

James Jones and the Establishment of Roman Catholic Church Government in the Maritime Provinces

Terrence MURPHY
Memorial University of Newfoundland

From the time of the British conquest of Canada until the middle of the 1780s, Roman Catholicism in the Maritime colonies was on a very precarious footing. Its problems were due in some measure to the policies of the Nova Scotia government, for penal laws had been introduced in 1758; but far more important was the uncertain position which the region occupied within the diocese of Quebec. Although the Maritimes continued officially to be part of the diocese, the authorities found themselves, under the British régime, even less able than before to provide for its needs. A ban was introduced in Canada against recruits for the religious orders and against clergy from France, resulting in a chronic shortage of priests. Since there were not enough clergy even for the centre of the diocese, few could be spared for the Maritimes. A policy was maintained of appointing a vicar-general to supervise the area on the bishop's behalf, but at most there were one or two missionaries working under him. Long periods elapsed when most of the region was without a single resident priest. Furthermore, the Catholic population of the Maritimes was rapidly changing. It consisted not only of Acadians, but of growing numbers of Irish and Scots. This meant that even when Canadian clergy were available, they were prevented by language from ministering effectively to a substantial portion of their flock.

The ecclesiastical authorities in Quebec were certainly concerned about this state of affairs. But no real improvement occurred until the impetus came from within the Maritimes themselves. Crucial developments had begun to take place, especially in Halifax, where a small group of laymen had emerged as spokesmen for Catholics at large. Their first major accomplishment was to win a measure of relief from the penal code; but this paved the way for further advances. Five of the leading laymen formed themselves into a committee of trustees. A piece of

land was purchased in Halifax and shortly after, construction of the first Catholic church began. Plans were also drawn up for a presbytery, and steps were taken to obtain a resident priest.

At first it seemed as though their need for a clergyman would be met from within the diocese of Quebec. Bishop Briand had no new missionaries to send to the area; but in 1784 he ordered Joseph-Mathurin Bourg, his vicar-general for Acadia, to move from the Bay of Chaleurs, where he had been living until then, and take up residence in Halifax. Bourg visited the city in the course of the summer and returned the following year with the intention of staying. In the meantime, however, the Halifax Catholics had begun to look further afield. They had clearly become convinced of the need to have an English-speaking priest. They appealed first to Dr. Talbot, Vicar Apostolic of the London District, and then, acting on Talbot's advice, to several Irish prelates, including Butler of Cork. It was the latter course which eventually proved successful. Two members of the congregation who were visiting Cork discovered that James Jones, a Capuchin who had worked in that diocese for eight years, was contemplating a move to North America. Jones was already known to several of the Halifax Irish. In 1785 the spokesmen for the congregation wrote to him and persuaded him to accept a position as their pastor.

Jones was at that time about forty-two years of age. He had been born in Dunshaughlin, County Meath. One source indicates that he had been raised as a Presbyterian and that he was only converted to Catholicism at the age of twenty-eight; but this is unconfirmed. He had entered the Capuchins in 1768. His name in religion was Justin. His training in the order was at the convent at Bar-sur-Aube, in the Champagne district of France. He was ordained a subdeacon in 1769 and deacon and priest shortly after. One of the few things to come down to us about his career in Ireland is that he was among the first to take the oath of allegiance prescribed for Irish priests in connection with relief from the penal code.¹

Jones' appearance in Halifax inaugurated a new era for the

¹ Biographical information about Jones has been taken from a number of sources. One of the most important is the entry beside his name in the register of priests who took the oath of allegiance in Ireland after 1778. See "A List of Ecclesiastics That Took the Oath of Allegiance," *Archivum Hibernicum*, I (1912), 67. Other sources used include Capuchin records in the *Archives de l'Aube*, Troyes; and Father Hilary, O.S.F.C., "Irish Capuchin Missionaries in Canada," *Capuchin Annual* (1930), 193-196.

Catholics of the Maritimes generally. Not only was he the first English-speaking missionary ever to serve in Nova Scotia, but his arrival marked the beginning of a trend. At the invitation of Butler of Cork, Bishop D'Esgly, who had succeeded Briand, applied to Ireland for more priests. He had in mind using them not only in the Maritime colonies but also as missionaries to the native people and as professors in the seminaries and colleges of Quebec. This idea was not abandoned, but in the case of the Maritimes a special plan gradually took shape. We may trace its origins to a suggestion made by Father Bourg. His idea was that Jones should be placed in charge of obtaining additional Irish clergy and of supervising them after they arrived. When the scheme was taken up at Quebec, however, it was developed even beyond this. It was decided not only to *use* Irish priests in the Maritimes but to place the region *entirely* in their care.

