

# Sydney, 1803: when Catholics were tolerated and Freemasons banned

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On 1 March 1804, Governor Philip Gidley King wrote with satisfaction to his superior in London, Lord Hobart, of the success of his proclamation of toleration for Catholics a year earlier:

The indulgence proposed by your Lordship respecting the Rev'd Mr Dixon performing the functions of his clerical office as a Roman Catholic ... has had the most salutary effects on the number of Irish Catholics we have, and since its toleration there has not been the most distant cause for complaint among that description, who regularly attend Divine service.<sup>1</sup>

He spoke too soon. Three days later, the Castle Hill Rebellion broke out.

How did it happen that for a brief period in the early colony of New South Wales, Catholicism was tolerated and its clergyman paid a government salary? What was conceived to be the point of the exercise, and why did it happen at the same time as the more Protestant ideology of Freemasonry was banned? Why were Catholicism and Freemasonry seen as threats to public order, and what was the truth of the matter?

We need first to understand the precarious nature of authority in Sydney in the year 1803.

## **The French and other threats**

The raw colony, just 15 years old in 1803, had a white population of only 7000. In the decade 1800-1810, unlike any other decade in Australian history (except the early 1940s), it faced grave threats to its existence. If Governor King's despatches sometimes sound paranoid, he had justification.

The threats were multiple and potentially simultaneous. If the French were to sail up the Hawkesbury and join the Irish at Castle Hill, the colony would be close to indefensible. To defend himself the governor had only the New South Wales Corps, suspected of infection with revolutionary principles themselves, used to running the colony for their own benefit, and as it turned out in the 'Rum Rebellion',



*Under threat on multiple fronts: Governor Philip Gidley King (1758-1808) c. 1800.  
(Artist unknown, portrait in oils, Mitchell Library, State Library of NSW)*

a threat to public order worse than the French and Irish combined. In addition the lieutenant-governor was uncooperative and useless (as well as having recently been shot by John Macarthur), the judge ignorant of law even when sober, the parson doubling as a flogging magistrate, several other leading citizens of doubtful sanity, and the confidence of the Secretary of State for War and the Colonies always capable of being withdrawn (as in 1806, it was). The nearest reinforcements were in India, so the colony was on its own.

The French threat was ever-present. The French had attempted a large-scale invasion of Ireland in 1796, actually invaded Ireland and Egypt in 1798 and interfered in India from their base in Isle de France (Mauritius). France's international ambitions were obvious, even though the Royal Navy held the upper hand. War was declared again in May 1803. In 1802, Nicolas Baudin's scientific expedition had visited Sydney and, to no-one's surprise, engaged in spying. The intelligence report of one of the scientists, François Péron, recommends invasion, lays out a detailed plan and suggests it would not be difficult, with the help of the local Irish.<sup>2</sup>



*French intelligence: Nicolas Baudin and François Péron sounded out Irish republicans and Freemasons in the colony. ('Captain Nicolas Baudin/from an engraving', State Library of South Australia, B5793; Péron image taken from 'Terre Napoleón; a history of French explorations and projects in Australia', 2nd edn, Scott, 1911)*

While King was of course unaware of the report, he came to know of Péron's spying (if it was not clear already) through the 1804 confession of William Maum (or Maume), an Irish prisoner on the Hunter and formerly a teacher of Latin and Greek and an informer against the United Irishmen in 1798.<sup>3</sup> The French, he said, had sounded him out, he had supplied them limited information in Latin, and they contemplated invading on Napoleon's orders, enlisting the Irish, and giving rank to such men as Maum. They 'said there must be some knowing ones here, and



*Sydney through French eyes: 'Nouvelle-Hollande: Nouvelle Galles du Sud, 1802'. (From drawing by Lesueur, published in François Péron's 'Voyage de decouvertes aux Terres Australes ... Historique ... Atlas, Paris 1807'; RAHS Glass Slide image)*

particularly mentioned Governor King, who prevented the Freemasons' meeting on board the French ships; as that, if it were allowed to continue its sitting, the candidates would be after the third step in masonry initiated into the principles of the illuminati, which would speedily beget republicanism'.<sup>4</sup> Maum may or may not have been privy to the secrets of Freemasonry, but evidently thought that his interests (being returned to Sydney from Newcastle) would be advanced by the 'revelation' that the inner ring of Freemasons were republicans.

