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The Jesuits and the Popish Plot

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THE JESUITS AND THE POPISH PLOT

BY

ROBERT J. MURPHY, S.J.

A THESIS SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE
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Robert Joseph Murphy was born in Chicago, Illinois, April 15, 1923. He received his elementary education at St. Mel School, Chicago, Ill., graduating in June, 1937. He attended St. Mel High School for one year and St. Ignatius High School, Chicago, Ill., graduating in June, 1941. In August, 1941, he entered the Jesuit Novitiate of the Sacred Heart, Milford, Ohio, remaining there until August 1945. That same month he entered West Baden College, West Baden Springs, Indiana, and transferred his studies in the Department of History to Loyola University, Chicago, Ill. He received his Bachelor of Arts degree in June, 1946, and began his graduate studies at Loyola in September 1946.
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CHAPTER I

INTRODUCTION AND BACKGROUND

The present thesis finds its origin in this challenge of Sir Roger L'Strange:

But I would as soon undertake to raise a perfect man again out of the dust of Cataline, as to extract a true history out of the rubbish of Oates' shams, perjuries, and enformations. Such a history, I mean as a sober man would not be ashamed to own. So that there's no thought or possibility of drawing order out of that confusion. 1

In the pages that follow an attempt will be made to draw order out of the confusion that has been caused by Titus Oates' statements, by the unfair measures of the Seventeenth Century English Courts, and by Protestant historians. Some modern historians still believe that there was a certain amount of truth in Oates' strange narrative about the Jesuit designs even though they admit that Oates and his companions were liars of the first order. 2

The Popish Plot is too vast a subject to be handled adequately in this treatment. Several phases of it, such as,
the death of Godfrey, the politics behind the plot, the persecution of the Catholics, the dissention in the ranks of the Catholics, the trails, and the psychological problems of how the English people could believe the outrageous lies of Oates, offer excellent topics for essays and theses. Since the subject must be limited, a topic was chosen that would be of interest to a Jesuit, one that would afford him an opportunity to refute a few of the misconceptions which have been handed down by English Protestant historians regarding the Jesuits and their part in the plot. As Father Peter Guilday has said, we can not allow men like Macaulay, Hume, Hallam, Taunton, Pollock and others who have innate prejudices against the Society, to have the last word in this affair. The English Jesuit has been portrayed as a plotter and traitor per excellance who was thoroughly imbued with Spanish ideas and desirous of the predominance of Spain over his own country. There are many unsolved questions in the history Province of the Society of Jesus, and a final judgement of them can not be passed until the Society has given us its story from its own standpoint and under its own official seal.

4 Ibid., 161-162.
The Society has been attacked and vilified by Catholics and Protestants alike, and when such attacks are made against the Church itself, the Society's enemies should be answered. When one reads such passages as the following, he finds it hard to sympathize with the ignorance of some historians;

No one in the least acquainted with the history of the Jesuits and with the writings of their apologists can believe that their method of procedure was by conversion of individuals alone. The Society has always been in its essence political, ....The Jesuits held the wires of politics in their hands and directed the policy.5

Or again Malcolm V. Hay points out these scattered comments on the Jesuit found in Lord Thomas Babington Macaulay's History of England:

1) They glide from one country to another.
2) They are unscrupulous in their choice of means.
3) They are regardless of truth.
4) They systematically debase the standard of evangelical morality for the purpose of increasing their influence.
5) They gave licence to deceit sufficient to destroy the whole value of human contracts and human testimony.6

This is the popular English view concerning the members of the Society of Jesus. Many historians of lesser note that Lord Macaulay teach that the Jesuits are liars by profession,

5 Pollock, 53-55.
intrigues who by virtue of their office specialize in spreading calumnies against honest Englishmen. Misrepresentation has pursued the Jesuits throughout all English literature, even into the dictionary. The difficulty is that these authors have no first-hand knowledge of this Society, very little acquaintance with its history, and are contented to sit back and without question accept the popular tradition that Jesuits are villains, imposters, liars and intriguers. The Jesuit-myth has again been popularized here in America as late as June 1948. In an article on "The Protestant Revolution" in Life magazine we find the traditional stage Jesuit portrayed.

The purpose of his (St. Ignatius Loyola) mission was to strengthen the Church by penetrating European society, influencing the men of all ranks who controlled it, directing education, gaining control of the confessional and preaching the faith in ways which appeal to the imagination and weakness of the world... He emphasized social arts which would ingratiate the Jesuits with people of influence... A cheerful and intelligent worldliness was the Jesuits' public face... He spied and was constantly spied on so that an enormous mass of internal intelligence reports constantly cluttered the desk of the General who was himself subject to the surveillance of five spies of the order officially appointed for that purpose... Kings, ruling groups, strategically

7 Ibid., 168.
8 Ibid., 201.
placed persons, and even whole governments (like that of Portugal) were in their hands... Their success power and insistence on the principle that the end justifies the means made them dreaded even by Catholics. 9

This article is not in the same class as the histories mentioned above, but the scholars set the tradition and each successive generation has added its own contribution to the massive output of prejudiced and abusive books and articles. Life has been quoted that this infamous tradition is not yet dead.

So in order to refute this popular tradition about the Society and especially about the Blessed English Jesuit Martyrs who were victimized by Titus Oates, and in order to draw order out of confusion, an investigation will be made into the charges brought against the Jesuits in 1678 by Titus Oates. The plan will be to examen the witness for the prosecution, his background and his charges next to examine the principal charge against the Society, the Jesuit consult, and see what actually did happen at this meeting and, finally, one must examen the defendants, their trails, oaths and deaths.

However, before these investigations are made, the scene must be set by giving the background of the reign of Charles II,

9 "The Protestant Revolution", Life, June 14, 1948, 93.
and the status of the Jesuits and Catholics in England at this time. When upon the restoration of the Stuart dynasty in 1660, Charles II issued the Declaration of Breda promising toleration in religious matters. The Declaration of Indulgence soon followed, so Catholics hoped that the restored sovereign would continue his policy of full religious liberty. However settlement of the religious question was postponed until the Cavalier Parliament passed the Clarendon Code, which was a triumph for Anglicanism. Hyde, later Lord Charedon was the King's chief adviser during this period. Two catastrophes hit London in 1665 and 1666 which affected religious toleration, the social life and politics for the next twenty years. The first was the Plague which raged in London from June to December 1665, and the other was the Great Fire of London in September 1666. The common people regarded the Plague and the Fire as manifestations of God's anger against their governors, but none the less considered them to be the work of the Papists. Historians are now agreed that the Fire broke out accidentally.

12 Ibid., 361.
Soon after the Fire, Clarendon fell from power. Since he had represented the King against the Parliament in fiscal matters and Parliament against the King in religious matters he incurred the hostility of both. After his banishment the King depended for advice upon the famous "Cabal". The men who composed the Cabal were Clifford, a staunch Catholic; Ashley, later Earl of Shaftesbury, bitter enemy of religious toleration for Catholics and leader of the Whigs who tried to exclude King James II from the throne; Buckingham, patron of the Independents; Arlington, inclined toward Catholicism; Lauderdale, a Scott who had no principles. Not one of them was an Anglican, and the King's beliefs during this period are an enigma which probably will never be solved. His sympathies seemed to be Catholic, but he never allowed his inclination toward the true faith to interfere with his political career until his deathbed conversion.

Charles originally planned a second or Catholic Stuart despotism based on Catholicism, toleration, a standing army and the French alliance, but afterwards he abandoned the idea.

This was an age of intrigue and perhaps we shall never know the full extent of Charles' plans and commitments. In 1670 he

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13 Ibid., 364.  
15 Trevelyan, 365.
signed the Secret Treaty of Dover with King Louis XIV of France. By virtue of this treaty Charles was subsidized by Louis and a political alliance with France was formed with the proviso that at a suitable time Charles was to declare himself a Catholic and grant liberty of conscience. Although Charles postponed his profession of Catholicism, politicians and the common people were displeased with his negotiations with the Papists and France. By contrast the King's brother, the Duke of York and future King James II, did not imitate the political craft of Charles, but openly announced his profession of the Catholic faith in 1669.

Charles' Declaration of Indulgence was denounced by Anglicans and Puritans alike. In retaliation Parliament passed the Test Act of 1673 imposing a solemn declaration against the doctrine of transubstantiation on those who held office in the government. With the Cabal dissolved Charles outwardly abandoned Catholicism, and continued to profess Protestantism. The Earl of Danby and leader of the new Troy party, became first minister of the Crown and real ruler of England. He was however stubbornly opposed by Shaftesbury and the Whigs. Danby appealed to the old

16 Stebbing, 448.
Cavalier principles of intolerant Anglicanism and the royal prerogative, while Shaftesbury stood for the Dissenters and Parliamentary supremacy. In the hope of placing a majority of their members in the new Parliament, the Whigs tried to dissolve Parliament in 1677. For this Shaftesbury incurred the wrath of King Charles and was committed to the Tower for a year. In 1678 the Whigs' fortunes were at a low ebb, but they took advantage of the popular agitation over the Popish Plot and tried to exclude the Duke of York from succeeding to the throne and to raise themselves to power.

Briefly the principal developments of the Popish Plot are as follows: Titus Oates whom we shall meet presently, swore to a tissue of lies in September 1678 concerning the traitorous designs of Catholics and especially of Jesuits to assassinate King Charles, and to overthrow the government and the Protestant religion. The King and several others saw clearly that his charges were fictitious, and the whole matter might have blown over had not Sir Edmund Berry Godfrey, the magistrate before whom Oates had made his depositions, been found dead on Primrose Hill. Lord Acton and other great English historians consider this death one of the greatest mysteries of English history. It roused the country to a pitch of frenzy and intolerance, for almost everyone blamed the Papists and Jesuits for the murder of Godfrey. The

18 Pollock, xv.
Secretary of the Duke of York, Edward Coleman, was arrested, and among his papers were found some letters to members of the French Court expressing a desire for the return of England to Catholicism. In the excited state of public feeling these letters were made the most of to push the case for the plot, though as yet no specific plot was mentioned. Coleman was tried and executed and this started a long chain of judicial murders. Other perjureres such as Bedloe, Prance and Dugdale joined Oates with the result that about thirty five Catholic laymen, secular priests and Jesuits charged with having been concerned in the supposed plot were tried and executed for High Treason. The Jesuit trials took place on December 17, 1678 when Father William Ireland was found guilty, and June 13, 1678 when Fathers Thomas Whitebread, William Harcourt, John Fenwick, Anthony Turner and John Gavan were added to the list of English Jesuit Martyers. Finally in 1681 when the nation was returning to its senses, Blessed Oliver Plunket was the last of Oates' victims and the last of the long roll of English Martyrs. It was not, however, until 1685, when James II was King, that Oates was finally convicted of perjury and was punished.

Ever Since the reign of Henry VIII English Catholics, especially Jesuits, had been persecuted. By virtue of the act
against Jesuits and Seminarists of 1585. Jesuits were exiled, or if found in England, executed. However, from 1654 to 1678 no martyrdoms are recorded, and after the restoration of Charles II in 1660 the Society and the Church looked forward to a period of toleration and full religious liberty because, although the majority of the common people had learned to hate the words "Papist" and "Jesuit," the King seemed favorable toward them. Charles tried to forget the legislation against the Catholics passed during the preceding century, but the Commons and the people renewed their "No-Popery" clamor.