In October 1787 Jones was appointed Superior of the Missions for Nova Scotia. In the private instructions accompanying his letter of appointment, he was told that English-speaking missionaries were the *only* resource for the territory entrusted to him. A special point was made of insisting that even the Acadians would have to be satisfied with them. The only exceptions that were allowed were the few places, such as the Bay of Chaleurs and Memramcook, which were already supplied with French-speaking priests. These remained for the moment under the jurisdiction of Bourg.

To enable Jones to carry out his new responsibilities, he was given a broad range of powers. These included everything from permission to dispense with marriage impediments to the crucial authority to grant faculties to priests. By and large, this aspect of his appointment is quite straightforward. A word of explanation is required, however, about Jones' title.

There are actually two problems associated with it. The first arises from the use of "Nova Scotia." If taken literally, this would have applied only to the mainland portion of the province as we know it. The ecclesiastical authorities in Quebec, however, used the term "Nouvelle Écosse" more loosely and in this case obviously intended it to signify the region as a whole. This was implied even in Jones' original letter of appointment. But it will become clearer still as we follow the course of events.

The second problem is more serious and has to do with the term "Superior of the Missions." The main difficulty here is that this title is not one which is normally bestowed by a diocesan bishop. It is conferred by Rome; and the point is that it is intended

specifically for regions which are not part of a regularly established see. Examples of its correct use can be seen in the cases of James O'Donel in Newfoundland and John Carroll in the United States. In Jones' situation, however, the usual term would have been vicar-general. Not only would it have described, as well as any other, the powers that he was granted, but it would also have accurately represented the source from which they came. On the other hand, to employ Superior of the Missions was almost to imply the separation of the Maritimes from the diocese of Quebec. This was not intended. No explanation was given as to why "Superior of the Missions" was chosen. But two possibilities come to mind. One arises from the fact that Bourg retained his title as VicarGeneral for Acadia. The bishop may have wanted to avoid the appearance of a conflict of jurisdiction between him and Jones. The other is that "Superior of the Missions," though technically incorrect, reflected more faithfully the decision to treat the Maritimes as a special case. It conveyed the idea that the region was being distinguished, if not actually separated, from the rest of the diocese, so that it could be placed on an independent footing.

The main responsibility facing Jones under the new arrangement was to see that the Maritimes were supplied with priests. This involved a great deal more, however, than simply recruiting additional clergymen from Ireland. Jones was also required to implement at least a basic system of Church government. Missionaries had to be stationed in suitable localities;² their conduct had to be regulated; and provision had to be made for their financial support. In an area where many of the settlements had never had a resident priest and where most of the people were unaccustomed to ecclesiastical discipline, this was difficult. According to Jones, the

² The principal places for which Jones needed priests were Cape Breton (about two hundred Catholic families, most of them Acadian but also including some Irish and Scots), Isle S. Jean (initially about sixty French and sixty Scottish families but the number of Scots increased by about 250 families in 1790), the area around Pictou (only a few families before 1791 but afterwards a population of at least four hundred Catholics, mostly Scots), and Cap Sable and Baie S. Marie (between a hundred and a hundred and twenty Acadian families). It is difficult to estimate the number of Catholics in Halifax in Jones' time, except to say that it increased substantially shortly before his arrival and again around 1800. One estimate gives the number of adult male Catholics in 1793 as one hundred (Terrence M. PUNCH, "The Irish Catholics, Halifax's First Minority Group," *Nova Scotia Historical Quarterly*, vol. 10, no. 1, March 1980, 29). There were also Irish in small settlements near Halifax, such as Ketch Harbour.

Irish Catholics were especially unruly; but the Acadians also posed problems, in that they openly resisted the appointment of Irish priests. On the other hand, Jones also faced serious difficulties with the clergymen themselves. All too often, regions such as the Maritimes tended to attract either plainly irregular clerics who had to be chased out of the area by those in authority, or men who were officially in good standing but who might nevertheless have been involved in trouble at home. Almost inevitably, this circumstance was reflected in their subsequent behaviour, with the result that serious disciplinary problems arose.