Maum was not the only convict interested in the French. Philip Cunningham, later the main leader of the Castle Hill rebellion, attempted to escape with them and received 100 lashes.<sup>5</sup> Several convicts did escape with Baudin, including Mary Beckwith, 16, who shared Baudin's cabin.<sup>6</sup>

In late 1803, after the declaration of war, Matthew Flinders was detained when his 'scientific' expedition was forced to call at Mauritius, and a search of his papers found King's despatches requesting the Admiralty send more troops in case the French were to attack Port Jackson.<sup>7</sup> Macquarie remarked in 1814 that it was generally supposed that Baudin's expedition had come solely to investigate founding a French colony and that Napoleon would have done so 'had his more important Engagements in Europe admitted of his sending out a sufficient Force for the Conquest of this Colony'.<sup>8</sup>

## **Freemasonry and the threat of republicanism**

Freemasonry had arisen in Britain around 1700 and spread to the Continent, Ireland and America. It was a movement in which men of some standing gathered regularly in lodge meetings. It had social, spiritual, mutual help and to a degree political significance. Its social function, of simply allowing men to share regular fellowship, was particularly suited to imperial itinerants such as the military, who could arrive in a new posting and join a ready-made social and patronage network. Its secret rituals referring to a non-denominational Great Architect of the Universe (familiar from Mozart's *Magic Flute*) and promoting individual virtue could act as a substitute religion and a means of communicating across sectarian (and national) boundaries. That was compatible with 'broad church' Anglicanism but led to clashes with the more exclusivist versions of Christianity such as Catholicism and evangelicalism.<sup>9</sup>

The purposes of Freemasonry were not explicitly political, but its practice of democratic internal self-government, unremarkable enough in Britain, raised alarm in the autocratic regimes of Europe. So did its secrecy. Freemasonry thus had some alignment with political ideals now associated with the Enlightenment, although the connections are complex.<sup>10</sup>

By 1800, Freemasonry was associated in people's minds with the threat from revolutionary France. The closeness of that connection remains unclear, as well as varying with time. Although at this period striving for respectability and British Empire loyalty,<sup>11</sup> the Craft (as the practice of Freemasonry is also known) was still associated with the slogan 'liberty, equality, fraternity' which it had bequeathed to the French Revolution. Freemasonry had been strong among the American revolutionaries<sup>12</sup> and later among those leaders of the United Irishmen who were Protestant.<sup>13</sup>

An association of settlers on Norfolk Island formed in 1798 to complain about the government styled itself the 'Fraternal Society of Norfolk Island', a name Governor John Hunter took to be deliberately provocative.<sup>14</sup> An 1801 grave of the captain of a visiting whaling ship shows masonic symbols, supplied by the brothers who buried him.<sup>15</sup>

In the first known definite masonic ceremony in Australia, Captain Anthony Fenn Kemp, paymaster of the New South Wales Corps, was received into the grade of Ancient Masonry by two of the officers of Baudin's expedition, suggesting the possibility of revolutionary principles crossing national boundaries.<sup>16</sup> Kemp was court-martialled in 1803 after scurrilous texts attacking the governor were found in his barracks, but acquitted when Major George Johnston, acting commander of the Corps, arrested the judge and forced King to replace him. The failure of the courts-martial to convict the soldiers who had lampooned King showed the limits of the governor's power. Johnston (the suppressor of the Castle Hill rebellion) and Kemp were to be principals in the Rum Rebellion five years later.



*Gravestone of Captain George Hales, Norfolk Island, 1801, with masonic square and compass.  
(Courtesy of Kingston and Arthur's Vale Historic Area, Norfolk Island)*

On 14 May 1803 – weeks after toleration of Catholics was proclaimed – a masonic gathering was held in Sydney. All attending were arrested. The *Sydney Gazette* of 22 May 1803 gives an account of the inquiry into the event. The text needs to be read carefully in full as it is not easy to interpret what was published for public consumption:

### Masonic Meeting

On Monday last the persons taken out of the house of Serjeant Whittle, on the night of Saturday preceding, were brought before a Bench of Magistrates, when Mr Jamieson declared, that as a Magistrate sanctioned by an Order from HIS EXCELLENCY, he had gone with the Chief Constable, to the said house about Nine in the evening, to ascertain whether such assembly was then held there, and finding it to be the case, had ordered all persons of whom it was composed, into the custody of the Peace Officers.

Mr Whittle being asked whether he had been authorised to suffer a meeting to be held in his house, replied, that he had made application to the Lieutenant Governor, as his Colonel, for permission for a few friends to meet in his house on that evening, and this request had been acceded to.

