months; being free to leave the church and return without risk of losing his hold on it.

On March 16th, 1854 Dr. Hartmann appointed Fr. Antonio Pereira, S. J., Vicar of St. Michael's, who proceeded to the election of a new set of wardens loyal to the Vicar-Apostolic—but how far this arrangement became operative is not mentioned. On March 29th, the Bishop sang a high Mass praying for deliverance from his "voluntary imprisonment," which had now lasted just over a year.

#### FILING OF THE SECOND SUIT.

The Padroado party as a whole did not care to go to Court again; but the Confraternity of the Immaculate Conception on April 18th, 1854 filed a fresh suit for the ejection of Dr. Hartmann. This time, fearing that such a suit directed against the Bishop in person would be adverse to him, a body of parishioners put themselves forward as the defendants

against the Confraternity [whose exclusive claims to the church they knew to be unsound]. The Court agreed to this. The suit was heard on June 17th to 20th. The summing up showed that it was purely a question of the civil rights of proprietorship, which was very obscure; and the judgment, delivered on June 20th, 1851 ran as follows:—

The question before the Court was whether the plaintiffs (the Confraternity) had made out a proper title. . . . The question was: In whom was the proprietary vested? It lay with the plaintiffs to make out a title to the possession of the church and grounds; but there had been little evidence either way. But the plaintiffs had a possessive title, and the Chief Justice was of opinion that they had power to recover it in an action for ejectment. The defendants were a considerable body of the parishioners, with a minority of the Confraternity among them. . . . The plaintiffs numbered fewer of the parishioners, but more of the Confraternity. When the Advocate General said that the Bishop was in quiet possession of the church he. . . . fell into an error; because there was nothing to prove that the church was ever in possession of the parishioners; and a majority of the Confraternity were always inimical to the sway of Bishop Hartmann.

Fr. De Mello was made Vicar in 1850, and up to 1853 he was in possession. By what authority was he deprived? There is no direct evidence to show that either sentence of deprivation or excommunication had been passed on him. But whatever his clerical sentence might have been, that could not disturb his civil rights. . . . A Civil Court cannot notice spiritual jurisdiction. He could not say whether the plaintiffs were good Catholics; but the evidence, little though it were, was on their side, and they were entitled to recover possession—Ordered accordingly: Verdict for the plaintiffs (Hartmann's Life, p. 188-189).

The very same day Fr. De Mello and his party took possession of the church; and Dr. Hartmann could do nothing but simply walk out. [It is however to be observed that the Court merely concerned itself with the question of possession of the church. It left entirely alone the ulterior question as to the right of the Vicar-Apostolic to jurisdiction over priest and people. It merely declared that in point of law he had no right to occupy the church to the exclusion of the confraternity or the parishioners.]\* And so Dr. Hartmann's "voluntary imprisonment" came to an end on June 20th, 1854, after a duration of 15 months.†

\* It is quite incorrect to say that the courts decided that the church should be of the jurisdiction of the Archbishop of Goa (D'Sa p. 175). It expressly repudiated all considerations of spiritual jurisdiction, and settled the case purely as one of the *possession of property* by individuals or groups of individuals.

† It is stated that Dr. Hartmann's pertinacity in remaining in St. Michael's, even after the Police had guaranteed that the Church should be kept vacant till the suit was brought to a conclusion, was due to the fact that at Salvacao the verdict had been rested on the title of actual possession, and Dr. Hartmann thought that by retaining actual possession he would secure this title for himself. But as his possession had only been secured quite recently by sudden entry, it had no weight against the previous long possession of the plaintiffs.

## COMMENTS ON THE VERDICT.

This judgment, as the previous one, is hardly worth serious comment—it is typical of the blundering good nature of an English judge, who has no conception of the principles with regard to church property which govern the conscience of all Catholics, and lightly gives away the case to the party which makes the better show of a *de facto* possession. According to canon law a parish church and its grounds are ecclesiastical property—either parochial or diocesan, but in this case parochial—of which the Bishop is the supreme administrator, and all others merely administrative helpers by his appointment; while a parish priest is merely a curator of souls subject to his appointment or removal. The parish, as a moral person in the Church, has no existence as against the Church, and no administrative right as against the Bishop; and as to the regulation of religious worship, the bishop has the right to suspend persons and interdict places, as soon as they rebel against his authority. Dr. Hartmann had a perfect right to occupy St. Michael's, to suspend or exclude Fr. De Mello, to admit to the church services only those who acknowledged his authority and jurisdiction; and as for a mere confraternity owning the church and grounds, and having the right to turn the Bishop out—that every instructed Catholic, be he Padroadist or Propagandist, will recognise as absolutely false. Yet even if the verdict of the Court had been in support of the Bishop's authority, I doubt whether it would have availed much after the "row" had once begun. For when a mob of people get the bit between their teeth, they will run their course till they reach their goal.

The Mahim case stands on its own footing as a self-contained local incident, quite irrespective of the general rights or wrongs of Padroado. As a defection from an ecclesiastical superior in long pacific possession, to another ecclesiastical superior long out of possession, it was an indefensible act alike on the part of priests and people.

## THE SEQUEL.

The party who won the suit consisted of about 200 parishioners out of a total of 3,000, the remaining 2,800 passively submitting with no show of action except a feeble protest. Out of these more than 1,000 remained faithful to the Vicar-Apostolic's jurisdiction and separated off; and the next thing was for Dr. Hartmann to supply them with a new church of their own, under the dedication of Our Lady of Victories. The congregation which came over to it from St. Michael's numbered about 1,000.

In 1855 we read: "Jose de Mello had occasion to taste the bitter fruits of his disobedience. His own creatures banished him from the church whence he had expelled his bishop and benefactor." [Life of Hartmann, p. 211]. No particulars are given.

And so this melodramatic incident was closed. After that St. Michael's remained under Padroado, and still so remains.

## SION CHAPEL.

The chapel of N. S. de Bom Conselho, Sion, had in Portuguese times been filial to the Jesuit Church at Parel. But when Parel was confiscated by Government in 1719 Sion became filial to St. Michael's, Mahim. In 1849 Dr. Whelan passed a decree making it an independent parochial church, and appointed a secular priest, Fr. Hermenegild Pereira as Vicar. But the parishioners of St. Michael's protested, and treated the orders of the Vicar-Apostolic with contempt. Apparently the arrangement did not come into effect, as it still appears in the Madras Directory of 1851 as filial to Mahim.

During the conflict at St. Michael's, Mass was discontinued at Sion. The congregation was on the side of Dr. Hartmann, though the priest in charge, Gabriel D'Silva, had ranged himself with the other side. After a time they applied to the (newly elected) wardens of St. Michael's for Mass on Easter Sunday; but the administrator of Dr. Hartmann arranged to go there himself. While the priest was preparing for Mass, a party of Padroadists who had heard the news came from St. Michael's and raised a turmoil. The Police meantime arrived, and the Superintendent took the names of the parties and the keys of the chapel. Next day both parties were summoned to Court, and five of the Padroado party were fined (Hartmann, p. 186-187). Another version has it that the intervention was by a picnic party which included an Aide-de-Camp of the Governor, and that they compelled the Propaganda clergy to withdraw, and locked the church and handed the keys to the Vicar [R. M. P. Plain Facts]. In any case the chapel of Sion did not effectively come into the hands of the Vicar-Apostolic, and remained attached to St. Michael's after that church had been lost.

## CHAPTER VII.

## PROTEST AND PETITION TO ROME.

WHILE Bishop Mata was making his visitations in Bombay and Salsette (Feb. 1—24, 1853) Dr. Hartmann was preparing a circular to the other Vicars-Apostolic suggesting a joint petition to Rome on the subject. From the words of the Pastoral just quoted we gather that this circular must have been despatched shortly before February 23rd. No copy has been preserved of it or of the answers received. This however is of no importance; for shortly afterwards the troubles at St. Michael's, Mahim, commenced (March 11th) and on April 12th Dr. Hartmann wrote, in his "voluntary prison" in that church, a second circular, (a fuller development of the first) enclosing a draft of the proposed petition to Rome which he submitted to the other Vicars-Apostolic for signature and comment. Both these documents are

preserved in Bussiere's *Historia* (pp. 125-129) and Puccinelli's *Memoria Sullo Schisma* (p. 147)—of which the following is a translation (suitably abbreviated):—

To the Most Rev. Bishops,

Vicars-Apostolic in the East Indies and Ceylon.

The new tribulations which have come upon me have kept back this second circular to you. The Bishop of Macao, by staying here some time and exercising his episcopal functions, put Bombay in such a commotion that congregations hitherto obedient to me began to vacillate, and some of the more influential native clergy began to conspire to pass over with their flocks to the Goa jurisdiction—which was all the worse because the native clergy had nothing to complain of against me, and often confessed that they remained willingly under my obedience.

[Here follows an account of what has happened at St. Michael's, Mahim, down to date, adding that "the Bishop of Macao was popularly expected to be made Archbishop of Goa, and to return to Bombay to renew his schismatical acts."]

I make known to you that I have received replies to my former circular from all the Vicars-Apostolic except four, who may not have received it. Nine of those who have replied agree that we should join together in a formal recourse to the Holy See, asking <sup>(1)</sup> That the Bishop of Macao, for his schismatical attempts in Colombo and Bombay, should be subjected to ecclesiastical censures—One suggests suspension; the rest, excommunication.

(2) That the Concordat and appointment of a new Archbishop of Goa should by all means be postponed until the schism is suppressed, and the Crown of Portugal effectively renounces its pretensions.

(3) That the priests and their leading supporters be formally declared Schismatics, unless within a fixed period they submit to the Vicars-Apostolic, or withdraw to the Portuguese dominions. [If formally declared Schismatics they are *ipso facto* excommunicated].

(4) The voting is against deputing one of the Vicars-Apostolic to Rome; but some think that one of those now in Rome should be commissioned to treat of the business.

(5) One suggests that the Vicariates should be erected into dioceses.

(6) All wish that I should prepare a letter to the Holy See, to be signed by all. Hence I enclose the draft of such a letter, inviting subscriptions—with accompanying remarks, if felt desirable.

(7) My view is that the Vicar-Apostolic of Mangalore, Fr. Ignatius Persico my Secretary, and Fr. Puccinelli, S.J., of the Madura Mission (all now in Rome) should all, or one or other, remain in Rome as our commissioners, etc.

St. Michael's, Mahim.

April 12, 1853.

A. HARTMANN, O.C.,

Adm. Ap.



## THE DRAFT PETITION.

The draft petition to the Holy See, enclosed with the circular to the Vicars-Apostolic, ran as follows :—

Most Holy Father :—

Among the difficult affairs of the Apostolic office is undoubtedly this : [to bring it about] that the Portuguese Crown should heal the wounds inflicted on the church in the East Indies by the Archbishop of Goa.

Gregory XVI removed Archbishop Torres, and condemned his acts in the Allocution of 1851, and cherished hopes of a speedy close of the negotiations with the Portuguese Crown. Although the Allocution hardly produced its full effect, still the Goa schism gradually began to lose its force and bitterness. Many congregations were inclined to obedience ; for nothing produced so strong an impression on them as the fact that the metropolis of Goa was kept without a pastor. Hence many Vicars-Apostolic expressed a strong wish that no Archbishop should be chosen for Goa until the schism was extinct ; and [in this way] it was expected soon to die out by itself.

But it filled us all with great grief to learn that the Vicar-Capitular of Goa had been approved by the Holy See, seeing that his election was altogether uncanonical, and the schismatical spirit of hostility to the Vicars-Apostolic and to Rome lurked in him.

As soon as the present Vicar-Capitular of Goa was approved by the Holy See, the chief leaders of the schism took fresh heart ; and without delay a petition was directed to the Portuguese Crown, asking that the Bishop of Macao should proceed to Goa to perform episcopal functions there. That prelate promptly took the matter up ; for he knew that the Vicar-Capitular had been approved by the Holy See, to which was added the order of the Portuguese Crown and the sanction of the Apostolic Nuncio at Lisbon.

Thereupon the Bishop of Macao came in the spirit of Archbishop Torres. In Colombo he communicated with the Schismatics, gave them confirmation and performed other episcopal acts. On reaching Bombay he, besides this, held several ordinations ; and when asked by the Administrator-Apostolic to show his Apostolic mandate, made no reply. In Goa he created more than 200 subdeacons and nearly 300 minorists. He had intended after Easter to proceed to Europe, calling again *en route* at Bombay, where he was the mainstay (*nervus*) of the Schismatics—for in the Bombay Vicariate out of 40,000 Christians hardly half were under obedience to the Vicar-Apostolic. But urgent supplications were being made to the Portuguese Crown to let him remain in Goa ; which supplication will be favourably received, and thus Goa will unexpectedly secure a successor worthy of the last Archbishop.

By the coming of the Bishop of Macao, Bombay and Salsette were put into a wild commotion. The fury and audacity of the Schismatics was without limit. Their abuse of the Propagandists (that is, the Vicars-

Apostolic and their Missionaries) was unrestrained. These were stigmatised as usurpers, impostors, thieves and wolves, not only in private talk but in their public organ the *Abelho*; nay even in the pulpit, in the presence of the Bishop of Macao. In Bombay there was imminent danger of several native priests passing over to the schism. One church [St. Michael's] was already falling a victim to the movement. When the Administrator Apostolic entered into it he was disgracefully treated; because he refused to leave, knowing that the only way to save the congregation was to hold possession personally by remaining in the church day and night. Since Your Holiness has received a full account of this matter, I need not dwell on it further.

It is enough to say that 9 years previously Archbishop Torres stirred up a similar warfare. If he acted badly, much worse is the behaviour of the Bishop of Macao; not only because he is not Archbishop of Goa, but because, knowing the punishment inflicted on the last Archbishop, he repeats the very things for which that Archbishop was punished. By this course he not only tramples the decrees of the Holy See under foot, but by his mode of action condemns the Holy See and upholds the acts of Archbishop Torres. . . In this way not only our labours and the chance of peace, but also the dignity of the Holy See itself is overthrown. He does an irreparable injury to our cause, and brings a public scandal on religion.

Therefore we, Vicars-Apostolic residing on the spot, with Schismatics in our missions, by common agreement place this supplication before Your Holiness, asking :—

(1) That the Bishop of Macao be subjected to the sentence of excommunication. His suspension and excommunication is urgently needed, both on account of the faults committed and for sake of public example. For unless this is done schism is triumphant, the cause of religion collapses, and our conscience forbids us to hold on any longer.

(2) That the priests of all ranks and grades should be ordered under pain of excommunication to submit to the Vicars-Apostolic within three months or withdraw from their territories; and those who act to the contrary (with their supporters) should be formally declared Schismatics.

(3) That this excommunication and declaration be solemnly and publicly pronounced in consistory, in the plenitude of Apostolic authority, lest the obstinate fall back on the subterfuge of its not having been published by the Royal mandate. The publication itself should be committed to the Vicars-Apostolic.

(4) That all negotiations relating to the Concordat and the choice of an Archbishop should be suspended and broken off until the Portuguese Crown formally and solemnly renounces its pretensions to the *Jus patronatus*. The Goa clergy located in the missions should be ordered to obey the Vicars-Apostolic, or else retire to Portuguese territory; and those who fail to do so should be deprived of all emolument or protection.

(5) We appoint as deputies and commissioners in this matter, His

Lordship the Vicar-Apostolic of Mangalore ; Father L. Puccinelli, S. J., of the Madura Mission ; and Fr. Ignatius Persico, O.C., to present this petition with other documents, etc.

#### NOTES ADDED TO THE PETITION.

To the petition were attached the signatures, and also the following notes (abbreviated) :—

*Agra.* No Schismatics in that Vicariate.

*Ava-Pegu.* Probably on account of war the circular did not reach.

*Bombay.* Dr. Hartmann subscribes *in toto* 18th May 1853.

*Calcutta.* Action will be useless and hurtful unless the Holy See coerces the Goan schism in the firmest way possible. But we must leave that to the prudence of the Holy See.

*Coimbatore.* Subscribes *in toto*.

*Colombo.* The Vicar-Apostolic and his Coadjutor subscribe *in toto*.

*Dacca.* Adds that the Bishop of Macao should be not only excommunicated but recalled to Europe ; the priests should be *excommunicati sed non vitandi* ; the sentence of the Holy See should be solemnly published in India by a Delegate Apostolic.

*Hyderabad.* Does not know enough of the case to sign, but concurs with the supplication that a suitable punishment be inflicted ; is in favour of a formal declaration of the crime of schism, and of the erection of the Vicariates into dioceses.

*Jaffna.* As the reply did not arrive in time the answer to the first circular is appended, which agrees with the points suggested.

*Madras.* No answer received.

*Madura.* Subscribes *in toto*.

*Mangalore.* Subscribes *in toto*.

*Mysore.* As the Vicar-Apostolic is absent, the approving answer to the first circular is inserted.

*Patna.* Vicar-Apostolic is absent (Hartmann himself.)

*Pondicherry.* Subscribes, but adds that Portugal should be asked to renounce its pretensions of the patronage only outside Portuguese dominions [which of course was meant].

*Quilon, Verapoly and Vizagapatam.* Subscribe *in toto*.

Dr. Hartmann certifies to the signatures and comments on May 22nd, 1853, and seems to have despatched the petition to Rome about the end of May 1853, while Bishop Mata was still at Goa.

The date of despatch is important to realise. There was a common notion that the *Probe Nostis* was Rome's response to this joint petition of the Vicars-Apostolic. As a matter of fact the petition was only posted from Bombay three weeks after the *Probe Nostis* was posted from Rome. The *Probe Nostis* was really Rome's response to Dr. Hartmann's appeal to Rome which he sent by Fr. Ignatius on March 1st, supplemented by a report of the St. Michael's affair sent off a few weeks later. Fr. Ignatius arrived in Rome on April 18th ; and three weeks after his report was read, the *Probe Nostis* was published (May 9th).

THE POPE'S FIRST MONITORIUM.

It seems that as soon as Bishop Mata had made his visit to Ceylon the Vicar-Apostolic of Colombo despatched an account of his proceedings to Rome. The result was a letter from the Pope dated March 10th, 1853, which was despatched to Dr. Hartmann, to be forwarded by him to the Bishop of Macao. A copy of the letter was also enclosed to Dr. Hartmann, with the instructions to publish it in case Bishop Mata continued to carry out the same policy in India. The papal letter ran in substance as follows :—

Venerable Brother :

With great bitterness of soul we have recently heard that you, Venerable Brother, despising altogether the canonical sanctions, have not feared to invade the jurisdiction of another. For it has been reported to us that you have gone to the island of Ceylon, and in the city of Colombo, subject to its own proper Vicar-Apostolic, have had the boldness to administer confirmation not without causing great astonishment to the faithful there.

You will see at once, Venerable Brother, how grave a fault you have fallen into, since you cannot be ignorant of what was arranged by our predecessor Gregory XVI in the *Multa Præclare* ; or of what the Council of Trent has decreed about bishops exercising episcopal functions in another's diocese.