If we turn our attention specifically to the difficulties which Jones experienced with his priests, there is one case that stands out above the rest. In fact, it completely dominated the early part of Jones' career, and we must therefore examine it in some detail. It is the case of William Phelan, the first Irish priest to reach Nova Scotia after Jones himself. Phelan had actually arrived before Jones' appointment as Superior of the Missions – a fact which perhaps had a bearing on the events that followed. He had come from the diocese of Ossory, where he had served not only as priest in a number of parishes but also as a canon and apparently as chancellor as well.³ In his way, he was obviously a man of substance and ability; and Jones' first reaction had been to welcome his help.

There were other circumstances connected with Phelan, however, which Jones, in his eagerness to have some assistance, was perhaps too quick to overlook. Not least of these was the fact that he had come to Nova Scotia uninvited and unannounced. His own explanation for this was that he thought that Nova Scotia was under the jurisdiction of James O'Donel of Newfoundland, to whom both he and his bishop had written in advance. This is credible up to a point. But it leaves unanswered the more fundamental question of what had caused him to leave Ossory in the first place. Phelan told Bishop D'Esgly that it was because of a "redundancy of priests," which made it hard for the poor people, to support them all. Yet, in a man of his seniority, this is difficult to accept. Separate evidence suggests that his real problem was that he had become involved in serious financial trouble, although the exact nature of the affair is far from clear.

³ On Phelan, see "A List of Ecclesiastics ..." 72; Corrigan, *History and Antiquities of the Diocese of Ossery* (Dublin, 1905), p 308; and "Notes from a letter of Rev. Wm. Phelan, from Halifax, to Dr. Troy, Bishop of Ossery," manuscript in PANS, Edmund Burke Papers, Reel I.

After a short period spent in Halifax as Jones' assistant, Phelan settled in Arichat. This seemed at first a major step forward, for there were a number of Catholics in that general vicinity, and they had hitherto been largely neglected. Furthermore, Phelan appeared to have very good contacts in Ireland. Acting on Jones' behalf, he was able to obtain the services of another priest, Thomas Power, who joined him as his assistant. Jones hoped that this arrangement would ensure that Catholics throughout Cape Breton as well as those in Isle S. Jean would be visited regularly by a clergyman.

It was not long, however, before he began to hear complaints about the behaviour of Phelan and Power. The first difficulty was that they conducted missionary tours which took them far outside their district; the second was that in the course of these tours they demanded from the people, not just support, but payments of exact amounts for specific pastoral services. The schedule of fees which they used included the following items: eight dollars for a marriage, two dollars for a burial, the same for a high mass, and a dollar a head for communion! This unseemly approach caused widespread discontent, and eventually someone reported the matter to the governor. The governor, in turn, summoned Jones to an interview and read aloud to him the letter of complaint he had received. Jones was extremely embarrassed, not to say annoyed, for he had taken great pains to be on good terms with the civil authorities. At that very moment, in fact, he was trying to obtain a government salary, a prospect that the conduct of his fellow missionaries appeared to have placed in jeopardy.

In the meantime, the so-called "dollar for communion" became a major point of contention between Jones and Phelan. Jones' efforts to persuade his colleague to abandon it were met either by an outright denial that he had ever charged such a fee or by the claim that he was only doing what others – namely, Bourg and Bailly – had done before him. Jones was not convinced of the accuracy of this latter statement, but he insisted in any case that a distinction had to be made between regular missionary tours of the kind that Phelan and Power would make and the extremely infrequent visits of their predecessors.

Phelan spent the summer of 1789 with Jones in Halifax on account of illness, and by the time he left the rift between them had widened. The fundamental issue dividing them was really Phelan's refusal to acknowledge Jones' authority, but particular quarrels continued to erupt on the subject of money. It seems, for instance, that Jones, who was very concerned about how he could meet the

extra expenses involved in being Superior of the Missions, proposed to Phelan that he should help by sharing his revenues with him. The intention behind this suggestion was innocent enough. But Phelan reacted as if Jones had meant to introduce it as a condition of his appointment. He therefore denounced it as simony.

A separate argument developed concerning Thomas Power. Like Phelan himself, Power had worked briefly as Jones' assistant in Halifax before moving to Arichat; but Phelan was convinced that Jones had not rewarded him properly for his services. Provoked by this, he not only accused Jones of having "robbed" his protégé, but he also wrote to Quebec complaining of his conduct. He addressed his comments to Edmund Burke, the future vicar-apostolic of Nova Scotia, who was then teaching in the Quebec Seminary. Since Burke tactfully decided not to pass them on, they never actually reached the bishop. Still, Jones knew what Phelan had done, and clearly he resented it.