The Magistrates thinking it requisite to trouble Colonel Paterson with a message on this occasion, the Gentleman personally attended, and informed the Bench, that what Serjeant Whittle had stated as to his permission was strictly fact, but that he was not apprised of its being a MASONIC MEETING or he should not have authorised such assembly; Colonel Paterson further observed, that Serjeant Whittle had ever behaved himself in a manner becoming him as a Non-Commissioner Officer in the Corps, and that as the house kept by him was orderly managed, he had granted his permission without hesitation.

Several depositions were taken, in the course of all which it appeared that ONE of the Members of the said meeting (a Mr Driscol, boatswain of His Majesty's ship *Glatton*), had behaved, when accosted by the Magistrate with much impropriety; that he exclaimed, 'Masons, Masons', and put himself in a posture of defence. H. B. Hayes had called for the Majority; and another had endeavoured repeatedly to shut the door as the constables were taking one of the parties out of the room. A scuffle ensued, and Mr Jamieson insisted on all the parties being secured; for that they had not only illegally assembled, but had done so in express opposition to the Governor's Orders. Mr Driscol had gone on board his ship, and as it was necessary that he should be required to attend, as well as some evidence which the prisoners thought proper to call on their side, the Court was pleased to allow two hours for this to be done, and at two o'Clock adjourned.

At four in the afternoon the sitting was resumed, but in a few minutes the Court was cleared. When it was re-opened, the Judge Advocate addressed the prisoners to the following effect: That HIS EXCELLENCY, whose duty it is to prevent all Meetings and Assemblies that are not properly authorised, from being held in this Colony, had granted a warrant to a Magistrate to apprehend all such persons as had so assembled at the house of Serjeant Whittle; but it had evidently appeared, that Mr Whittle conjectured himself authorised by his Commanding Officer to entertain this company; that Lieutenant Colonel Paterson had said much in his favour; that the principal delinquent, Driscol, had found means to escape, and was on board the *Glatton*, then about to sail, as were also several witnesses claimed by the prisoners as materially requisite to their defence; and therefore, under all the circumstances of the case, the Court think it proper to acquit the prisoners of any Wilful intention to disturb the Public Peace. All the parties were therefore ordered to be liberated, H. B. Hayes excepted; respecting whom see General Orders in the first Page.<sup>17</sup>

The court plainly did not take very seriously the deliberate flouting of the governor's explicit and recent order. A natural interpretation, though not the only possible one, is that King's orders were subverted by non-punishment of this obvious transgression, while Jamison used the opportunity to settle a score with the unpopular Hayes, who had assaulted him on the voyage out. Since King was no friend of Hayes, that may have suited him. (Sir Henry Browne Hayes, a Protestant Irishman, had been transported in 1802 for kidnapping a Quaker heiress and forcing her to go through a wedding ceremony.)<sup>18</sup> However it may also be relevant that Hayes was a civilian and ex-convict and so less protected by a military lodge. (A Sydney military lodge in 1814 refused to accept the past master of a Dublin lodge on the grounds that his having been a convict would impugn 'our Respectability both Military and Masonic'.)<sup>19</sup>

The declaration referred to on page 1 states that Henry Browne Hayes, having held a masonic lodge in contravention of King's forbidding it, is to be sent to hard labour in Van Diemen's Land and that any similar meetings will be punished 'to the utmost rigour of the law'.<sup>20</sup> A gentleman need not fear really being sent to hard labour in Van Diemen's Land, although he was removed to Norfolk Island for a time.

It may also be relevant that the claim that Whittle, the prime mover in the meeting and owner of the public house in which it occurred, 'had ever behaved himself in a manner becoming him', is very dubious. Whittle had been involved in the 1790s in disturbances to church services and other minor bad behaviour.<sup>21</sup>

More was to come in the future. The magistrate, Jamison, and the exonerated accused, Whittle, were later principal actors in the 'Rum Rebellion'. Precipitating events of the coup included Bligh's sacking of Jamison from his magistracy<sup>22</sup> and his ordering Whittle to demolish his house (his residence, not the public house in which the masonic meeting had taken place; the order was subverted by transferring the house to Major Johnston).<sup>23</sup> Whittle was in charge of the search party that found Bligh and is believed to have commissioned the well-known watercolour of Bligh being (allegedly) found under the bed. His inflammatory comments on the march down Bridge Street suggest revolutionary sympathies.<sup>24</sup>

Other speculations about the meaning of the text are possible, but it is hard to escape a general conclusion of Freemasons managing to evade the prohibitions on the Craft, while King was allowed to publish a reiteration of his prohibitions on masonic meetings.