It was on this stage in the "Shaftesbury theatre" that Titus Oates introduced his plot. There was a real foundation for the Londoners' frenzy that broke out especially after the death of Godfrey. The Whig politicians helped to support the stories that each Catholic - one man in seven or eight - was pledged to

21 Foley, V, 7.
murder his six or seven Protestant neighbors; that Papists were planning once more to burn the whole city of London; that the Catholic leaders had been appointed to the chief offices of the government by the Pope and General of the Society of Jesus; and that King Charles was to be stabbed, poisoned, or shot by Jesuits. James, Duke of York wrote at that time:

...and all this to be effected by an inconconsiderable body of men, who had neither numbers nor power, nor places of trust; but being charged upon the Papists and that the Jesuits were the managers of it, all its motives of incredibility could not hinder it from being greedily swallowed downe and believed by the multitude.  

The word "Jesuit" to this generation connoted secret oaths, the end justifying the means, equivocations, casuistry, permissions to lie and cheat etc. With this prefabricated idea of a Jesuit prevailing it was not hard for the multitude to swallow Oates' plot. The Annual Letters of the English Province of the Society tell us about the panic that hit London upon the death of Godfrey. Reports were quickly circulated that Sir Edmund had been murdered by the Papists at the instigation of the Jesuits. Preachers declaimed from their pulpits, and news vendors reported.

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23 Ibid., 158.
in taverns and public places that the Papists were the authors of the crime—and that the lives of all Protestants were in danger. Father Peter Hamerton, a contemporary Jesuit says that while this venom was spreading daily the people soon believed that not only Jesuits, but all English Catholics were guilty of high treason. No Catholic home could escape the rage of the magistrates and multitude. Everywhere Justices were busy searching houses and seizing papers under the direction of Oates. Patrons marched up and down the streets all night in search of Jesuits, priests and other conspirators. The jails of the capital were filled with Catholics. London went mad with hatred and fear, and this madness soon spread to the rest of the nation. Oates was the hero of the hour, and Godfrey was a martyr for the Anglican Church. Later juries shared the feelings then common throughout the country, and were encouraged by the judges to indulge those feelings without restraint. Everything the Jesuits did to defend themselves was in vain because they could not reason with a mob which had allowed emotions to rule their judgment.

26 Foley, V, 25.
28 Foley, V, 22.
29 Maculay, I, 221.
Moreover, since many Englishmen of the day believed the King to be infallable, they blindly believed in the plot, as did the pamphleteer, Adam Elliot:

To this I answer that his Majesty and Council have declared that there is a Popish Plot, and therefore I have reason to believe one; for the King is an angel of God, and has means of intelligence that far transcend my little sphere or any Subject's so that, in despit of these objections Oates has laid in the way, I do really believe the existence of a Popish Plot; but withall I do declare, I do not believe one syllable from beginning to ending, upon account of the Doctor's Depositions...30

To a generation whose grand parents had told them about the Gun Powder Plot, who themselves could remember the Plaque, the Great Fire of London in 1666, the Dover Treaty, and the conversion of James, Duke of York, the Popish Plot was just the latest attempt on the part of Rome to overthrow the English Government and kill all Protestants. The people of the Seventh century were victims of a plot mentality. Plotting was one of their spare-time occupations. It was an age of oaths, perjurers and informers. England was ripe for a plot, and it got a "whopper" from Titus Oates.

30 Rev. Adam Elliot, M.A., A Modest Vindication of Titus Oates the Salamanca Doctor from Perjury or an Essay to Demonstrate Him only Forsworn in Several Instances, Printed for the Author and are to be sold by Joseph Hindmirsh at the Black-Bull in Cornhill, London, 1682, 29.
CHAPTER II
OATES' CHARACTER AND CHARGES AGAINST THE JESUITS

The Chief witness for the prosecution and perhaps the sole originator of the Popish Plot was Titus Oates. He has been stigmatized as one of the world's great imposters, a perjurer, "a most lying scoundrel, and the most unmitigated villain in English history. Titus Oates (1649 - 1705) was the son of Samuel Oates, Rector of Marsham in Norfolk and a descendent of a family of Norwich ribbon-weavers. After expulsion from Merchant Taylor's School in 1665, Titus finally made his way to Cambridge where he "slipped into orders" of the established church. Thomas Watson, his tutor at St. John's College, Cambridge, left this observation on his famous pupil: "He was a great dunce, ran into debt; and being sent away for want of money, never took a degree." Oates officiated as curate in several parishes and as chaplain on board a man-of-war, but he had to forfeit all these positions because of his misconduct and

1 Pollock, 3.
2 Foley, V, 16. Theses are the words of King Charles II.
5 Ibid., 741
6 Ibid., 741
the odium incurred by two malicious prosecutions, in each of which he had been guilty of perjury. Perjurer though he was, he next acquired the post of chaplain to the Protestants in the Duke of Norfolk's household. Here he came into contact with a number of Catholics and especially with the Jesuit, Father Berry, alias Hutchinson, who "converted" Oates to Catholicism. On Ash Wednesday 1677 Titus formally professed reconciliation with the Church of Rome.

His conversion to the Catholic Church was probable prompted by the hope of reward, either as an agent of the Catholics, or if chance offered, as the betrayer of the Catholic cause. Before the end of April 1677 Father Berry obtained a place for his neophyte in the English College at Valladolid, Spain. In memory of his sojourn in Spain, Oates subsequently styled himself, "D.D. of Salamanca," but this assumption has no foundation in fact, and has been justly ridiculed by Dryden:

The Spirit caught him up, the Lord knows where,
And gave him his Rabbinical degree
Unknown to foreign university.12

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8 Pollock, 6.
9 Trevelyan, 383.
10 Lingard, XII, 130.
11 Stephen, XIV, 742.
After five months in Spain Oates was expelled from the College in disgrace. He returned to London, and upon pleading with the Jesuit Provincial he was given another chance and sent to complete his education at St. Omers in Flanders. From December 10, 1677 to June 23, 1678 he was a student at the Jesuit Seminary at St. Omer, but when he petitioned to be admitted into the Jesuit novitiate, instead of being accepted as a novice, he was expelled from the school. An interesting article by Father John Gerald, S.J., entitled, "Titus Oates at School," gives a clue as to why he was expelled after only six months. His boyish pranks, continual quarrels, low morals and bullying of the smaller boys were only a few of the grounds for his expulsion.

Back in England "Dr." Oates contacted Dr. Israel Tonge, the hare-brained parson who as an alarmist wrote quarterly publications against the pernicious designs of the Jesuits. It is uncertain whether Oates joined forces with the fanatic Dr. Tonge before or after his residence in the Jesuit colleges on the continent. It is also uncertain whether Oates was the supreme

15 Pollock, 3.
mover of this diabolical combination and Tonge only a necessary go-between, or whether Oates was merely the tool of Dr. Tonge. A natural tie between the two doctors was developed by circumstances into a strong union. Out of the intrigue of this union came the Popish Plot. Oates pretended that he had made the discovery of a conspiracy in order either to revenge himself on the Jesuits whom he thought had persecuted him, or to get publicity, or to gain a reward, since he was in extreme contempt and need. The details of the Popish Plot were fabricated during the six weeks that followed Oates' return to London.

On August 12, 1678 Tonge was introduced to King Charles II by Christopher Kirkby, a chemist at the court. The two informed Charles of the designs on his life and realm and backed up their statements by a paper prepared by Oates and presented to Danby by Tonge which gave details of the alleged plot. Oates himself did not appear on the scene until September 6, 1678 when he and Tonge testified to the truth of their narrative of the plot before Sir Edmund Berry Godfrey, a well known justice of the peace. From this moment Oates was very much in the limelight of public attention although his stock went up and down several

16 Ibid., 4 and 9.
17 L'Strange, II, 122.
18 Clarke, II, 514.
times. The events that followed in Oates' career may be found in any history of the period. Here it will be sufficient to say that in his career as perjurer Oates was very popular with the common people and everything he said was believed by then until 1681. During his period of triumph his judicial murders amounted to about thirty-five, seven of his victims now beatified Jesuit martyrs. Oates was maintained at the public expense, given a general search warrant, and was almost omnipotent in the capital since he was considered the savior of his country. But in 1681 Oates' luck changed as the credulity of the greater part of the nation was exhausted. At first his downfall was gradual, his pension was reduced and he became the object of ridicule on the stage and in current pamphlets. Finally when James II succeeded his brother, Titus was tried for perjury in the case of the Jesuits and was found guilty. Judge Jeffreys' summation on this occasion was: "He has deserved much more punishment than the laws of this country can inflict." Everyone lamented that he was not put to death in atonement for the innocent blood his perjuries had caused to flow. The ups and downs of the

21 Stephen, XIV, 745.
22 Howell, X.
23 Foley, V, 76; this is Macaulay's opinion.
remainder of his life no longer concern us.

Descriptions of Oates' appearance are fairly abundant because of his unusual appearance and because he caused such a stir in the last years of the reign of King Charles II. Later pamphleteers have been charged with drawing hideous pictures of Oates. There is no intention here of depicting him as a superhuman monster, but he should be viewed as his contemporaries saw him. When Oates went to be confirmed, the Bishop of St. Omer was so alarmed at Oates' savage aspect that he could scarcely be induced to confer the sacrament upon him. Among his contemporaries, Father John Warner, successor as Provincial of the English Jesuits to Blessed Thomas Whitebread, one of Oates' victims, left the best description of his repelling features:

Oates was possessed of a mind in which stupidity was supremely conspicuous, a tongue that stuttered in vulgar speech, a voice that was shrill, whining, and more of a moan than an articulate utterance; a faulty memory that could not recall what had been said; a narrow forehead, small eyes, sunk deep in his head; a flat face depressed in the middle like a dish; a red nose set between puffy cheeks; a mouth so much in the center of his countenance that the chin was almost as large as the rest of the features;

25 Foley, V, 13 note.
his head bent forward on his chest; and, the rest of the body after the same build, making him more of a monster than a man.26

If one were to object that the Jesuit Provincial may have looked at Oates through glasses that were out of focus, he need not look beyond his Protestant contemporaries for substantially the same description. Roger North, the Protestant Lord Keeper at this time, adds that Oates was a man of ill cut, very short neck, and his visage and feature were most peculiar especially his mouth which was in the center of his face. Oates was also portrayed by Dryden:

Sunk were his eyes, his voice was harsh and loud,
Sure signs he neither choleric was nor proud:
His long chin proved his wit, his saint-like grace
A church vermilion and a Moses' face.27

So much for the appearance of Titus Oates.

His character is of more interest than his appearance, and again there is an abundance of contemporary estimates. Roger North says that he was a most consummate cheat, blasphemer, vicious perjurer, impudent, saucy, and foulmouthed wretch whose

27 Parry, 30-31.
name is not fit to be remembered in history. The Anglican Bishop Gilbert Burnet of Salisbury who boasts that he was "so well instructed in all the steps of the Popish Plot that he himself is more capable to give a full account of it than any man," attributes the "virtues" of pride, haughtiness and ignorance to Titus Oates. His character may also be fairly well deduced from the character of his associates, Arron Smith, Rimsey, Bedlow, Fuller and others. Among these scoundrels Oates was distinguished for his foul language and the effronteity of his demeanour no less than by the superior vices of his private life.