The authorities at Quebec, for their part, were very quick to lend Jones their support. As soon as D'Esgly's successor, Bishop Hubert, had been informed of what had taken place, he wrote to Jones not only confirming his authority but also endorsing certain remedies that he had recommended for abuses. These included restricting missionaries to their appointed districts and having them rely for support on voluntary contributions. But if this did not work Hubert said, the plan that was to be adopted was to have the various communities agree in advance on a stipend that they would pay to their priests. The money was to be raised by imposing a tariff on each family according to its means. Moreover, the agreements were to be submitted to the bishop for his approval before being put into effect. On no account, however, were missionaries to charge for communion. The only sacrament for which a fee could be levied was matrimony, and even here it was to be clearly understood that the payment was not for the sacrament itself but for the publication of banns and the work of preparation.

Armed with the bishop's letter, Jones again confronted Phelan. Far from forcing Phelan to submit, however, his efforts succeeded only in calling forth an acrimonious response. Phelan denied the authority by which Jones acted and hurled counter-accusations against him concerning *his* handling of money. He described his methods of obtaining funds at Halifax as "disgraceful" and in one place even used the word "extorsion." He insisted that Jones complained constantly of his inadequate income, while he actually got by on less than he took in. He described him as notoriously

stingy and shabby but said it was well known that since coming to the city he had built up considerable savings. He accused him as well of owing him money and also of not paying a debt due to James Kavanagh, a prominent Halifax merchant. Even so, he sarcastically referred to Kavanagh as Jones' "Spiritual Director" and claimed that Jones' association with him, in spite of his "scandalous life," had created a very bad impression. Finally, Phelan warned Jones that if he did not mend his ways, he would take up his case with the co-adjutor bishop, who was expected on a pastoral visit, and with Bishop Hubert himself. In Phelan's own words, he would communicate to them "every unfair, irreligious, scandalous anecdote" of Jones' life since he had come to Halifax.

Jones continued meanwhile to hear complaints about the excessive demands of missionaries as well as counter-charges that the people did not give enough. Such disputes eventually convinced him to abandon the idea of relying on a system of voluntary contributions. He decided instead to follow the bishop's advice and order the implementation of fixed agreements. He therefore addressed a letter to all the Catholic inhabitants of the region, instructing them to assemble in each of their villages and to arrive at a clear decision about how much they would pay the priests who served them and also about what they would expect in return. This was Jones' most decisive intervention yet, and it embodied a basically sound policy. Unfortunately, however, it did nothing to solve the problems posed by William Phelan. If anything, it made them worse, for it provoked from Phelan new accusations against Jones. This time he complained that Jones' letter to the Catholic inhabitants had set up the laity as judges of their own cause, thereby encouraging them to regard their missionaries with contempt.

Before proceeding with the story, it is necessary to explain that, while the events just described were taking place, Jones had also begun to experience trouble in Halifax. William Phelan eventually became involved in these developments as well, but originally they were a separate matter. In a sense, they illustrate another aspect of the difficulties faced by a person in Jones' position, for they arose initially in connection with laymen.

The specific problem was that serious tensions had arisen in Jones' relationship with the lay trustees, who had brought him to the city in the first place. The initiative and independence which these men had shown in providing for the congregation had encouraged them to think that they should also play a substantial rôle in regulating its affairs. By the time Jones arrived in the city,

they had already added to their position as legal trustees by assuming the title of “church warden” or “deacons.” By itself the idea of having a committee of church warden was consistent with practice in the diocese of Quebec. It was customary for Canadian parishes to have a parish council or *fabrique*. But the range of powers which the Halifax trustees claimed far exceeded the normal limit. It included virtual control over church property and even extended to sensitive areas of religious policy, such as burial in the cemetery. Already the trustees had caused one major controversy by disinterring the body of a man who had poisoned himself. Their action had been carried out in spite of Jones’ insistence that the man had repented on his deathbed. Another dispute had arisen when they had arranged for a Protestant woman to be buried in the churchyard with the Protestant minister officiating. Jones repeatedly denounced their “Presbyterian spirit,” which he evidently thought they had learned from the example of Protestant dissenters. For a long time, however, he did not mention his trouble with them to the bishop, preferring, as he said, to deal strongly with them himself. The likelihood is, that he feared that, together with the Phelan controversy, his conflict with the lay trustees might raise doubts in Huber’s mind about his ability to govern.

