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Source: *Archivium Hibernicum*, 2020, Vol. 73 (2020), pp. 387-394

Published by: Catholic Historical Society of Ireland

Stable URL: <https://www.jstor.org/stable/10.2307/48713719>

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Some letters from St John Henry Newman arising from his denunciation of Giacinto Achilli

The provincial archive of the Irish Dominicans at St Mary's Priory, Tallaght, Dublin 24, holds a small collection of six letters from St John Henry Newman. Three of the letters belong to that brief but unpleasant period when he faced prosecution for his denunciation in 1851 of Giacinto Achilli, a former Dominican friar, 'a liar and a sexual predator,'¹ who had been brought to England by the Evangelical Alliance and had toured the country as 'a rising star of the No-Popery lecture circuit.'² The canonization of St John Henry Newman on 13 October 2019 prompted interest among the brethren of St Saviour's Priory, Dublin, in the Newman letters regarding Achilli held in the provincial archive and encouraged this modest contribution to *Archivium Hibernicum*.

The earliest of the letters, written on 31 August 1851, fills a little more than one page. When laid flat and unfolded, the dimensions of the sheet of paper used for the letter are 19.8 cm from top to bottom and 25 cm from left to right. The second letter, written on 13 November 1851, occupies a little more than two pages. The third letter, written on 9 January 1852, occupies only two pages. When laid flat and unfolded, the dimensions of the sheets of paper used for the second and third letters are the same, 18.5 cm from top to bottom and 22.2 cm from left to right. In all three cases, the paper, in landscape orientation, is folded in half, vertically, to form four pages in portrait orientation. Transcriptions of all three letters were published in 1977.³

On 30 June 1851, Newman had started a series of public weekly lectures on Catholicism in England⁴ to lay bare 'the prejudices and false principles at the basis of the Protestant view of the Catholic Church.'⁵ In his fifth lecture, delivered on 28 July, Newman denounced Achilli for 'a series of

- 1 Roderick Strange, *John Henry Newman: a mind alive* (London, 2008), 23.
- 2 Sheridan Gilley, *Newman and his age* (London, 1990), 269.
- 3 See *The letters and diaries of John Henry Newman*, eds Charles Stephen Dessain & Thomas Gornall, vol. xxxi: *The last years, January 1885 to August 1890*, with a supplement of addenda to volumes xi-xxx (Oxford, 1977), 23*, 26*, 26*-27* respectively.
- 4 See John Henry Newman, Letter to J.M. Capes, 17 June 1851, in *The letters and diaries of John Henry Newman*, eds Charles Stephen Dessain and Vincent Ferrer Blehl, vol. xiv: *Papal aggression, July 1850 to December 1851* (London, 1963), 298.
- 5 Introductory note, *Letters*, vol. xiv: *Papal aggression*, xv.

crimes against morality.⁶ The material he used in his denunciation was copied from the *Dublin Review*, a quarterly founded in 1836 and provided with ‘a territorial title’⁷ to reflect ‘a great Catholic centre.’⁸ Edited and published in London, the journal had featured an article by Nicholas Cardinal Wiseman, Archbishop of Westminster, an article intended to subject Achilli to ‘a thorough sifting of his character’⁹ and to expose ‘a filthy tale of violated vows,’¹⁰ supported ‘by authentic, and generally official documents.’¹¹ The claims that Wiseman had set down in detail in the *Dublin Review*, Newman delivered in synthesis.

Even though Wiseman’s assertions had also been reproduced in a pamphlet,¹² Achilli moved to prosecute only Newman and his sworn denial of the allegations made against him by Newman enabled him to bring criminal proceedings for the common law offence of defamatory libel, rather than a simple civil action for damages. Consequently, Newman was exposed to a maximum sentence of an unlimited fine or a year’s imprisonment.