On 21 August 1804 King wrote, 'In consequence of a systematic plan formed by Hayes some time ago of initiating Freemasons after I had forbid it, Hayes was detected presiding at a club, and would very soon have made every soldier and other person Freemasons had not the most decided means been taken to prevent it.'<sup>25</sup> And in 1805 he joined the dots between Freemasons, Hayes and the Irish, writing, 'Nor is there any doubt, as far as the most presumptuous proof goes, of his having been

much concerned in the Insurrection of the United Irish at this place in March 1804.<sup>26</sup> (Maum said this was unlikely and he suspected Hayes' name was merely bandied about by the insurgents.)<sup>27</sup> The state of King's mind with regard to the many threats to his authority is clear, if not the truth on the ground.

### **The Irish rebels**

The 400 convicts sent to New South Wales for complicity in the Irish rebellions of 1798 to 1803 were agreed by those in authority to be the most desperate, dangerous and unreformable characters imaginable, threatening the colony with destruction at any moment. Memories were fresh of atrocities on both sides in the rebellion of the United Irishmen in 1798, when at least 10,000 had been killed, probably many more. Both the authorities and the convicts spoke as if revolution would resume in New South Wales where it had left off in Ireland. King reported in 1801:

We have been very quiet until the arrival of the *Ann*, transport, from Cork, with 137 of the most desperate and diabolical characters that could be selected throughout that Kingdom, together with a Catholic priest of most notorious, seditious, and rebellious principles – which makes the numbers of those who, avowing a determination never to lose sight of the oath by which they are bound as United Irishmen, amount to 600, are ready, and only waiting an opportunity to put their diabolical plans into execution.<sup>28</sup>

In King's first two years, 1800 and 1801, interrogations were conducted, plots uncovered, floggings ordered, ringleaders hanged and others sent to Norfolk Island. But as with the masonic threat, the ratio of talk and rumours to real action was high. The evidence is contaminated by the use of flogging to extract confessions – though interrogatory torture was illegal under British law – and the knowledge by informants of what government wanted to hear. Some of the evidence extracted by the Rev Samuel Marsden's questioning was thin: Hester Stroud, convict, heard talk of pikes hidden, and 'this Depon't further saith from what she saw of the Irishmen being in small Parties in the Camp at Toongabby and by their walking about together and talking very earnestly in Irish. Deponent verily believes they were intent upon something that was improper on Saturday afternoon.'<sup>29</sup> Finding any pikes proved difficult.

Francois Péron was convinced, or said he was convinced, by the Irishmen's bloodthirsty talk in 1802. 'Their eyes bathed in tears, pouring out curses against England, imploring Bonaparte and calling for the moment of vengeance on their oppressors<sup>30</sup> ... it would have been more difficult for the French to prevent the massacre of the English than to conquer the colony<sup>31</sup>... The Irish in chains are silent now, but if our country's government, alarmed by the rapid increase of this colony, planned to seize or destroy it in the name of France, all the Irish arms would rise.'<sup>32</sup> Or, as with the French invasion of western Ireland in 1798, they might not.

The Castle Hill rebellion in 1804 was certainly real and showed that King's fears were not groundless. But even there, no soldiers, volunteers or settlers were killed or injured, while just some 30 insurgents were killed then or later. The troubles of Ireland did not repeat themselves in the colony.

Significantly for the question of toleration of religious ceremonies, a distinction was drawn between the ordinary Irish and gentlemen, a category taken to include priests. Governor Hunter wrote, 'We can scarcely divest ourselves of the common feelings of humanity so far as to send a physician, a former respectable sheriff of a county, a Roman Catholic priest, or a Protestant clergyman and family to the grubbing hoe or timber carriage.'<sup>33</sup> They had to be supported on the government stores.

### **Toleration of Catholics: for and against**

The question for Hobart and King was whether a Catholic priest was a net positive or negative for controlling the Irish convicts. The answer was not obvious.

As often in Australian history, what happened was a reflection of events back home. This question has an Irish background in the previous decade. The Protestant Ascendancy had vigorously persecuted Catholics with penal laws for a century after the Battle of the Boyne in 1690. Then it was suddenly realised in the 1790s that His Majesty's Government and the Irish Catholic hierarchy faced a common and pressing enemy, the French Revolution. Dublin Castle needed the Catholic bishops' support against the spread of revolutionary ideals among the laity, while the bishops wanted progress on Catholic emancipation and help with replacing the Irish seminaries destroyed by revolutionary forces in Europe (which had to that time educated almost all Irish priests).

