



Make Catholics pay!

When the British government discovered a plot to kill George I, it responded by demanding money from an entire religious community.

Ted Vallance describes what happened next

ILLUSTRATION BY DAVIDE BONAZZI

In April 1722, Prime Minister Sir Robert Walpole received news of a plot to restore the exiled Stuart dynasty to the British throne. The conspirators, a horrified Walpole learned, hoped to seize power through a series of co-ordinated local risings in England. Meanwhile, leading Jacobites, such as the exiled Irish soldier the Duke of Ormond, would land invasion forces in

Scotland and south-west England.

Walpole acted fast, ordering the opening of post to smoke out further evidence of the conspiracy. However, it was not until the summer that he discovered any substantial evidence of the plot, in the form of a series of letters penned by Christopher Layer, a Norfolk lawyer who acted as an agent for the Jacobite lord William North. These letters contained detailed plans for the rebellion and

the assassination of King George.

The authorities arrested Layer and other leading plotters – including Francis Atterbury, bishop of Rochester, after whom the plot would derive its name – and had the lawyer hanged, drawn and quartered for treason on 17 May 1723 (his severed head was reportedly later sold to the antiquary Richard Rawlinson).

Yet Layer's intransigence – he repeatedly



refused to implicate his co-conspirators, despite having the possibility of a reprieve repeatedly dangled before him – meant that there was not enough evidence to put Atterbury himself on trial. Instead, Walpole forced through parliament a special act designed to inflict severe punishments less than death on an individual deemed guilty of serious offences. As a result, Atterbury was stripped of his bishopric and sentenced to perpetual banishment.

Walpole's prosecution of the plot, however, did not end with the punishment of the leading Jacobites. Habeas Corpus – a writ that was often seen to offer protection from arbitrary imprisonment – probably pre-dated Magna Carta, and was enshrined in statute law in 1679. Walpole, however, successfully suspended this important legal safeguard on the grounds of national security. He also gave the military greater powers to guard against further invasion attempts and domestic insurrections.

Most extraordinary of all was how Walpole decreed that these new powers should be paid for – through a £100,000 tax on Catholics' estates. The legislation laid out fixed sums that each county was required to raise as part

IN CONTEXT

The Atterbury Plot

Though he had ruled Britain for seven years, in 1721 King George I's grip on the throne remained far from secure. Ever since the Protestant William of Orange had ousted the Catholic Stuart James II as king in 1688, the so-called Jacobites had dreamed of returning a Stuart ruler to the throne – and had launched a series of failed uprisings to achieve that aim. In the early 1720s, they continued to cast a long shadow over the monarchy.

The year 1721 was also a perilous one for Britain's Whig government, which fiercely opposed the prospect of a Catholic king. Having just presided over the 'South Sea Bubble' financial crisis – when stocks in the South Sea Company crashed, ruining thousands of investors – it found itself deeply unpopular with the British public. In an attempt to capitalise on this disaffection, a group of conspirators – a combination of Jacobites and Tories (the Whigs' opponents in parliament) – conceived the Atterbury plot to assassinate George I and replace him with James II's son, James Francis Edward Stuart.

Yet, before they could strike, the Duke of Orleans, regent of France, revealed to Lord Carteret, secretary of state for the south, that the Jacobites had asked him to send 3,000 men in support of a coup d'état. As a result, the plot collapsed.

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of their contribution to the levy – and any Catholics who refused the oaths of allegiance, supremacy and abjuration (denying the title of the Stuart Pretender to the throne) were deemed liable to pay.

Enemies of the state

The tax was given royal assent in May 1723. Yet by then Catholics were already bearing the brunt of existing punitive legislation. Local officials were soon gathering lists of 'disaffected persons' (a description usually interpreted as being synonymous with Catholicism), and seizing and itemising Catholic holdings of horses and weapons.

While the Catholic tax did become law, the bill faced significant opposition in parliament, passing by only 16 votes. Historian Eveline Cruickshanks has suggested that the government may have deliberately delayed reintroducing the bill – to a point when numbers in the house had thinned – as a way of overcoming parliamentary opposition. One Tory MP claimed that “had not many of our friends been gone into ye country... we had rejected it”.

Opponents of the tax pointed out that it seemed unfair to penalise Catholics when those involved in Atterbury's plot had largely been Anglican Tories (opponents

of the ruling Whig administration in parliament). Others felt that the measure bore unflattering comparison with the system of 'compounding' and 'sequestration' used by the parliamentary regime to exploit the estate of royalists. Some Whigs objected to the measure too as an assault on liberty of conscience, often seen as one of the key principles that the revolution of 1688 (when the Protestant William III and II had overthrown the Catholic James II and VII to become king of England, Scotland and Ireland) had sought to defend.

Yet the government minister Lord Carteret was having none of it, arguing that the tax was perfectly compatible with religious liberty. In a series of letters to the British ambassador Lord Polwarth, Carteret declared that it was “known throughout Europe that there is nothing so alien to the spirit of this nation than persecution for the sake of religion.” But the tax and other penal legislation against Catholics had been made neither to “force their consciences or to persecute them”, but because Catholics had been involved in conspiracies and rebellions against the crown. Even when Catholics had not been implicated in plotting, they had still withheld recognising the government by swearing allegiance “which cannot be justified by any principle of religion”.

Carteret's letters defending the tax were intended to justify the measure to Britain's European Catholic allies. However, while Catholics had been involved in the 1715 Jacobite rebellion (when James Francis Edward Stuart's attempt to regain the throne for the House of Stuart ended in bloody failure), many Catholics were prepared to swear allegiance to George I. The problem was that they were not prepared to take the oath of supremacy or the declaration against transubstantiation incorporated into the so-called 'Test Acts', which involved repudiating the authority of the pope and core elements of Catholic doctrine.