The letter of 31 August 1851 was addressed by Newman from the Oratory, Birmingham, to Dr Charles W. Russell (1812–1880), an intimate friend and one whom he consistently addressed in his correspondence as ‘My dear Dr Russell.’¹³ Newman advises his friend of the impending prosecution by Achilli on account of the assertions ‘copied’¹⁴ from the *Dublin Review* and included in his lecture some weeks previously. In similar tones, Newman also addressed others regarding his situation. He informed Mrs J.W. Bowden that ‘there is a rumour still that Dr Achilli is to indict me,’¹⁵ and declared ‘the immediate cause’ of his letter to J. Spencer Northcote, to be ‘a report ... that Dr Achilli’s friends are going to prosecute me.’¹⁶ He also advised Archbishop Paul Cullen of Armagh that ‘there is a report I am to

6 Ibid., xvi.

7 A. Hilliard Atteridge, ‘England,’ Catholic periodical literature in *The Catholic encyclopedia*, eds Charles G. Herbermann, Edward A. Pace, Condé B. Pallen et al., vol. xi (New York, 1911), 673.

8 Ibid.

9 Nicholas Wiseman, ‘Dr Achilli’ in *Dublin Review*, xxviii, 66 (1850), 476.

10 Ibid.

11 Ibid., 510.

12 See Matthew C. Mirow, ‘Roman Catholicism on trial in Victorian England: the libel case of John Henry Newman and Dr Achilli’ in *The Catholic Lawyer*, xxxvi, no. 4 (1996), 405. See also John Henry Newman, Letter to Edward Badely, 29 August 1851, *Letters*, vol. xiv: *Papal aggression*, 338.

13 See John Henry Newman, Letters to Charles Russell, 23 October 1850, 28 October 1850, and 24 December 1850 in *Letters*, vol. xiv: *Papal aggression*, 108–109, 116, and 174–175 respectively.

14 John Henry Newman, Letter to Dr Charles W. Russell, 31 August 1851, in the provincial archive of the Irish Dominicans.

15 John Henry Newman, Letter to Mrs J.W. Bowden, 28 August 1851 in *Letters*, vol. xiv: *Papal aggression*, 335.

16 John Henry Newman, Letter to J. Spencer Northcote, 28 August 1851 in *Letters*, vol. xiv: *Papal aggression*, 338.

undergo a prosecution from Achilli, on account of what I have said of him in one of my lectures.¹⁷

Under pressure to substantiate the assertions copied from the *Dublin Review*, Newman applied to his friend for assistance, with evident familiarity and confidence, and inquired after another Dr Russell, ‘the Dominican, who is just come from Rome.’¹⁸ In question was Fr Bartholomew T. Russell, O.P., who at the time was prior of St Mary’s Priory, Cork, although within a year he would be found at St Saviour’s Priory, Denmark Street, Dublin, subsequent to his election as prior provincial.

It is a little surprising that Newman applied to Dr Charles Russell rather than to a member of the Dominican Order to establish the whereabouts of ‘the Dominican, who is just come from Rome,’¹⁹ especially as Newman’s letter suggests that his friend might not even have known him. In fact, alarmed at the prospect of prosecution and anxious to acquire the necessary evidence for his defence, Newman’s letter betrays his anxiety to find anyone possessed of information about Achilli. In another letter, Newman signalled the same urgent need of evidence, requesting of the archbishop of Armagh ‘the great favour of directing me to some primary sources of evidence for Achilli’s misconduct.’²⁰ In his letter to Russell, his declaration, ‘no time is to be lost,’ sounds a note of urgency. Indeed, it has been asserted that ‘at this early stage, clear proof of only one of Newman’s allegations would have been enough to stop the case.’²¹