The entire issue grew more serious, however, toward 1789 or 1790. By that time, Jones had begun to take certain steps at Halifax which he thought were required by his position as Superior of the Missions but which the trustees found objectionable. One of his great concerns, for instance, was to obtain the services of a second priest. Eventually he arranged for a fellow Irish Capuchin, Laurence Sylvester Whelan, to join him. Whelan seemed a good candidate for Nova Scotia, since he was a younger man who nevertheless had wide experience, having served in France as well as in Ireland.⁴ After he had been in Halifax for a time, Jones actually resigned his position as pastor of the congregation and appointed him his successor. His idea was that this would enable him to devote his full attention to the needs of the region as a whole. The trustees took exception to the arrangement, however, on the grounds that they had not been consulted. They even approached Whelan and informed him that they could not accept him as pastor because he had been appointed without their approval.

Conflict also broke out over Jones’ handling of money. Since

⁴ On Whelan, see “A List of Ecclesiastics ...” 59; and Jones to Hubert, 10 December 1790, *AAQ*, Série 312 CN, Nouvelle-Écosse, I, 27.

he was convinced that the revenues from the congregation would never offset the extra expenses that the Superior of the Missions had to meet, he developed a plan for a special fund to be established. The intention was that the proceeds would be used not only for his support but also for that of his successors. The bishop readily gave his approval and in 1790 began a series of contributions to the fund, which Jones combined with money of his own and donations from the congregation. The total sum eventually reached £1300. It was invested in a bank in Philadelphia; and Jones arranged for a formal contract to be drawn up, placing the capital in trust and regulating the use of the income it produced. The trustees of the fund included, besides Bishop Hubert, John Carroll, Bishop of Baltimore; Francis Fleming, pastor of St. Mary's, Philadelphia; and William O'Brien, pastor of St. Peter's, New York. Before these arrangements could even be completed, however, the trustees objected. Their view was that the money in the fund, including the bishop's contributions, had originally been intended for the benefit of the Halifax mission. They therefore insisted that Jones had acted improperly by taking it for another purpose.

It was approximately at this stage that William Phelan became involved in developments at Halifax. The first clear evidence of interference on his part occurs in a letter which he wrote to Laurence Whelan in April 1791. The letter was an obvious attempt to prejudice Whelan against Jones. It depicted him as greedy and selfinterested, and even suggested that he may not have surrendered the congregation to Whelan on equitable financial terms. Phelan's comments are also important, however, because of the accusations they contained on other issues, including some of those already raised by the trustees. Among them was the question of the fund for the Superior of the Missions. Phelan charged not only that Jones had taken the money for a purpose other than it was intended but that he had actually "appropriated it to his private use." Phelan insisted on discussing the fund as though it was Jones' personal savings.

A few months later, Phelan visited Halifax, where he continued his campaign to win Laurence Whelan as an ally against Jones. It seems that he provoked Whelan into openly criticizing Jones, only to use his comments afterwards to corroborate his own complaints. A similar incident occurred a year later, when Jones was away on a tour of outlying settlements.

Matters came to a head, however, when Jones learned that Phelan had joined forces with Captain John Maloney, the leader of

the lay trustees. The central issue was again the fund of the Superior of the Missions. In March 1792 Maloney threatened to take Jones to court over the question, and he claimed to base his case on evidence supplied by Phelan. The suit never made it to court, but the threat of legal action alone convinced Jones that the time had come to act decisively. It was, so to speak, the straw that broke the camel's back. The procedure which Jones followed was to ask Laurence Whelan to read, in the presence of four members of the congregation, the letter he had received from Phelan. Afterwards, he invited both Whelan and the laymen to sign a statement declaring its contents to be false. He then asked Whelan to forward it to Quebec. Whelan sent it, together with a letter of his own in which he announced his desire to leave Nova Scotia and also sharply criticized both the Halifax congregation and William Phelan. He described Phelan as "no angel of peace" and said that most of the troubles in the region were his fault. Jones himself then wrote to Hubert, revealing for the first time his troubles with the trustees, but assuring him that the present crisis had given him exactly the opportunity he needed to discredit them. He also informed him that he had decided to suspend Phelan. The justification that he offered for this course of action was that Phelan had not only proved incorrigible but that he had also made his disruptive influence felt throughout the region as a whole. What was at stake as far as Jones was concerned was the overall effort to establish stable church government in the Maritimé colonies; and he was convinced that no real progress could be made so long as William Phelan remained.