Another contemporary, Fr. John Keynes, the Jesuit author of Florus Anglus Bavarious, who gives a copious history of the persecution, say that at St. Omer's Oates was found unfit to associate with the young students or with the Society itself. He further characterizes Titus as immoral, irreligious, rude and disloyal. Father Whitebread, the Jesuit Provincial, told a fellow Jesuit, Father Peter Haberton, in September 1678 before he was arrested, that he had expelled Oates from the Seminary at St. Omer the previous June because he was guilty of "misdemeanour, seditious

29 Stephen, XIV, 747.
31 Ibid., II, 145
32 Stephen, XIV, 747.
33 Foley, V, 12 note, and 233.
language and treasonable words too horrible to be repeated." 34 Still another contemporary, Oldmixon of Cambridge described Oates as "a passionate, rash, half-witted Fellow, and his want of judgment might run him a little too far in particulars." 35

These are the judgments of contemporaries who may have been blessed and unable to consult all the sources. On the other hand competent Protestant historians of a later generation are in substantial agreement with the seventeenth century witnesses. Hume styles Oates "the most infamous villain of Mankind," and Macaulay adds that he was "the falsest, the most malignant, and the most impudent being that ever disgraced the human form, the founder of the school of false witness." 36 Leopold von Ranke, who was never very favorable to the Catholic Church, says that Oates had been notorious, even from his youth, for "the most shameless untruthfulness." He had a passion for startling people and making himself look important by lying exaggerations which "he spread with invective on every side and confirmed with wild oaths." Finally historians of today consider him one of the world's great imposters.

34 Ibid., V, 20.
35 Parry, 30.
36 Foley, V, 8.
37 Ranke, IV, 60.
38 Pollock, 7; Ogg, II, 561; Clark, 89; Trevelyan, 383.
This "handsome person," this "tender character" is said by many historians to have been a Jesuit novice, but like so many other Bables about the Society this story has no foundation in fact. His name as a candidate is not to be found in the records of the Society. The College de las Ingleses at Vallodolid and St. Omers College which Oates attended were not Jesuit novitiates but secular seminaries conducted by the Jesuits. Moreover, the statement above of the Jesuit Provincial, Father Thomas Whitebread, and the description of Oates by the next Jesuit Provincial, Father John Warner, absolutely preclude any possibility of his ever having been admitted as a novice, or even regarded as a remotely prospective candidate.

Now that the background, person and character of our chief witness are known, his charges against the members of the Society of Jesus must be investigated. Almost everyone of the eighty-one articles of his True Narrative of the Horrid Plot and Conspiracy charges some member of the Society with treasonable designs or actual deeds. In general it was the Jesuits' plan to kill the King, overthrow the government and the Protestant religion. Thanks to his sojourn in the two English Jesuit Colleges on the continent and his contact with a few Jesuits in London, Oates knew just enough about the personnel of the Jesuits in London to

39 Campbell, 409.
fit the chief actors in his plot with names, but the majority of the details were palpably invented, and his story teems with absurdities. We do not wish to deny everything he said in his True Narrative because some charges had a foundation in fact, but more credit for his narrative must be given to his imagination rather than to the facts.

Merely to question the probability a priori of the truth of Titus Oates' testimony is hardly sufficient. The character and antecedents of Oates were too well known for even the boldest Protestant defender to excuse the perjurer. Besides this a priori information one must examine his testimony.

The following pages attempt to give a summary of the articles of Oates' True Narrative which pertain to the Jesuits. After some of the summaries there is added a few words of comment. As apology for the length of this extract, we submit that it is essential to know the contents of this infamous document if we are to gauge the absurdity of his charges against the members of the Society. The full text of the True Narrative may be found in Howell's State Trials, and an excellent analysis of the narrative may be found in Foley's Records.

40 Stephen, XIV, 742
42 Howell, VI, 1434-1470.
43 Foley, V, 97-109.
Summary and Commentary on the Charges against the 'Jesuits in Titus Oates' True Narrative.

I Rev. Richard Strange, English Jesuit Provincial before December 1677, John Fenwick, William Harcourt and several other Jesuit wrote a treasonable letter to Father Suinan, Irish Jesuit Procurator at Madrid (probably Fr. Sweetman) dated April 19, 1677, in which they plotted a rebellion in Scotland. These Jesuits gave Oates 10s to carry the letter to Madrid, and on his way there he broke open the letter and discovered the conspiracy. Mention was not made of this letter in the trial of Fathers Fenwick and Harcourt in June 1678, nor was such a letter ever produced. Moreover, it is highly improbable that these Jesuits, if they had written such a letter, would have entrusted it to Oates who was such a shady character and only recently converted. If he had delivered the letters surely Father Sweetman would have noticed that the seal had been broken, and he would have suspected the messenger Oates. Here is the first example of an approach to the correct name, Suinan for Sweetman.

II The Reverend Richard Ashby, Rector of the English Jesuit College at St. Omer sent twelve of his students into Spain to study. In the hearing of Oates the Jesuits in Spain obliged these students to renounce their allegiance to King Charles II. The Minister at the English Jesuit College at Valladolid, Daniel

44 Ibid., V, 97.
45 Howell, VI, 1435
Armstrong, alias Joseph Munford, taught eight of these students that the oath of allegiance to King Charles was heretical, anti-Christian and devilish, and Fr. Armstrong preached a sermon on Sept. 29, 1677 which was libellous and seditious. Here we have more half truths. Oates takes advantage of an incident that may have happened and adds a few details. Since this charge was never heard of again there is no definite information on it. What Ranke observes so correctly about all of Oates' testimony applies especially here. "He mixed up what he knew with what he only guessed, or what seemed to him serviceable for his schemes."

IV The same Father Armstrong brought letters, which Oates read in September 1677, dated June 10, 1677, from St. Omers to Valladolid, stating that the Jesuit Fathers in London had appointed Father Bedingfield confessor to the Duke of York, and that if his Royal Highness did not answer their expectations they would dispose of him as they hoped to do of his brother, King Charles, within a year.

V Father Suinan of Madrid wrote in July 1677 that King Charles had been poisoned to the great joy of the English Fathers, and that King James would be poisoned too if he did not give

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46 Ibid., VI, 1435
47 Ranke, IV, 60
48 Howell, VI, 1435
assurance of rooting out the Protestant religion. "Dr." Oates does not tell us how he got access to these treasonable letters, nor did he ever produce them.

VI Fr. John Blake, alias Cross, brought letters to Madrid, dated June 10, 1677, from the Provincial Richard Strange, saying that he had procured some persons to murder the King.

Fr. Blake's real name was James not John. This is just another example of Oates' misinformation in details.

VII Father Suinan received another letter dated July 20, 1677, from Fathers Strange, Fenwick, Ireland, Harcourt and others stating that they regretted having announced the death of the King. Their man William Groves, although promised 1500 £., was faint-hearted and had failed to kill the King. Oates claimed that he saw these letters from Father Strange of June 10, 1677 and July 20, 1677 in the chamber of Fr. Suinan in Madrid.

Notice the repetition of names in these charges. As was said above Oates knew just enough about the personnel of the Jesuits to fill the chief actors in his plot. Here as in several other places in the Narrative, one catches Oates in open perjury. He

49 Ibid., VI, 1436.
50 Ibid., VI, 1436.
51 Foley, V, 98.
claimed he saw these treasonable letters in Madrid, but in 1679
the muleteer who conducted Oates to and from Valladolid was found,
and his testimony conclusively proved that Oates could not have
visited Madrid.

VIII Oates claimed that he carried a letter from the Jesuit
Provincial of New Castile to Father Provincial Strange, promising
10,000 £ if the murder of King Charles were effected. Father
Strange said that all means would be attempted, and gave the
letter to Oates to read. If one remembers that Oates was expelled
from the English Jesuit College at Valladolid, he shall not
readily believe that the Jesuit Provincial entrusted such an
important letter to him when he sent him back to England in dis­
grace. This presupposes that such a letter really existed, but
Oates was never able to produce this letter. Again what a fool
Father Strange must have been to show "this letter" to such a
wretch as Oates.

IX Oates carried a letter, dated early in December 1677 from
Fathers Strange, Harcourt, Fenwick, Ireland and other Jesuits to
Father Ashby, Rector of St. Omers, stating that they intended to
have the King stabbed at Whitehall, and if they failed they would
employ one of his physicians to poison him. Father Leshees, S.J.,

confessor to the King of France, had promised 10,000 £ to the physician who would poison King Charles.

Here is another example of approximation of names. Pere le Chaise was the confessor to the French King at this time and not Father Leshee. It is true that Oates went from London to St. Omer in December 1677, but the story of his carrying these letters is the product of his imagination.

X. Letters were enclosed in this letter thanking Father Leshee and promising to root out the Protestant religion in England. Oates carried these letters to Paris and handed them to Father Leshee about December 18, 1677. Oates later testified on November 30, 1680 in the trial of the Five Popish Lords that he left London in November 1677 and arrived at St. Omers December 10, and since he remained at St. Omers until June 23 of the following year, it was impossible for him to have been at Paris on December 18. Father Whitebread also testified to this in his trial on June 13, 1679. King Charles II in his examination of "Dr." Oates on September 28, 1678 detected his perjury on this point when he inquired where Oates had delivered the letters to Pere le

53 Ibid., VI, 1437.
54 Ibid., VI, 1437.
Chaise, and he replied in the Jesuit house near the Louvre. At this time the Jesuits had three houses in Paris, but none of them was within a mile of the Louvre.

XI Father Ashby showed Oates other letters received at St. Omer's from the Jesuit Fathers in London stating that they had stirred up the Presbyterians in Scotland to rebel, and that they had prepared the way for the landing of French troops in Ireland. Here is still another example of Oates' swearing that he had read treasonable letters written by Jesuits, but none of which were ever produced. This lack of collateral evidence ruined his narrative. Since most of his evidence was only his swearing, his case rests on his credit, and we have seen that both his contemporaries and posterity have marked him as a perjurer.

XII Oates here speaks of a letter of December 18, 1677 which mentioned the appointment of Father Thomas Whitebread as Provincial to succeed Father Strange.

Father Whitebread was not appointed Provincial until January 18, 1678 a month after this letter supposedly was written.

57 Lingard, XII, 138; Foley, V, 16; Clarke, I, 520.
58 L'Strange, II, 44.
59 Howell, VI, 1438.
60 Ibid., VII, 356.
He mentions another letter dated December 26, 1677, which Father Ashby read to him as usual, from Father Whitebread and the usual Jesuits mentioned above. This letter stated that these Jesuits had met together to contrive the murder of the King, and also the Duke of York, if he did not answer their expectations.

This letter also stated that Father Richard Nicholas Blundell was appointed to catechize children in London and to instil into them seditious doctrine.

Here mention is made in a very long paragraph of another packet of letters from the Provincial and others, which endeavored to enkindle a fight between Spain and England by means of a long list of falsehoods.

After this letter was received Oates overheard a seditious conversation on January 3, 1678 between Fathers Edward Neville and Thomas Fermour in the library of St. Omers. They were determined to kill the King, and the Duke of York if he should prove "slippery."

On January 4, 1678, letters were sent by the Jesuit Fathers at St. Omers to the Father Confessor of the Emperor of

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61 Ibid., VI, 1439.
62 Howell, VI, 1440.
Germany to endeavor (as in the case of Spain, cf. above XV.) to start a quarrel between Germany and England by false reports.

XVIII  Dr. Talbot, the Archbishop of Dublin, sent a letter to St. Omera saying that the Jesuit Fathers in Ireland were busy preparing the people for the rebellion and arranging a landing place for the French. Oates also saw a letter of Father Leshee at this time to Father Ashby stating that Father General would contribute 800 crowns next June, and the Pope would not be wanting to supply them when they had made some progress in their glorious attempt.