The letter of 13 November 1851 was addressed by Newman from the Oratory, Birmingham, to Dr Peter Cooper,²² a member of the committee decided upon at the Synod of Thurles in 1850 to act for the Irish hierarchy in order to establish the Catholic University of Ireland. The previous day, Cooper had written with news of the committee’s resolution to invite Newman to be president of the university. In his reply, Newman warmly acknowledges ‘the thoughtfulness’²³ of Dr Cooper in acquainting him with the news and declares his intention to acknowledge ‘the great honor’²⁴ upon receipt of ‘the Primate’s letter.’²⁵

Before closing his letter, Newman alludes to the prospect of prison,

17 John Henry Newman, Letter to Archbishop Paul Cullen, 29 August 1851, in *Letters*, vol. xiv: *Papal aggression*, 342.

18 Newman, Letter to Dr Charles W. Russell, 31 August 1851, in the provincial archive of the Irish Dominicans.

19 *Ibid.*

20 John Henry Newman, Letter to Archbishop Paul Cullen, 7 September 1851, in *Letters*, vol. xiv: *Papal aggression*, 347.

21 See Ian Ker, *John Henry Newman: a biography* (Oxford, 1988), 373.

22 See J. Anthony Gaughan, *The archbishops, bishops and priests who served in the archdiocese of Dublin in the nineteenth century* (Dublin, 2013), 54.

23 John Henry Newman, Letter to Dr Peter Cooper, 13 November 1851, in the provincial archive of the Irish Dominicans.

24 *Ibid.*

25 *Ibid.*

advising Cooper that ‘Achilli’s proceedings are against *me*.’²⁶ Indeed, Achilli had only launched the proceedings for criminal libel on 5 November, little more than a week earlier. Further, the proceedings were directed against Newman and not Wiseman. In the course of the trial, Achilli would declare that he had not brought an action against Wiseman for the publication of the article in the *Dublin Review* as no name had been associated with it. He would also assert that ‘[it] was not until he saw these “Lectures” appear under a name once respected, that he felt he had met an adversary who was visible.’²⁷ His argument convinced the jury although, legally, it was a weak argument as the author could have been compelled in a criminal libel action. It is more likely that the Evangelical Alliance wanted their figurehead to clear his name and, at the same time, discredit Newman.²⁸

Newman also advised Cooper that a good deal of his time was occupied with the Achilli affair. Even before charges had been filed against him, he had dispatched Fr Joseph Gordon and Fr Nicholas Darnell of the Birmingham Oratory and a lawyer to Italy to find witnesses willing to testify to Achilli’s profligacy or to provide affidavits to the same effect. In addition, England was scoured for Fr Vincent Grotti, an Italian Pallottine, in order to send him to Italy to gather evidence.²⁹ Application was made to Wiseman for the documentary evidence at his disposal but to poor effect while attendance upon Newman of Sir Alexander Cockburn, the lead counsel, et al. engaged in his defence made further demands on his time.

The letter of 9 January 1852 was addressed by Newman from the Oratory, Birmingham, to Fr Robert A. White, O.P. The previous year, Newman had been urged by Wiseman to apply to White for information regarding Achilli.³⁰ At that time, White was engaged in visitation of his brethren in Ireland on behalf of the Master General in Rome.

Quoting a passage from Achilli’s book, *Dealings with the Inquisition or papal Rome, her priests, and her Jesuits with important disclosures*, Newman asked a question to which his lawyers needed an answer. The cited passage referred to Achilli’s interpretation of the formula of religious profession pronounced in the Dominican Order. Achilli argued that as only the vow of obedience was explicitly mentioned, only ‘one single vow,’³¹ the vow of obedience, was actually professed. On behalf of his lawyers, Newman asked if Achilli’s argument was correct.

26 Ibid.

27 William F. Finlason, ‘Report of the trial and preliminary proceedings in the case of the Queen on the prosecution of G. Achilli v Dr Newman (London, 1852), 178. See Ker, *Newman*, 373.