Therefore by virtue of our Apostolic duty we have written to you at once, altogether disapproving of your way of acting. We administer and command you in future to abstain altogether from similar actions, warning and exhorting you moreover prudently to repair the scandal which you have caused to the faithful, and to look carefully to your conscience. And we entertain the hope that you will obey our admonitions and orders with due submission, and thus alleviate our sorrow. Benignly imparting our Apostolic blessing to you and to your flock.

Rome, March 10th, 1853.

PIUS IX.

THE SECOND MONITORIUM.

We have seen from Dr. Hartmann's circular of February 23rd that a report of Bishop Mata's proceedings in Bombay was sent to Rome, by the hand of Fr. Ignatius Persico his secretary, who left Bombay on March 1st and reached Rome on April 18th. Shortly after that date Dr. Hartmann's report of the revolt at St. Michael's must have arrived in Rome. On receipt of this report the Holy See saw the necessity of firm action, and during the three weeks which followed two documents were prepared. One of these was a second and more solemn *monitorium* from the Pope addressed to Bishop Mata personally. The other was the Brief *Probe Nostis*, in which the whole policy of the Bishop of Macao was condemned, and a sentence of suspension and excommunication was pronounced against the four priests of Bombay who had taken a leading part in the revolt at Mahim. Both documents were dated May

9th, 1853, and must be reproduced in turn. The papal letter to Bishop Mata ran in substance as follows :—

Venerable Brother :—

As soon as we heard, not without greatest grief, of what you had done contrary to the canons in Ceylon, we sent you a letter dated March 10th to reprobate the act and to admonish you, etc....

But meantime, further news came to increase our grief, viz., that you had gone to Bombay, and there again, trampling on the commandments of the Church and the Apostolic mandates, and not only ignoring the authority of the legitimate prelate the Bishop of Derbe [Hartmann] but despising his written admonitions and protests, you had administered Confirmation and Holy Orders; nay further, that you had delivered in the Church of Our Lady of Glory, Mazagon, a misleading and unworthy discourse (*dolosa plane et indigna*) pretending to have the Apostolic permission or mandate—which we never gave to you, nor could have given to you—thus drawing away more and more from due obedience and dependence on their proper pastors a large part of the faithful, already for a long time deceived by perverse counsels. You were not afraid to summon (*avocare*) them away from Catholic unity with us and the Holy See; thus urging and as it were putting your seal on a most fierce schism (*immanissimumque schisma*).

We wished to persuade ourselves, Venerable Brother, that after our letter of March 10th....you would give ear to our admonitions and hasten to repair the harm done. Nor could we imagine that you could have forgotten what was repeatedly made clear to you, both in the Apostolic letter of your appointment to Macao, and in our letter of June 7th, 1848; together with your answers to us containing the firmest professions of obedience—to say nothing of the oath taken to us. We could not imagine that you could forget all this, and fall so low as almost to deprive us of any hope of your recovery from the way of perdition. Nevertheless we cannot help repeating our reprobation and condemnation of your acts. We urge you again to return to saner counsels; so that putting aside all human excuses you may look to your conscience, and undo without delay the evils brought upon the Church....lest you compel us, by virtue of the canons, to resort to severer measures.

Rome, May 9th, 1853.

PIUS IX.

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## PART XVI.

### PROBE NOSTIS AND AFTER 1853 – 1858.

#### CHAPTER I.

#### THE PROBE NOSTIS (1853).

THE text of the *Probe Nostis*, as translated by Dr. Hartmann and published by him on June 29th 1853, runs as follows :—

To the Venerable Brethren, the Bishops and Vicars-Apostolic, and to the beloved sons the faithful in Christ of the East India Missions.

PIUS P. P. IX.

Venerable Brethren and Beloved Sons. Health and Apostolic Benediction.

You are all well aware, Venerable Brethren, and it cannot be unknown to you, Our Beloved Sons, what the Pontiffs Our Predecessors, conformably to the duty divinely imposed upon them in Blessed Peter of feeding and protecting the whole flock of the Lord, and in virtue of the office of the supreme apostolate, have heretofore done in order to reform and promote in these countries the Catholic Faith, which through the injury of times had so much suffered. Striking proofs of such unceasing vigilance of this Holy See are furnished by the Apostolic Briefs and Decrees of our Predecessors, more particularly by those of Pope Gregory XVI. of happy memory ; by which he, though in an extraordinary manner conformably to exigencies, but nevertheless sufficiently and fully, caused the Pastoral care and government of these countries, as also the wants of the faithful, to be provided for by means of the Bishops, Vicars-Apostolic and evangelical labourers. You know also what We Ourselves, by the unsearchable counsel of Divine Providence placed on this Chair of the Prince of the Apostles, have done by reason of the same solicitude and burden, as in duty bound, that we might pursue the work until room be made for introducing or restoring the ordinary form and institution of churches.

Nevertheless it unfortunately happened, what seemed impossible to suppose, *viz.*, that even amongst Catholics there were not wanting some who, completely carried away by specious and human pretexts, dared to oppose such salutary arrangements and resist and impugn the authority of the Supreme Vicar of Jesus Christ on earth, and who are seen still to continue most miserably obstinate in their crime.

You perceive, Venerable Brethren and Beloved Sons, that we speak of that abominable dissension which, stirred up some time back by certain [unworthy] Goan priests in these countries, is gradually increasing to the greatest detriment of the eternal salvation of the faithful, and which is daily more and more pushed on, in order to effectuate the foulest

schism.\* But the Apostolic See did not fail, as you are aware, to resist the growth of such an evil from the very beginning; and without intermission, and in all doctrine, patience and charity to bring back to their duty the erring priests, and that portion of the Catholic people deceived by them. In which matter, being desirous to imitate the forbearance and earnest study of our predecessor Gregory, We endeavoured to withdraw by admonitions, exhortations and instructions the said dissenting priests and their followers from the way of perdition.

But, Venerable Brethren, you see indeed that all has proved useless; and after having experienced the daily growing injuries hereby inflicted upon Religion, and deploring with us Christ's flock so long rent asunder and torn into pieces, you fully understand that more energetic remedies become necessary. We therefore feel that We must now apply our hand to this work; and We are, though reluctantly, compelled thereto more particularly by the deeds recently effected by these agitators, with the assistance of the Bishop of Macao, in the territories of the Island of Ceylon, Bombay and perhaps in other parts—of which you are not ignorant, and which have exceedingly increased the sorrow and pain of Our heart. For We learnt that the aforesaid prelate, without being furnished either with any Apostolic mandate (which We never gave him) or permission, passed through those countries subject to the jurisdiction of our Vicars and of this Apostolic See; where, yielding to the prayers and urgent entreaties of the chiefs amongst the dissenting priests, he was not afraid to administer Confirmation, and even Holy Orders, in spite and contempt of the canonical decrees in general as well as particular Apostolic constitutions; and that he not only by example, but also by word and unworthy preaching, did not fear to confirm that faithful people in their deception, and to alienate and summon them away more and more from the due obedience and subjection to their legitimate pastors.

No sooner had this most afflicting news reached Us than we sent letters to the Bishop of Macao, wherein We pointed out the grievous wrong he had done, and admonished him to refrain from similar acts, to consult his conscience, and to be careful in repairing the scandal given to the faithful. Shortly afterwards, the reports from the Bombay Mission having reached Us, we thought proper again to warn that Prelate once more with fresh exhortations, that he should look to his soul and should make due reparation; and trusting that he would comply with Our paternal admonitions, We entreated him in the Lord not to compel Us to proceed more severely, or to enforce against him the sacred canons.

Notwithstanding the existence of the many and but too painful proofs of the determined obstinacy of the priests of whom We made mention above; nevertheless, in order that We may not give up all hope

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\* De infando dissidio....per quosdam indignos Goanenses presbyteros inchoatum .... ad foedisimum plane schisma absolvendum." [*Indignos* was rendered "worthless" in Dr. Hartmann's translation: but "unworthy" is a more suitable word].

of their salvation, as also that by all means We may deliver the faithful people, as far as we are able, from their craft and deceit, and rescue them from the danger of eternal perdition in which they are whilst following their footsteps, We think it proper [that] We should direct towards them also Our particular care. Now among others of the aforesaid priests, who for length of time labour in fomenting and propagating dissension, and in establishing the schism, who it is clear are liable to ecclesiastical penalties and censures, We think it very proper to notice by name those who were the principal authors of what has been perpetrated by the Bishop of Macao in the Vicariate of Bombay, *viz.*, Mariano Antonio Soares, who boasts himself to be the Vicar-General of the Goa prelate in the Bombay territory, as also the priests Gabriel de Silva, Braz Fernandes, and Joseph de Mello.

These in particular We admonish, and We most affectionately exhort them in the Lord, to cease now at least from such impious doings, and to delay no longer to look after their own souls and the eternal salvation of others. But although they are not ignorant that they are liable to canonical penalties and ecclesiastical censures; nevertheless We declare that unless they return within two months from the publication of this Our Brief, they shall be held to have incurred them—to be suspended *a divinis*, and to be *schismatics*, and separated from the *Catholic unity*; and We will that they be branded and denounced as such by the faithful people.

We are also fully aware that there are other priests, who have long endeavoured to foment and effect in other countries the most heinous schism, (*teterrimum schisma*), such as in Madras, Ceylon, and other Missions. We however for the present refrain from reproving and punishing them by name; for We entertain the hope that they, as well as the above-mentioned priests, will give an easy and willing ear to Our paternal exhortations; and that they will submit themselves and the people deluded by them to their legitimate pastors, *viz.*, Our Vicars and those of the Apostolic See, in order that we may not be compelled to proceed more severely against them also.

Now though in virtue of long-since enacted and repeated decrees and constitutions and commands of this Holy See, as regards the legitimate pastors of the East Indies, there does not remain the smallest room for wavering or doubting; nevertheless in order to remove all subterfuge, We declare again positively, and as far as it may be necessary, that in the established Apostolic Vicariates, all authority and jurisdiction belongs and is committed to our Vicars or Administrators, and those of the Holy See; in such manner that nobody whosoever shall be allowed to exercise in the same territories sacred functions, or to administer the sacraments save with their leave and faculty.

But nothing is more frivolous than what is said to be the constant boast of those priests, in order to beguile the simplicity of the faithful, *viz.*, that very many things are decreed, not by the Apostolic See and the



Roman Pontiff, but are enacted by the Sacred Congregation *de Propaganda Fide* without his knowledge or counsel ; moreover, that several matters are not to be complied with, because destitute of the *placet* of the Civil Authority. Let them know therefore, that all and every one of those things decreed in this matter have been enacted by the Roman Pontiffs on their own determination, (*proprio motu*) with full knowledge and deliberation, and in the plenitude of their power ; and if Our Predecessors of happy memory, or even We, have decreed certain matters through Our said Congregation, let them know that they have been decreed and ordained by Our will and command and that of the Roman Pontiffs, and not without their knowledge and counsel. For all men know that Our Sacred Congregation is nothing more than an Assistant in counsel of the Apostolic See, and a Minister of the mandates and commands of the self-same Holy See. It is indeed a foul and impious device, that the rights divinely conferred upon the Apostolic See, and the power of the keys of the Supreme government of the Church delivered by Christ the Lord, can be restricted, proscribed or diminished by human ordinances. In vain does he glory to be in the Catholic communion, who is not joined to the Chair of Peter, and to the Roman Pontiff : and whosoever is not with him, must needs acknowledge to be against him, and out of Unity ; for whosoever does not gather with Us, scattereth. Now we can never recognise those to be joined with the Chair of Peter, and the Roman Pontiff, who oppose and refuse to obey Our Vicars, and those of the Holy See, constituted by the same See for the government of those faithful. Nor is it to be passed over in silence that the abovementioned priests resist not only the legitimate Church authority and consequently the Divine Ordinance ; but, through these their dissensions, [they] labour moreover that the negotiations already entered into between us and Our most dear Daughter in Christ, Maria the Most Faithful Queen of Portugal and Algarves and her Government, should not be brought to a happy issue ; and so they oppose the wishes of the Queen herself, whilst they imagine to do her a service.

Lastly we address also you, Our Beloved Sons the faithful ; and We admonish you most affectionately, and exhort you to avoid carefully those who endeavour to withdraw you from the pastors set over you, and therefore from Our communion ; and that you will never suffer yourselves to be separated from that Unity, out of which there can be no salvation. Beware of those who come to you in the clothing of sheep, but inwardly are ravening wolves. We again inform you that in the Goan priests, and others who disturb you, there is no jurisdiction and authority whatsoever, nor any faculty for exercising the sacred ministry in those territories in which Our Vicars and those of the Apostolic See are established ; so that you would only adhere to them to the ruin of your souls, as long as they themselves remain cut off from their legitimate prelates.

For the rest, trusting in Him who is the Author of peace, and the

God of all consolations, We entertain the firm hope, that after this Our brief has been spread amongst you, the erring will return to the way of justice and salvation, and that We may everywhere behold but one sheepfold.

In the meantime We impart to you, Venerable Brethren, and to those beloved flocks committed to your care, most affectionately the Apostolic Benediction.

Given at St. Peter's in Rome the ninth day of May 1853, the seventh year of Our Pontificate.

PIUS P. P. IX.

#### THE ACCOMPANYING PASTORAL.

In the pastoral published to accompany the *Probe Nostis* on June 29th, 1853, Dr. Hartmann summarises the previous events—the *Multa Præclare*, the coming of Archbishop Torres, the visit of Bishop Mata, and the revolt at Mahim—all of which are already known to the reader. He then gives details showing the active part taken by the four priests in the Mahim affair, which brought upon them the censure; and then he concludes:—

This important document of the Holy See leaves no room for pretext or subterfuge. The dissenters must either return to the Vicar-Apostolic or they will no longer be recognised to be in communion with the Chair of Peter. They are no longer accounted Roman Catholics. In the dissenting priests there is no faculty, no jurisdiction; no Catholic can follow them without loss of eternal salvation.

We entreat therefore all such priests, and more particularly those mentioned in the Apostolic Brief, to lend a willing ear to the instructions of the Supreme Pastor and Vicar of Christ on earth, and to console, by a sincere repentance, his afflicted heart. This will be an honour to them before the whole world, a triumph for the Church, a joy to all right-minded Catholics, a reparation of past scandals, an expiation of their sin, the peace of their souls, the most noble victory over themselves and the sole hope of their eternal salvation. On our part, we assure them, they shall be received with paternal affection and with full pardon for the past. But we must also warn the faithful that it is their absolute duty, upon which their eternity depends, to have no communication with those refractory priests, should they still refuse obedience to us in this Vicariate of Bombay. The faithful cannot assist at the Mass and divine service performed by such priests, nor receive the sacraments at their hands. Those who should happen, unfortunately, to reside in parishes of such schismatic priests, ought to bear in mind the words of our Saviour when he says: 'If one will not hear the Church let him be to thee (consider him) as the heathen and the publican' (Math. xviii). Those who cannot hear Mass or receive the sacraments otherwise than from such disobedient priests, are to omit hearing Mass and receiving the sacraments rather than join them in their sacrilegious

functions. However, we shall make such arrangements and provisions, from time to time, as shall at least afford them the aid of one of our priests."

"Given at St. Michael's, Mahim, June 29th, 1853."

## CHAPTER II.

### SUBSEQUENT CORRESPONDENCE.

ON July 1st Dr. Hartmann sent a copy of the *Probe Nostis* to Fr. Soares, the Vicar-General of the North. But Soares returned it, saying that "he did not consider him as the proper channel for such communications, and that he had on July 4th informed the Capitular of Goa thereof." (Life of Hartmann, p. 150).

Dr. Hartmann also sent a copy of the same brief to the Bishop of Macao with the following letter :—

Illustrious Prelate,— It is with tears in my eyes, and with an oppressed heart, that I address to your Lordship the following lines, accompanying the encyclical of his Holiness Pius IX., dated May 9th of the present year.

The evils and the scandals which the arrival of your Lordship at Bombay has produced are beyond all description ; and several churches have, probably for ever, been precipitated into the abyss of schism. I shall not touch on the universal commotion which your presence and your acts have excited...[he restricts attention to the events of Mahim, and the sufferings he has endured, and is still enduring.]

On the news of such unheard of cruelties, the Holy Father, as well as the Sacred College, penetrated with the deepest grief, has directed the accompanying encyclical to all the Vicars-Apostolic of the East Indies. I have written with my own hand to the four priests mentioned in the Bull, in order that they may repent and obey the Vicar of Jesus Christ ; promising them, on my part, to receive them as a father, and to grant them full pardon. But they despise the voice of Christ's Vicar ; they despise mine ; and all their efforts are still directed to the propagation and consolidation of schism.

Such are, Illustrious Prelate, the bitter fruits which your interference with my jurisdiction has produced—fruits that will turn to your eternal shame ; fruits that are causing the damnation of numberless immortal souls, and which the tears of all mankind could not sufficiently deplore ! The evils done to the Church, the scandals given, are boundless. But great though the evil be, it is not entirely irremediable, if the remedy is resorted to as early as possible ; and this remedy consists in the retraction by your Lordship of all your acts, in humble obedience to the orders of the Holy See. Such a retraction, being sincere and solemn,

could not fail to bring back to a sense of their duty the whole clergy, or, at least a great number of the priests, and to open the eyes of a deluded multitude.

I beseech your Lordship, therefore, through the coming of our Supreme Judge, to undertake in a worthy manner this act of reparation, in order to engage the clergy and the people, whom the Vicar of Christ has committed to my care. not to let themselves any longer be torn by factions, but to show themselves docile to my voice, by imitating the example set before them by your Lordship, and thus to be gathered again into one fold.

In the expectation of an early reply to my letter, I have the honour, etc.

A. HARTMANN,  
Adm. Ap.

Mahim, July 15th, 1853.

Bishop Mata replied on July 29th with some bitterness, "representing himself as the victim of the most odious calumnies, denying the veracity of the charges made against his discourse in Mazagon, and calling on God to witness his innocence." [So Life of Hartmann, p. 150. The letter itself is not preserved].

#### HARTMANN'S SECOND LETTER.

To which Dr. Hartmann on August 18th, 1853, wrote the following rejoinder :—

Illustrious Prelate,—It was amidst abundant tears and with an oppressed heart that I wrote my last letter to your Lordship. It is now with amazement that I peruse your reply. Thus neither my own letter, nor even the encyclical and the two *monitoria* of His Holiness, have proved capable of moving the conscience of your Lordship. But do you think that all this will cause you to appear less guilty in the eyes of the whole Catholic world ? Do you hope to be able to escape the wrath of the Almighty ?