XIX  The next packet of letters contained the sad news of the failure of the Jesuit lay-brother, Pickering, to shoot the King in St. James Park. If he had succeeded and had suffered for it, he was to receive 30,000 Masses for the repose of his soul.

Pickering was a Benedictine. More will be said about this charge later when we treat the trial of Father Ireland, S.J., Brother Pickering, O.S.B. and Mr. Grove.

XX  Next Oates mentions a conversation he had with his "confessor," Father Charles Peters, Prefect of the Sodality at St. Omera, in which Father Peters called King Charles "no martyr but a heretic."

63 Ibid., VI, 1441.
64 Pollock, 328; - Acta Romana Societatis Jesu, General’s Cura, Rome, 1929, VI, 275
Letters from Father Thomas Whitebread of February 1, 1678 stated that Fathers William Morgan, and Lovell were sent to Ireland on a visitation and had taken £2,000 and a promise of £4,000 more "in case there should be any action."

Another group of letters of February 7, 1678 treat of the part played by the Jesuits in the Irish and Scottish rebellions.

Oates himself wrote a letter at the direction of the Fathers of St. Omera to Father Provincial and others in London entreatling them to prosecute their design in killing the King.

The Fathers in London answered this letter saying that although the Duke of York was a good Catholic, he had a tender affection for his brother the King and so they feared to reveal their design to him.

This article speaks of more letters from St. Omera to the Jesuits at Ghent and finally another reply from the Provincial that their designs went on well in Scotland and Ireland and the final blow would be given to King Charles at Whitehall.

65 Howell, VI, 1442.
66 Ibid., VI, 1443.
For several days "honest William" Grove and Pickering planned on the assassination of the King as he was walking in the Park, but opportunity did not offer itself. For his failure Pickering received a penance of twenty strokes on the shoulder with the discipline.

Here is more news on the Irish campaign from a letter of Father Whitebread. The Irish were ready to rise at ten days warning with 20,000 foot, and 5,000 cavalry, and to let the French King land in Ireland. The Father General of the Society had granted commissions to several by virtue of a Brief of the Pope of October 1, 1673. These persons proposed to cut the throats of the Protestants when once they rise. Finally a General Consult was summoned by the Provincial to be held in London, and Oates himself was summoned to assist at the consult as a messenger from Father to Father.

This charge is probably the most famous because Oates constantly repeated it. Later in Chapter II when we treat the Jesuit Consult at greater length, we will point out that Oates was not only not summoned to this meeting, but also that he did not attend.

On April 24, 1678 Fathers Warren, Preston, Marsh, Warner from the continent, Father Ashby was sick and could not go and

67 Ibid., VI, 1444.
Father Brett, Neville, Poole and Titus Oates, representing St. Omers met with several other Jesuits to the number of fifty, at the White Horse Tavern in the Strand. Here they worked out their designs and ordered Father John Cary to go to Rome as Procurator. Oates also was present at this meeting to attend to the consultants and act as messenger from group to group. After they left the White Horse they divided themselves into several companies. Some met at Saunders, other at Fenwick's, and still others at Ireland's and other places. Oates delivered papers from group to group and after three or four days returned to the continent with the Fathers mentioned above.

This is about the same charge that Oates repeated at every trial in which the Jesuits were involved. It is by far the most important of the charges and the only one most people took seriously, and will treated seperately in the next chapter.

XXIX Father Whitebread arrived at St. Omers on June 10, 1678 to make his visitation. On this occasion he told Oates and Father Ashby, the Rector, that he hoped to see the fool at Whitehall (King Charles) laid fast enough.

XXX On June 13 the Provincial asked Oates to poison the author of Jesuits Morals in English, which Titus promised to do.

68 Ibid., VI, 1445.
for a reward of 50 £. At the same time the Provincial said he
would arrange to put Stillingfleet and Poole out of the way. This
was given by Oates as the reason he left St. Omers in June for
London. Here he claimed he knew only the person of the author
of the Jesuit Morals and not the name. It was Dr. Tonge, and
Oates was acquainted with him for at least two years before June
1678, as Simpson Tonge, the son of Dr. Izrael Tonge, testified
in his journal. They had been introduced by Sir Richard Barker
the old patron of Titus' father, Samuel Oates.

XXXI Father Ashby told Oates that Father Warner in Paris had
reconciled the late Lord Chancellor Hyde with the Church of Rome
on his death-bed.

XXXII Oates here states that he received orders on June 23 to
go to England to attend the Jesuits in London. At Calais he took
a boat with four Jesuits, and at Dover met Father Fenwick. Near
Canterbury their coach was stopped and Father Fenwick's box con-
taining beads, pictures etc. was seized by the searchers, but the
treasonable letters on Father Fenwick's person were not taken.
It was already been shown that Oates was expelled from St. Omers
in disgrace, but according to this version he was merely trans-
ferred to London.

69 Pollock, 10.
70 Howell, VI, 1446.
In July 1678 Father Ashby came to London on business which he shared with Oates. His written instructions were to negotiate with Sir George Wakeman about poisoning the King, for which the Jesuits offered Sir George 10,000 £. Father Ashby was also to see that Dr. Herbert Croft, Bishop of Hereford was assassinated.

When Sir George Wakeman was acquitted in his trial on July 18, 1679, this charge was also implicitly proved to be perjurious.

Father Richard Strange, the former Provincial, met Oates in London in July and encouraged him to continue to assist the Society to carry out its design. Strange disclosed to him how the Jesuits started the Great Fire of London in 1666 for which they received 14,000 £. He told Oates how the fire began, how the Jesuits employed eighty or eighty-six servants to keep the fire going, and how they intended to kill King Charles at this time, but changed their minds.

This is the longest as well as the most monstrous of all the charges in Oates' indictment. It was designed to arouse prejudice against the Society, and so far as can be determined was never used again; nor did it have any foundation in fact. Most Englishmen of that day believed that the Catholics had started

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71 Ibid., VII, 591-694.
72 Ibid., VI, 1447-1449.
the fire of 1666, and probably a great number of them believed that the Jesuits were ultimately responsible. Bishop Burnet relates that Oates' testimony contained so many details that the people thought that it was above invention.

XXXV Oates was present in July at a conference of the London Jesuits at which it was planned to stir up the revolution in Scotland.

XXXVI On August 1, Father Whitebread wrote to Father Fenwick ordering him to offer Sir George Wakemen 15,000 £. if he should refuse 10,000 £.

XXXVII Father Whitebread attempted but failed to excite the people of Holland against the Prince of Orange.

XXXIX A letter from Father Provincial admonished Father Blundell for his failure to carry out the design.

XL Letters of August 15 from Father Whitebread at St. Omer to Father Fenwick informed him that if poison failed to kill the King, then fire was to be used.

XLI Father Fenwick, the Provincial procurator, informed Oates of the wealth of the Society and spoke of the 400 £. they

73 Burnet, II, 150.
74 Howell, VI, 1450
spend each year for intelligence in addition to the vast sums of money they spend on special messengers.

XLII On August 5, Fathers Harcourt, Keins and Fenwick told Oates that they intended to raise a commotion in England and Wales.

XLIII Disguised as Dissenting Ministers Fathers Moore and Sanders were sent into Scotland to preach revolution to the Scots.

XLIV The London Jesuits held constant treasonable communication with Father Leshee in France.

XLV These Jesuits engage several traders in London, such as merchants, tobacconists, goldsmiths etc. from whom they learn about the estates of persons of quality and are able to estimate the strength of the kingdom.

XLVII Father Basil Langworth and other Jesuits offered Oates 10 £. to kill William Barry, a secular priest, and former Jesuit

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75 Cf. the trial of Ireland, Pickering and Gavan for the relations of Father Fenwick and Titus Oates. When the latter claimed that Father Fenwick was his confessor, Father Fenwick said that he "believed that he (Oates) never made any confession in his life." (Howell, VII, 103) - It is very unlikely that Father Fenwick spoke to Oates about the financial matters of the Society. 76 Howell, VI, 1451.
for having written a pamphlet in favor of the oath of supremacy.

XLIX Oates overheard Fathers Keins and Fenwick and Brother Heath planning to kill the King.

LIX The details of the fire in Southwark, 1676, were related to Oates by Groves and Father Strange. The Society received 2,000 £ for the fire, and Groves who started it received 400 £ from Father Strange.

L Smith, a Jesuit lay brother, told Oates that he worked as a tailor in order to gain information about the Court to be sent to Father Leshee in France. Moreover, Father Jenison had said that if the Catholics had courage enough, they could rise and cut the throats of a hundred thousand Protestants in London.

LVIII On August 13, Father John Keins preached a sermon to twelve men of quality in disguise, in which he urged the lawfulness of killing heretical princes.

LX Oates refused to shoot the King at the bidding of Father Keins, but Father Coniers, O.S.B. offered to do the job.

77 Ibid., VI, 1452.
78 Ibid., VI, 1453.
79 Ibid., VI, 1456.
80 Ibid., VI, 1457.
The Jesuits and Dominicans had a meeting August 18 in Convent Garden, concerning propagation of the faith and killing of the King. The Dominicans said that they were too poor to provide money, but would supply personal assistance and advice. The Carmelites also pleaded their poverty, but offered to pray for the success of the design.

Since the Benedictines were not to be outdone by the other orders they met with the Jesuits to plot especially the rebellion in Ireland.

Father Harcourt sent £0 to Windsor for the four Irish ruffians who were to kill King Charles.

On August 22, Oates met Father Blundell who carried a bag containing some mustard-balls (or fire-balls) for Westminster.

Fathers Blundell and Fenwick planned to burn the city of London. The city was divided between the Jesuits and the Benedictines and their agents.

On August 30, Father Blundell showed Oates a copy of the Bull issued by the Pope in which he disposed of bishoprics and

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81 Ibid., VI, 1458.
82 Ibid., VI, 1459.
83 Ibid., VI, 1461.
84 Ibid., VI, 1462.
85 Ibid., VI, 1463.
and dignities. Cardinal Howard was to be Archbishop of Canterbury, and Father Perrott, Superior of the secular priests was to be Archbishop of York. Corker, "President" of the Benedictines, was to be Bishop of London, and the Jesuits were to get the following bishoprics:

Whitebread - Winchester
Strange - Durham
Warner - Lincoln
Morgan - Chichester
Preston - Hereford
Williams - Oxon. 86

LXXVII Oates' position with the Jesuits took a turn for the worse on September 4, when Father Provincial charged him with treachery since he had informed the King of their plans; the father beat him with his stick and gave him a box on the ear. However the Provincial offered reconciliation if Oates would disclose who had persuaded him to inform the King so they might kill this person. Then Oates was ordered to get ready to go to St. Omer within two weeks. 87

LXXIX Oates overheard the Provincial and Fathers Mico and Poole consulting about his own disposal. Because of his betrayl Oates was to be sent to the continent to be tortured until he confessed who had been with the King and had revealed the plot. On hearing

86 Ibid., VI, 1463.
87 Ibid., VI, 1466.
this Oates ran off and hid.

LXXX An attempt was made on Oates' life by Stratford who was employed by the Jesuits, but it failed when the assassin was discovered by some servants while Oates was sleeping.

LXXXII In his last charge Oates narrates how on September 8, he met a Papist who warned his that there was much murmuring amongst the Jesuits against him, and warned him that he must either destroy the Jesuits or be destroyed by them.

To these eighty-one charges Oates added a list of noblemen who had taken part in the conspiracy and who had been commissioned and awarded the most important offices in England by John Paul d'Oliva, General of the Society of Jesus.