The difficult situation Catholics found themselves in was explained clearly in a statement made by Henry Englefield of Shinfield, Berkshire in the wake of the 1715 rebellion when required to register his estate. Englefield stated that he would “willingly take an oath of fidelity to King George” but “the real presence of the body and blood of our saviour in the sacrament of the Eucharist was always believed by the holy Catholic church”.

Catholics continued to protest their loyalty to the crown, among them Edward Elwall of Wolverhampton, who in 1724 declared: “God almighty bless King George and all his royal family... All good Christians love the king as does Edward Elwall.”

As the research of Eamon Duffy and

Gabriel Glickman has shown, these individual declarations of loyalty fitted in with broader schemes by the Catholic leadership after 1715 to devise an oath of allegiance that would be acceptable both to the Catholic community and to the government. These proposals were given short shrift by Walpole, who told a deputation of Catholic lords that he “found fault with their religion which procured interest abroad, and it was fit they should suffer for it”.

And they certainly *did* suffer: Nicholas Blundell of Little Crosby, Lancashire recorded that the “Grand Tax”, as he called it, had cost him £14 17s 2d (about £2,000 in modern terms). Despite this, historians have usually

viewed the £100,000 tax as a failure, as did many of Walpole's contemporaries. Sir Richard Coxe warned the prime minister that the “difficulties we are meeting with in laying the tax on papists are insuperable without directions from above”. The tax never raised the anticipated amount and counties were slow to return payments. The last to pay, Devon, only did so in 1743, two decades after the tax had first been imposed.

Yet the intention of the tax, as Walpole revealed in his response to the Catholic peers, was not simply to milk a religious community for money. He wanted primarily to exert pressure on Catholics, especially the aristocracy and gentry, and deter foreign

states from harbouring exiled Jacobites. The records of the tax made at a local level reveal that in this respect it was highly effective. Yet, returns of 'papists', such as those for the City of London held at the London Metropolitan Archives, reveal that it wasn't just the wealthy who suffered. Charles Matison of Bishopsgate Ward, London was entered into the lists despite being of “peasable behavior and of little or noe substance supposed”.

Women as well as men were included in these lists and, as the use of descriptions such as “lives very handsom[e]” or “in mean circumstances” implied, the state used the evidence of informers, as well as existing tax records, to identify Catholics and calculate their wealth. The pressure on the Catholic community was such that Bishop Bonaventura Giffard feared that his co-religionists would be reduced to an “extremity of want”.

However, the £100,000 tax, as with other punitive laws against Catholics, operated, as the chief justice Lord Mansfield later put it, *in terrorem*, through the threat of implementation rather than via actual enforcement. The aim was to subdue the Catholic community and make it do the British government's bidding, not to annihilate it.

The readiness of many Catholics to pledge obedience to George I reveals the difficulty of viewing, as government ministers such as Carteret did, England's small Catholic community as a dangerous ‘fifth column’. Rather, the refusal of Walpole's government to countenance the loyalist overtures made by leading Catholics left the mostly peaceful Catholic community excluded from English public life for another 50 years. It is a historic reminder, perhaps, of the difficulties that can arise from equating the actions of a few individuals with an entire religious group. **E**

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Pope-burnings, land grabs and “half-citizens”

Five ways in which Catholics were made to suffer in Georgian Britain

A war on worship

The 18th century began badly for England's Catholic community. In 1700, ‘An Act for Further Preventing the Growth of Popery’ systematised existing anti-Catholic legislation, continuing Elizabethan and Jacobean restrictions on Catholic worship, and on educating children in the Catholic religion. The act was enforced via a system of payments to informers.

more judges would convict Catholic priests if a custodial rather than a capital sentence was imposed.

Paying double

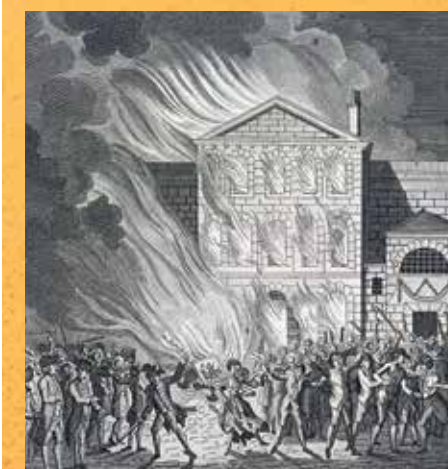
Post-revolutionary laws also targeted Catholics economically: the Land Tax first imposed in 1692 was levied at a double rate on Catholic estates. After the 1715 rebellion, Catholics were forced to register their property in land, and those judged popish ‘recusants’ could be subject to the confiscation of two-thirds of their estate.

Chapels under attack

Although these penal laws were rarely enforced, their impact on Catholics was far from minimal. As historian Colin Haydon has argued, they left Catholics as “half-citizens”, while the state's hostile attitude towards them gave anti-Catholic prejudice and violence (such as a series of attacks on Lancashire chapels in 1715) the stamp of official approval.

Riots erupt

Fed by the enduring literary tradition of Protestant ‘martyrology’ and by festivals such as the ‘pope-burnings’ held in English towns every 5 November, ‘anti-popery’ remained a powerful force in public life. This was starkly revealed in the wake of the Catholic Relief Act of 1778, which removed the penalties of the 1700 legislation for Catholics who were prepared to swear a modified oath of allegiance to the crown. In 1780, following a demonstration against the act, the Gordon Riots erupted in London, leaving nearly 300 dead and 200 wounded.



A mob sets fire to Newgate Prison during the Gordon Riots, 6–7 June 1780. Many Catholic houses and chapels were destroyed in the unrest

Francis Atterbury, bishop of Rochester, was banished for his part in the plot that bears his name