In April 1792 Jones travelled to Arichat, only to find that his troubles were still not over. When he tried to put the suspension into effect, Phelan resisted, insisting that he did not have the authority to do so. Jones thought that he was prepared for this, because he had brought with him the letter in which Bishop Hubert had already confirmed his powers of jurisdiction. Yet, when he produced it, Phelan denied that it applied to him and even questioned its authenticity. Jones was therefore forced to return to Halifax and appeal yet again to the bishop for support.⁵ Hubert wasted no time in acting and as usual threw his authority squarely behind Jones. This time he sent him not just confirmation of his

⁵ In doing so, he also reported that he had found additional reasons for suspending Phelan. These included his involvement in commerce, especially the salt trade, as well as certain land deals which he was alleged to have completed at the expense of some of his Acadian parishioners.

authority but what was virtually a new letter of appointment. Still, the matter was not finally resolved until Mgr Gravé, vicar-general for the diocese, wrote to Phelan himself. In two separate letters written early in 1793, he told Phelan that he either had to submit or leave the diocese. After that, Phelan stalled – or, as Jones put it, he “festered.” He remained at Arichat for a while but turned for his livelihood to fishing. By the winter of 1794, however, he had left Nova Scotia for the United States, where he died shortly after.

By the time of Phelan’s departure, Jones had also begun to enjoy greater success in finding clergymen to assist him. Between 1789 and 1799, eight new missionaries came into the region, which, when added to Thomas Power, who was still there, and Jones himself, made a total of ten.⁶ We need not examine each of these cases individually, but the general pattern of growth involved sheds an important light on Jones’ career.

Much more was involved than simply an increase in the number of priests. Jones managed to bring matters to the point where most of the principal settlements had clergy living in them permanently. He therefore presided over the transition in the Maritimes from a system which relied primarily on itinerant missionaries to one which depended mainly on resident priests. By the same token, he succeeded in obtaining clergymen who were suited to each of the distinct groups under his care. In addition to Irishmen, he eventually employed both Scots and French *émigrés*. Sometimes they included men who later proved important in their own right. Both Angus Bernard MacEachern and the Abbé Sigogne began their labours in the Maritimes under Jones. Jones cannot take the sole credit for acquiring their services, but he did play an important part, especially in obtaining French priests. On the other hand, he got by without a single clergyman from the diocese of Quebec. The authorities were obviously pleased with his work and reluctant to see him leave. He spoke frequently of a desire to be relieved of his duties; but on one such occasion Bishop Hubert told him frankly that he did not want to face the prospect of replacing him. “You have put this part of the diocese on so good a footing,” he said, “that I do not see anyone who will ever administer it better ; and where will I find a person more worthy of my complete confidence?”

⁶ These priests were: Thomas Grace, Angus Bernard MacEachern, James McDonald, Jean-Baptiste Allain, François Lejantel, Jean Mandé Sigogne, Jacques Ladislav de Colonne, and Amable Pichard.

When Jones eventually did leave Nova Scotia it was on the understanding that he would be away only temporarily. In 1799, he obtained permission to travel to England, partly to seek long-awaited medical attention and partly to deal with a new problem that had arisen in connection with the financial resources of the Halifax mission. Charles-François Bailly, former missionary to Acadia and more recently coadjutor bishop of Quebec, had died in 1794, leaving the mission a legacy of £900. The money was invested in a bank in England, and the intention was that the interest was to go to Halifax. Bailly's family, however, had challenged this provision in his will, with the result that the matter had been tied up in litigation and Jones had been able to obtain only a small portion of the income which had accrued over a period of five years. After prolonged efforts to deal with the matter through solicitors and agents in London had failed, he decided that only by going to England himself could he hope to resolve the affair.

Jones therefore arranged for his place to be taken in Halifax by Edmond Burke, an Irish Dominican who had visited the city frequently over the past few years.⁷ Burke had already served fourteen years in Newfoundland; and since, by this time, a large portion of the Halifax congregation had also come from there, he seemed well suited to the job. Monsignor Plessis, who had recently been nominated as co-adjutor bishop, gave his approval to the plan; and Burke was granted powers of vicar-general.

Jones sailed from Halifax on 8 August 1800. He spent the next several months in England, dividing his time between London, where he tried to deal with the question of Bailly's legacy, and Bath, where he was taking the waters for his health. During that time, he corresponded with Plessis as well as with Edmund Burke, and he acted generally as though he still considered himself responsible for the Maritime missions. The indications are that at least until March 1801, and possibly even longer, he intended to return. For reasons that are not clear, however, he eventually retired to Dublin, where he seems to have lived with a nephew for the rest of his life. No further trace of him is found in the archives of Quebec until his death in 1805.