Oates' Narrative purports to be based on between personal ocular evidence and correspondence between the London Jesuits and Jesuits on the continent such as Father Ashby, Rector of St. Omers, Father Suinan, Procurator in Madrid, and Father Leshee, Confessor to the King of France. Not only seditious utterances, but also hostile acts were mentioned in the information such as exhorting the Scots and the Irish to arms, and stirring up trouble.

88 Ibid., VI, 1467.
89 Ibid., VI, 1467.
on the continent against England. But the most important point
was the denunciation of a plot devised by the Jesuits to assassi-
nate the King, which plot originated in the Jesuit Consult held
in London April 24, 1678. Since this point is so important,
Chapter II will be devoted to its examination.

What could possibly have been Oates' reason for conspiring
in this way against the Society? We do not presume to judge his
motives, but at least a few suggested. Perhaps revenge invented
these charges; revenge against the Jesuits because they expelled
him from Valladolid and St. Omers, and because they rejected him
when he applied for entrance into the Society. About the middle
of September 1678, Father Whitebread Provincial revealed to
Father Peter Hamerton, that Oates had "threatened him revenge
before he got his Sunday dinner". Even after Oates' return to
England, subsequent to his expulsion from St. Omers, and while
he was preparing his scheme with Tonge, he again strove without
success to induce Father Whitebread to admit him. He then added
threats to entreaties and told a certain nobleman that he had
fifty charges of High Treason against the Jesuits already pre-
pared, and that it was within his power to save them from that
danger if they would agree to either of two courses, namely to

90 Hanke, IV, 60.
91 Foley, V, 20.
admit him to the Society or else give him a confortable annual pension. Both proposals were rejected.

Not only Jesuit sources report this hatred and spirit of revenge, but also the Anglican Bishop Gilbert Burnet relates, as an eye witness, that Oates had these same motives. When the Bishop went to visit Dr. Tonge at Whitehall, Oates came in and "broke out into great fury against the Jesuits; and said, he would have their blood." Burnet goes on to relate that this incident gave him such a bad impression of Oates' character that after that he could have no regard for anything Oates either said or swore.

It may be that Oates was telling the truth when later he often testified that he had not really become a Roman Catholic, but that he had gone among the Jesuits in order to betray them. In this event his motive for inventing the whole absurd plot was to extract money from Shaftesbury and the other Whigs who were interested in ridding England of the Duke of York and his Jesuit friends.

Again the thesis of Malcolm V. Hay may be correct when he suggests that the real author of the Popish Plot was not Oates

92 Ibid., V, 13 note.
93 Burnet, II, 151.
but Father John Sergeant, a secular priest, who had his own reasons for hating the Society. In this case Oates was merely Dr. Sergeant's tool. The thesis that Shaftesbury and Sergeant combined to take advantage of the fabrications of Titus Oates is based only on circumstantial evidence. If Oates was the original source of these charges, then his motives were probably revenge and hope of reward from the Whigs. If he was only an instrument of Shaftesbury or Sergeant, then his chief motive was probably hope of reward.
Since the Jesuit Consult was the cardinal Point upon which hinged the whole story of the Plot as related by Oates, it shall here be examined independently of the other charges and the other testimony given at the Jesuit trials. According to Oates the Jesuits held a Consult on April 24, 1678 - Old Style-, at the White Horse Tavern in the Strand in London. It was at this meeting which he claimed to have attended that the Jesuits were supposed to have laid their plans for killing King Charles and overthrowing the Protestant religion. Oates himself originally gave his perjured testimony in the trial of Father Ireland, December 17, 1678 as follows:

My Lord, from Mr. Whitebread after this summons, we received a second summons, which came the fifth of April N.S. (New Style) and upon this summons there were nine did appear at London, the Rector of Liege, sir Thomas Preston, the Rector of Ghent, whose name is Marsh, the Rector of Wattom, whose name is Williams and one

1 Pollock, 152.
2 Howell, VI, 1444.
3 Ibid., VII, 87.
4 Note - Oates was at this time on the continent at St. Omers Seminary where they followed the New Style calendar, but in London the Old Style calendar was still employed. The New Style was ten days ahead of the Old Style; hence when mention is made of the Jesuit Consult of April 24, O.S., it was May 4 according to the New Style calendar on the continent.
sir John Warner, and two or three more from St. Omera; and there was a special order given us, my Lord, to keep ourselves close, lest we should be suspected and so our design disclosed. My Lord, upon the 24th of April, 05, we did appear in the Consult. The Consult was begun at the White-horse tavern in the Strand, and there they met in several rooms; they came in by degrees; and as the new ones came on, the old ones, those that had been there before them, fell off. And there was one John Gary appointed to go procurator for Rome, and he was so appointed by the suffrages of the three prisoners at the bar, Whitebread, Ireland and Fenwick. It was afterwards adjourned into several colloquies, or little meetings; one meeting was at Mrs. Sanders' house, that buts upon Wildhouse; a second was Mr. Ireland's; a third was at Mr. Harcourt's; a fourth was at Mr. Groves'; and other meetings or meetings there were but I cannot give a good account of them. My Lord, after they had thus met and debated the state of religion, and the life of the King they drew up this resolve; it was drawn up by one Mico, who was Secretary to the Society, and Socius, or companion to the Provincial... The Resolve, my Lord was this as well as I can remember the words: It is resolved that Thomas Pickering and John Grove shall go on in their attempt to assassinate the King (whether they used the word, assassinate, I can not remember, but the meaning was, they should make an attempt upon his person), and that the reward of the one, that is Groves', should be 15,000 l., and that Pickering's reward should be 30,000 masses. My Lord, after this resolution was signed by Whitebread, it was signed by Fenwick and Ireland, and by all the four clubs:
I saw them sign it, for I carried the instrument from one to another.  

Here is the testimony that sent so many innocent victims to their death, testimony for which Oates was indicted for perjury and found guilty on May 8, 1685. Practically the same story appears in the trials of the Jesuits, and the trials of their friends.

Oates was correct when he said there was a meeting of the Jesuits in London on April 24, 1678. It was a Provincial Congregation for the purpose of electing a Procurator to go to Rome. Provincial Congregations were called in each province of the Society by the respective Provincials every three years. In Chapter II of the Eighth Part of the Constitutions of the Society of Jesus where St. Ignatius treats of the times when General Congregations of the whole order should be called, he says that the General must be in communications with the whole Society and this can best be done by letters and men being sent from each province to inform the General of their work etc. In this way there will be no need for a General Congregation except for the election of the General or for some other grave reason. When treating of the men to be sent to Rome from each Province, the Declarations of this Chapter state:

5 Howell, VII, 91-92.
This meeting therefore to elect a procurator to go to Rome to inform the General of the interests of their Province was not peculiar to the English Jesuits. The year assigned for these congregations was 1678, and about the same time similar meetings were held by the Flemish Jesuits at Antwerp, the Wallons at Lille, the French at Paris, etc. Moreover these congregations were held by the English Jesuits every three years since they were constituted as a Province.

The purpose of the congregations is specified in the same part of the Constitutions that was cited above: "to choose as Procurator one of them to go to Rome to inform the General of their particular and private affairs." In a short printed pamphlet in the British Museum on this triennial provincial

6 St. Ignatius Loyola, S.J., Constitutiones Societatis cum Declarationibus, Typis Vaticanis, Romae, 1908, Part 8, Chapter II, 1, 8. The English translation reads: "Every third year from each of the Provinces, and every fourth year from the Indies, one man must be elected by the Professed and Rectors of the Provinces to acquaint the General with what things are being done in the Provinces."
7 Foley, V, 63.
8 Ibid., V, 63.
meeting in Father John Warner cites Chapter I, page 51 of the formula for Provincial Congregations in the Jesuit Constitutions as his basis for the absurdity of the main features of Oates' testimony of the Consult.

In this pamphlet Father Warner points out that the only persons capable of entering into such a congregation are 1) actual Superiors, 2) the Procurator of the Province, 3) the oldest professed Fathers who with the others make up the number of forty. Therefore since Oates did not fall into any of these three categories he could not have attended the Congregation. He was not professed; he was not a Superior; he was not even a Jesuit novice as we have shown above. He pretended that he was called to participate in the Consult by a special patent from the General of the Society of Jesus, but this is ridiculous because the General does not have power to act contrary to the Constitutions; and even if he did have the power, he certainly would not have exercised it in favor of such a person, who had already been expelled from one Jesuit College and was about to be turned out of another. At his trial Father Whitebread, the Provincial, asked the court if it were probable that he should be such a poor judge of character as to trust Oates with his

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9 Ibid., V, 63.
important business. For trusting such a man he ought to be sent to Bedlam rather than to Newgate.

Not only was Oates disqualified from attending this Provincial Congregation, but it can be proven that he did not attend it. Sixteen witnesses came over from St. Omera to testify that from December 10, 1677 to June 23, 1678 Oates was not absent a day from St. Omera. But these witnesses were not believed in 1679 because the attorneys and Lord Chief Justice Scroggs twisted their testimony until it appeared ridiculous. In turn each was asked if he were a Roman Catholic, and when he replied that he was, the Court laughed and implicitly set aside his evidence because the English Protestants at this time believed that Catholics could lie as long as Church interests were concerned, and that the Jesuits could command their students and Sodalists to lie in their behalf. An Anglican Minister published a letter written to one of his friends in 1679, proving that Catholics and especially Catholic priests can lie in defense of the Church. He quotes Catholic Doctors such as St. Thomas Aquinas, St. Robert Bellarmine, Sylvester, Cardinal Toletus, Duns.

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10 Howell, VII, 357.
11 Cf. the testimony of these sixteen witnesses in Howell VII, 360-379.
12 Ibid., VII, 412-414.
13 Ibid., VII, 362.
Scotus and others on the seal of Confession to prove his statements. He points out that the Jesuit motto is: "Jura, perjura, secretum prodere noli." (Swear and foreswear, but the main secret to betray forbear.)

Oates, on the other hand, at first said that he had been watched too closely by the Jesuits to be seen by anybody in London during the Consult. Then he shifted and brought several witnesses into Court to testify that they had seen him in London at the time of the Consult. Some of these witnesses contradicted one another while two others swore to the wrong year. That the veracity of these witnesses is not to be trusted, would seem to be clear from a brief notice in the Annual Report of the English Province of the Society of Jesus for 1688. Fr. Richard Norris, the author of this brief notice, states that while in London during the trial of the five Jesuits he stayed in the house of a Protestant physician and patron of the infamous perjurer, Titus Oates. Of course Father Norris was disguised, but he noticed that from that very house and family Oates produced

14 Lying Allowable with Papists to Deceive Protestants, Four page pamphlet found among "Tracts dealing with the Popish Plot, #18, Cleveland Public Library, 1-4.
15 L'Strange, II, 91.
16 Ibid., II, 92.
no less than five witnesses to testify against the Jesuits, and
swear emphatically that Oates was in London when he was most
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certainly at St. Omers. He also observed during his sojourn
in this house that the Protestants were accustomed to hold secret
conclaves or councils with Oates two or three times a week in
which they concocted and arranged what evidence should be brought
against the Catholics and Jesuits, and they rehearsed what was to
be said and done during the trials. Even Professor Pollock, the
staunch opponent of Catholics and especially of Jesuits, admits
in his history of The Popish Plot that the witnesses that Oates
produced to prove that he was in London at the time of the Con-
sult gave false evidence. Of the seven witnesses, he says,
only two gave evidence of any weight. They were Smith, who had
been Oates' master at Merchant Taylor's School, and Clay, "a
disreputable Dominican friar," whom Oates had taken out of
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prison. Both were afterwards proved to have been suborned by
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Oates and to have perjured themselves.