The main point of the question does not rest on what your Lordship may or may not have said ; though to judge from the assertions of the *Abelha* and those of numberless witnesses, your discourse has been unworthy of your Lordship—scandalous and inflammatory. I never wrote to Rome of your having asserted that you came invested with the Apostolic mandate. The *Abelha*, however, and all those who listened to your discourse, asserted in both islands that your Lordship had come with the power of an Apostolic Nuncio ; and this naturally supposes an Apostolic mandate, which the Holy See alone can confer. The presence of your Lordship produced an extraordinary commotion ; and why ? Precisely because universal rumour attributed to your Lordship the authority of an Apostolic Nuncio, and consequently the people considered you as invested with the authority of the Holy See. In their simplicity and attachment to the Holy See they began to consider me and my missionaries as so many deceivers ; the more so as your Lordship from the pulpit, the *Abelha* in its columns, the priests in your own presence,

were bestowing on us the epithets of deceivers, intruders and ravening wolves. No wonder then the people began to secede from us. But as soon as they had been informed that your Lordship had come merely on the authority of the Capitular Vicar of Goa, and that your interference had been reproved by the Holy See, they were more than ever disposed to recognise the authority of the Vicar-Apostolic; and this even to such a degree that the Schismatic clergy and the Governor of Goa resorted to the most ridiculous and extreme measures to divert the people from the obedience due to the Holy See and to me. Is one obliged to obey the Capitular Vicar of Goa in preference to the Holy See?... Christ has appointed St. Peter, etc.... It is to him and to no other that your Lordship, as well as Archbishop Torres, have on your solemn oath promised obedience.

Moreover what have the British to do with the Portuguese? Your *placitum regium* is nothing else but an obsolete impious nuisance. Was it the intention of Christ that his representative, and the authority with which He invested him, should depend on the Crown of Portugal?... Does not the *placitum regium* in its tendencies undermine the foundations of the Church, and thus menace its very existence? In fact it turns the Holy See and the Church into servants and slaves of the civil power. According to it Apostolic decrees are deemed to be binding only so far as princes approve of their contents.... Was it the will of Christ to reduce his Church to such a servile condition? The late Archbishop of Goa did not blush to declare in my own presence that if the Pope and the Queen did not agree, it was their own concern how to settle their contests; but as to himself, he considered it his duty to execute the orders of his sovereign. Thus, by such a declaration he hoped to palliate the scandals he had given in 1844 in Bombay.

But enough. The whole Catholic world deplores, etc. May God open your eyes and lead your Lordship to penance.

Mahim Church,  
August 18th, 1853.

A. HARTMANN,  
Adm. Ap.

#### THE MAZAGON SERMON.

Through the loss of Bishop Mata's own letter of July 29th the facts under discussion in the foregoing letter are not quite clear. The discourse at Gloria Church was not published in detail, so we cannot be sure of its exact contents. Thus the "*Abelha*" (Padroado paper) merely reported as follows: 'After an exposition, brief but clear and energetic, of the circumstances which occasioned the coming of his Excellency to this city, his discourse took more vigour; especially when with vibrating voice he fulminated [against] the manoeuvres of the Propagandists, lamented the war they were carrying on, openly or secretly, against the episcopal jurisdiction of the diocesan, and deplored the fatal consequences which from them have followed for Catholicism. It is not possible to give here an abridged idea of the brilliant emphatic oration with the best possible effect, etc.'" (Quoted in Life of Hartmann, p. 120).

A summary of the discourse was published by the *Bombay Gazette* (a secular paper) on February 8th, and bears the marks of being fairly capable work ; though how much it leaves out cannot be ascertained :—

“His Excellency explained that owing to numerous representations from the British portion of the Archdiocese, addressed to the Court of Portugal and to the Apostolic Nuncio of that Court, he had been instructed to visit these shores and to afford such relief as was possible, pending final arrangements between the Courts of Portugal and Rome. In obedience to those commands he had now arrived, and was ready to administer to the spiritual wants of the flock in that portion of India.

“As a preliminary he would exhort the faithful to be mindful of the precepts of their religion ; to walk in charity with all men, and beware how they rendered up themselves to any who appeared heedless of generating accrimonious feelings in that Church wherein all ought to find peace. They ought to know that those could not be sincere pastors who would repay hospitality by fomenting dissensions in the fold.

“His Excellency dwelt at some length on the lamentable dissensions caused in the Church, and extended to families by the jurisdiction question. Until he arrived at Ceylon he was unable to understand the several reports which had reached him from time to time as to the effect of this discussion. He knew that the priesthood were as liable as other men to forget the limits of their position in pursuit of an ambitious project ; but he trusted much to their peculiar restraints for bringing them speedily to a sense of their legitimate position. He was however deeply grieved on his arrival at Colombo to find a violent war in the Church there, and that families were cruelly divided by the unchristian example of men claiming their pastoral care. This was a sore affliction, and he was deeply aggrieved for those who had so blindly caused these scandals.

“On his arrival at Bombay he found the same frightful dissension ; with this aggravation, that not content with abusing the pulpit and the altar, some of the clergy here were so weak as even to use the Press, in the hope of furthering their unhallowed aims. A journal had since his arrival been placed in his hands, in which it was attempted to throw discredit on the spiritual authority of the diocesan ; and this journal, he had been assured, is published under the auspices of the Apostolic Vicar. [Reference no doubt to the EXAMINER].

“His Excellency would only observe that he was ready to administer to those whose hearts were not hardened against him ; and if anything he could do would be blessed to the reclamation of the stiff-necked, of course he would be thankful for such a mercy. Those however, who fancied he would enter into idle discussions were mistaken. He had the welfare of his missions to attend to ; and the wild bickerings of ambitious men should merely be represented for the information of those authorities in Europe who were engaged in the adjustment of those unhappy questions ; whose labours, he had reason to believe, would soon be brought

to a happy issue." [*B. Gazette*, Feb. 8, 1853, in *Life of Hartmann*, p. 125).

If this represents the substance of the sermon, we find nothing in it to justify the statement that Bishop Mata gave himself out as an Apostolic Nuncio. According to Dr. Hartmann the *Abelha* and all those that listened to "the discourse" asserted that he had come out in this capacity. It is hardly likely that Bishop Mata would himself have made such a foolhardy and mendacious statement. Hence at the most it seems probable that his words, being ambiguous, may have enabled those who listened to him to attach such a meaning to them, which through the usual channels of journalism and excited talk soon developed into a formal statement.

Bishop Mata made no reply to the letter of Dr. Hartmann, so here the line of correspondence closes. Previous to this however, he had on July 10th issued a pastoral letter occasioned by the publication in Bombay of the two *monitoria* of the Pope dated March 10th and May 9th. The following is the translation given by Mr. Godinho from the Bulletin of Goa :—

#### THE MATA PASTORAL 10TH JULY 1853.

Dom Jeronimo Jose de Mata, by the Grace of God and of the Holy See, Bishop of Macao, etc.

Health and Peace in our Lord Jesus Christ, to all who receive this pastoral.

A letter addressed to us by His Holiness Pope Pius IX, dated 10th March, having been published in Bombay, and it being probable that the same publicity will be given to another one addressed to us by His Holiness dated 9th of May—from which it will be seen that we have been atrociously calumniated before His Holiness by the false information given to His Holiness: that in a sermon preached by us in the Church of N. S. de Gloria of Mazagon, in Bombay, we insinuated that we had the Apostolic permission to perform Pontifical acts. The ceremonies we celebrated there were at the request and with the permission of the Archbishop (Vicar Capitular) of Goa, and only in churches subject to his Grace. Our Episcopal character requires it of us to contradict the authors of this odious intrigue, solemnly declaring in the presence of God, and in the face of the whole world, that the information is not only false, but an iniquitous calumny which we with just indignation repel; at the same time lamenting with the Psalmist, "*Insurrexerunt in me testes iniqui; et mentita est iniquitas sibi.*"

"We repeat: it is true we delivered a brief discourse in the said Church of Mazagon; but our language was in conformity with our holy office—the language of truth, of conciliation and of peace. We never uttered any expression from which, directly, it can be inferred that we had authority or permission from any other power besides the Archbishop [Vicar Capitular] of Goa. In proof of the sincerity of our declaration we appeal to the impartial evidence of all those who heard us on that occasion, as also to the good sense and honesty of all who know us, in

Asia as well as in Europe : all of whom, we have the consoling assurance, knowing from past precedents the firmness and integrity of our character, are in a position to pronounce judgment. We are incapable of descending to such a low depth of infamy and indignity as to utter lies from the Chair whence only the Truth is preached.

"We still cling to the conviction that His Holiness, who knows us well, and whose most righteous intentions we deeply respect, would never conceive such an opinion of us, if he were not cunningly and meanly deceived by persons who forsake the dignity and sanctity of their mission, and who now compel us to overcome the repugnance which we always felt to uphold polemics in the Press ; it being our firm belief that they are unworthy of the position which we hold by Divine Grace.

"Given in our Residence of Raia, Salsette, on the 10th July 1853.

JERONIMO, *Bishop of Macao.*

### CHAPTER III.

#### HOW PROBE NOSTIS WAS RECEIVED.

ABOUT the negotiations mentioned in the *Probe Nostis* as actually going on between Lisbon and Rome, we find the following passage in Fr. D'Sa's History (p. 157 seq.) :—The Baron of Venda da Cruz, the Envoy Extraordinary and Minister Plenipotentiary of Portugal in Rome, wrote officially to his Government on the 4th May 1853 as follows :—

(1) To-day I shall bring to the knowledge of Your Excellency, for the information of the Government of His Majesty, that for some months past until now the Holy Father shows himself more solicitous, and interested in putting an end to the scandalous dissensions which reign in the East between the Vicars-Apostolic and the Portuguese Missionaries, to the great-injury of religion.

(2) His Holiness has procured on this important subject all possible information ; and to secure it free of partiality, has committed the examination of this question to persons in his confidence, leaving aside the Congregation de Propaganda Fide with the exception of its Secretary, who is indispensable to furnish the required elucidations.

(3) It is not long since His Holiness told me that we should not think that it was his intention or desire to deprive us of the Patronage of the East, or to diminish its old extent ; he would rather with a good will amplify it, etc.\*

In the official letter of the 23rd June 1853 the same Ambassador said : "In my letter No. 13 of the 4th of last May I informed Your Ex-

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\* Strange that the Pope should have said this, at the very time when he was strenuously upholding the *Multa praeclare* and the authority of the Vicars-Apostolic.



cellency of how they think here now of our Patronage in the East. They desire, and that very sincerely, to put an end to the disorders there, and to reduce things to a peaceful course, as it is not possible to secure the proposed end (*viz.*, that of the propagation of the faith) in any other way. The Portuguese commenced this work, and so long as it was under their sole charge it went on with success. They are persuaded here of the truth of that fact; and in consequence it is the unanimous sentiment of all well-intentioned persons that it is necessary to go back to the Portuguese, and to entrust them again with the work of the propagation of the faith in those regions.”†

#### THE PROBE NOSTIS.

Fr. D' Sa then continues : The Ambassador evidently did not know of the Brief *Probe Nostis* issued on the 9th May of the same year, else he should have at least mentioned it whilst writing the above letter.

It was therefore a great surprise to the Portuguese Government when it learnt from the public press of the country that the Brief had been published in Bombay. The Minister Secretary of the Interior, who was at the same time in charge of the negotiations with the Holy See respecting the Padroado, wrote an energetic protest against the provisions of the Brief *Probe Nostis* in his note of the 28th June 1853. The Chamber of Deputies also protested with equal vigour in its session of the 20th July. The presence of the Apostolic Nuncio in the tribune of the chamber added an interest to this session; and the applauses were the more energetic when the Bishop of Macao and the four ecclesiastics were declared *benemeritos da patria* (*i.e.*, well deserving of the State). The Deputy for Goa E. Jeremias Mascarenhas “terminated his discourse praising the priests of Goa, and principally the four denounced in the Brief of the 2nd (9th) May 1853, since they had done nothing else but obeyed the orders of the Government and conformed to its recommendations, for which they did not deserve to be punished. If there was crime in their conduct, this crime was of the Government which recommended them, and ordered the defence and maintenance of the Padroado. The Government which issued the orders was responsible, and not those who as subjects executed them out of obedience.” The deputy Rodrigues Sampaio moved a proposal, signed by more than twenty-six deputies, that the five ecclesiastics, the Bishop of Macao and four priests, should be declared *benemeritos*. This proposal was approved at the session. There was a protest against this resolution of the Chamber; but the protest was directed against the acrimonious phrases with which the deputies qualified the Brief, not against the resolution itself.‡

#### THE GOA CIRCULAR.

The Government of Goa also issued the following Circular on the

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† These are apparently the sentiments of the speaker himself, and are hardly borne out by history, in view of the total collapse of Portuguese Missionary work, which the Vicariates were intended to counteract.

‡ We see from this the fallaciousness of Dr. Hartmann's idea that Portugal was giving up its claims.

18th July 1853 signed by the Governor-General of Goa, Viscount de Villa-Nova de Ourem :

Illustrious Sir,

As it has come to our knowledge that some Ecclesiastics, illegally constituted in authority in different Missions and Bishoprics of Asia (which by an incontestable and unprescriptable right belong to the Royal Patronage of Her Most Faithful Majesty) have used, in a manner little in conformity with the principles of Christian morality and honesty, all the means which ambition and unruly covetousness can suggest to man, to possess themselves of churches of the said Missions and Bishoprics, [which have been erected] with great sacrifices and expense by the Portuguese, and supported for more than three centuries by the religious piety of their kings, at the cost of the Public Treasury of Portugal ; and as it has likewise come to my knowledge that the aforesaid Ecclesiastics have lately sent to the lawful Governors of the Bishoprics, and to the Rev. parish-priests whose benefices they attempt to seize and enjoy, an Apostolic Brief which, if not apocryphal, was at least obtained surreptitiously from the most virtuous Pontiff who occupies the Chair of St. Peter ; in which threats of suspension from orders, and of being declared schismatics, are made against those of the legitimate pastors who would remain faithful to their contestable (?) and contested (?) duties, and would not recognize within two months the jurisdiction and authority of the so-called Vicars-Apostolic or agents of the Propaganda ; it is my duty, as the Delegate of Her Majesty the Most Faithful Queen in this part of the world (and to whom as such it belongs to maintain with zeal the rights and prerogatives of the Crown of the same August Lady), to remind you, if it is necessary : first, that the Royal Letters of the 5th April 1652, and the 24th March 1748, and many orders of the Court of different dates, forbid all Portuguese Subjects to execute any Bull or Pontifical Rescript which does not have the *regium placet* ; second, that the principles of honour, and the very principles given in the Gospel of Jesus Christ, oblige every honest man and good Christian not to hand over what belongs to another against the wish of the owner ; thirdly and lastly, that the Official publication (*Portaria*) No. 2608 of the 5th August of last year, of the Ministry of Marine and Ultramar (*beyond the seas*), which is published in the Boletim No. 41 of the same year, declares that Her Faithful Majesty is of the firm intention of not ceding the prerogatives which belong to her, as the Patroness of the churches of Asia. After all that is said, I have the certainty that you will consider null and of no value the Brief which I mentioned above, dated the 9th May of the current year ; and will despise, as they deserve, the threats of those who have the audacity and are not ashamed of exacting from a priest that he be a traitor and practise an act of spoliation.

May God have you in his keeping.

Nova Goa, 18th July 1853.

Viscount de Villa-Nova d'Ourem.

## COVERING PASTORAL.

This circular of the Governor of Goa was despatched to the Padroado clergy with a covering pastoral of the Vicar-Capitular dated July 21st 1853 which ran as follows :—

“D. Joaquim de Sta Rita Botelho, Vicar-Capitular, and Temporal Governor of the Archbishopric of Goa. “Health and Peace in our Lord Jesus Christ to all concerned :—

“Having received an official letter from the Very Rev. the Archdeacon of this Primatial See, and Vicar-General of the North, Antonio Mariano Suares, under date of the 4th inst., by which he informs us of a letter having been addressed to him by the Most Illustrious Vicar-Apostolic of Bombay, under date of the 1st idem, accompanied by a copy of an encyclical attributed to the Most Holy Father Pius IX., dated the 9th May of the current year, which he says had been returned with an intimation to the said Most Illustrious Vicar-Apostolic that he could not receive it, unless it were transmitted to him by competent authority, etc.; and having been furnished with the periodical, “The CATHOLIC EXAMINER,” of the 2nd July, we most diligently ran our eyes over it and met with the said encyclical under the title ‘*Apostolic Brief*’; and not finding it authorized and confirmed with the Royal *placet* of our Most Faithful Queen, as a guarantee or characteristic mark to the effect that it contained nothing against the rights of the said Queen (not merely as the Sovereign of Portugal and its dominions, but also as the perpetual administratrix and defender of the Mastership and Knighthood of the Order of our Lord Jesus Christ), we immediately supposed it apocryphal and spurious; not only on this solid principle, generally admitted and recognized by almost all the sovereigns of Europe, but also on other canonical grounds, by which the Episcopal Governors and Vicars-Capitular enjoy all the prerogatives and faculties which belong to the respective chapter whom by common right they succeed in all the proper, solid, and ordinary rights of the Bishops.”

[The Vicar-Capitular continues in this strain, and quotes the Acts of the Apostles, the Council of Trent, the Royal Patronage, and subsequently Pontifical Bulls, to prove that he cannot permit the publication of the Apostolic Brief. The circular ends as follows :—

“This, most dear Brethren, is what we have deemed necessary to address to you with the greatest grief of our spirit, so exceedingly troubled in consequence of the appearance of the aforementioned Brief, the execution whereof we cannot permit without a manifest and criminal violation of the sacred rights of our Most August Queen - as has been shown by the Illustrious and Most Excellent Viscount de Villa Nova d'Ourem, Governor-General of these estates, and the most staunch defender of the Royal Patronage, in his capacity of Delegate of Her Most Faithful Majesty, in his official circular published on the 18th inst., which we deem proper to send to each of the authorities of the Archbishopric, for the due understanding of all that has been thereby ordained, pending the

commands of the said Most Faithful Queen on this most important matter. It is our duty, therefore, to direct all episcopal governors, Vicars-General and parish-priests subject to our metropolitan jurisdiction, residing in Bombay or in any other place where this Apostolic Brief may make its appearance; that despite of all that the adversaries of the Royal *Padroado* may presume to insinuate on the strength of that Brief, they continue to exercise freely their religious functions, in the full certainty that our most Sovereign Pontiff Pius IX., the prototype and model of all righteousness and justice, will not, when duly informed of the truth of our cause, disdain to acknowledge us as his most obedient children, subject by the purity of our faith, of our orthodoxy, and finally, by our close attachment and humble submission to the Sacred Person of the Most Holy Father Pius IX., at present happily the Vicar of our Lord Jesus Christ on earth, etc., etc."