Still, our story does not end there. Between the time of Jones' departure from the city and his death, a number of circumstances came to light which raise questions about his intentions, and even

⁷ On Edmund Burke, O.P., see Jones to Plessis, 18 June 1800, *AAQ*, Série 312 CN, Nouvelle-Écosse, I, 74.

seem to shed new light on the whole of his career. They are all related in one way or another to his departure. No conclusions should be drawn from these circumstances until the evidence has been examined in full; but it is clearly necessary to take them into account.

One of the first points to emerge, for instance, is that suspicions had arisen at Halifax concerning the purpose of Jones' trip. About a month after he sailed, Plessis reported to Bishop Denaut that the Halifax Catholics believed that his real object was to obtain Bailly's legacy for himself. These fears were entirely without foundation, since, as Plessis was quick to point out, Jones could not even get the interest from the sum, let alone the capital. But the fact that they existed is significant in itself. Although several years had passed since Jones had mentioned problems with the lay trustees, suspicion and discontent had clearly persisted, at least beneath the surface.

Another consideration is the way that the trustees conducted themselves with respect to Jones' replacement, Edmund Burke. On the very day of Jones' departure, Burke had a conversation with John Stealing, Captain Maloney's protégé, who was by this time leader of the trustees. Stealing declared that hitherto the Catholics of Halifax has been "priest-ridden" and that Jones had "had his hands in their pockets and robbed them." He insisted, however, that in future things would be different. Burke found him so determined to have his way that he immediately agreed to leave the temporal affairs of the Church entirely in the wardens' hands. Still, Stealing was not satisfied. At a meeting of the congregation a few days later, he produced a set of regulations for the government of the congregation, which he himself had drawn up and which he now succeeded in having passed. These regulations contained a controversial provision denying burial to anyone who failed to contribute to the church's upkeep. When this rule was subsequently put into effect, it caused a rift between the trustees and members of the congregation, who elected their own committee of delegates to deal with the warden on their behalf. A complete stalemate developed, as each side clung inflexibly to its own position, and the matter was only resolved when the bishop intervened.

We might easily attribute all of this to the trustees' rebelliousness and to a spirit of dissension within the congregation at large, if it were not for the fact that two further points arise at this stage which seem to reflect badly on Jones. One of these is that Edmund Burke felt that he had been treated unfairly by him,

inasmuch as he had agreed to replace him temporarily only to find that Jones had decided not to return. Considering himself free from all further obligation, he resigned in 1801 and was replaced by his namesake, the future vicar-apostolic.⁸ The other is that at just about this time one of the most distinguished priests to serve in the region, the French *émigré*, Abbé de Colonne, wrote to Quebec criticizing Jones. His impressions were based on a brief period he had spent in Halifax in 1799, before assuming the duties of a missionary on Prince Edward Island; but it was not until November 1801, after he had been in the region for a while, that he had felt free to speak. The striking thing about De Colonne's testimony is the way it supports the picture of Jones that had already been presented by the trustees and by William Phelan. Clearly, he suspected him of dishonesty as well as high-handed methods in dealing with his flock. On the one hand, he described Jones as a monk who had come to Halifax with nothing, but who had left with so much money that he could afford not to work for the rest of his life; on the other, he spoke of the domineering way in which he had treated members of his congregation. According to De Colonne, Jones' attitude had provoked opposition from people who by nature were docile and obedient.

The final turn of events did not take place until 1805. By that time, much had changed in Halifax, for Edmund Burke had things firmly under control, and John Stealing and his supporters had been replaced by more moderate trustees. Even among these new men, however, Jones' financial affairs continued to be a topic of concern. The controversial fund which he had established for the Superior of the Missions had never been returned; and in 1804 an unconfirmed report reached the city that Jones had withdrawn the capital. The trustees immediately appealed to the bishop to take steps to recover the money for Halifax. Nothing definite came of this, but only because a new development intervened. In July 1805, Archbishop Troy of Dublin wrote to Edmund Burke to announce Jones' death, and in doing so he informed him that the sum in question had been bequeathed to the newly-founded College of Maynooth. Troy explained that college officials were reluctant to take possession of the money unless the Halifax trustees first