In 1793, the year of the Terror in Paris, the Irish Parliament passed the major reforms of the Roman Catholic Relief Act. It was piloted through Parliament by the Lord Lieutenant's Chief Secretary, Lord Hobart, against local Protestant opposition and was sometimes called 'Hobart's Relief Act'.<sup>34</sup> Archbishop Troy of Dublin met Hobart at Dublin Castle. He suggested to Hobart that even if seminaries were restored in France after a counterrevolution, 'our clerical youth would be exposed to the great danger of imbibing seditious maxims and propagating them afterwards in this kingdom'. He reminded Hobart of attacks on clergy following their support for order in recent disturbances, and laid out the advantages of British permission for clerical education in Ireland. Then he asked the British to pay for it.<sup>35</sup>

While Hobart left Ireland shortly after, the negotiations were successful and the Irish bishops, though disappointed over lack of further progress towards Catholic emancipation, did receive Maynooth Seminary ('The Royal College of St Patrick') in 1795, at government expense. When the 1798 Rebellion broke out, the government received an excellent return on its investment in the archbishop. He excommunicated the United Irishmen, called for loyalty and gratitude, instructed his

priests to preach restraint, and referred at least privately to those few clergy implicated as 'the very faeces of the church'.<sup>36</sup> The Irish Catholic hierarchy has continued to solidly oppose the cause of revolution to the present day, with the sole exception of a later president of Maynooth, Daniel Mannix.

That is not to say that Hobart was pro-Catholic. He was not himself in favour of Catholic emancipation. In 1805 he argued strongly in the House of Lords against emancipation for Catholics, on the grounds of their loyalty to a foreign power.<sup>37</sup> Indeed, he is the only person in the whole story other than Marsden to show concern for the Protestant interest as such. Nevertheless, he was very familiar with the benefits of concessions for Catholics for strategic reasons and the possibility of priests restraining revolutionary hotheads.



*The 'flogging magistrate', the Rev Samuel Marsden, was convinced that tolerating Catholics could only lead to the colony being 'lost to the British Empire'.*

*(Source: RAHS Foster Glass Slide collection)*

The other reason in favour of toleration in Sydney lay in the person of Fr James Dixon. He was widely agreed, then and later, to be a mild-mannered man and well educated (at Salamanca and Louvain) with no interest in revolution and undeservedly transported.<sup>38</sup> He was thus of the same mind as Archbishop Troy – indeed, much of the surviving evidence for Dixon’s innocence is in letters to Troy. Even on the voyage out, he had gained a name as a moderating influence. The journal of the ship’s captain’s wife says of the convicts on board: ‘It was fortunate both for themselves and us, that there were amongst them men of education and sense; who doubtless contributed to restrain the others from evil and violence; one was said to be a Roman Catholic clergyman, and we trusted that his influence was beneficial.’<sup>39</sup>

Governor King soon came to agree that ‘the conduct of Dixon, the Catholic priest, has been exemplary since he has been here’.<sup>40</sup> If a priest was to be tolerated at all, Fr Dixon was the ideal candidate – as well as, by 1803, the only candidate.

The opposite opinion on toleration of Catholics was represented by the Rev Samuel Marsden, the senior Church of England clergyman as well as flogging magistrate and sheep farmer. His views on the risks of toleration appear in a manuscript of his of 1807, bound with two others, one describing the spirit trade as the downfall of the colony and the other calling almost all of the colony’s unmarried females prostitutes. The essays were apparently intended for publication on his visit to England, but that did not occur.<sup>41</sup> While he understood that some believed that toleration would quiet the minds of convicts ...

But whoever is acquainted with the real National Character of the Irish Convicts, and the local Situation of the Colony, will be of a very different Opinion. It is more than probable that if the Catholic Religion was once allowed to be celebrated by Authority, that the Colony would be lost to the British Empire in less than one year. The number of Catholic convicts is very great in the Settlement; and these in general composed of the lowest Class of the Irish Nation, who are the most wild, ignorant and savage Race that were ever favoured with the Light of Civilization; Men that have been familiar with Robberies, Murders and every horrid Crime from their Infancy. Their minds being destitute of every Principle of Religion & Morality render them capable of perpetrating the Most Nefarious Acts in cool Blood. As they never appear to reflect upon Consequences; but to [be] governed entirely by the Impulse of Passion and always alive to Rebellion and mischief they are very dangerous members of Society ... The low Irish Convicts are an extraordinary Race of Beings; their Minds are depraved beyond all Conception ... Should the Catholic Religion ever be tolerated in the Settlement, that will immediately give them that Opportunity they wish for. At the Celebration of the Mass they would assemble from every part of the Colony; reveal their Intentions, and gain one another’s Confidence. Measures would be immediately concerted to overturn the present Government.