#### A COUPLE OF JEERS.

By way of parenthesis we here take notice of certain efforts to throw ridicule on the *Probe Nostis* which ran their course at the time, and which we find still in circulation. A contemporary specimen of the first appears in the following passages quoted by Fr. D'Sa (India II, p. 177) :-

The feelings excited by this step in Bombay, Goa and Portugal are reflected in the following passages: "The Bishop of Macao is admonished to repair his error; it is to be hoped he will not fail to do so. At the same time are suspended *a divinis*, and declared schismatics, and separated from Catholic unity if they do not retract within two months, four priests of Bombay, who assisted at the pontifical acts of the Bishop of Macao, and obeyed the same Bishop and Government. One may take note already of the prudent precaution with which the Bishop is simply admonished, and the poor priests suspended, declared schismatics, and separated from Catholic unity! It is always good to spare the more powerful!" "The Government of Her Most Faithful Majesty protested against it on the 28th June 1853 as is seen from the following..." "The Chamber of Deputies of the Portuguese Nation at its session of the 20th July of the aforesaid year 1853 equally protested, and with it the Government a second time unanimously and energetically against the same Brief. The Bishop of Macao, and the four Ecclesiastics censured in it, were at this session declared benemeritos (well deserving). The presence of the Nuncio in the tribune of the Chamber gave great heat to the discussion of this day." "Now as the Government declared in the Chamber that it had given orders to the Bishop to come to India, and approved all and sundry of his acts; it is clear that the Ministers are the head of the schism,.... What justice then is this which does not pronounce as schismatics, and separated from Catholic unity, the heads of the schism, and only directs its rigours against four priests, who did nothing but obey? It is the justice of precautions, new but convenient!" (Padroado-Portuguez, pp. 85-9).

The implication is, of course, that the Pope had not the courage to

tackle a bishop (or the Portuguese Government who had commissioned him and backed him up) but only ventured to vent his wrath on four humble and insignificant priests who were incapable of resistance. The first answer to this jeer is that the censure of a bishop is in itself a much more serious matter than the censure of a priest, on account both of his public rank, and his canonical position as the head of a See. It is a matter which calls for a much more formal investigation, and even perhaps a canonical process. Secondly, the action of the Bishop of Macao (a thing already over and past) would naturally have to be discussed with the Portuguese Government on account of the patronage of the See of Macao. The Mahim case on the contrary had only an oblique relation to Padroado. It was essentially the case of *certain Propaganda clergy revolting against their own Propaganda Vicar-Apostolic*—a revolt which was still going on, and which the Holy See, in answer to a formal appeal of the Vicar-Apostolic, hoped to put as top to by prompt and energetic action. As a matter of fact the *Probe Nostis* reached Bombay while the revolt at Mahim was still in progress.

The members of the Portuguese chamber apparently did not realise this. They seemed to regard all the four as Padroado clergy, subjects of the Padroado Ordinary, simply doing their duty to the Padroado prelate who had ordained them and appointed them to their posts. In conferring on them the title of *Benemeritos da patria* they seem to have fancied them to have been Portuguese subjects, whereas in point of fact the three revolting priests were born inhabitants of Mahim and Bandra, and were therefore all British subjects. Soares of course was Goan-Portuguese and a subject of Padroado—but he was only the external aider and abetter of the other three. The Bishop of Macao, it should be added, did not enter *formally* into the case at all. There is no proof that he instigated the revolt, or anticipated it, or knew anything about it till it actually took place three weeks after he had left Bombay. For this reason he could not fall under this particular censure—even if he had deserved it in another connection. In view of these considerations the first jeer loses its point.

#### THE OTHER JEER.

The other jeer takes the form of a statement that the brief *Probe Nostis* was drawn up in Rome with a space left blank for the insertion of the names of such victims as might be selected by the Vicar-Apostolic in Bombay—thus showing how ill-informed, and also how random, the action of the Holy See had been. This malicious falsehood admits of easy refutation. I have before me the original brief bearing the autograph of Pius IX himself. It is written in a beautiful script, and runs continuously from end to end, with the names of the four priests in their proper place, all in the same handwriting of the Roman Secretary. (Roman File 1853). So that jeer also stands disposed of.

## CHAPTER IV.

## EXECUTION OF PROBE NOSTIS.

THE two months of grace allowed by the brief *Probe Nostis* having elapsed without any act of submission on the part of the four denounced priests, Dr. Hartmann on September 12th issued the following declaration :—

“Dearly Beloved Brethren,—When we addressed you two months ago and published the encyclical, *Probe Nostis*, we joined our exhortations with those of His Holiness Pope Pius IX., entreating in the Lord the disobedient native clergy, and their deluded adherents, no longer to resist the voice and commands of the Apostolic See, because their resistance would entail upon themselves the loss of their immortal souls. These exhortations were especially most affectionately directed to the *Rev. Antonio Mariano Soares, Gabriel de Silva, Braz Fernandes, and Joseph de Mello*, who rendered themselves more particularly guilty in the scandalous and outrageous revolt at St. Michael’s, Upper Mahim, in March last. Although all the disobedient priests in the Vicariate are liable to ecclesiastical censures, His Holiness, for the present, as a warning to the rest, denounced only those four abovenamed, solemnly declaring them *suspended from their sacred functions, schismatics, and separated from Catholic Unity*, with an express injunction that they be branded as such by the faithful unless they should return to obedience within two months from the publication of the encyclical. This time left to them for consideration has elapsed, and we mourn to see them continuing obstinate in their evil ways....[Here follow certain arguments from Scripture, etc.] Consequently it becomes the duty of the Sovereign Pontiff to punish in an exemplary manner those four priests, *Mariano Antonio Soares, etc.*, because they were guilty of such treachery combined with obstinacy. They are therefore to be denounced by all the faithful as suspended from all sacred functions, as schismatics, and separated from Catholic Unity; not merely in virtue of the ecclesiastical law, but in virtue of a formal and solemn sentence of the Sovereign Pontiff called *Ab Homine*; so that no priest, no bishop on earth has power to absolve them from sin or suspension, nor reconcile them to God and the Church, except the Sovereign Pontiff. Although to be present at the divine service of any disobedient priest be a sin, the reception of any sacrament from them be a sacrilege; nevertheless the sin and sacrilege would be far greater in assisting at the divine service of, or receiving the sacraments from these four above-named priests; for such an act would amount to a rebellious defiance of the Holy See. We therefore strictly exhort and command the faithful to separate from them, in order not to perish with them. We again inform you that in the Goan priests, and others who disturb you, there is no jurisdiction or authority whatsoever, nor any faculty of exercising the sacred ministry in those territories in which the Vicars-Apostolic are established; so that you would

only adhere to them at the ruin of your souls, so long as they remain cut off from their legitimate prelates. Finally, have always before your eyes the words of St. Paul the Apostle, when he says: "Obey your prelates, and be subject to them; for they watch as having to render an account of your souls, that they may do this with joy and not with grief. For this is not expedient for you." (Heb. XIII. 17).

Needless to say both the *Probe Nostis* and the foregoing pronouncement of its execution was entirely ignored by the four priests in question, who went on with their office and ministrations as before.

#### THE FOUR SUSPENDED PRIESTS.

For sake of completing this subject for the present period, we here gather together (1) a short history of the antecedents of each of the four priests, and the behaviour which brought upon them the papal condemnation. (2) Their repudiation of the papal sentence by continuing to function as before. (3) A dijudication on their conduct.

(1) *Antonio Mariano Soares* was a Goan by race, educated and ordained at Goa. Thence he came to Bombay, where he was appointed Vicar-General of the North, and was at the same time Vicar of Gloria Church, Mazagon. He was a zealous and consistent champion of the Padroado and a leader of great influence. He had welcomed Archbishop Torres in 1844 and made all the arrangements for his episcopal acts in Bombay and Salsette. He seems to have been prime mover in getting the Portuguese Government to send Bishop Mata to Goa, and was probably the cause why that Bishop included in his programme the visitations of Ceylon and Bombay. When in 1840 Soares wrote direct to Rome for certain extraordinary faculties which he could not secure from Goa, Propaganda replied that the Archbishop of Goa had no jurisdiction in Bombay and Salsette, and that the Vicar-Apostolic was the sole legitimate authority in those parts to whom Soares himself and all others must submit—so that he at least was not in the dark as to the attitude of Rome in this matter. Whenever the Vicar-Apostolic addressed to him papal briefs or decrees, or exhortations to submit to them, Soares always returned the documents saying that they had not come through the proper channel (*viz.*, the Court of Lisbon or the Ordinary of Goa) and reported the occurrence to the Vicar-Capitular. On receipt of the *Probe Nostis* containing the sentence of suspension against himself, he ignored the decree and went with his ministrations as before, encouraging all the clergy under him to do the same. For this he was acclaimed by the assembly of Lisbon one of the *Benemeritos da patria*, as soon as the *Probe Nostis* was known of in Portugal.

(2) *Joseph de Mello* was what we now call a "Bombay East Indian," a native of Mahim, who was educated in the seminary of the Vicar-Apostolic under the borrowed priest Augustino Laurence, and ordained by Bishop Fortini. In 1848 he was Vicar of Rosary Church and Vicar-General to Dr. Whelan. In 1850 Dr. Hartmann transferred him to St. Michael's as Vicar, and deposed him from the Vicar-Generalship shortly

after, on account of his unsatisfactory conduct, and his plotting against the Vicar-Apostolic in the direction of Padroado. In 1853 De Mello invited Bishop Mata on his way to Bandra to come into his Church and house, and there spoke to him against the Propagandists. Whether he initiated the movement towards Padroado among his congregation is not quite clear—he pretended at least that it was done against his will. But in any case he became at once, as Vicar, the principal agent in the transfer; made his submission to the Vicar-General of the North at the very outset, and retained his place as Vicar under the Goa jurisdiction.

(3) *Gabriel de Silva* was also a “Bombay East Indian” and a native of Mahim; educated (apparently) in Bombay Seminary and ordained by Dr. Whelan. He was made chaplain at Belgaum, then assistant at Esperanca, and under Dr. Hartmann became assistant priest at St. Michael’s, with special care of the chapel of Sion. He followed the lead of Joseph De Mello, said Mass at St. Michael’s after the submission to Padroado, closed the Sion chapel against the Vicar-Apostolic, and retained his post at St. Michael’s under the Goa jurisdiction. He ignored the *Probe Nostis*, and went on with his ministrations.

(4) *Braz Fernandez*, was also a “Bombay East Indian” and native of Bandra. He went to Goa however, and was ordained deacon by Archbishop Galdino (before 1831). During the vacancy at Goa he came back to Bombay; and after many entreaties and promises of fidelity was accepted under the Propaganda jurisdiction and ordained by Bishop Fortini, (1840) who made him assistant priest of Salvacao, under himself. In 1848, after the death of Bishop Fortini, when the people resisted the appointment of a Carmelite at Salvacao, they elected Braz Fernandes as their Vicar. In 1850 Dr. Hartmann, finding his administration at fault, reprimanded him, and on account of rebellious behaviour suspended him. Hereupon, it is supposed at his instigation, the people transferred the church to Padroado. As soon as this was done Braz Fernandes was installed as Vicar under the Goa jurisdiction. In the Mahim turmoil of 1853 Braz Fernandes, as deputy of the Vicar-General of the North, went to St. Michael’s to take the votes, and also to officiate at a High Mass inaugurating the Goa jurisdiction.

#### SUBSEQUENT HISTORY.

Fr. Jose De Mello, as we have already seen, soon got into a quarrel with his parishioners and was driven from St. Michael’s in 1855. He retired to St. Andrew’s, Bandra, where he lived in privacy, and Gabriel de Silva took his place as Vicar of St. Michael’s under Padroado. Braz Fernandes continued in his post as Vicar of Salvacao, while Fr. Soares retained his office as Vicar-General of the North and Vicar of Gloria Church. All four ignored the papal suspension and excommunication and went on with their ecclesiastical functions as before. It was only in 1862 that they were reduced to submission by the new Archbishop of Goa and the Apostolic Commissary Mgr. Saba—the story of which will find its place later on in our history.



## DIJUDICATION ON THE FOUR SUSPENDED PRIESTS.

The Vicar-General of the North, in instigating, encouraging and accepting the transfer of churches (Salvacao and St. Michael's) to the Goa jurisdiction, was of course acting consistently with his position and his principles. He was an official of the Archdiocese of Goa, which upheld the "rights of the Padroado" intact, and officially treated all papal legislation to the contrary as null and void. He was never a subject of the Vicar-Apostolic, and so was not guilty of breaking any oath of allegiance to him. He was however guilty of aiding and abetting acts of rebellion on the part of the other priests who were clergy of the Vicariate under an oath of allegiance to the Vicar-Apostolic.

*Braz Fernandes* (native of Bandra) a priest ordained by the Vicar-Apostolic and under oath of allegiance to him, was formally guilty of schismatic rebellion against his canonical superior. Even if he were personally convinced of the rightness of the Padroado and the wrongness of the Holy See, he committed a grave breach of trust in handing over to Goa a church which he only held in charge from the Vicar-Apostolic. If he had conscientious scruples about the soundness of his position under the Vicar-Apostolic, his proper course would have been to resign his post and hand over his church to his ecclesiastical superior, and then to ask permission personally to pass over to the jurisdiction of Goa. To transfer himself personally without such a permission was an act of insubordination, subject to the canonical censure of suspension, which could be imposed by the Vicar-Apostolic without needing the intervention of the Holy See. Besides his behaviour with regard to Salvacao he was also guilty of encouraging, aiding and abetting Fr. Joseph De Mello to act in the same manner at St. Michael's, Mahim.

*Joseph De Mello* (native of Mahim), was a priest ordained by the Vicar-Apostolic, and had been his Vicar-General, and received the appointment to St. Michael's from his hands. The same remarks apply to him in all respects, and the same guilt attaches to him as in case of Braz Fernandes.

*Gabriel de Silva* (a native of Mahim) was ordained by the Vicar-Apostolic and received his appointment from him as assistant at St. Michael's and curate of Sion, a filial chapel. He does not seem to have been a ringleader, but he followed the lead of Fr. De Mello, and identified himself with the act of transferring the church. This is proved by the fact that he remained in his post after the *Probe Nostis* had been published, and also resisted the Vicar-Apostolic's attempt to officiate at Sion.

From these remarks it will be seen that, even preëscinding from the general question of the right or wrong of Padroado, these four priests all behaved in an uncanonical and treasonable manner which justly called for a sentence of suspension; the last three by breach of their ordination oath as well as a breach of trust against their ecclesiastical superior; the first (Soares) by instigating, aiding at abetting them in their acts.

From this we can recognise (1) the unseemliness (to say nothing more) of the Portuguese Government immediately proclaiming these four men heroes and champions of the right, and decorating them with the title of *Benemritos da patria*; (2) We see also how Archbishop Pessoa, when appointed in 1862, could obey the Holy See in putting the censure into execution, without in any way yielding up his principles concerning the right of the patronage. The sentence was canonically incurred, no matter whether the Padroado was right or wrong.

It is true that throughout the history, ever since Propaganda and Padroado had entered into rivalry, it was quite a frequent occurrence for priests to pass from one jurisdiction to another. Normally and by the canons, no such transfer could ever be legitimate without the consent of the original prelate; and any priest who acted thus without such consent was liable to suspension. Some of these transfers were practically justified by the interference of the British Government, and canonically justified either by the sanction of Rome or by the tacit consent or toleration of the Ordinaries whose rights were concerned. But in case of the three priests Fernandes, De Mello and D'Silva no such consent, whether express or tacit, was given; on the contrary their acts were expressly disallowed and protested against by their own legitimate superior. Hence in case of all these three priests their desertion of the Vicar-Apostolic by whom they had been ordained, was a flagrant ecclesiastical crime without extenuation.

With regard to the transfer of churches, a similar comment suggests itself. In several cases previously, churches and congregations had been transferred (in both directions) by the priests or people, or both together. Before the *Multa praeclare* this had been practically justified by the controlling authority of the Government, which asserted itself as final and had to be acquiesced in by the authorities on both sides. After *Multa praeclare* these transfers rested on new principles. Padroado churches were passed over to Propaganda on the ground that the Padroado has lost all jurisdiction, while the Vicar-Apostolic was the sole legitimate authority to whom all had to submit. On the other hand churches which had formerly belonged to Padroado and had passed over to Propaganda, sometimes went back to Padroado on the principle that the Padroado was ultimately the right jurisdiction, and to revert it was merely returning to the originally rightful prelate.\* And if it were alleged that the Padroado jurisdiction had been annulled, the answer given was that the annulment was invalid, because the rights of Padroado were inalienable except under the *regium placet*.

Now, it is quite possible that the three priests, Fernandes, De Mello and D'Silva, were persuaded of the fundamental right of the Archbishop of Goa to the two churches of St. Michael's and Salvacao.

\* I do not know of any case of a church, originally founded by Propaganda, passing over to Padroado. It was always a case of churches originally founded by Padroado, and afterwards reverting to it.

Still, this did not give them personally any right to effect the transfer; an act which can only be performed legitimately under a judicial sentence of the Holy See—and all the sentences passed by the Holy See lay in the contrary direction. Their personal position was quite clear. They were not Goans by race, nor Portuguese by nationality, but were Indian British subjects born on British soil. They were moreover priests of the Vicar-Apostolic, ordained by him and under oath of allegiance to him; and all their power over their churches was derived from him and subject to him. Hence in transferring their churches they were guilty of a flagrant ecclesiastical crime. If they saw that the church was in danger of being transferred by the people, they should have in no way taken part in the transfer, or identified themselves with it. Their proper and only course under the circumstances would have been to resign their posts to their ecclesiastical superior, and leave him free to deal with the congregation as best he could. The mere fact that they sympathised with the pro-Padroado movement gave them no right to participate in or identify themselves with it.

Separated as we now are from the turmoil, I cannot imagine any Catholic, imbued with ordinary Catholic principles, taking any other view of the case, as far as the personal conduct of those priests is concerned. The sentence passed on those three priests of the Propaganda jurisdiction would have been perfectly valid and sound, even if passed by the Vicar-Apostolic himself without recourse to the Holy See. As to Soares, the case is different. He was guilty of instigating, aiding and abetting the schismatical acts of the other three against their proper Ordinary; but being a subject of the Archbishop of Goa, the censorial power of the Vicar-Apostolic would not extend to him—except on the emergency-principle of *ex formata conscientia*, and under the circumstances I am not quite sure about that.

Fr. D'Sa agrees in the following terms:—

“ This chapter cannot be closed without justice being done to Bishop Hartmann. Whatever may be said against him, he is justified by the Brief “*Probe Nostis*” with regard to his sufferings at the Mahim church. The fact that in spite of what was said in the Cortes of Lisbon in 1853 and in the journals of Portugal and India, the Holy Father Pope Pius IX thought it proper to command Archbishop Amorim Pessoa after nine years to execute the Brief in 1862, and the latter reconciled his conscience to its execution, after using arguments and entreaties, and did in fact execute it and the priests submitted, adds strength to the justification.”

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## CHAPTER V.

## DIJUDICATION ON BISHOP MATA.

THERE seems no room for doubt that the coming of Bishop Mata to Goa itself was a perfectly legitimate act, arranged for in a proper manner by the Queen of Portugal with the approval and sanction of Rome. The *Multa praeclure* and other papal legislation had left Goa itself intact, and nothing was more desirable than to secure some bishop to administer the episcopal sacraments of Ordination and Confirmation during the vacancy of the See. The mischief came from Bishop Mata functioning in Ceylon, Bombay and Salsette, where according to the pronouncements of Rome all Padroado jurisdiction had been cancelled, and the Vicars-Apostolic had been constituted the sole Ordinaries; so that no other prelate visiting those places could legitimately function without the sanction of the Propaganda authority.