It might be asked how it was possible for the sixteen wit-
nesses from St. Omers to remember that Oates was at their College
continuously from December 1677 to June 1678, and especially

17 Foley, V, 967.
18 Pollock, 345
19 Ibid., 345.
20 Howell, X, 1183-1188.
during the entire months of April and May. Pollock would place the Jesuits at the side of Oates "in the pillory of history" for producing these "cleverly parroted" witnesses, and ordering them to testify against Oates. Father John Gerard, S.J., in his article in the Month, at the time of the appearance of Pollock's book, makes a rather thorough investigation into the testimony of these witnesses and reveals Pollock's bias against the attempt of the Jesuits at self-defense. These witnesses, as a matter of fact, had no trouble at all in recalling Oates and his conduct during his six month stay with them at St. Omers. As was pointed out in Chapter I, Oates especially since he was an adult among school boys, and a former parson was such an unusual man that he was not easily forgotten. Some of the witnesses remembered playing or talking with him during the six or seven day period during which he said he was in London. On May 2, 1678, N.S. the boys at St. Omers put on a play or an "action." After the performance when the audience came up to congratulate one of the actors and singers, Oates said to Beeton, the leading character, that if he "had paid for learning to sing, he had been basely cheated." A young student doesn't easily forget such comments

21 Pollock, 345.
24 Howell, X, 1115.
especially when everyone else was congratulating him. Other students told how Oates because of his age ate at a separate table by himself in the refectory, and so he could not be absent without the whole community noticing it. Still others such as Hall, the refectorian, Cooke, the tailor and the infirmary, had special reasons for remembering Oates' presence at St. Omers during April and May 1678. But the act which made Oates' presence at the College of St. Omer most conspicuous was the fact that he was the reader of the Sodality, and he was never absent from his duties during April and May 1678. This office of reader in the Sodality required its holder to read some spiritual reading at the Sodality meeting every Sunday and Holy Day. Oates held the office at least from March 25, N.S. to May 24, N.S., 1678. Unfortunately for him, several of his fellow Sodalists remembered that he had read at every meeting during that two month period, so he could not have been away from St. Omers for eight days as he claimed to have been. We are thus able to form some idea of the absurdity of the story told by Oates about his presence at the Provincial Congregation.

These sixteen witnesses at the trial of the Five Jesuits, however, are not alone in testifying that Oates was with them.

26 Ibid., VII, 372-373.
27 Ibid., X, 1115.
28 Ibid., X, 1107, 1124, 1128, 1129.
at St. Omers during the period he claimed to have been in London. Oates was convicted of perjury on this very point on May 16, 1685 when a still larger number of witnesses testified that he had never left the College during the period in question. Another piece of evidence to the same effect, which is usually overlooked, is the official certificate furnished by the municipal authorities of St. Omers on December 28, 1678. These officials made an investigation and were convinced that Oates had been in the College throughout April and May 1678: "by the oaths of several of the best and ancient scholars of that seminary - the whole College consisting of two hundred persons, having offered to make the same oath."

The only documentary proof produced by Oates in all his testimony on the Consult was a letter of Father Edward Petre to Father William Tunstall summoning him to the Provincial Congregation on April 24, 1678. This letter, found among Father Harcourt's papers, proves nothing more than that there was a meeting of the Jesuits on this day and that Father Petre summoned Father Tunstall. Both Fathers Petre and Tunstall did actually

29 Ibid., I, 1097 to 1135.
30 Gerard, "History 'Ex Hypothesi' and the Popish Plot,"
   11.
31 Howell, VII, 350.
32 Foley, V, 64.
attend the Congregation, and the reason why Father Petre sent this letter is probably because he was Superior of the Hampshire district at the time and Father Tunstall belonged to the College of St. Thomas (Hampshire district). There are some necessary directions in the letter about caution and secrecy, but considering the penal laws against the Jesuits these directions are not treasonable. Unfortunately Father Petre used the word, "design" in reference to the Congregation, and Oates and his cohorts were able to read treasonable intentions into this simple letter. Fathers Whitebread, Harcourt and Gavan sufficiently explained the interpretation of this word, "design," but the Court was not disposed to listen to a rational explanation.

It has proven that Oates was disqualified from attending the Jesuit Provincial Congregation, and, moreover, that he was at St. Omer's at this time. Yet Oates did come up with some amazing facts about the Congregation. For example, he spoke the truth when he said that there was a meeting of the Jesuits in London on April 24, 1678, that forty to fifty Jesuits were present, that some of the Jesuits he mentioned by name were present, and that they elected Father Cary as Procurator to go to Rome. How can

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34 Foley, V., 33, note.
35 Howell, VII, 351-352.
his knowledge of these facts be explained if he was not present at the Congregation? Almost everyone of the St. Omers' students who testified in Oates' trial for perjury in 1685, said that they knew about the Provincial Congregation held in May, N.S., 1678, and most of them also knew the very details that Oates gave in his testimony.

Clavering, one of the witnesses at this trial testified that Oates was very inquisitive about the Congregation. When Oates asked Clavering what was done at such congregations, the latter replied, "I hear at those meetings many times they stay an hour or two, and have done when they have chosen their Procurator." This may account for Oates' testimony that they met April 24, elected the Procurator and then dispersed, but as we shall see the Procurator was not elected on April 24, but at the second session on April 26. The Fathers returning from the Congregation to the continent stopped at St. Omers, and skope about the business transacted, because they couldn't then suspect that so innocent a meeting could be so maliciously represented.

After investigating what was supposed to have happened at the Jesuit Provincial Congregation of April 24, 1678 and the

36 Ibid., I, 1109, 1112, 1118, 1128, 1130.
37 Ibid., I, 1133.
39 Foley, V, 64.
absurdity of the main features of Oates' story, one is interested in knowing what really did happen, and who was there. Fortunately a complete text of the minutes of this meeting is preserved in the library of the College of Exeter, Holland. These minutes were reprinted in The Month in 1903. There would be no reason to falsify in these minutes, for they are a simple record of the business transacted at the meeting. This record was prepared for the information of the General of the Society of Jesus several months before Oates and his tale appeared.

The objects of the Provincial Congregations in the Society of Jesus are 1) to elect a Procurator, or envoy, to be sent to Rome to take part with those similarly deputed by other Provinces, in a Procurators' Congregation under the presidency of the General; this Congregation was to discuss the state of the Society, and in particular religious discipline; 2) to decide whether it is advisable to call a General Congregation of the Order; 3) to make any requests of the General that the Fathers think desirable for their respective Provinces. At the first session held on April 24, O.S. (May 4, N.S.) the fathers assembled at the place assigned, and were shown two catalogues, one containing the names of those who were to take part in the Congregation, and the other had the names of all the Professed, for the

41 Ibid., CII, 311.
Procurator to be sent to Rome must be a Professed Father. The Congregation was opened with the hymn *Veni Creator*, and the role was called. Then Father Whitebread explained the purpose of the Provincial and Procurators' Congregations. Next the Fathers decided that this Congregation was rightly constituted. Father William Marsh, Rector of Ghent, was elected Secretary and Fathers Richard Strange, the former Provincial, and Francis Neville were elected deputies to assist the Provincial in the arrangement of the program of the Congregation. By unanimous vote the next session was set for April 26. According to rule the opening session must be followed by an interval of at least one day during which inquires may be made as to who is the best candidate for Procurator. The first session was concluded by the reading of the letter of Very Reverend Fathers Vincent Caraffa, and the twenty-fourth decree of the Ninth General Congregation, prohibiting campaigning for election.

At the second session, after a prayer and the reading of the minutes of the preceding session, the election of the Procurator took place. On the third ballot Father John Cary received 22 votes, an absolute majority, and hence was chosen to attend the

42 Ibid., CII, 314.
43 Ibid., CII, 316, note.
44 Ibid., CII, 314.
Congregation of Procurators' at Rome. Father John Keynes, was chosen as his alternate. A third session was decided upon, but because of the great danger threatening Catholics and Jesuits in England at that time, the Fathers determined to meet at 11:00 A.M. that same day so as not to prolong the Congregation any more than necessary.

The business of the third and final session was to consider the petitions to be sent to Father General. First the replies of Father General to the petitions of the preceding Provincial Congregation were read and were well received. It was decreed that a General Congregation should not be called. Two petitions were then proposed and discussed. The first was that at future Provincial Congregations in England in order to hasten business because of the danger, the interval of a day between sessions be dropped. (This dispensation was granted by Reverend Father General.) The other petition asked exemption from the oath imposed upon the students of the English College at Rome, but Father General was not able to grant this petition at that time. Various points were now proposed touching on uniformity in the Province. Finally the minutes of all three sessions were read

45 Ibid., CII, 315.
46 Ibid., CII, 315.
and approved, and the Congregation came to a close with the recitation of the Te Deum.

To these minutes of the Congregation there is prefixed a list of the Jesuits who were present. As was said above the right to attend the Provincial Congregation and to vote belongs to the provincial, rectors of colleges, the procurator of the province and as many professed fathers, according to seniority of profession, as are required to make up the total of forty. There are exactly forty names among whom are Very Reverend Father Thomas Whitebread (alias Harcott), Fathers Anthony Turner, William Barrow (alias Waring and Harcourt), and William Ireland, who were direct victims of Titus Oates. The first three were executed at Tyburn on June 20, 1679, O.S. for attending this treasonable Consult, and Father Ireland was executed on February 3, 1679. All four were beatified by Pope Pius XI on December 15, 1929, and their feast is celebrated each year in the Society on February 21. However, we do not find the name of Blessed John Fenwick, who according to Oates was present at the Consult. Even Oates admitted that his other victim at the Trial of the Five Jesuits, Blessed John Gavan, was not present at the Consult.

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47 Ibid., CII, 316.
48 It was under the alias of Harcourt that Fr. Barrow was tried and executed.
49 Acta Romana Societatis Jesu, General's Curia, Rome, 1929, VI, 1928, 240-278.
50 Howell, VII, 91.
51 Ibid., VII, 323.
Gavan was too young to be professed, hence unable to attend the Congregation.

Perhaps the easiest way to show Oates' perjury on this point of the Consult, would be to prove that the Consult was not held at the White Horse Tavern in the Strand, but at St. James Palace, the home of the Duke of York. The Jesuits did not want to testify that they met in their patron's palace because his harboring of them was a formal act of treason. This point concerning the place of the Congregation is one that the Jesuits studiously avoided in all their trials and pamphlets at the time. Father John Warner, in his pamphlet on the Consult denies that it was at the White Horse Tavern, and says that it was in London, but he is not specific. Even though he was at the Congregation himself he says that he inquired of several who were present, about the White Horse Tavern, and most replied that they never heard of such a place, while all denied that they had ever met there. This White Horse Tavern in the Strand was a hostelry which by the time Oates spoke about it, had been partially demolished. In the trial of Richard Longhorn, the Jesuits' legal adviser, the woman who worked at the White Horse Tavern in April

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52 Pollock, 152.
53 Foley V, 64.
54 Gerard, "History 'Ex Hypothesi' and the Popish Plot," 8.
and May 1678 testified that she had never seen Oates before in her life and that there was not a room in her house (White Horse Tavern) that could hold more than a dozen, while Oates had said that between forty and fifty Jesuits consulted there at one time.