Marsden was particularly concerned about the future, which required the authorities to make sure children were all brought up Protestant. Catholics fortunately had little knowledge of their religion. Therefore,

If none but the Protestant Religion should continue to be established or tolerated; in a few years there will be very few Catholics, to what there are now in the Settlement. The rising Generation will be Protestants and Strangers to all other religious Opinions, if Attention is paid to their early Education and for want of the public Celebration of the Mass the common People will think little of it ... should the Morals and Education of the Children of the Irish Catholic Convicts be neglected, many of them will walk in the Footsteps of their wretched Parents, the Boys will be idle and rebellious, and the Girls infamous – the former living by plundering the industrious, and the latter by Prostitution.<sup>42</sup>

King's own initial opinion was closer to Marsden's than Hobart's, and he is unlikely to have considered a policy of toleration of his own accord. In reporting as above in 1801 on 'the most desperate and diabolical characters' foisted upon him, he added, 'I respectfully submit the propriety of any more of those violent Republican characters being sent here for some time, and particularly the priests (of whom we have now three).'<sup>43</sup> (Of the three priests, Fr James Harold and Fr Peter O'Neil were soon sent to Norfolk Island, though the 'most notorious, seditious and rebellious', Fr O'Neil, had to be sent home when news of his exoneration arrived, doubts having arisen about his confession after 275 lashes.<sup>44</sup> Only the tractable Fr Dixon was left in Sydney.)

### **The proclamation of toleration of Catholics**

King's views were behind the times. The recipient of his letter, the Home Secretary, Lord Portland (in charge of both Ireland and the Colonies), had favoured Catholic emancipation in principle although he had had to recall in 1795 an ally who as Lord Lieutenant had been felt to have moved too precipitately on the question.<sup>45</sup> By the time of the official reply to King, he had been succeeded, now with the title of Secretary of State for War and the Colonies, by Lord Hobart. Hobart's reply to King on 29 August 1802 politely informed him that policy had changed:

The Catholic priests Dixon, O'Neal, and Harrold, and a man named Abraham Gough, have been represented to me as persons who may not be undeserving of the conditional emancipation above explained: if their conduct should have justified this representation, and you should be of opinion that these priests may be usefully employed either as schoolmasters, or in the exercise of their clerical functions, you may avail yourselves of their services.<sup>46</sup>

Hobart set policy. King followed orders. His proclamation in the *Sydney Gazette* of 19 April 1803 announced toleration for Dixon's masses:

Whereas I have judged it expedient and admissible, in consequence of a Communication from His Majesty's Principal Secretary of State for the Colonies and War Department, to Grant unto the Reverend Mr DIXON, a Conditional

Emancipation to enable him to Exercise his Clerical Functions as a Roman Catholic Priest: which he has qualified himself for by the regular and exemplary Conduct he has manifested since his residence in the Colony; and his having taken the Oath of Allegiance, Abjuration, and Declaration, prescribed by Law.<sup>47</sup>

Appended is a series of regulations that show the intended advantages and attendant fears of the authorities:

### **Regulations**

To be observed by the Rev Mr DIXON, and the CATHOLIC CONGREGATIONS in this Colony.

FIRST. They will observe, with all becoming gratitude, That this Extension of liberal Toleration proceeds from the Piety and Benevolence of OUR MOST GRACIOUS SOVEREIGN, to Whom, as well as our Parent Country at large, we are (under Providence), indebted for the Blessings we enjoy.

SECOND. That the Religious Exercise of their Worship may suffer no hindrance, it is expected that no Seditious Conversations that can anywise injure HIS MAJESTY's Government, or affect the Tranquillity of this Colony, will ever happen, either at the Places prescribed for their Worship, or Elsewhere. But that they will individually manifest their Gratitude and Allegiance, by exerting themselves in Detecting and Reporting any impropriety, of that or any other nature, that may fall under their observation.

THIRD. As Mr Dixon will be allowed to perform his Clerical Functions Once in Three Weeks at the Settlements at Sydney, Parramatta, and Hawkesbury, in Rotation, the Magistrates are strictly forbid suffering those Catholics who reside at the places where Service is not performing, from resorting to the Settlement and District at which the Priest officiates for the day.

FOURTH. The Catholic Service will be performed on the appointed Sundays at 9 o'clock in the morning.

FIFTH. No improper behaviour, during the time of Service, is to be allowed by the Priest, who will be responsible to the Magistrates for his Congregation's going regularly and orderly to their respective homes, after the Offices are ended.

SIXTH. And to the end that strict Decorum may be observed, a certain number of the Police will be stationed at and about the places appointed, during the Service.