Of course from a controversial point of view, this was just the issue under contention. The Padroado authorities, by their rejection of the *Multa praeclure* and other decrees curtailing the Padroado jurisdiction, steadfastly maintained their former position, and continued to exercise without wavering the powers which the Pope had nullified. The action of Bishop Mata therefore would have had at least the merit of consistency. Even if fully aware that he was acting against the papal decrees, he could, on these Padroado principles, feel not only justified but bound to act according to the judgment and authorisation of the Capitular of Goa, whom he had been commissioned to serve.

I am however disposed to think that Bishop Mata's action did not issue from the belligerent principles of the Padroado *vs.* Propaganda campaign, but from want of knowledge of how the local situation really lay. I am led to this conclusion by a careful study both of his actions as reported, and his own utterances as far as we possess them—as distinguished from what others, both his own votaries and those on the opposite side, said of him and attributed to him.

As evidence to Bishop Mata's mentality we have only (1) His sermon at Mazagon, inadequately reported; (2) His letter in reply to Dr. Hartmann—alluded to but not preserved; (3) His public circular of July 8th; and (4) Two private letters to the Nuncio of Lisbon, the sidelights of which are more valuable than the rest put together.

## THE PRIVATE LETTERS.

The first of these private letters was written at Goa on March 6th, 1853, a fortnight after his reaching that city from Bombay. It is a reply to a letter from the Papal Nuncio at Lisbon dated December 18th, 1852—before Bishop Mata had sailed from Macao. The Nuncio had received some adverse reports about the bishop and his doings in Macao itself. One was a story that he had gone to Singapore to consecrate a church and introduce a Chinese priest there—which was false. Bishop Mata had indeed received a request from the local Christians

to that effect, but could not comply with it, because Singapore was not in his diocese; and so he refused. He complains of the bad faith of those who had made this false report, and says that from this sample the remainder of the complaints may be judged. All this of course has nothing to do with India.

Bishop Mata goes at length into his plan of paying a visit to Europe for his health. He is surprised that the Nuncio has not heard of it, taking for granted that it had been settled between the Nuncio and the Minister of Her Majesty.

"I hasten therefore to send you this letter—very confidential—trusting that Your Excellency will not make any use of it, except with the greatest reserve; in order to avoid compromising my position with the Government of Her Majesty, who would not fail to reprove me severely for having opened direct correspondence with you, and would regard me with suspicion (for acting) in this important matter, against the established order of things."

After this rather significant expression of his *timor reverentialis* towards the secular Government, Bishop Mata goes on to explain how he had asked the Minister of State for permission to return to Portugal; and this had been granted by the Minister of Marine:—

"In the meantime it became known in India that I was going back to Europe; and they asked the Government to allow me to pass through Goa on my way home, that I might there render the services of my episcopal ministry on behalf of Christians who had so long been deprived of them. In fact I received a letter from Government along with the subsidy for the voyage, inviting me to pass through India in order to confer there Confirmation and Holy Orders among the Christians under the jurisdiction of Goa, and with the permission of the local Ordinary. For without this permission it would have been a crime on my part to exercise my ministry, and I would be held in suspicion and aversion before the eyes of the authorities of this diocese and Her Majesty the Queen. But with this permission I would not be acting against the law in the administration of the said diocese, or against the sacred canons of which Her Majesty has to be the faithful defender"... "I left Macao at the end of December 1852 and made towards the South without the least intention of exercising episcopal functions in the churches of Propaganda, (even in those of [=situated within ?] the Archdiocese of Goa) without the permission of the Ordinary; and thus I always kept within the limits of established principles.

"But, Your Excellency, what was my surprise on arriving at Bombay with the best of intentions, when all of a sudden I received a letter from Dr. Hartmann wherein, far from finding terms of courtesy and good will as I expected, I discovered a tone and terms quite contrary to the rank of such a personage—wherein he declared without reason that I had come with a hostile spirit to exercise my ministry in the churches of his jurisdiction. He did not fail to add that he would have

recourse to the magistrate, and would surround with soldiers one of his churches for fear that I should go and take possession of it.\* What made me sick at heart, above all, was to see these proceedings published in the local press.

"You cannot imagine the deplorable religious state of these countries even before my arrival in India. It all arose from want of union between the ministers of the altar, who...went on with disputes which only served to scandalise the infidels (Your Excellency, excuse my frankness and the sincerity of my heart). And unfortunately it so happens that here they end by despising our compatriots recently come from Europe.

"In Ceylon I have seen innumerable families who have abandoned the Catholic faith and joined the heretical sects. I succeeded in bringing back some of them, and baptised their children, as well as the children of some others who lived totally apart from religion. Your Excellency will deserve well of God and religion if you succeed in bringing all the disputes regarding the Padroado to a happy issue; and I ask you to do that...in the consoling hope...of seeing this question settled without much delay.

"I shall remain here [at Goa] only one month, as I start for Europe in the beginning of April. If possible, I shall go with the greatest satisfaction to kiss the feet of His Holiness, expressing my regret at having either directly or indirectly saddened His Holiness. And if perchance, and against my intention, I have given room for the least shadow of irregularity in my conduct, so as to deprive me of the paternal blessing of the Holy Father, I count on your friendship towards me, and your well known goodness, that you may deign, before my arrival in Rome, to smooth the pain to his Holiness; and you will by doing so only increase the number of favours for which I am indebted to you." [End of letter].

As a matter of fact Bishop Mata did not depart from Goa in April, being kept there [with the leave of the Government of Lisbon] for further ordinations. But secondly, he seemed for some further reason to apprehend trouble in Europe—both in Lisbon and at Rome. Hence he wrote a second letter twelve days later to the Nuncio (March 18, 1853): "I told you that I had made up my mind to leave for Europe in the beginning of April. But weighing further the reasons Your Excellency sets forth in your letter [the same letter of 18th Dec. 1852] and the fear therein expressed, I have resolved to return to Macao as quickly as possible and then await your reply...I beg Your Excellency to obtain of me His Holiness's permission to return to Europe."

What sort of trouble Bishop Mata was expecting in Europe, is not clear. From the date of the Nuncio's letter it could have had no reference to India, but to matters dating much further back, connect-

\* No such idea is expressed in Dr. Hartmann's letter of February 4th, nor in his circular of February 23rd, nor anywhere else that I know of. Where Bishop Mata got this detail from it is impossible to say.

ed with Macao. But the impression one gets from his second letter is that the course which affairs had taken in Bombay had seriously disturbed his mind.

#### EXPERIENCES IN INDIA.

The question arises : What did Bishop Mata know of the situation in India before he arrived there ? Probably very little. With the *Multa praeclare* he must have been familiar in general terms ; but as regards its geographical application to the different parts of India he may have been wholly ignorant. He had heard of various conflicts going on, but (as he declares himself) he did not understand them. All he knew was that the See of Goa was vacant, and that episcopal ministrations were needed, and he was commissioned to supply them. As to details, he was entirely in the hands of the Vicar-Capitular of Goa, and of the local clergy he might meet, whom he would have no reason for distrusting. Landing at Ceylon he was met by a Goan priest and his adherents, heard most terrible and exaggerated reports of the war being waged there against the usurpations of Propaganda ; took for granted that it was all right for him to do what he was asked to do, did it, and then rejoined his ship *en route* for Bombay, ruminating deeply and sadly over what he had been told.

In Bombay, he was of course entirely in the hands of the Vicar-General Soares and his clergy, and we know by heart the story they would tell him : How the Propagandists were engaged in a war of aggression against Padroado, usurping churches in Salsette, (*e.g.*, Bandra, Maney, etc.), or trying to do so, denying the jurisdiction of the Goa clergy, denouncing them as schismatics and out of union with the Holy See, and reiterating their sacraments. He would believe implicitly all he was told, feeling the deepest sympathy for the clergy engaged in self-defence against an unjust aggressor, and the deepest sorrow and detestation for the outrageous behaviour of the Propagandists under the pretence of doing God's service.

As to episcopal functions, he would not feel the least hesitation in doing all that he was asked to do. He had the authorisation to function in the Archdiocese of Goa ; but Bombay and Salsette were parts of the Archdiocese of Goa ; ergo—

It is to be observed that, assuming these presuppositions presented to him by the local clergy, Bishop Mata was logically correct in his behaviour. He visited only the churches which were under Padroado (Gloria, Cavel, Salvação, Kurla, Thana, Bandra, etc.), and made no aggression on those of Propaganda. He issued no manifesto inviting Propaganda subjects to come over to the Goa jurisdiction. Even in his famous sermon he confined himself to exhorting his own flock to stand firm to their own Ordinary, and denouncing the manœuvres of those who tried to draw them away therefrom. The allegation that he had represented himself to be an Apostolic Nuncio, endowed with authority from the Holy See itself, is not sustained by what reports we

have of that discourse; and if some of his words gave an opening to such a rumour, at least he himself absolutely repudiated it, and even the Vicar-Apostolic did not charge him with such a falsehood.

#### THE PAPAL DOCUMENTS.

Whether Bishop Mata, on receiving the papal documents from Dr. Hartmann, made a careful study of them, we do not know. Even if he did (as is quite likely), he would not find things so clear as they are to us to-day, with *all* the documents before us. The *Multa praeclare* concerned itself only with the Suffragan Sees, and would touch his conscience only as regards Ceylon. It did not curtail the diocese of Goa, or say anything about Bombay. The decree on Salsette merely allowed the Vicar-Apostolic to extend his jurisdiction into Salsette; it did not say that his jurisdiction was to supersede the existing jurisdiction of Goa, or cancel it. The Monitorium of 1848 spoke vaguely of the duty of the faithful to submit to the Vicars-Apostolic in their districts and nothing more. About Bombay itself there existed no decree abolishing the Goa jurisdiction over the whole island, or commanding the Goa clergy to give over the churches they held. [It was only a demi-official letter of Propaganda to Soares in 1840, and a similar letter to the Vicar-Apostolic at the same time, that declared the Archbishop of Goa to have no jurisdiction in Bombay and Salsette, and that the sole Ordinary in both islands was the Vicar-Apostolic whom all (Soares himself included) must obey—and these letters of course Bishop Mata was sure not to see.] In fact one can say this with confidence: the one great weakness of the Propaganda case from a legislative point of view was the absence of any bull, brief or encyclical of the Holy See solemnly published to the world, declaring that the See of Goa had been restricted to Portuguese territory, and that its jurisdiction outside that territory had been totally suspended and transferred to the Vicars-Apostolic in British territory.

Even if such a bull or brief had been published in consistory, of course it would have been disobeyed on the ground that it did not bear the *regium placet*. Still at least it would have made the situation clear. But its absence left the situation obscure; hence one could quite understand Bishop Mata mastering all the documents the Vicar-Apostolic might place before him, and yet failing to see that they really condemned his ministrations in Bombay and Salsette.

Hence it seems to me not only possible but highly probable that what Bishop Mata did in Bombay and Salsette was done in perfect good faith, without the least intention of acting contrary to the will of the Holy See, or to any clear idea that he was doing so. In this case the diatribe of Dr. Hartmann on February 4th must have come to him as a puzzle as well as a surprise; not enough to convince him on the spot, but enough to cause in him that vague uneasiness which his letter to the Nuncio, written a few weeks later, unmistakably betrays. Feeling the uncomfortableness of the situation he thought he had better get



out of it as soon as possible, and keep away from Europe till he had enlisted the good offices of the Nuncio to stave off any trouble at Rome which was likely to ensue.

#### POST FACTUM CONDEMNATIONS.

But he had not to wait till he got to Europe. The trouble came to meet him sooner than he expected. In May he received the first *Monitorium* of the Pope (dated March 10th) blaming him for his conduct in Ceylon. In July he received the *Second Monitorium* (dated May 9th) condemning his conduct in Bombay; and with it the *Probe Nostis* publishing his condemnation to the world. Under these blows he would have bowed his head in silence. Only because they were published in the newspapers did he feel it proper to issue a pastoral in his own defence. The text of that pastoral has already been given in Chapter II. In it he has not one word to say either in defence of Padroado or in attack of Propaganda; not a word in disrespect or defiance of the Holy See; not a word about the nullity of the decrees for lack of the *regium placet*; not even a word to justify or excuse what he had done, and which he now, *post factum*, saw vehemently condemned. He confines his attention to one single point; the accusation against his sermon at Mazagon. He had been accused to the Pope of having given out that he had come to Bombay with the Apostolic permission to perform episcopal acts there; a charge which he absolutely denies, and feels indignant at the imputation of having told a public lie.

My whole impression therefore is that Bishop Mata came to India with the best and most correct intentions, without the least idea of doing anything contrary to the will of the Pope. Ignorant of the true situation he trusted implicitly those who received him; and if the results were disastrous, no one was more surprised than himself. By degrees, I quite believe, the truth dawned upon him. Prescinding from the fundamental rights or wrongs of the quarrel, at least he realised that he had gone against the will of the Holy See and made the situation worse, and was heartily sorry for it. He abstained from anything of the same kind for the rest of the time, and felt infinitely relieved to get away from the place as soon as possible. If he avoided making any acknowledgment of his mistakes in public, this may be accounted for first by the instinctive shrinking from humiliation which is common to all human nature, and secondly by the manifest dread which he felt of falling under the displeasure of his Government and of Her Majesty the Queen.

If this benign interpretation be thought excessive in its benignity, it may at least be taken as a set-off against the far too harsh judgment which has traditionally held its sway against him.

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## CHAPTER VI.

### BISHOP MATA'S ORDINATIONS.

IN the life of Hartmann (p. 127) we read "The Bishop of Macao displayed in Goa the same wonderful activity he had exhibited at Bombay. Within 8 days he conferred orders on no fewer than 536 candidates: minor orders on 287, the subdeaconate on 207, deaconate on 11, and priesthood on 31....In consequence of these ordinations *en masse* the common saying in the streets of Goa was that the Bishop had even ordained cocoanut trees; a kind of tree very common on these shores."

In 1915, it was a great surprise to find this story reproduced by Mgr. Zaleski, in a footnote to one of his publications, with the accretions usually due to prolonged circulation. For instance: "The motive of such numerous ordinations was to keep alive the schism. Bishop Mata proclaimed that whoever wished to be ordained priest had only to present himself. There was a crowd of candidates, for the most part cooks and kitchen coolies. He conferred lower orders on most of them; he would have ordained them all priests but the people arose and drove him out of Goa. The Christians were exasperated, and gave the name "Palmeiros" to those that had been ordained by him. After his departure the priests he had ordained remained of course suspended; and those in the lower orders returned to their kitchens. One of them, a deacon, became a cook in a Railway Restaurant"—and so on.

The revival of the story led to a careful search in the Goa archives dealing with the whole of the Mata Case, and particularly with his ordinations. The result was an elaborate article entitled *Monimenta Goana Ecclesiastica*, of which a translation appeared in the *Catholic Register* of August and September 1918. As an introduction, the numbers of ordinations by other prelates from 1758 to 1909 were tabulated for purposes of comparison. Then the ordinations by Bishop Mata were given in detail. The total number (in several ordination services between March and September 1853) was exceedingly large—priests alone 253. But then the Goa clergy were always numerous, and there was an accumulation due to the vacancy of the See, so that there was nothing disproportionate in the number. But what is of importance is this. Except for destruction of papers by white ants, etc., the record of each candidate was preserved, his studies and qualifications, etc., so that everything was quite regularly done. Even their family and rank was on record; they were all of good castes and respectable families, and no such elements as "cooks and kitchen coolies" are found in the list. The whole story in short, and not merely its extravagant accretions, was convincingly proved to be a pure *canard*.

Incidentally too, the article contained details of the arrangements under which Bishop Mata was commissioned to come to Goa, of which use has been made already in this history.

## ALLEGED REORDINATION CASE.

During his visit to Bombay Bishop Mata conferred the inferior orders on a number of candidates at Gloria Church, and gave the priesthood at Bandra to four. Some at least of these candidates were subjects of the Vicar-Apostolic, who the year previous had been expelled from the seminary for insubordination. They went over to the Padroado jurisdiction and were presented for Holy Orders to the Bishop of Macao.

Among these was Louis Antonio Pereira, a native of Bandra, who received the priesthood from Bishop Mata on February 13th, 1853. For some reason or other he soon got into trouble under Padroado and was suspended. He therefore begged the Vicar-Apostolic to receive him back under Propaganda. Dr. Hartmann accepted him on two years' trial and arranged for his formal reconciliation on March 4th, 1855. As soon as the ceremony was over the story went round that Dr. Hartmann—"an absolute stranger to all scruples of conscience," had re-ordained him. "This profanation of the sacraments (so we read in a recent brochure) gave great offence to the Catholics. But Hartmann gloated over the sacrilegious act in the columns of the *Catholic Examiner* of the period."

This story, which seems to have slept for some generations, was brought up to the surface by a foot-note to the *Monimenta Goana Ecclesiastica* article already referred to in connection with Bishop Mata's ordinations. As we dealt fully with the matter in the EXAMINER of December 28, 1918, all we have to do here is to reproduce what was published then:—

Our attention is confined to that portion of the article which deals with the alleged *reordination* by Dr. Hartmann (in 1855) of a priest who had previously been ordained by Bishop Mata in 1853. Such a charge is of course in itself incredible. Assuming that the orders received from Bishop Mata were regarded as schismatical by Bishop Hartmann, he still knew enough of the elements of theology to recognise that orders can be validly conferred both by heretical and schismatical prelates, provided the intention is right—and about the intention in this case no question could arise. As reference in support of the story was made to THE EXAMINER of the time, we were asked by H. E. the Patriarch of Goa to look it up in our editorial files—probably the only copy existing in India. We have done so, and now put the result before the public so as to clear up the question once and for all.

## THE INDICTMENT.

The *Monimenta Goana* article, as translated by the *Catholic Register* (Sept. p. 15), runs as follows:—

From those who returned from the Propaganda to the Padroado a so-called *termo de emenda*—a written apology,—a sort of retractation and solemn promise of obedience was required.

Those who went over from the Padroado to the Propaganda were required to do as much, more or less, and in some cases much more:

they were *reordained*,—a stupendous deed, worthy of condemnation; a practice which the Holy See never allows, not even in the case of genuine Schismatics, Greeks, Jacobites, etc.

This is not a hoax. In a certain correspondence published in the official *Boletim* of the (Portuguese) Government of India No. 10 of the 3rd February, 1857, we read as follows :—

“The cleric, Luiz Antonio Pereira of Bandora, having received all the sacred orders at the hands of the Bishop of Macao with dimissorials from the Vicar-Capitular of Goa—other formalities which the Sacred Canons demand having been attended to—was suspended for just reasons after having exercised his orders for more than two years. While thus suspended he applied to the Vicar-Apostolic Hartmann, who did not only admit him into his jurisdiction, but without the least scruple dared to confer on him anew all the Sacred Orders. The Catholics lamented this profanation of the sacraments made by the Vicar-Apostolic; but he caused this ordination service to be published in his *EXAMINER*.”