The secret about the place of the Congregation was finally ended by the Duke of York himself when he became King James II in 1685. In the *Memoirs of Sir John Reresby*, an accomplished country squire, we find in a notation for May 8, 1685 that King James in a conversation with Reresby revealed that the Jesuit meeting of April 24, 1678 was held at St. James where the future King then lived. Sir John also says that King James afterwards revealed this secret to the Prince of Denmark. The occasion of this conversation was the trial of Titus Oates for perjury. On this occasion King James also said that if Oates had known that the Consult was held at his palace, he would not now be King.

So much of Oates' case against the Jesuits depends on his evidence about the Consult. When one has shown that Oates perjured himself on many counts in this testimony, the case is

55 Howell, VII, 464.
58 Ibid., 325.
practically won for the prosecution. If the prosecuting attorney wishes to clinch his case, he will investigate the unfair methods employed against the Jesuits in their trials, and the other charges against them at this time. This will be done in the next chapter.
CHAPTER IV

THE JESUIT TRIALS

The trials of the Popish Plot are among the most important in the judicial history of England, and the Jesuit trials are among the most important of these. As one famous jurist-historian says these trials "are a standing monument to the most astounding outburst of successful perjury which has occurred in modern times." Posterity has branded the judges of the trials with lasting infamy, and the men executed as traitors afterwards have earned the honors of martyrs.

Here one must state a few facts about the criminal procedure and the judges at the time of the Popish Plot, if he is to understand the disadvantages the accused labored under in proving their innocence. If a prisoner was brought to trial, he had little prospect of being acquitted. Until the day of his trial he was kept under close watch, and was not told what witnesses were to be called against him, nor what lines their evidence would take. If he tried to call witnesses to prove his innocence, he had no means of forcing their attendance, and since

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2 Pollock, 265.
3 Ibid., 290.
he did not know what charges would be brought against him, he did not know which witnesses to call. The accused had to defend himself against skilled lawyers who had been preparing their case for weeks. During his confinement examinations were made of all other suspected persons and their depositions and confessions as accomplices were produced in Court against the prisoner, which he was not allowed the aid of counsel nor solicitor, either before or at the trial. But what weighed most heavily against the prisoner was the fact that rules of evidence, as they are understood today, were practically unknown. The only recognized distinction in evidence was between eyewitnesses and everything else. There was no critical analysis of evidence, so that except for Jesuits one witness was as good as another. The most insignificant evidence upon hearsay equaled in value the original documents, and the latter were not required of the prosecution, as - shall be seen when Oates speaks of certain actually non-existent treasonable letters and documents of the Jesuits. Another disadvantage to the prisoner was the fact that his witnesses were not permitted to testify under oath, and the bench usually received the prisoner's witnesses with the utmost suspicion, reminding the jury that they were not under oath. If the witnesses were Catholics, it was pointed out that their evidence might be tutored, as happened

5 Trevelyan, 401.
6 Pollock, 292.
In these several ways the trial system of the seventeenth century worked in favor of the crown and in glaring disfavor of the prisoner. These shortcomings of the system were increased by the cruelty of judges, and especially of Chief Justice Sir William Scroggs who presided at most of the trials of the Popish Plot. Scroggs' conduct during these trials, and especially his treatment of the Jesuits, was infamous. The time-serving cowardice of Scroggs was very aptly manifested in his summaries in the cases of the Jesuits. His first summary in the trial of Father Ireland teems with attacks on Catholics, and his second in the trial of the Five Jesuits, was such a plea for the prosecution as no judge at present would dare make. Besides, he continually checked and sneered at the prisoners. He gave frequent vent to his prejudice, and made abusive harangues against Catholics; he hounded many innocent victims to their death; he deserves almost as much censure as Oates. Everything seemed to conspire against the innocent for the people of that age believed the prisoner guilty unless he proved otherwise, and it was generally felt that it was better for the innocent to die than for the guilty to go free.

7 Howell, VII, 412
8 Clark, 90.
10 Ogg, II, 522.
11 Pollock, 303.
The first Jesuit trial connected with the Popish Plot was December 17, 1678 when Father William Ireland, Brother Thomas Pickering, O.S.B., and Mr. Thomas Grove were tried for high treason. Fathers Thomas Whitebread and John Fenwick were also brought to trial at this time, but they were acquitted when the crown was able to produce only one witness, Titus Oates, to testify against them.

This was insufficient to procure a conviction in a case of high treason. We will consider the case of Fathers Whitebread and Fenwick later, when we investigate the second Jesuit trial, because the same evidence was repeated at that time by Oates and others. Now Father William Ireland is the only Jesuit on trial.

Father Ireland, alias Ironmonger, a native of Lincoln, entered the Society in 1655, was professed in 1673 and after several years of apostolic labor in the Low Countries was sent to England in 1677 where he was Procurator of the Province. At this trial, after much irrelevant abuse against the Catholic Church, the counsel for the Crown finally charged Father Ireland with being a principal in the plot, and privy to the king's death because of his attendance at the Jesuit Consult of April 24, 1678. As has already been shown Father Ireland did attend

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12 Foley, V, 224.
this Provincial Congregation because he was Procurator of the Province, but the meeting entertained no treasonable designs.

Bedlow then testified that he had seen Fathers Ireland as well Pickering and Grove and others at Harcourt's chambers in London in late August, 1678, discussing how the latter two were to murder the King and be rewarded. But Father Ireland had never seen Bedlow before, and he proved that he was in Staffordshire through out August in the company of Mr. John Aston. Four witnesses, Ireland's mother, sister, Mr. Gifford, and Mr. Harrison, Ireland's coachman testified that he was in Staffordshire and not in London during August. His companions during all this time John Aston, William Bowdrel and Mr. Engletrap could not be found at this time to testify to Father Ireland's alibi. Oates also testified that Father Ireland took part in the August Consult. If Father Ireland had only known that this charge would be brought against him, he could easily have found witnesses to prove his alibi, but he neither knew about the charge nor was given time to produce the witnesses who could have established his innocence. In his second trial on May 9, 1685 Oates was convicted of perjury on this very point, and forty-five witnesses proved conclusively where Father Ireland had been every

14 Ibid., VII, 111.
15 Ibid., VII, 123.
16 Ibid., VII, 114.
day but one between August 3 and September 14, 1678. Five months after Father Ireland's execution, at the trial of the Five Jesuits ten witnesses testified to Father Ireland's presence in Staffordshire during August. Had Father Ireland been able to call even those ten witnesses, their evidence would have procured his acquittal and would probably have given birth to a reaction against Oates which would have prevented any further credence in his tale of perjury. Instead Father Ireland was found guilty and on February 3, 1679, at Tyburn, he and John Grove were hung, disemboweled and quartered according to the sentence.

The next Jesuit trial was on June 13, 1679 and is known as the trial of the Five Jesuits: namely: Fathers Thomas Whitebread, Provincial, John Fenwick, Procurator for the College at St. Omer, both of who, were acquitted at the December trial, William Harcourt, Rector of the London district, John Gavan, and Anthony Turner. Father Whitebread, alias White or Harcott, a native of Essex, had been professed in 1652 and made Provincial early in 1678. He had called the Provincial Congregation for April 24, 1678 and in the summer he made a visitation of the continental houses of the English Province. On this occasion he rejected Titus Oates' application to enter the Society. In September 1678 he was arrested by Oates and a guard of soldiers, while he was

17 Ibid., X, 1243-1281.
18 Ibid., VII, 388-391.
sick in bed with a fever. After three months under the guard of seven soldiers in his own chamber, he was taken to Newgate where he was placed in solitary confinement until his trial in June.

Father John Caldwell, alias Fenwick, a convert to the Catholic Church and entered the Society in 1656. After his profession in 1675, he was made Procurator of St. Omers College the same year. Since he did not attend the Provincial Congregation in April 1678, he must not have been one of the forty oldest professed fathers. The third victim Father William Barrow, alias Waring or Harcourt, a native of Lancashire, entered the Society in 1636, and was professed in 1646. He spent his whole missionary career in the London district, being procurator of the English Province from 1671 to 1677 when he was made Rector of the London district. He escaped the general Jesuit hunt in September 1678, but several months later he was apprehended. Father John Gavan, a native of London, entered the Society in 1660, and as he was not professed until 1678 he too did not attend the Jesuit Consult. He was an accomplished orator, and exceptionally holy man, outstanding for his purity and humility. The fifth and last was Father Anthony Turner. A native of

19 Foley, V, 32.
20 Ibid., V, 244.
21 Gerard, "The Jesuit 'Consult' of April 24, 1678," The Month, GII, 313.
22 Foley, V, 241.
23 Ibid., V, 454 and 456.
Leicestershire and a convert to the Catholic Church, Father Turner entered the Society in 1653, and labored for eighteen years for the Church at Worcester. He voluntarily gave himself up to the justice of the Peace when he heard that the Society was being persecuted on Oates' testimony.

The trial of the Five Jesuits followed nearly the same pattern as Father Ireland's trial. The case for the prosecution was opened, as usual, with the evidence of Oates. He reaffirmed his story about Fathers Whitebread and Fenwick attending the Jesuit Consult of April 24, 1678, already told at the trial of Father Ireland, and which we considered in Chapter II. He also testified that Fathers Harcourt and Turner attended the Consult and that even though Father Gavan was not at the Consult he later subscribed to the plans agreed upon. According to Oates Father Whitebread also instructed Father Thimbely, alias Ashby, to offer Sir George Wakeman, the Queen's physician, 10,000 £. to poison the King. Fathers Fenwick and Harcourt met with the other Jesuits on August 21, 1678 at Wild-House where they planned to pay four Irish ruffians fourscore pounds to murder the King. His final charge was that Father Gavan kept the London Jesuits informed of the progress of their design in Staffordshire and

24 Ibid., V, 862.
25 Ibid., V, 863.
26 Howell, VII, 323.
27 Ibid., VII, 327.
Shropshire and said that there were at least two or three thousand pounds in those districts for carrying out their design.

Then Oates' fellow perjurers took over. Dugdale, when called swore to treasonable consuls at Lady Aston's place at Tixall, where Fathers Gavan and Turner were present. He testified that Father Whitebread wrote a treasonable letter to Father Evers, Dugdale's confessor at Tixall, and that Father Harcourt also wrote a letter to Father Evers about Godfrey's death before it became known. Prance then gave some trifling evidence against Fathers Harcourt and Fenwick based on hear-say. Bedloe closed the oral testimony for the crown by contradicting his former assertion given on oath at Father Ireland's trial. Now Bedloe testified that Father Whitebread was the best known to him of the Jesuits, and he had seen him and Father Fenwick plot their treasonable designs at Father Harcourt's chambers; he knew nothing about Fathers Turner and Gavan.

However, the case for the crown did not rest merely on this testimony of the perjurers alone. Two letters were then produced, the first written by Father Edward Petre to Father Tunstall summoning him to the April Consult. This letter failed as

28 Ibid., VII, 335-342.
29 Ibid., VII, 334.
30 Ibid., VII, 338.
31 Ibid., VII, 344-346.
32 Ibid., VII, 350.
evidence in Father Ireland's trial because it proved no more than the fact that there was a meeting of the Jesuits. This letter was explained above in Chapter II. The other letter was from Father Christopher Anderton at Rome on February 5, 1678, and it contained this harmless sentence: "We are all here very glad of the promotion of Mr. Thomas Harcourt. When I writ that the patents were sent, although I guess for whom they were, yet I know not for certain..." According to the counsel for the Crown these two sentences were to be interpreted as Father Whitebread's promotion to a bishopric and the "patents" referred to the appointments of priests and noblemen to the various offices of church, state and army. Father Whitebread explained that Father Anderton referred to his promotion as new Provincial, and "patents" was a translation for *Literae Patentes* and referred only to his patent as Provincial, but no such rational explanation would satisfy the court.