⁸ On the second Edmund Burke, see Cornelius O'Brien, *Memoir of the Rt. Rev. Edmund Burke* (Ottawa, 1894); and Leonora A. Merrigan, *The Life and Times of Edmund Burke in Nova Scotia: 1801-1820*, unpublished M.A. Thesis, Saint Mary's University.

renounced their claim to it. They had therefore commissioned him to procure such a renunciation on their behalf. Burke advised the church wardens to comply with this request, on the grounds that the money might otherwise revert to Jones' family and thus be lost to Maynooth as well as to Halifax. But the wardens agreed only reluctantly. In Burke's words, they acted "pretty much as one does when he surrenders his purse to a robber." Likewise, Bishop Denaut was very unhappy with the course of events. When Burke urged him to join in the act of renunciation and to forward it to the other trustees of the fund for their approval, he complained bitterly that Jones had no right to leave the money to anyone. In the end, however, he left the matter in the hands of Archbishop Troy of Dublin, through whose mediation it was apparently resolved in favour of Maynooth.

Nothing casts such a shadow over Jones' career in Halifax as this episode does, for he knew better than anyone the purpose for which the money had been collected. Since he had no real successor as Superior of the Missions,⁹ he could not adhere strictly to the original terms of the fund; but the obvious thing would have been to restore it to the Halifax mission or at least to the Bishop of Quebec. On the other hand, the fact that Jones disposed of it as if it were his own money makes the other circumstances connected with his departure seem worse. A scenario almost suggests itself, according to which Jones had never had any intention of returning to Halifax, but had left for Britain on a pretext, with the idea of using the investment for the Superior of the Missions as his own retirement fund. If so, then he had deliberately deceived the bishop as well as the first Edmund Burke.

In the last analysis, however, this interpretation of Jones' behaviour will not stand up to scrutiny. Not only is there no real proof of wrongdoing on his part, but most of the circumstances which seem to incriminate him can be explained in other ways. Jones undoubtedly had good reasons for his initial trip to Britain, and it is probable that he intended at first to come back. The reason why he did not do so is unclear; but it is just as plausible to attribute it to a deterioration of his health as to anything else. This would be

⁹ The term Superior of the Missions was not used in the Maritimes after Jones had left. Both Edmund Burke, O.P., and his successor were appointed vicar-general. There was at this time no "vicar-general for Acadia." The second Edmund Burke was named vicar-apostolic in 1817, marking the separation of Nova Scotia from the diocese of Quebec.

consistent with the fact that he apparently retired to his nephew's house and that a few years later he died. By the same token, his decision to bequeath the fund for the Superior of the Missions to Maynooth appears much worse at first sight than it really is. Even though the motives for his actions are again unclear,¹⁰ the nature of the case excludes any question of personal gain. In fact, since Jones' will mentions the entire £1300 that had been invested in the fund, it serves as proof that he had actually left the capital intact. This leaves only the question of the Abbé de Colonne's testimony, which laid the blame at Jones' door for the unrest among the laity in Halifax. A close examination of De Colonne's letter to Denaut, however, shows that the source of much of his information was one of the lay trustees, possibly even Stealing. De Colonne was undoubtedly well-meaning, but he had been led astray by an extremely biased version of events.

The picture of James Jones which emerges in the end is that of a man who was fundamentally honest. He worked hard in the cause of the Maritime missions, occasionally making errors in judgement, but he nevertheless acted in good faith. The problems that he encountered were due not to any obvious fault on his part but to the conditions under which he had to work. If we want to put his career in the proper focus, it is on these conditions which we must concentrate. Jones led Maritime Catholicism through a crucial transition. When he came to the region, it was little more than a missionary outpost; but by the time he left, this was no longer the case. The area was much more self-sufficient. Permanent congregations had been organized under resident priests. Many of the worst abuses had been eliminated, and the seeds of stable church government had begun to take root. Jones was not a man of exceptional ability. But he made an important contribution to Catholicism in the Maritimes, and he prepared the way for more complex developments to come.

¹⁰ One possibility that comes to mind is that Jones had left the money to Maynooth on the understanding that it would be used to train clergy who would eventually serve in the Maritime colonies. This seems even more plausible when we remember that many of the continental colleges where Irish priests had previously trained had been suppressed as a result of the French Revolution. In one of his last letters to Plessis, Jones expressed his concern about the effect this might have on the supply of missionaries for the Maritimes. Furthermore, Maynooth was founded largely to replace these colleges. We must be very cautious, however, since the available sources furnish no direct evidence to support this interpretation of Jones' actions.