That cleric had been ordained a Minorist by Archbishop Silva-Torres on the 22nd Dec. 1844; he continued in the Seminary of Rachol where he completed his theological course in 1850; and had been ordained as far as the priesthood by Bishop Mata on the 2nd, 6th, and 13th of February, 1853. The warrant allowing him to say his First Mass is dated 9th May, 1853.

We had doubts as to his *reordination*! It is true, however, that in the *Catalogus Archiepiscoporum*. . . . *Patrum*, etc., in *Missione Apostolica Bombayensi*, 6th edit, aucta usque ad I Maji, 1902, Typographia ‘*EXAMINER*,’ Bombay, we find among the secular priests the following note: “No. 15. Ludovicus Ant. Pereira,—patria Bandora—ortus 1826—Ordinatus 1854—Bis receptus in hanc jurisdic, et bis dimissus.”

Now, his first reception in the Propaganda must have taken place after his ordination as a minorist and after having completed his studies in the Seminary of Rachol,—for in his process of ordination as subdeacon the said famous “*written apology*” is found; the 2nd time must have been after his ordination as a priest and after being suspended—being *re-ordained* very likely in 1854.

#### THE REFUTATION.

So far the indictment as given in the *Monimenta Goana*. Now for the refutation of the story :—

#### I. HARTMANN'S LIFE.

The Life of Bishop Hartmann (p. 209) contains the following words :—

“*Rev. Fr. Lewis Pereira* had received minor orders at the hands of his lawful prelate, but had been *ordained priest* by the Bishop of Macao. Dr. Hartmann had on the 4th March repaired to Bandora, to preside there over the ceremonies of the solemn *reconciliation* of this *priest*. We borrow from the *BOMBAY CATHOLIC EXAMINER* the description of the moving scene.”

The words italicised by us prove clearly that there was no question of reordination, but only of *reconciliation*.

## II. THE EXAMINER.

(1) The EXAMINER of March 1st, 1855, contained the following notice :—

“A *priest* of Bandora ordained by the Bishop of Maçao in 1853, after repeated applications has been admitted into the Seminary of Bandora. He is now in sacred retreat.

“On the 4th inst., Sunday, His Lordship the Right Rev. Dr. A. Hartmann will in pontificals impart to him the solemn *absolution from suspension and irregularity*, and successively vest him as subdeacon, deacon and priest.”

This public notice is also quite clear. The orders already given were recognised ; only *absolution from suspension and irregularity* was required. His being vested with the vestments of the different orders was merely a matter of ceremonial.

(2) The EXAMINER's next issue (March 17th) contained the following full account of the ceremony :—

BANDORA.—On Sunday, the 4th instant, His Lordship the Right Reverend Dr. Hartmann, proceeded to Bandora for the purpose of imparting to the Reverend Louis Pereira the solemn absolution from canonical *irregularity* and *suspension* incurred by him in 1853, when, as stated in our last, contrary to the sacred canons of the Church, he received ordination at the hands of the Bishop of Macao. Father Louis Pereira had repeatedly applied to be reconciled to the Church, and the Bishop, moved at length by his entreaties, declared to him that he could hope for reception only under certain necessary conditions, one of which was that he would be attached to the Vicariate only after a satisfactory trial of two years. This and the other conditions Father Louis Pereira has agreed to in writing. The Sacred Retreat commenced by Father Pereira preparatory to his reception having been brought to a close on Sunday, the 4th instant, the celebration of the Mass was begun and proceeded with up to the reading of the Gospel. Here there was a pause, and Father Louis Pereira in surplice, (since he had received the minor orders canonically) advanced and prostrated himself before the Bishop, who was sitting mitred at the middle of the altar. This was a moment of absorbing interest to the entire congregation, and more especially, no doubt, to the Schismatics, for they formed a no inconsiderable portion of the living mass that thronged every part of the vast church. The Bishop now proceeded to address the following interrogatories to Father Pereira :—

*The Bishop*.—What do you ask for ?

*The Priest*.—I beg to be received into, and reconciled with the Church.

*The Bishop*.—Do you know the great crime you have committed and the scandal you have publicly given ; and do you repent of them ?

*The Priest*.—I do.

*The Bishop.*—Are you prepared to make a public retractation and apology?

*The Priest.*—I am.

*The Bishop.*—Read then before the congregation your written recantation, apology and submission, forwarded to us some days since.

*The Priest* then read in a loud voice, in Portuguese, the confession of his guilt, his repentance, his full submission to all the conditions for his being received, specifying them. The priest having concluded this solemn duty, the Bishop laid his hand, according to the Pontifical,\* on the head of the Priest, absolving him from the canonical irregularity and suspension incurred by him owing to his having sacrilegiously received the order of subdeacon, and then he vested him with the sacred vestments of subdeacon. The Bishop again laid his hand on the head of the priest, absolving him from the canonical irregularity and suspension incurred by him in his ordination as deacon, and robed him in the sacred vestments of Deacon. The Bishop laid his hand on the head of the priest a third time, and absolved him from the canonical irregularity and suspension he had incurred in his sacrilegious priestly ordination, and put on him the sacred vestments of the priest, followed by the blessing. After this, the Bishop addressed him a paternal admonition, brief but energetic. The Mass was now continued by the Bishop, whilst the Rector of the Seminary administered to the said priest the Sacramental absolution, he having made his confession the day before. After the communion of the Bishop, the priest, robed in the sacerdotal vestments, received from the hands of His Lordship the holy Eucharist.

Before the Benediction, the Rector of the Seminary, the Revd. F. Antony Pereira, S. J., mounted the pulpit and delivered a most impressive discourse suited to the occasion.

The EXAMINER concludes:—

When the service was over several of those who had hitherto adhered to the schism gave in their formal submission. Later on there were shown to the Bishop two letters of the excommunicated Soares, endeavouring to dissuade Fr. Pereira from returning to obedience, and to prevent a son of one of the Chiefs [leading families?] of Salsette, now reconciled to the church, from entering the seminary. [End of quotation].

#### OUR COMMENT.

Dr. Hartmann is thus entirely exonerated from the charge of *re-ordination*. The only question is how the accusation could have arisen. Presumably from ignorance on the part of those who originated it. The words “will successively vest him as subdeacon, deacon and priest” might be misunderstood by the laity as if they meant reordination; and the laying on of hands in the reconciliation ceremony might similarly have been misunderstood.

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\* The ceremony was taken from the rite laid down for absolving degraded sacred ministers.

The moral is this: The excited and acrimonious conditions of things in those "dark ages" of the Church in India often led not only to distressing exhibitions of malice of party against party, but also to the gravest misunderstandings of things in themselves altogether well-intentioned and innocent. The instinct for putting the worst possible interpretation on everything done by the other side led not only to the framing of mutual accusations with plausible grounds at the back of them, but also to exaggerations and misrepresentations which went from month to month—*Fama crescit eundo*—till the most horribly libellous stories became current and traditional, and found their way even into serious histories. The "cocoanut" story of the Bishop of Macao is an example on one side; and now we find ourselves confronted with the "reordination" story against Bishop Hartmann. We are heartily glad to see the first satisfactorily disposed of by the *Monimenta Goana* and the papers that have reproduced it. We are just as heartily glad to be able ourselves to dispose of the second; and we hope that the explosion of the story will receive as much publicity as its circulation has done. [The whole article was in fact reproduced by the *Catholic Register* in January 1919].

*Note.*—The entry in our "*Green Catalogue*" of 1902 has been quoted as follows:—"Ludovicus Ant. Pereira; Patria Bandra, Ortus 1826; Ordinatus 1854. Bis receptus in hanc jurisd. et bis dimissus." The date of ordination is inaccurate, due to scanty information no doubt. In the next edition we shall have the entry altered into: Ortus "Jan. 1st, 1824; Ordinatus ab Episcopo Mata Feb. 13, 1853. Receptus in hanc jurisdictionem et reconciliatus 4th Mar. 1855."†

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† H. E. the Patriarch of Goa, acknowledging the above disposal of the story, remarked: "The impression was so great that some scrupulous priests in Goa went to Archbishop Pessoa [after 1862] asking him to re-ordain them *sub conditione*. The Archbishop got angry and sent them away. The impression was of a real reordination. I was told lately of this by some contemporaneous priest." (Letter Feb. 19, 1919).

## PART XVII.

### TRANSFER TO THE JESUITS.

#### CHAPTER I.

#### LATER ACTS OF HARTMANN.

As soon as the Salvaçao incident, the St. Michael's incident and the Mata incident were closed, there came a lull in the storm ; in fact by the year 1855 it had passed away and things were more or less settled down. All eyes were turned to the future. Negotiations were going on in Rome, and a settlement was looked for, concerning which vague rumours only were afloat ; for nothing seems to have been known of the turn they were taking.

#### NEGOTIATIONS IN LONDON.

There is one matter on which we find very little information to give, and that is the negotiations which Dr. Hartmann set afoot in London for the improvement of Indian affairs. His petition to the Court of Directors in 1851 for protection against the assaults of the Goa clergy (and his own disaffected clergy and people as well) seems to have had no effect. In 1853 however he worked up an organisation in which Dr. Grant, Bishop of Southwark with Fr. Ignatius Persico, O. C., and Fr. William Strickland, S. J., were formally appointed by Propaganda itself to represent the case before the authorities in London (Dec. 1st, 1853). Having done the preliminaries the two Fathers came to Bombay. Fr. Persico was then consecrated Coadjutor to Dr. Hartmann, but was soon sent to Agra as Administrator Apostolic (while still remaining Coadjutor to Bombay), and in 1856 became Vicar-Apostolic of Agra. Fr. Strickland on the other hand joined the rank and file and served as military chaplain in various stations, and also as field chaplain in the Persian and the Central India expeditions, returning finally to England in 1859. Meantime Dr. Grant, Bishop of Southwark carried on the negotiations in London, while Bishop Carew of Bengal and Dr. Hartmann were made intermediaries between the collective Vicars-Apostolic and the Supreme Government in India.

The programme was not confined to question of jurisdiction. Primary stress was laid on the position of the Vicars-Apostolic ; and the object was to secure for them an official and legal recognition by Government as the exclusive authorities of the Church in British India. In this the campaign seems to have been altogether unsuccessful. A *de facto* recognition of the Vicars-Apostolic already existed ; while the Goa clergy bore no official relations to the Government at all, and their claims were from that point of view repudiated. Still the policy of Government became more and more fixedly that of non-interference in ecclesiastical contentions, which was made final by a set of Resolutions dated February 28th, 1856, from the Court of Directors. By these resolutions Government abandoned its rule of 1793 about the confirmation of pastors elected by



the people. The transfer of priests and congregations from one jurisdiction to another was left open to individual choice, and the civil authority entered into the case only to prevent breaches of the peace, or to determine the rights to Church property—which were generally settled on the principle of possession, without the least regard for the Catholic principles of canon law.

A better effect was produced in other directions, such as providing higher allowances for military chaplains, places of worship for Government servants and the army, support for orphanages, and various points connected with jails, hospitals and burial grounds.

Dr. Hartmann when he was in London in 1857 published there a pamphlet entitled "Remarks on the Resolution of the Government of India" in which he is said to have shown that they were not so favourable to Catholic interests as was supposed. It was however on these Resolutions that the tariff of Chaplains' salaries was fixed for the future, which with some minor modifications has lasted to this day. [Dr. Fennelly of Madras also issued a pamphlet on the same subject (Dublin 1857)].

#### GETTING IN THE JESUITS.

Already in 1850 Dr. Hartmann was looking round for help in his educational schemes. For female education he had secured the Congregation of Jesus and Mary; and a secondary convent school for girls, as well as a female orphanage, was placed on a sound footing. For boys he had already a small orphanage with elementary school, and had revived primary education in a number of parochial schools. But he aimed at full secondary education, and for this he at once thought of bringing in the Jesuits. Rome took up the matter and applied to the General of the Order; but at first (1851) the Jesuits did not wish to come. The Christian Brothers, English and Irish, were then suggested, but nothing came out of that proposal. In 1852, the Jesuits were finally enlisted; and the first plan was for them to found a College in Poona—why that mofussil place was chosen is not clear. When the first Jesuits came in 1853, they comprised Fr. Steins of the Dutch province; Fr. Antonio Pereira (a Goan who had joined the Society in Rome and had been attached to the Madura Mission); Fr. Antonio Jaques (also a Goan, who had been attached to the German province) and Fr. Peniston of the English province.

Fr. Steins was put to Military service at Poona, Bombay, Colaba, etc. Fr. Antonio Pereira took office in St. Michael's, Mahim (during the "voluntary imprisonment") and in 1855 was made Superior of the Seminary, then located at St. Peter's, Bandra. Fr. Jaques did parish work at Juvem, etc.; and Fr. Peniston, after being Military Chaplain for 2 years, was set aside in 1855 as the director of a school for boys at Mazagon.

#### DIVISION OF THE VICARIATE.

Meantime on March 8th, 1854 the Vicariate was divided into two parts, the Deccan portion being entrusted to the Jesuits (evidently with

a view to their founding a college at Poona) while Bombay, Guzerat, Malva, Sind, etc., were given over to the Capuchins; and Dr. Hartmann was appointed Vicar-Apostolic of Bombay and Administrator of Poona.

The following is the text of the decree:—

“The care of all the churches of the world, which is laid upon us by reason of our apostolic ministry, demands that we should do whatever makes for their well-being and progress, in order that even in the most remote regions the faith of Christ may be more widely and more easily spread, etc. Now considering the great extent of the Vicariate of Bombay, and the peculiar circumstances of place and time, we have judged it opportune, both for the greater extension of the Gospel and for the better ministration to the needs of the faithful, that the abovementioned Vicariate should be divided; and after due deliberation and counsel we have decided to have this done. Therefore we decree the division of the Bombay Vicariate into two distinct Vicariates-Apostolic; namely, into the Northern or Bombay, and the Southern or Poona Vicariate. That of Bombay will comprise the islands of Colaba and Bombay, and besides these, the northern districts of Aurungabad, Khandesh, Malva, Gujerat and Sind as far as Cabul and the Punjab—so that it shall be bounded on the south by the Konkan and Bijapur belonging to the other Vicariate; on the east by the Vicariates of Hyderabad and Agra—that is to say by the districts of the Godavery, Bhopal, Allahabad and Delhi; on the north by the regions of Cabul and the Punjab; and on the west by the Indian Ocean. The Southern or Poona Vicariate shall comprise the islands of Salsette and Bassein, and besides these the regions of the Konkan and the Deccan or Bijapur—so that it shall be bounded on the south by the diocese of Goa according to its present circumscription, and by the Mission of Mangalore; on the east by the Vicariate of Hyderabad; on the north by the district of Aurungabad; and on the west by the Indian Ocean.

“Moreover, since the Superiors of the Carmelite Order have, on account of paucity of men and the burden of the Vicariate of Malabar, asked to be relieved of the burden of the Bombay Mission, we have under advice accepted their resignation; and by the present decree we entrust the Northern Vicariate of Bombay (as now divided) to the care of the Friars Minor (Capuchins) and the Southern to the Society of Jesus. So we decide, divide, define, etc., etc.”

Given in Rome at St. Peter's, etc., on March the 8th, 1854 in the eight year of our pontificate.

“For Cardinal Lambruschini.

“JOS. B. B. CASTELLANI, Substitute.

But although the Jesuits had been assigned to the Poona-half of the Vicariate, Dr. Hartmann still continued to keep those he had got in Bombay; for in the course of 1855 he announced publicly that a school which would qualify for the University was soon to be opened in Bombay under the Jesuit Fathers—the plan of erecting one at Poona being left

in abeyance. The school was opened under the charge of Fr. Peniston, S. J., but its development took place only after Dr. Hartmann's time. This was the origin of St. Mary's Institution as distinguished from the Orphanage.

#### INTERVIEW WITH GOVERNOR OF GOA.

In October 1855 a new Governor of Goa disembarked at Bombay and was interviewed twice by Dr. Hartmann. The first interview was hampered by the presence of some Padroado priests and was rather of the complementary order. Dr. Hartmann reports that in course of it the Governor "appeared to be animated with the best dispositions." The second was a private visit and gave a different impression. Dr. Hartmann reports that the Governor "manifested altogether schismatical views" and declared that "the Pope has no right whatever to abrogate any of the dispositions included in the patronage. The sentence of excommunication (*Probe Nostis*) ought to have been transmitted through the ordinary channel *viz.*, the royal sanction" etc. Replying to "the observation by the Governor that 'the King of Portugal could never permit his right to be curtailed,' I asked whether the fifteen Apostolic Vicariates of India were then to be altogether suppressed. His answer was 'Oh yes', accompanied with a smile which I found quite out of place in so serious a matter." (Life of Hartmann, p. 213).

#### HARTMANN LEAVES FOR EUROPE.

On July 29th, 1856 Dr. Hartmann left Bombay for Europe. Before his departure he appointed Fr. Angelo, O.C., Pro-Vicar of Bombay and Fr. Steins, S. J., Pro-Vicar of Poona. He arranged however that in case of emergency—particularly if connected with jurisdiction troubles—Mgr. Persico (now at Agra but still Coadjutor) should be called down; and if he came he should assume full powers of administrator—the powers of the two Pro-Vicars being suspended while he was there.

Being apprehensive of further revolts and defections of churches, Dr. Hartmann made one further endeavour to enlist the protection of Government. On August 28th, 1854 after the Mahim affair was over, he had written to Government, "urging the necessity, both from a civil and religious point of view, of the Government legally recognising the Vicar-Apostolic, and refusing to recognise any clergymen [for office] unless he was presented by the Vicar-Apostolic. Government however had replied (on October 6th, 1854) that they had not the power to interfere in disputes, and in this [non-interference] they were acting in respect of Roman Catholics exactly as they did in respect of all other denominations." Now, on July 17th, 1856, just before his departure, Dr. Hartmann with characteristic pertinacity returned to the subject, and asked Government at least for "a guarantee that no church belonging to his Vicariate, or hereafter built by or for Roman Catholics subject to his jurisdiction, shall at any time be resumed by Government under the rule of the Government of India of February 28th, 1856, for the purpose of being made over to adherents of the Archbishop of Goa or

others regarded by the Vicar-Apostolic as schismatics." Replying on July 29th, Government thought this a reasonable request, to which they were ready to assent by recording an assurance "that the rule laid down in para 12 of the Despatch of the Government of India of February 28th, 1856 shall not be taken advantage of for the purpose of transferring the right of occupation of any Roman Catholic place of worship from one ecclesiastical jurisdiction to another."

The answer reached Dr. Hartmann at the moment of his leaving India, and he had to be satisfied with it. No trouble, however, of the sort apprehended arose after his departure. Of the original Padroado churches only one remained to him, namely Esperança ; and that parish was in perfect peace.