The Jesuits chief defense was to procure the sixteen witnesses from St. Omers to testify that Oates had been with them from December 1677 to June 1678. Then four witnesses testified that Oates had perjured himself when he said that he came over to the Consult with Fathers John Warner and Thomas Preston; five witnesses were called to testify that Father Gavan had not been

33 Ibid., VII, 355.
in town in April 1678 and was not yet professed; then that Father Ireland had been in the country in August and September of the same year.

To this abundance of witnesses was added addresses of real eloquence and logic by Father John Gavan, but to no avail, because Chief Justice Scroggs summed up the evidence in an elaborate speech which practically threw out the testimony of the witnesses for the defense and strongly favored the Crown. After only a quarter of an hour's absence the jury that voiced the furious bigotry against Catholics and Jesuits, returned to court with a verdict of guilty against all the prisoners.

What better defense could the Jesuits have made? The indictment against them was so vague and general that it was impossible to select any special point. The Jesuits had only received word of their trial the day before, and it was hard for them to gather the witnesses that they did. Since those witnesses were brow-beaten, insulted by the Court and bystanders, they were afraid to contradict the perjurers lest they should endanger their own safety. Since access to the prisoners in Newgate had been allowed, they could receive no technical advice as to their defense. As Father Fenwick observed at the trial

34 Ibid., VII, 360-393.
35 Pollock, 345.
36 Foley, V, 227.
the evidence against his consisted entirely of the contents of letters not produced, "nothing but saying and swearing," and no documentary evidence, but this was the practice of the law courts of the day.

The Fathers could not call in their brethren to refute Oates' testimony regarding the Provincial Congregation because if they had testified as eye-witnesses, they would have shared the fate of the five Jesuits as accomplices. Nor could they disclose the fact that their "Consult" had been held in the Duke of York's palace. Although this would have destroyed Oates' evidence, it would have involved their patron the Duke. Their line of defense was to convict the witness of perjury, and they succeeded in this, but the judges were determined that they would have a conviction. Otherwise the judges themselves would have been guilty of the judicial murder of Father Ireland because they were the same judges who had condemned him on the same evidence. Only one thing remained to the Jesuits, namely, to yield themselves to death as their Master had done sixteen centuries before.

June 30, 1679, was their execution day but before they died they made a defense that had an even greater impression on the

37 Howell, VII, 410.
39 Foley, V, 238.
people than their case in the Court. The demeanor of these men on the scaffold, and their last oaths aroused some public sympathy. Each protested his innocence, and called upon God whom he would soon see face to face to witness his oath. All used the same line of argument, denying any knowledge of a plot explaining the doctrine of the Catholic Church especially regarding the obedience due to kings, and the "Jesuit doctrine of king killing." They pardoned their accusers, the judges and the jury, and prayed for the King and the peace of the kingdom, and ended by commending their souls to God.

To Catholics these solemn denials were so conclusive that they could not understand how the heretics could disbelieve these men who were about to render their account before their Creator. To Protestants, on the other hand, these oaths were the logical expression of their immoral doctrines. The judges and jury attached no weight to the oaths of the Jesuits for they believed them to hold the casuistic doctrine which according to uninformed Protestants allowed the Jesuits to lie in the interests of the Church. Bishop Burnet says that it was generally believed that there was some plotting among the Jesuits, and that the bulk

40 Hay, The Jesuits and the Popish Plot, 148
42 Pollock, 333.
43 Trevelyan, 398.
of what Oates and his companions swore to was true, though it was dressed up with incredible circumstances. He also says that the tempers as well as the morals of the Jesuits made it reasonable that they should have made such a plot and defended themselves to the very end by such infamous oaths. By Jesuit morals he means their doctrine in regard to the deposing or murdering of kings, the doctrine of probability, and their casuistry.

Other pamphleteers undertook to prove that according to Jesuit principles these five men although guilty ought to die solemnly protesting their innocence. Shaftesbury and his party were afraid that Oates' reputation was wanning so they called over a secular priest, Father John Seargeant, from Holland to discredit the Jesuits and to prove that after all they had been justly condemned.

After the Jesuits had finished their last speeches on the scaffold, the cart was drawn away, and they hung for about half an hour. Due to the kindness of the sheriff the usual barbarity of the sentence, requiring that they should be cut down while yet alive was dispensed with. After they were dead their bodies were decapitated and quartered after being disemboweled, and

44 Burnet, II, 191-192.
45 Pollock, 333; Howell, VII, 543-570.
46 Hay, The Jesuits and the Popish Plot, 149.
the intestines were burned. What remained of their bodies was given to their friends, and buried in the Churchyard of St. Giles in the Fields.

47 Foley, V, 58.
CONCLUSION

Before a verdict is reached the case must be summed up. The opinions of prejudiced Protestant historians of the past should not influence us unless they have produced some evidence. Their Jesuit-myth has been handed down from generation to generation even to the present day when it has been popularized by *Life* magazine.

The reign of Charles II was an age of intrigue. The propaganda spread against the Catholics in England during this period was so successful that the majority of the contemporary Protestants were prone to believe any evil story that they heard about the "papists."

The facts of the case are simple. In September, 1678 Titus Oates wrote eighty-one articles testifying that the Catholics and especially the Jesuits were guilty of treason because of their plans to assassinate King Charles, overthrow the government and the Protestant Religion. Since these charges were so outrageous, the whole matter would have blown over had not Sir Edmund Godfrey been murdered. Catholics were accused of the murder of this magistrate before whom Oates had made his charges. An outburst broke out against the Catholics, and the time was ripe for Oates to push his case against the Jesuits.
The London mob was not entirely to blame for its bitter hatred of the Jesuits, because the Whig politicians had circulated anti-Jesuit propaganda, accusing them of planning to murder their Protestant neighbors, to burn London to the ground once more, and to kill King Charles. This generation had been told by their grandparents that the Jesuits were responsible for the Gun Powder Plot. They themselves could remember catastrophes accredited to the Jesuits, such as the Plague, the Great Fire of London in 1666, the Treaty of Dover and the conversion of James, Duke of York. To these people the Popish Plot, as narrated by Oates, was just the latest attempt of the Jesuits to overthrow the English Government and kill all Protestants.

If, Titus Oates' contemporaries knew his background and motives as well as we do today, they would not have been so inclined to listen to his fabulous story. As has been pointed out even the most bitter anti-Catholic historians have recognized Oates as one of the world's great imposters and perjurers. We can pass over his hideous appearance, the many failures of his early life, and his "conversion" to Catholicism in 1677. His brief and unhappy sojourns at the Jesuit Colleges of Valladolid and St. Omer, as well as his expulsion from both of the institutions, furnish us with plenty of evidence to prove that he sought revenge against the Jesuits. His association with
the fanatic Dr. Tonge further stigmatizes his as as unreliable witness.

Most of his charges against the Jesuits deserve little consideration in our summation. It should be recalled that he accused the Jesuits of several plans to kill King Charles, overthrow the Government and the Protestant religion. His testimony in his *True Narrative* is almost entirely based upon letters which he was never able to produce, and conversations to which he was the only witness. If we are to accept such circumstantial evidence, it must be given by an irreproachable character, and we have seen that Oates was far from that. Oates knew just enough about the personnel of the Jesuits to fit the chief actors in his plot, and he picked up just enough information about the Society at St. Omers to give his plot a semblance of truth. In weighing and refuting his various charges we have repeatedly pointed out the open mistakes in Oates' testimony, the approximation of the names, the motives for Jesuit Superiors not to trust him on secret missions, the lack of evidence produced, and the fact that he was not present at Madrid and London when he claimed to have been. His motives for these charges were probably revenge against the Jesuits and hope of reward from the Whigs. He hated the Jesuits because they expelled him from Valladolid and St. Omers, and because they rejected him when he applied for entrance into the Society.
His most important charge against the Jesuits was the famous consult at the White Horse Tavern in the Strand. In 1685 Oates was found guilty of perjury in his testimony on this point. He was correct when he said that there was a meeting of the Jesuits on April 24, 1678. He learned about this provincial congregation from his associates at St. Omers, but his imagination magnified this meeting to elect a procurator to go to Rome into a treasonable consult.

We saw the purpose of this congregation and its personnel as it is outlined in the Jesuit Constitution which openly contradicts Titus Oates' testimony. Moreover, from the very minutes of the meeting we have shown that its business did not include any of the treasonable plots that Oates claimed, as well as the fact that Oates' name is not to be found among those present. Sixteen of his fellow students at St. Omers testified in the famous trial of the five Jesuits that Oates had not been absent from St. Omers from December 10, 1677 to June 23, 1678, and even a greater number of witnesses gave the same testimony at his perjury trial in 1685. At the very time when he was supposed to have been present at the Jesuit provincial congregation in London he was reading at a Sodality meeting at St. Omers.

One other little detail in Oates' testimony about the Jesuit Consult conclusively proves his perjury. He claimed that the meeting in question was held at the White Horse Tavern in
the Strand. This hostelry was partially demolished by the time Oates spoke about it, and from the testimony of one of the White Horse workers we find that she had never seen Oates, and that there was not a room in the tavern that could accommodate more than a dozen people, while Oates had said that between forty and fifty Jesuits had consulted there at one time. King James II finally revealed the secret about the place of the congregation. It was held at St. James Palace, where the Duke of York, future King James II, then lived, but the Jesuits did not want to testify that they met in their patron's palace lest they involve him in a charge of treason for harboring them, even though by this testimony they could have proved Oates a perjurer.

The defendants themselves were outstanding gentlemen who had little opportunity to prove their innocence since they were kept ignorant of the charges of Oates until the trial when it was almost too late to produce testimony proving their innocence. The eloquent addresses of the accused and the testimony of their many witnesses were of not avail because of the bigotry of the Judge and jury.

The last oaths and the heroic deaths of these Jesuits protesting their innocence on the scaffold, and the mercy that they extended to their accusers should have softened even the most hardened hearts, but the English people of that day were so
victimized by the anti-Jesuit propaganda that they were blind to the innocence of these Jesuit Martyrs.

An unbiased jury cannot but bring in a verdict of "Not guilty" for the Blessed Jesuit Martyrs, and "Guilty of perjury" for Oates and his associate informers. This has been the verdict of most Protestant historians since the seventeenth century. However, they usually qualify their "Not guilty." In general they admit that the Jesuits were not guilty of the charges that Oates made against them, but that they were guilty of plotting the ruin of the Church of England, and possibly even of the government. According to them Oates' story was a "pure fabrication," and "the great national delusion," but they are careful to add that there was a real Popish Plot.

It would take us too far afield to refute adequately this prejudiced opinion; we can here merely offer an explanation. There was no plot, but only a situation. The Catholics and Jesuits at this time were an oppressed minority, and they were naturally attempting to obtain religious freedom. Their apostolic mission was to bring England back to what they considered the true faith, to bring her children back to the one

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2 Walsh, 273.

3 Belloc, 160.
Church. This was the situation in 1678, and the Jesuits' endeavor was legitimate when one looks at it from this point of view, and forgets the lies of Titus Oates.
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The thesis submitted by Robert J. Murphy, S.J. has been read and approved by three members of the Department of History.

The final copies have been examined by the director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the Degree of Master of Arts.

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