28 See Mirow, ‘Roman Catholicism on trial in Victorian England,’ 431.

29 See Gilley, *Newman*, 270.

30 See Newman to Archbishop Paul Cullen, 7 September 1851, *Letters*, vol. xxxi: *The last years*, 347.

31 Giacinto Achilli, *Dealings with the Inquisition or papal Rome, her priests, and her Jesuits with important disclosures* (London, 1851), 251.

In the course of the trial, Achilli continued to argue that for admission to the Order of Preachers only the vow of obedience was required.³² In this manner, he attempted to exonerate himself from any alleged violation of a vow of chastity. During cross-examination by Sir Alexander Cockburn, he insisted that he took only ‘a single vow of obedience, excluding separate vows of poverty and chastity.’³³ However, with the testimony of William Nicholi, a Dominican friar, Cockburn established that everyone joining the Order of Preachers was obliged to take ‘the usual three vows of poverty, obedience, and chastity’³⁴ and cross-examining Domenico Pogge, a former Dominican friar, he established poverty, chastity and obedience as the vows essential to the Order of Preachers. In other words, he established that ‘an essential part’ of the vow of obedience pronounced in the Order of Preachers included ‘the injunction of chastity.’³⁵

In his letter, Newman inquired of White as to the correctness of the claims made by Achilli in *Dealings with the Inquisition* regarding the import of the vow of obedience. As far as White’s reply to Newman was concerned, it seems more than reasonable to suppose that his answer reflected the constitutions of the Dominican Order, ‘quia votum obedientiæ continet in se alia vota ... qui enim promittit obedientiam promittit caste ... vivere,’³⁶ the very interpretation of the vow of obedience subsequently established by Cockburn during the trial.

Although the trial was originally planned for January, Newman advised in a postscript that the trial was to be held the following month. In fact, the trial did not begin until 21 June 1852, and in all it lasted five days. The postscript also noted that failure to prove any one of the allegations made against Achilli was sufficient for a verdict of guilty.

In due course, the jury found that Newman had only succeeded in proving one of his allegations. The trial had exposed him to the possibility of an unlimited fine or a year’s imprisonment. Efforts by his lawyers to obtain a second trial were made in vain although new evidence was admitted for sentencing which allowed for a mitigated sentence. On 31 January 1853 a fine of only £100 was imposed on Newman. It was regarded as a light penalty and ‘an implicit admission that the jury had been misguided.’³⁷ Newman regarded the fine as a reversal of the verdict of the jury³⁸ and a moral victory.

32 See Finlason, ‘Report of the trial and preliminary proceedings,’ 130.

33 Mirow, ‘Roman Catholicism on trial in Victorian England,’ 443–4.

34 Finlason, ‘Report of the trial and preliminary proceedings,’ 115–116.

35 *Ibid.*, 145–146.

36 *Regula S. Augustini et constitutiones fratrum Ordinis Praedicatorum* (Rome, 1690), prima distinctio, xv, I, (c).

37 Ker, *Newman*, p. 399.

38 See John Henry Newman, Letter to Archbishop Paul Cullen, 5 February 1853, *The letters and diaries of John Henry Newman*, eds Charles Stephen Dessain & Thomas Gornall, vol. xv: *The Achilli trial, January 1852 to December 1853* (London, 1964), 287.

The letters in the provincial archive arising from Newman's denunciation of Achilli document his awareness of an impending trial for libel, his urgent need of evidence, and his efforts to obtain that evidence. In addition, they reveal his anxiety regarding the whole affair and his awareness of the prospect of a prison sentence. Perhaps the most significant letter vis-à-vis the trial is that of 9 January 1852 regarding Achilli's claim to have professed only one single vow, that of obedience. Newman noted the interest of his lawyers in the import of the vow of obedience as professed by members of the Dominican Order. Moreover, in the trial itself Sir Alexander Cockburn pursued the matter with determination to establish that an essential part of the vow of obedience professed by Achilli and all members of the Dominican Order included 'the injunction of chastity,'³⁹ the point of information sought by Newman in his letter.