#### HARTMANN ON THE CONCORDAT.

Arriving in Rome Dr. Hartmann spent some time explaining matters to the Sacred Congregation, and was commissioned by them to draw up a memorial stating the reasons which might militate against the conclusion of a concordat with Portugal. No copy of this memorial is at hand, and we have to be satisfied with the following passage from Hartmann's life :—

"Dr. Hartmann had ever been opposed to a concordat. In the matter of the Indo-Portuguese schism his leading maxim was "*Tout arrive, attendons !*" "His idea was to let schism die out of itself ; his intention, to erect a new church at the very side of each Schismatic church. The process was a slow one, it is true ; but it led to a certain and favourable issue. This principle was the motive of all his acts, the stamp that marked all his letters to Rome. Let us analyse some of the reasons on which he based his view, and which had experience on their side :—

"Of late the schism had been declining rapidly in Bombay, on the Malabar Coast and in Bengal. Its clergy, and the *Abelha* its organ, had assumed a less aggressive attitude. Whole parishes were manifesting strong dispositions towards unity ; respectable families had passed over to the jurisdiction of the Vicar-Apostolic. Even members of the Goa clergy confessed publicly that the Propagandists' position was a legal one. But as soon as the rumour of a new concordat sprang up, with the assertion that the two islands of Bombay and Salsette were to have an Indo-Portuguese bishop, this whole movement towards unity was at once checked. The Goa clergy began to carry their heads higher than ever ; native priests of the Vicar-Apostolic's jurisdiction began to associate with them and even with the excommunicated clergymen.

"Former experiences, furthermore, proved that Portugal has never been eager to carry out the dispositions of former concordats, those excepted which were in its favour. There were, besides, other difficulties, to which the *Multa praeclare* alluded—for instance those that might arise on the part of the British Government.

"In one word, a new concordat was a nuisance in the eyes of Dr. Hartmann. He considered it as an obstacle to the prosperity of the

Church in the East; as an evil in lieu of a remedy; as a source of new complications for the Holy See and the Vicars-Apostolic. The nature of the events in India were well calculated to justify the opinions and forebodings of the Vicar-Apostolic of Bombay." (Life of Hartmann, p. 223-4).

These are words of the writer of the life; but they seem to agree with all that we know of Dr. Hartmann's views.\* It is of interest to add that the expression of his opinion had no effect in Rome; for a few months later the concordat was signed.

#### REARRANGEMENT OF THE VICARIATES.

After his visit to Rome Dr. Hartmann passed on to England and afterwards to Germany. But he came back again to Rome early in 1857, and then went into more domestic affairs.

The division of the Vicariate into two parts and its assignation to two Orders (Jesuits and Capuchins) had led to serious differences between the two, in which it seems Dr. Hartmann grew so vehement as to give great offence to the Society and had to make a written apology to the General. Correspondence conducted between Dr. Hartmann and Propaganda soon led to a settlement by way of compromise. On May 28th, 1857 it was agreed that the two Vicariates should be exchanged; the Capuchins taking Poona and the Jesuits Bombay. On August 13th, 1857 it was further officially settled that the College, originally planned at Poona, should be opened in Bombay instead.

But another emergency had arisen. The Carmelites, finding the double burden of Bombay and Verapoly difficult to bear, had only too gladly given up their mission to the Capuchins, and the Capuchins had gladly consented to halve it with the Jesuits. But the Capuchins had hardly as yet sent in sufficient men even for the area assigned to them; and now the disaster of the Mutiny had depleted their ranks in Northern India, and destroyed some of their churches, so that it was as much as they could to recover their losses there. Hence came the final proposal that the Capuchins should resign altogether, and that the whole of the Bombay Poona Mission should be taken over by the Jesuits. The result was a decree dated August 13th, 1858 ordering that the two parts, Bombay and Poona, though remaining distinct as two Vicariates, should become one mission entrusted to the Society of Jesus.

Dr. Hartmann himself naturally resigned his post as Vicar-Apostolic of Bombay, and to his great delight was reappointed to the Vicariate of Patna, which he ruled till his death in 1866. Thus he never saw Bombay again, and was relieved of all further anxiety regarding the Padroado.

\* Dr. Hartmann published a pamphlet at Augsburg in 1858 entitled *Ueber die kerkchlichen Zustande in Indien*.

As to Bussiere's *History of the Goa Schism* published first in French in 1853: Its authorship was by Padroadists attributed to Dr. Hartmann under a fictitious name. But I doubt whether he would have had time to write such a work in the years 1850-1852 so as to get it published in France in 1853. Certainly he may have supplied the materials to the author.

## CHAPTER II.

### FILLING IN DETAILS (1850—1858).

By the close of Dr. Hartmann's regime (1858) the relative status of the two jurisdictions in Bombay was as follows:—

*Padroado* : Gloria Church, Mazagon, with de Lima's private chapel at Byculla ; Cavel Church with Sonapur Chapel ; Salvaçao ; St. Michael's, Mahim, with Sion ; the Hospice at Colaba.

*Propaganda* : Esperança Church with St. Teresa's, Girgaum, and St. Joseph's, Umerkhady, recently built ; Rosary Church, Mazagon ; the Fort Chapel ; St. Joseph's Military Church at Colaba ; Victorias Church to replace St. Michael's, and St. Francis' Chapel to replace Salvaçao.

*In Salselle* : Four parishes recently acquired from Padroado : Bandra, Juven, Maney and Culvem — as against the loss of Salvaçao and St. Michael's, Mahim, in Bombay.

*In the Mofussil* double jurisdiction established by the Padroado party in Sholapur, Belgaum, Dharwar and Toomarcop.

Also the Malwa chaplaincies and Aurangabad were separated from the Vicariate and given over to Agra.

To this list we append a few details of those items which have not hitherto found a place, lest they should interrupt unduly the sequence of the general history.

#### ROSARY CHURCH.

Rosary Church, Mazagon, after its somewhat romantic foundation in 1794, had a quiet and uneventful history, and hardly figured at all in the disturbances of the "Dark Ages." In Hartmann's time only one crooked element presents itself, and this is recorded as follows in the *Life of Hartmann* (p. 15):—

"As early as 1845 a committee had been constituted in this parish, which in imitation of the Crown of Portugal, had decreed that no communication from Rome of the Vicar-Apostolic could be published without its *placet*. Now his Lordship had forwarded to Padre Oliveira, to be read in the people, a circular announcing the Jubilee of this year (1850). In this circular the duty of obedience to the Holy See was strongly inculcated. [Fr. Oliveira], obedient to this committee, refused to comply with the order of the Bishop, and informed him simply that the committee had refused its *placet* to the publication of his circular. One evening Fr. Oliveira, under pretence of urgent business, repaired to the house with the Vicar Apostolic, and obtaining immediate audience, heaped upon him the most abusive terms and reproaches." What was the upshot we do not know. But at any rate we read of no trouble given outwardly by Rosary Church in the jurisdiction turmoil which followed. Slight hints appear now and then to suggest that Fr. Oliveira mixed himself up a little in the "conspiracies" of Jose De Mello and Braz Fernandes ; and some of the parishioners poked a little into the quarrels at Salvaçao and St. Michael's ; but that is all.

## UMERKHADY CHAPEL.

Besides substituting the church of Our Lady of Victories, Mahim, for St. Michael's and the chapel of St. Francis, Dadar, for Salvaçao, Dr. Hartmann founded a new chapel at Umerkhady, filial to Esperança, to meet the needs of a district nearly two miles' distant from their parish church. Dr. Hartmann, naturally on his guard against the bad tradition of the laity with regard to church management, made the congregation (on June 21st, 1852) sign a declaration that the chapel should be filial to Esperança, and the chaplain subject to the Vicar of Esperança, etc., as well as certain rules for the support of the priest, etc. The chapel (dedicated to S. Joseph) was built in 1853 on ground owned by Anne Maria de Gama e Silva, given for that purpose, and it was dedicated and blessed by Fre Michael Antony. The original congregation, numbering about 500, consisted of a colony of Catholic fishermen and agriculturists who had migrated from Uran across the harbour.

## VICTORIAS CHURCH.

As soon as St. Michael's, Mahim, definitely passed over to Padroado there arose a necessity of providing a new place of worship for the parishioners, over 1,000 in number, who separated therefrom and adhered to the Vicar-Apostolic. In spite of the opposition of those of the Padroado party who tried to boycott him Dr. Hartmann succeeded in purchasing the "oart Gowlet" for Rs. 6,001 (Oct. 16, 1854) and a circular which he had issued to the gentry of the presidency on June 29th soon brought contributions in. He laid the foundation of a church of Our Lady of Victories on December 10th, 1854 and the church was dedicated and blessed on December 9th, 1855—Mass being said in a private house while it was abuilding. In 1855, burials in the church compound were objected to, and Government granted a burial ground at Dharavy. But this being inconveniently far away, Government sanction for a graveyard at Victorias Church was afterwards given. In 1860 a report shows that there were 1,200 parishioners attached to the church, having as parish-priest Fr. Pascoal D'Mello, who had been one of the assistants at St. Michael's. There was also a Portuguese school attended by 30 children.

## ST. FRANCIS' CHAPEL, DADAR.

Finding that Salvaçao church, in spite of the orders of Government, remained permanently in the hands of Padroado, the great bulk of the parishioners, having no other Church in the neighbourhood to attend, settled down under the Goa regime. A remnant, numbering about 300, separated off and retained their allegiance to Propaganda, and must have attended St. Michael's, Mahim. These however in 1851 sent in a complaint of the long distance it was to the burial ground of St. Michael's, and asked for a new cemetery for their dead. A plan was formed for using a portion of the Bishop's Villa ground at Parel for this purpose, but objections were raised and the scheme was dropped. In 1854, when St. Michael's, Upper Mahim, also passed over to Padroado, it became

necessary to build a new chapel at Lower Mahim. A plot (called old Ranwar), bought by the Vicar-Apostolic in 1835, was fixed upon for this purpose—to which an adjoining plot (new Ranwar) was added by purchase in 1855. Here a small but poor chapel under the dedication of St. Francis was erected, and was opened for service on July 24th, 1855. As soon as Victorias parish was established St. Francis Chapel was made filial thereto, and was visited for Sunday Mass by the assistant priest of that church.

#### TRANSFERS IN SALSETTE.

Just at the time when the Vicar-Apostolic was losing two parishes in Bombay he was gaining three parishes in Salsette, and a fourth shortly after. The only difference was this. The two parishes lost were large city parishes of about 3,000 souls each, possessing old and rich churches; while the parishes gained were small mofussil groups of poor people (1800 + 314 + 200) who had no churches, and the Vicar-Apostolic had to go to the expense of building them in each case. The Salsette parishes added to the Vicariate between 1852 and 1856 were Bandra, Juvem, Maney and Culvem, and we give here a short note on each, leaving details over to the particular history.

#### BANDRA.

We have already seen the abortive movements made by the fishermen of St. Andrew's to come over to the Vicar-Apostolic from 1810 to 1849. At last in 1852 under Dr. Hartmann the act was finally achieved. In November 1851 a petition was signed by 1,900 fishermen asking to be received under his jurisdiction. Application was made to the Collector of Thana to build a chapel, which was granted. A number of plots were bought by Dr. Hartmann and combined into one. A large square building, with a church on the ground floor and living accommodation above, was designed and put into execution at the cost of the Vicar-Apostolic, who took a loan of Rs. 4,000 and levied a tax on his clergy in order to raise the money. The foundation-stone was laid on April 12th, 1852. A deal of obstruction was offered by the mamletdar Manuel de Souza (a parishioner of St. Andrew's) under cover of technicalities such as leave for cutting down trees, digging stones, or paying of taxes, etc., so that the Collector had to be appealed to for orders to allow the building to proceed. These difficulties being thus overcome, the church was blessed and opened for service on September 12th, 1853, and so St. Peter's parish was established. In 1855 the upper floor was used for a seminary under Fr. Antonio Pereira, S.J., and after 1860 for the native boys orphanage and school. [In the concordat settlement St. Peter's was confirmed to the Archdiocese of Bombay as an exempted church and parish in the territory of Damaun].

#### JUVEM.

On October 7th, 1853, some inhabitants of Juvem in Salsette, influenced by the statement in the *Probe Nostis* that the Goan priests who do not obey the Vicar-Apostolic have no jurisdiction, sent in a petition with



314 names asking to be accepted under the Propaganda jurisdiction and to be supplied with a clergyman. Dr. Hartmann at once left St. Michael's Church to pay them a visit, and after obtaining the permission of the Collector of Thana, erected a temporary chapel on a plot provided by one of the parishioners. Some efforts were made by the Vicar-General of the North to retain hold on the people, but in vain. When the chapel was completed Dr. Hartmann came and said Mass in it, and Fr. Jaques, S.J., was appointed to be their parish-priest. [Juvem remained under the Vicar-Apostolic, and in the concordat settlement of 1886 was retained as an exempted church and parish of the Archdiocese of Bombay in the territory of Damaun].

#### MANEY.

It will be remembered that a portion of the parishioners of Maney (in Trombay) started a movement to join the Propaganda jurisdiction as far back as 1840, and renewed it in 1848 but without result. In 1853, moved by the *Probe Nostis*, they made another attempt. Informed of this, Dr. Hartmann came to the spot (Nov. 10th, 1853) and found that his adherents had broken open the church to enable him to say Mass. The Padroado priest however was in possession, and on appeal to the Collector received such support from him that the seceders had to erect a temporary shed of their own. Several scenes of violence occurred. But the matter was taken to court; the right of the Padroado priest to retain the church was upheld, and a contrary appeal was dismissed. This point being settled in 1858 (after Hartmann's time) a plot of land was bought by Dr. Canoz in 1859, and a new church built for the Propagandist section. [The two churches still stand near each other in the same village; but for many years past the Propaganda congregation has been taken care of by the priest of Padroado, by delegation from the Archbishop of Bombay].

#### CULVEM-GORAI.

A fourth parish in Salsette was added to the list of the Vicar-Apostolic in 1856, under the name of Culvem (Kolvai) close to Gorai on the north-west coast of the island. The history however is very obscure. According to an account published by the Abelha a certain layman named Gonsalves (a parishioner of Esperança) went in 1856 to the neighbouring parish of Dongry to get up a movement in favour of Propaganda, but without success, being opposed by the priests of Dongry and Utan. He then with a few followers passed on to Gorai, where there was a Padroado church. A Padroado priest named Mascarenhas here seems to have headed the movement, and offered to submit to the Vicar-Apostolic (or rather to Fr. Angelo the Administrator, since Dr. Hartmann had gone to Europe). Fr. Angelo accepted him and gave him faculties on December 5th, 1856, and constituted him "Vicar of the Congregation of Dongry and Gorai." A temporary chapel was built, and Fr. Antonio Pereira, S.J., came on December 28th, 1856, to bless the foundation-stone. Fr. Mascarenhas himself gave the ground, and the Administrator paid Rs. 1,750 for the

building. Fr. Mascarenhas was parish-priest till on July 8th, 1864, he was shot in his bathroom by a parishioner, in revenge it is said for some exacting conduct in money matters (?) As he died intestate there was litigation over his property which was only settled in 1870, when the rights of the Church to the ecclesiastical property were recognised. Thus were established two jurisdictions; that of the old church of Gorai (Padroado) and that of the new church of Culvem close by (Propaganda); but as the two congregations were quite distinct they lived peaceably together. [In the Concordat of 1886 Culvem was confirmed to the Archdiocese of Bombay as an exempted church and parish in Damaun territory].

#### OUTLYING PLACES.

In the remote country places of the Vicariate there were a few small conflicts about jurisdiction which call for a passing mention. Thus at Sholapur a Goan priest who was posted as Military Chaplain, and supposed to be in obedience to the Vicar-Apostolic but really attached to Goa, got into trouble and had to be brought to order. Dr. Hartmann made him sign a declaration of obedience to himself as a condition for retaining his post and securing his salary (1850); but when he fell into further trouble and lost credit with the Vicar-Apostolic, he openly declared for Padroado, (1851) kept possession of the church and gathered round him a body of adherents. Thereupon Dr. Hartmann left him alone and started a new church for the soldiers and the rest of the congregation (1852). In this way double jurisdiction was introduced into Sholapur which lasted till after 1886.

In *Belgaum* similarly, where hitherto the whole population had been attending the Military Chaplain's church under Propaganda, the Goan section separated off and in 1852 built a church of their own; so that here also there subsisted double jurisdiction down to 1886.

In *Dharwar*, a similar movement toward Padroado was set afoot, with similar success and the same result. (1856).

The same thing happened in *Toomuricop*, where in 1857 a Padroado party claimed possession of the church, and secured it by aid of the Magistrate, in spite of the protests of the Vicar-Apostolic. A new chapel was soon after built for the Propaganda party. This movement towards Padroado (1850-1857) in the Deccan coincided with the movement towards Propaganda in Salsette, and served as a set-off. It was due to the activity of one Fr. Perozy, Vicar Vara of Savantwady, who made a tour round the "Vicariate of the Ghauts" for the purpose at that time.

In the other parts of the Vicariate there was no jurisdiction trouble. Churches were being built at Baroda (1851), Hyderabad (1852), Karachi (1853), Mhow (1855), Ahmednagar (1851), Belgaum (1851); and a new Military Chaplaincy was started at Kaladgi (1858).

#### MALVA CHAPLAINCIES.

These chaplaincies at Mhow, Neemuch and Nasserabad in Rajputana, originated from the Rajputana or Central India Military operations. Being

outside the Bombay presidency, this territory more properly belonged to the Hindustan Mission (Vicariate of Agra). But on account of Military organisation it fell for the time under Bombay. As there were 138 Catholics at Mhow in 1855 a chaplaincy was applied for, and after a first refusal a secular priest, Fr. Birch from Madras, was lent to Bombay for the purpose, and a church was started there the same year. Afterwards chaplaincies at Nasserabad and Neemuch were added. The Vicar-Apostolic negotiated with Agra to fill these posts with Capuchins. When the Vicariate was divided into two in 1854, "Aurangabad, Kandeish and Malva" were assigned to the Northern or Bombay Vicariate. But four years later, when the whole mission was entrusted to the Jesuits, these parts outside the presidency were separated off (by a decree of Propaganda of August 13, 1858). Thus Mhow, Neemuch and Nasserabad passed over to Agra, and Aurangabad to Vizagapatam (afterwards Nagpur). And so the Malva chaplaincies pop into our history and out again almost at once.

#### THE SEMINARY.

The seminary had been set on a residential footing in about 1823, somewhere in the back premises of the Fort Chapel. In Fortini's time it had been transferred to the Bishop's Villa, Parel (now Parel Convent), a property bought in 1845. [The transfer was probably occasioned by the rebuilding of the Fort premises which began in 1846, when the Bishop himself had also to clear out and take up his residence at Salvação]. From 1848-1850 Mgr. Menezes, a Redemptorist, who came out with Dr. Whelan, was in charge, and from 1850-1855 the Carmelite Fr. Maurice. In 1852 (Oct. 6th) there was a revolt in the Seminary. Six of the students formed a "cabal" and jointly signed a Memorial to Dr. Hartmann [File XV. 328], and in consequence were expelled, thus reducing the number of seminarians to five. The names of the expelled were:—Andre M. Gonsalves, Domingos F. Pereira, Jeronymo Hilo Dias, João F. Rodrigues, Luis Antony Pereira and Dyos M. de Sza (?). The natural consequence was that they transferred their allegiance to the Goa party; and on the arrival of Bishop Mata presented themselves to him for Holy Orders, which I think all received. Luis Anthony Pereira in particular was then made a priest—about whom the alleged "reordination" affair occurred, as already seen. During or after the Mata visit Dr. Hartmann removed the seminarians bodily to Surat for two years (1853-55) so as to segregate them from Padroado influence. After that the upper storey of St. Peter's Church, Bandra, was used for a seminary, and Fr. Anthony Pereira, S.J., became their Superior (1855-1860), till replaced by Fr. Meurin in that year.