SEVENTH. Every Person throughout the Colony will observe, that the Law has sufficiently provided for the Punishment of those who may Disquiet or Disturb any Assembly of Religious Worship whatever, or Misuse any Priest, or Teacher, of any Tolerated Sect.

(Signed) JAMES DIXON.

Subscribed before Us, this 19th Day of April, 1803.

RICHARD ATKINS

THOS. JAMISON<sup>48</sup>

It remained to be seen whether the hoped-for gratitude would outweigh the feared seditious plotting.

Fr Dixon held the first public mass in Australia at Sydney on 15 May 1803.<sup>49</sup> The exact location is not known. The *Sydney Gazette* officially recorded him as conducting a marriage and attending an execution in 1803,<sup>50</sup> indicating official acceptance of the normal range of a clergyman's duties.



*Fr James Dixon holds the first public Catholic Mass in Australia at Sydney, May 1803 ... a positive influence on the otherwise untrustworthy Irish. (Source: Dixon mass, St Mary's Cathedral, western wall; detail from stained glass window commemorating Fr James Dixon celebrating the first Catholic Mass in Australia on 15 May 1803)*

Through the offices of the head of St Isidore's Irish College in Rome, a petition from Fr Dixon to Rome reached Vatican authorities. Despite the chaotic conditions resulting from Napoleon's invasions, they responded enthusiastically to the unexpected news of missionary activity at the ends of the earth. They forwarded faculties (official permissions to operate) for the three priests, and for Fr Dixon appointment with the impressive title 'Prefect Apostolic of New Holland'.<sup>51</sup>

The experiment seemed to King to go well in the subsequent months. In September 1803 he reported with satisfaction:

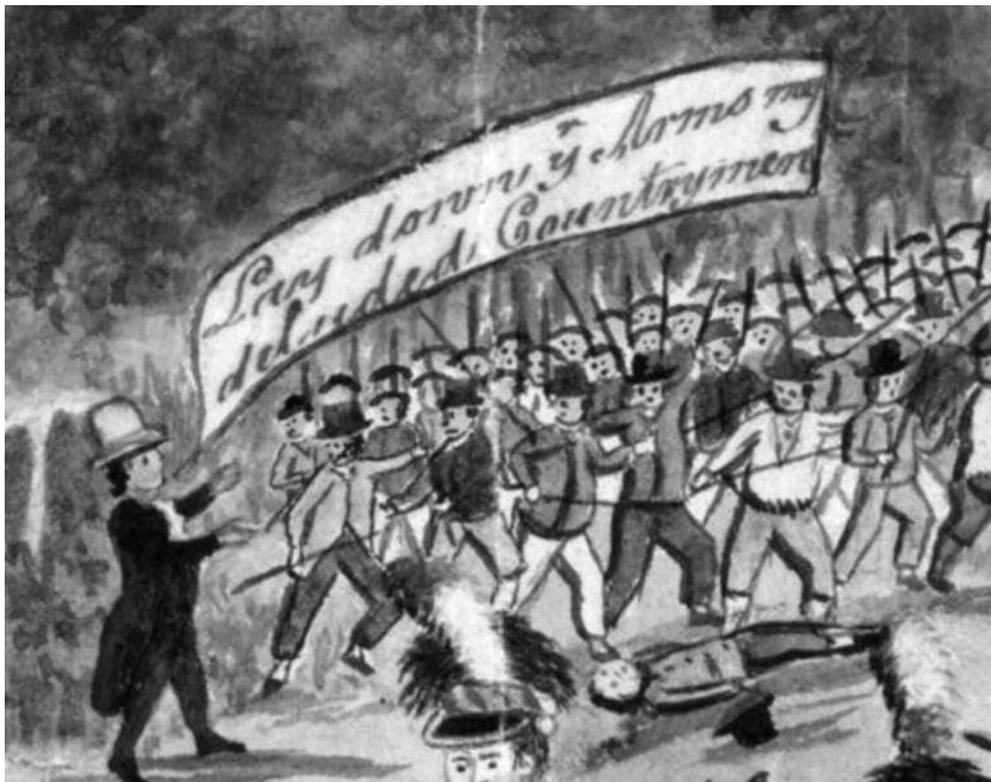
The Irish, of whom we have so great a proportion, in general behave well, which I cannot but attribute to their being indulged with the exercise of their religion, in performing the functions of which Mr Dixon conducts himself and his congregation so well that I have availed myself of your Lordship's permission in giving him £60 per annum.<sup>52</sup>