More difficult than appreciating the significance of the letters is understanding their provenance. On 27 April 1912, Fr Ambrose Coleman, O.P., addressed a letter to the prior provincial et al. referring to his suggestion in 1910 that a provincial archive be created in which 'all documents of historical interest to the province might be deposited and arranged.'⁴⁰ He noted that he had deposited in the archive 'many thousands of letters which throw light on the history of the province from 1780 ... collected from various convents.'⁴¹ Such a transfer of records might offer a plausible explanation for the presence in the provincial archive of the letter to Fr Robert A. White, O.P. However, explanation of the presence in the provincial archive of the letters addressed by St John Henry Newman to Dr Charles Russell and Dr Peter Cooper presents a far greater challenge.

39 Finlason, 'Report of the trial and preliminary proceedings,' 145–146.

40 Ambrose Coleman, O.P., Letter to Fr Provincial and diffinitorium, 27 April 1912, in the provincial archive of the Irish Dominicans.

41 Ibid.

Document

Oratory Birmingham / August 31. 1851

My dear Dr Russell,

There is a report, which I do not / wish talked about, that Dr Achilli is going to prosecute / me for what I copied about him from the Dublin in / one of the Lectures I am delivering (of which, by the / bye, I had made a memorandum to beg your ac / ceptance when they are finished.)

Now it strikes me you may know your / namesake, Dr Russell, the Dominican, who is / just come from Rome – or can tell me where he is and / how I can get at him – or whether there is any one else / who can give me information about Achilli, or how to / get evidence against him. I am told no time is to be lost.

Very truly yours in Xt John H Newman / Congr. Orat.

Oratory Bm / November 13/51

My dear Dr Cooper,

I feel exceedingly the / kindness of your letter just arrived. Of the / great honor done me I shall say nothing, / for I shall have an opportunity of ac- / -knowledging it when the Primate's letter comes, / meanwhile the thoughtfulness, with which / amid your many occupations you have / lost no time to acquaint me at once with / the result of a meeting so interesting to me, / demands my warmest thanks. Pray for me, / my dear Dr Cooper, that your confidence in me / may not be thrown away, but that I may / be able in sufficient measure to acquit myself / of the great responsibilities thrown upon me.

Achilli's proceedings are against *me*. / Should I be cast, I shall have to go to prison. / At present he occupies, I am sorry to say, a / good deal of my time. I am from London on *furlough*.

Very sincerely Yours in Xt John H Newman

Oratory Birmingham / January 9 1852

My dear Fr White,

I wish to ask your Reverence / one question, which my lawyers are desirous / of having answered.

Achilli in his book writes as follows: / ‘The Dominicans, *contrary to the practice* of all / other monastic bodies, in their religious profession, / *make but one single vow*, which is that of *obedience*. / My profession, therefore, was *nothing more* than / a promise *to be obedient* to the superior of the Order ... / Had I belonged to any *other* order, I must have / vowed *three* things ... The Dominicans require / *obedience only*’

Might I ask you if this statement is correct?⁴²

I am, My dear Father, / begging your good prayers

Very truly Yours in Xt / John H. Newman of the Oratory.

P.S. The trial comes on in February. We / need the prayers of all. Some things we hope to / prove by legal evidence – but failure on any one / point is sufficient for a verdict of guilty.

42 The present transcriptions adhere to the conventions employed in *Letters*, vol. xxxi: *The last years*, and described in its preface. Thus, the address and date are printed on the same line while the conclusion of the letter is made to run on, notwithstanding Newman’s separate lines. Italics have been adopted for underscored text, raised letters are lowered, and single quotation marks are used. Paragraphs, the use of capitals, and punctuation are preserved. In their transcription of the letter of 9 January 1852, the editors of *Letters* omitted a second person personal pronoun, ‘Might I ask [you] if this statement is correct?’ and a punctuation mark, ‘I am, My dear Father[,] begging your good prayers.’