Both the secular clergy and the laity were constantly pecking at the seminary. In 1848 a group of Salvação petitioners insinuated to Government that the monthly allowance was not being properly used, and Government (always too liable to be credulous in such matters) suspended the payment pending inquiry. The enquiry proved satisfactory and the allowance was resumed. In 1850 the secular clergy got up a worse com-

plaint; not only was the Government allowance misapplied, but also the interest of the Begum fund (a capital trust of the Begum Sombre of Sardanha distributed to the three presidencies); the number of students was greatly reduced, and (so it was alleged) the studies were purposely pitched at a low standard in order to keep the secular clergy down and justify the policy of not promoting them to responsible posts. Government this time made careful inquiries. Exact accounts were rendered (including the sustenance of some students in Dublin which Dr. Whelan had destined for Bombay) and were found satisfactory. Further details are relegated to the "particular" history.

#### THE CATHOLIC PRESS.

The early history of the Catholic press in Bombay can only be gathered by casual references to such papers as happened to be mentioned. The first start seems to have been on the Padroado side. Between 1830 and 1848 we find mentioned some more or less political papers such as the *O Investigador Português em Bombaim*; *Progreiro da Liberdade*; *Mensagaro Bombayense*. But in 1849 the only Portuguese paper we hear of was the *Abelha de Bombaim*, which displayed great animus against the Vicar-Apostolic and Propaganda. Among secular papers of the time are mentioned the *Bombay Standard*, *Times*, *Gazette*, *The Telegraph* and *Courier* and *The Gentleman's Gazette*.

Of English Catholic papers the first was the *Bombay Catholic Layman* started July 1849 which ran a vigorous campaign against Dr. Whelan and "all his works and pomps"—and in turn, against every one else it had the least chance to criticise or quarrel with.

Dr. Hartmann in July 1850 encouraged the starting of the *Bombay Catholic Standard*, under the editorship of a lay-convert, named Briggs, who however soon took independent lines and began to write against the Carmelites.

Just at the same time (July 1850) an independent paper of moderate and peace-promoting views was also started by a layman called Borges under the title of the *Examiner*.

In September 1850 Dr. Hartmann withdrew his patronage from the *B. C. Standard*, and with the consent of the lay-editor of the *Examiner* took that paper over as the ecclesiastical organ of the Vicariate under his own exclusive management. It assumed the larger title of the *Bombay Catholic Examiner* which was kept up till 1908, when it was again shortened into the *Examiner*, now in its 77th volume.

By the end of Hartmann's time it seems as if the *B. C. Standard* and *B. C. Layman* had disappeared, and also the *Abelha*. But a new paper called *O Patriota* in English and Portuguese was started in 1858—and was still in existence in 1871 when it began a new series. Among secular papers at the same date appear the *Weekly Post* and *Standard* (=The *Bombay Times* ?)

### CHAPTER III.

#### THE JESUITS TAKE OVER (1858—1861).

THE decree of 1858, confiding the whole of the Bombay-Poona Mission to the Jesuit Order, ran as follows:—

“The Minister General of the Order of Minors (Capuchins) has explained to the Sacred Congregation how, on account of the needs of other missions and the scarcity of men, and especially on account of the damage which has been done to the missions of Agra and Patna by the recent civil disturbances (the Mutiny of 1857) it is hardly possible to bear the burden of the Bombay Mission lately placed upon them, and has earnestly offered to resign the same; suggesting that the Jesuit Fathers, who have been already working in the Bombay Mission, could easily take charge of both districts. In view of this representation the Sacred Congregation, after discussing the matter with the General of the Society of Jesus, has thought well to ask His Holiness to accede to the request of the Capuchins, and to give both portions over to the Jesuits, retaining however the division already made between the northern and southern vicariates. Having thus exposed the matter, his Holiness has ratified and confirmed the proposal and ordered a decree to be published accordingly.”

Rome, August 13th, 1858.

#### THE COMING OF THE FATHERS.

The few Jesuits who are found in the Bombay and Poona Vicariate previous to 1854 were not Germans but Irish, French, Italians and Dutch. In the catalogues of the German province the first entry occurs thus under the year 1855:—“*In via ad Missionem Bombayensem in Indiis Orientalibus, P. Joannes Baptista Esseiva, Superior; P. Franciscus Serasset; P. Ludovicus Gard; et Joannes Wendt, Coadjutor.*” In 1856, the German catalogue of the Indian Mission includes ten Fathers, among them being Father Walter Steins and Father Strickland.

In 1857 the lay-brother has disappeared, but the Fathers now number twelve. In 1858 the Fathers still number 12 with one scholastic added. Fathers Steins and Strickland are military chaplains in Bombay; three others are professors in the Seminary at Bandra; one is parish-priest in Juvem; two reside in Colaba, where the scholastic also lives, although he is put down as “*Ludimagister in Mazagon*” or in other words, prefect of the boys in the new school there. One is military chaplain in Poona, another in Ahmednagar and two more in Belgaum.

In 1859 the number of Fathers has risen to seventeen, of whom four are marked as waiting for appointments. Father Meurin is learning English and Marathi at Poona. In 1860 (representing the year 1859) the whole mission is in the hands of the Jesuit Fathers. Mgr. Alexis Canoz, Vicar-Apostolic of Madura, heads the list as Administrator of Bombay and Poona. Father Steins is Superior of the Mission and Secretary to the Vicar-Apostolic. Next comes Father Cooke, Editor

of THE EXAMINER, an office which he retained till 1882. These three, with another Father and two lay-brothers, are living at the Fort Chapel. Two live at N. S. de Esperança. Father Esseiva is head of the orphanage and school in Mazagon, helped by one other Father and three lay-brothers. In Salsette three Jesuit professors teach at Bandra in the Seminary, and Father Meurin is parish-priest of Candolim. One works at Surat, three at Karachi and Hyderabad, Sind. The rest (out of a total of 24 Fathers) occupy the military chaplaincies of Ahmednagar, Belgaum, Dharwar, Kirkee and Poona. Father Strickland is in Europe on account of ill-health.

#### MGR. CANOZ ADMINISTRATOR.

Mgr. Alexis Canoz was appointed Administrator-Apostolic of both the Vicariates on August 14th, 1858 and administered from Dec. 23, 1858 to May 3rd, 1861. His life has been written in French [Monseigneur Alexis Canoz, S.J., Paris 1891]; but his temporary connection with Bombay was not very eventful, and the book does not throw much light on the situation. Born in France in 1805, he entered the Jesuit Order in 1824, was sent to the Madura Mission in 1839, became first Vicar-Apostolic of Trichinopoly in 1847, was sent to Bombay as Administrator in 1858—obviously so as to give the German Fathers the benefit of his experience, since most of them were new to the country. A few months after the appointment of Father Walter Steins, S.J., Vicar-Apostolic of Bombay, (Dec. 18th, 1860) he returned to Madura on May 3rd, 1861 where he died in December 1888, in the 84th year of his age.

The *Bombay Catholic Examiner* has very little information to give concerning his administration. It publishes his first pastoral on January 27th, 1859, and others subsequently; mentions his pastoral visit to Poona the following month, to Culvem in Salsette shortly after, and visitations to other places including Sind; announces the appointment of Father Steins, and finally the departure of Mgr. Canoz—nothing more. Obviously little of a stirring nature could occur when the whole aim of the moment was to get a group of new Fathers into touch with their work.

It only remains therefore to give an idea of the actual status of the Bombay-Poona Mission as it existed at the point when the Jesuit Fathers had settled down. This is easiest done by reproducing the annual account as published in the Madras Directory of 1860. It represents the condition of things in the previous year 1859, when the Carmelites and Capuchins had all left and their places were filled by Jesuits or secular priests. A few explanatory notes are added in brackets.

#### VICARIATES APOSTOLIC OF BOMBAY AND POONA.

Catholic population, 17,100 including 5,200 Europeans. Schismatic population 30,000.

In the Seminary at Bandra there are 24 ecclesiastical students.

There is at Bombay a Convent of Nuns of the Order of Jesus and Mary with a day-school for young ladies at the Fort Chapel with sixty children; a Boarding School at Mazagon attended by 35 young ladies;

a Female Orphanage with 43 orphans; an Infant School at Mazagon with 15 children.

There is also at Mazagon a Boys' Free School attended by 270 children including 55 orphans, 25 from the European Orphanage at Mazagon and 30 from the Native Orphanage at Byculla.

STATIONS.	NAMES OF CLERGY.
<b>BOMBAY.</b>	
<b>FORT GEORGE.</b> —The Chapel of Our Lady of Mount Carmel. —Catholic population about 350 of whom 150 are Europeans.	The Very Rev. W. Steins, S. J., Vicar-General and Secretary to the Bishop. The Rev. C. Cooke, S.J., The Very Rev. Mons. Franc Menezes.
<b>CATHEDRAL CHURCH OF OUR LADY OF HOPE.</b> From Fort George 2 miles N. Sub-station Oomerkaree.* —Catholic population 2,000.	
[* Oomerkaree chapel was built in 1853].	The Rev. A. Delogu, S. J., Vicar, The Rev. H. Peterson, S.J., Rev. A. Rodrigues, S.P., The Rev. Sebastian Duarte, S.P.
<b>GIRGAUM.</b> —Affiliated chapel of St. Teresa. —Catholic population 100.	The Rev. Jer. Pereira, S. P.
<b>UPPER COLABA.</b> —From Fort George 2 miles S. Military Chapel built by Government. —Catholic population about 500 of whom 440 are Europeans.	
<b>MAZAGON.</b> —From Fort George 4 miles N. E. The Church of Our Lady of the Rosary, built by the Christian fishermen. —Catholic population.	The Rev. B. Hafely, S. J., Military Chaplain.
<b>BYCULLA.</b> —Affiliated Chapel of St. Anne.	
<b>LOWER MAHIM.</b> —Catholic population 200.† [† Chapel of St. Francis, built in 1856 to take place of Salvacao which was lost in 1851.]	The Rev. Gabriel Oliveira, S. P., Vicar. The Rev. J. Essciva, S. J., Superior of the College, The Rev. G. Brunner, S.J., Chaplain of the Prison and Native Hospital. The Rev. A. Almeida, S. P.
<b>UPPER MAHIM.</b> —Church of our Lady of Victory.‡ From Fort George 7 miles N. —Catholic population 970. [‡ Built in 1855 to take place of St. Michael's, which was lost to the Padroado in 1854].	
<b>SALSETTE.</b>	The Rev. M. de Werra, S. J.
<b>BANDORA.</b> —The Church of St. Peter,* capable of accommodating about 1,000. —Catholic population 1,000.	The Rev. L. Pereira, S. P.
[* Built in 1852. The upper storey was used as the Seminary.]	
<b>JUVEM.</b> —Church of St. Joseph. —Catholic population 314 who renounced the schism in 1853.	The Rev. A. Pereira, S.J., Rector of the College and professor. The Rev. Stanislaus Thomas, S. J., The Rev. J. B. Kanzleiter, S.J.
<b>MANE.</b> —A temporary chapel. —Catholic population 209, who renounced the schism in 1853.	
<b>CULVEM.</b> —A temporary chapel. —Catholic population about 300 who renounced the schism in 1855.	The Rev. Miguel Penha, S. P. The Rev. A. De Monte.
<b>KANDOL.*</b> —Catholic population.	
[* = Candolim which came over to the Vicar-Apostolic in 1856.]	The Rev. M. B. Mascarenhas, S. P. Vicar.
	The Rev. L. Meurin, S. J.

## DECCAN.

POONA.—Head Quarters of the Poona division of the Army. Church of St. Patrick erected by public subscription.	}	The Rev. G. Bridges, S.J.
—Catholic population about 1,000.		The Rev. C. Rumele, S. J.
A chapel in the City of Poona for natives.	}	The Rev. J. Leithao, S. P.
—Catholic population 430.		
KIRKEE.—(near Poona.)	}	The Rev. E. Iten, S. J.
—Catholic population including 95 Europeans, 146.		
AHMEDNUGGER.—There are 2 beautiful churches; one for Europeans, and the other for natives.	}	The Rev. L. Gard, S. J.
—Catholic population, including 200 Europeans, 500.		
BELGAUM.—	}	The Rev. H. Charmillot, S. J.
—Catholic population : 850 Europeans and 772 natives. The Church is beautiful.		The Rev. F. Serasset, S. J.
DHARWAR.—(Church built by T. C. Loughan, Esq.)	}	The Rev. B. A. Pais, S. P.
—Catholic population 276.		
KOLAPOOR.—	}	The Rev. J. B. De Souza.
—Catholic population : 143 Natives.		
KULLADGHEE.—	}	The Rev. H. Dias, S.P.
—Catholic population.		
[A new Military Camp opened in 1857 but soon closed].		
SHOLAPOOR.—	}	The Rev. A. Aguiar, S.P.
—Catholic population : 93 Europeans and 83 Natives.		

## SIND.

KURRACHEE.—Church built by subscriptions of the European Catholic Soldiers.	}	The Rev. J. Willy, S.J., Military Chaplain.
—Catholic population: 2,900 including 1,425 Europeans.		
HYDERABAD.—(Scinde)	}	The Rev. G. Miller, S. J.
—Catholic population 880 including 400 Europeans.		

## GUZERAT AND VICINITY.

SURAT.—	}	The Rev. A. Jaques, S.J.
—Catholic population about 120.		
BARODA.—	}	Attended from Surat.
—Catholic population about 100.		
AHMEDABAD.—	}	The Rev. Peter Oliveira, S. P.
—Catholic population 545 of whom 320 are Europeans.		
DEESA.—	}	The Rev. M. S. Menezes, S. P, Military Chaplain.
—Catholic population 545 of whom 320 are Europeans.		
BROOJ.—Church built in 1830 by P. A. Kelly, Esq.	}	The Rev. Nicholas Oliveira, S. P.
Sub-Station Rajkot. Catholic population 250, of whom 80 are Europeans.		
MALIGAUM AND DHOLIA.	}	The Rev. Domingo Gonsalves, S. P.
—Catholic population 128.		

## ALLEGED FOUNDER OF THE JESUIT MISSION.

In connection with the transfer of the Mission to the Jesuits, we may here mention a canard of a harmless character, which however illustrates the way in which legends can grow out of very small begin-



nings. The story came to my notice through a letter of inquiry published in a Bombay newspaper in 1915—which ran as follows:—

“I am told by some people that the late Fr. Pereira, S.J., a brother of the late Fr. Nazario Pereira, a Vicar-General of Goa, was the founder of the Bombay Jesuit Mission. Fr. Pereira was in Rome where he entered the Society of Jesus; and when the Bombay Mission was ordered to be handed over to the Jesuit Fathers, Fr. Pereira, a holy and learned Goan Jesuit, was despatched to Bombay to take over the mission; and Bishop Meurin, a mere ordinary but clever and energetic priest in those days, was brought by Fr. Pereira as his Secretary to help him in his old age. Fr. Pereira also refused the episcopal throne. Is this history true or false?”

*Comment.*

Father Antonio Pereira was an excellent priest among other excellent priests, but we never found anything calculated to give him the honour of having in any sense founded the Bombay Mission, or even of having “taken it over.” Nor did we find Father Meurin acting as his secretary, nor any trace of Father Pereira having been offered the episcopal throne.

The sources at hand are (1) the so-called *Green Catalogue*; (2) The Catalogues of the German Province; (3) *The Madras Directory*; and perhaps most valuable (4) a long obituary notice after his death, in the *Bombay Catholic Examiner* of February 26th, 1876. From these we can put together a fairly complete chronicle of his career.

Father Antonio Pereira was born on December 8th, 1817 of a distinguished family in Goa, many members of which held important ecclesiastical posts. He himself studied theology and philosophy early, but was not ordained at Goa. In 1841, at the age of twenty-four, he left India, visited Lisbon, and then went to Rome, where he was admitted into the Society of Jesus either in 1841 or 1842. After his noviceship, and further studies in theology in the Roman College, he was ordained priest in 1844. He came to India in 1846 being attached to the Madura Mission. He worked in the Negapatam district for two years, and then became master of novices at Trichinopoly. Later on, on account of health, he went to Goa and then to Belgaum. In 1853 Bishop Hartmann, who was on the look-out for Jesuits, secured Father Pereira's services from Bishop Canoz. The *Life of Canoz* says that “he was charged to treat with Dr. Hartmann on the grave question of the transfer to the Society”—but this could have been only in the way of “talking things over,” as he nowhere figures in the negotiations. Coming to Bombay he was Vicar at Mahim for two years, and then Superior of the Episcopal Seminary at St. Peter's, Bandra. After five years he was succeeded in that post by Father Meurin, while he himself became Assistant Military Chaplain at Belgaum. In 1864 Father Pereira became Vicar of the Rosary Church, Mazagon, in which office he remained till his death on February 23rd, 1876.

Hence we find no substance in the statement that Father Pereira,

was “despatched to Bombay to take over the mission.” The history bearing on this point is as follows:—

As far back as 1848 there were two Jesuits in Bombay, serving under Bishop Whelan; and Bishop Hartmann, bent on getting together as many Jesuits as he could, borrowed Father Pereira from the Madura Mission, in addition to the others he had already secured. In 1858, when the Capuchins resigned the whole of the vicariate to the Jesuits, there were about eighteen Jesuit Fathers in the mission altogether; and Father Pereira was merely one of them. On the resignation of Bishop Hartmann in the same year, the double vicariate was administered by Bishop Canoz of Madura; and he it was that “took the Mission over.”

Secondly, it is clear that Father Meurin was never “secretary to Father Pereira.” Fr. Meurin came from Germany in 1858; and on comparing the biography of Father Pereira with that of Father Meurin, they were never living together in the same place, and were for the most part widely separated from each other. There is no sign that Fr. Pereira ever had a secretary at all.

Thirdly, we have come across no sign that Father Pereira was ever offered the episcopal throne. The succession of prelates runs throughout on obvious lines of appointment. First, an administrator was borrowed from Madura, whence several of the earlier Fathers were drawn; while afterwards Steins and Meurin were selected from among the Fathers who had been sent out from Europe. Every one will recognise the extreme unlikelihood of Rome conceiving the idea, at that time, of placing a mission run by German and English Jesuits under the charge of a Vicar-Apostolic belonging to a totally different race.

[END OF VOLUME I.]



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