Then as we saw, on 1 March 1804 he reported that Fr Dixon's work 'has had the most salutary effects on the number of Irish Catholics we have, and since its toleration there has not been the most distant cause for complaint among that description, who regularly attend Divine service'.<sup>53</sup>

## **Revolution**

The Castle Hill rebellion broke out on 4 March 1804. Major Johnston acted decisively and with a forced march reached Parramatta and then caught up with the

rebels near Castle Hill. He took Fr Dixon with him. After deceiving the leaders with a parley he captured them and the rest fell apart. Fr Dixon's appeals to lay down arms (depicted in a contemporary watercolour) fell on deaf ears. Some 30 rebels were killed then or executed later.<sup>54</sup>



*The Castle Hill Rebellion, 1804, detail of Fr Dixon pleading, 'Lay down your Arms my deluded Countrymen'. (Watercolour, artist unknown, National Library of Australia, nla.pic-an5577479)*

## Aftermath

When the revolution was over, the governor regretted the toleration experiment. He wrote that he had 'also been necessitated to withhold the salary from the Romish priest Dixon, for very improper conduct, and to prevent the seditious meetings that took place in consequence of the indulgence and protection he received'.<sup>55</sup> The 'improper conduct' is not specified.

Nevertheless, when it came to the point Fr Dixon had supported the government in the crisis and risked his life addressing the rebels. Some believed he had had some good effect; a compilation of local sources published in 1811 says that he 'proved to be of some utility in bringing back the insurgents to a proper sense of their duty.

It cannot be too much to say, that the conduct of Mr Dixon, before and after this business, has been exemplary.<sup>56</sup>

In fact from 1804 Fr Dixon was allowed to practise privately for some years. In January 1809 he performed the marriage of William and Catherine Davis, both to be leaders of the Catholic Church in the future.<sup>57</sup> The deposed Bligh complained to Castlereagh in 1809 that among the laxities of the provisional government that had replaced him, indulgences were granted to the Irish rebels and ‘the Romish Priest is now wildly following his functions, which were before kept within proper bounds, and must be again limited by wise and mild measures’.<sup>58</sup>

Fr Dixon was permitted to return to Ireland in 1809 and later said very little about his time in Australia. Fr Harold, returned from Norfolk Island, continued the ministry for another year, according to himself with success and happiness, though according to a local, ‘avaricious and petulant to a degree’. He was pardoned and left in 1810.<sup>59</sup>

Marsden took events to have justified his stance, claiming that meeting at mass was a cover for planning insurrection, and that it was not the want of mass that caused their rebellious spirit, but ‘their Natural Ferocity, which nothing can ever eradicate’.<sup>60</sup>

Governor Lachlan Macquarie too was to accept Marsden’s false view of history, saying ‘those Disturbances being entirely occasioned by the Machinations of a Couple of unprincipled Catholic Priests’ and ‘the only Insurrection among the Convicts, which ever took place here, was instigated several years ago by Irish Popish Priests’, who therefore should be excluded from the colony.<sup>61</sup>

Meanwhile, a successful revolution had taken place with the ‘Rum Rebellion’. While it was not a masonic plot, those identified as Freemasons earlier were parties (except Henry Browne Hayes). John Macarthur, although not a mason, was sailing close to the wind of revolutionary principles in saying on his release from prison the day before the coup, ‘Liberty and Equality reigns in this colony.’<sup>62</sup> The United Irishmen took no part in the event.

Thereafter, peace and a degree of practical goodwill ensued, and from Macquarie’s arrival in 1810, respectability reigned. For both the rebels of 1798 in Ireland and those of 1808 in Sydney, bygones were allowed to be bygones. The perpetrators of the Rum Rebellion escaped any severe punishment, and it was by then years since there had been any violence from the Irish. Everyone who remained in the colony received a land grant, or several land grants. Most grants were surveyed by the Deputy Surveyor, James Meehan, a rebel who had been transported on the same ship as Fr Dixon.

Four of the men of ’98, William Davis, James Dempsey, James Meehan and Michael Hayes, became wealthy and respected citizens and the leaders of the Catholic community in the priestless years of Macquarie’s time. When two priests

finally arrived with official approval in 1820, a committee was formed to raise funds for a church. It comprised the two priests and seven laymen. Six were rebels of '98 and included Davis, Meehan, Hayes and Dempsey.<sup>63</sup> When the foundation stone of St Mary's church was laid, Governor Macquarie wielded the ceremonial trowel and made a joke about being a mason.<sup>64</sup>

Just 20 years after the rebels had been transported, it was becoming clear that things would be done very differently in the new country.

## University of New South Wales

### Notes

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