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THE MATHEW AFFAIR



*The failure to establish an Old Catholic Church in
England in the context of Anglican Old Catholic
relations between 1902 and 1925*

CHRISTOPH SCHULER

Publicatieserie Stichting Oud-Katholiek Seminarie

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Christoph Schuler

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This dissertation was submitted and accepted (with distinction) for the degree of Master of Theology, University of Southampton, 31 January 1994.

For my parents, Rosmarie and Roland Schuler-Kiefer, who brought me up in the Catholic faith as it is believed in the Old Catholic Church of Switzerland.

"Oft aber ist der Blick in die Vergangenheit keine angenehme Sache. Aber ohne ihn ist jede Selbstkritik der Kirche unmöglich. Die Selbstkritik aber ermöglicht den Kirchen ihr weiteres Wirken und Leben und führt zum gegenseitigen Verstehen und Lieben, damit sie die Aufgabe der ökumenischen Bewegung erfassen und verwirklichen."

(The view of the past is often unpleasant, but without it any self-criticism of the church is impossible. Self-criticism gives the churches possibilities, for work and live in the future, and leads them to understanding and love, through which to grasp and realize the task of the ecumenical movement.)

Demosthenes Savramis ¹

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GENERAL INSTRUCTIONS

The following instructions are intended to guide you in the use of the instrument. They should be read carefully and followed exactly as given. The instrument is designed to measure the angle between two lines or the distance between two points. It is used by placing the instrument on a surface and adjusting the legs to the desired position. The angle is then measured by reading the scale on the instrument. The distance is measured by reading the scale on the instrument. The instrument is used in a variety of applications, including surveying, engineering, and construction. It is a simple and effective tool for measuring angles and distances. The instrument is used by placing the instrument on a surface and adjusting the legs to the desired position. The angle is then measured by reading the scale on the instrument. The distance is measured by reading the scale on the instrument. The instrument is used in a variety of applications, including surveying, engineering, and construction. It is a simple and effective tool for measuring angles and distances.

Introduction

About fifteen years ago I heard for the first time about the failed attempt to establish an Old Catholic Church in England, and some years later during a lecture in Old Catholicism by Professor Peter Amiet at the Old Catholic Theological Faculty at Berne the issue was brought to my attention again. We were told that unfortunately no literature existed. Shortly after my arrival in England for the academic year 1992-1993 I learned that a number of "bishops" and "priests" in this country claim to be Old Catholics. Out of curiosity I tried to find out more about them. I discovered that a whole underground system of "churchy" organisations existed with men who claim to be in valid orders, mainly tracing their apostolic succession back to Arnold Harris Mathew. The attempt to find literature came quickly to an end. I found reference to the case in a few books but nowhere had it been fully researched. Henry R.T. Brandreth, who examined the case for the first time at the end of the 1930s, had access only to the documents in England, because of the outbreak of the Second World War, and in the 1960s Peter F. Anson made no attempt to research the continental archives. The interest of these English scholars rested entirely with the curious figures of the *episcopi vagantes* and the problems which arose around them, and not with the reasons behind Mathew's consecration itself. Until recently nothing had appeared in German. On the one hand this may be because the case is an unpleasant incident for Old Catholics, and on the other at the European Continent they are not directly confronted with the problem of *episcopi vagantes*.

This dissertation unfolds for the first time the full story of the Mathew affair, and seeks to shed light on all the facts surrounding this extraordinary piece of church politics. I have examined all the relevant documents in the archives in London, Utrecht and Haarlem, and Berne except some of the correspondence between Dutch bishops in their own language. It should be noted that until recently the records in Holland and Switzerland had never been catalogued and had remained inaccessible to the public. The material which I include is entirely drawn from original sources, most of which are letters which have never been published. Until now the correspondence of Bishop Herzog in Berne has never been evaluated by scholars, but I am convinced that he played a key role in the Mathew affair. Harald Rein in his new book *Kirchengemeinschaft, Die anglikanisch-alkatholisch-orthodoxen Beziehungen von 1870 bis 1990 und ihre ökumenische Relevanz (Vol. 1, Berne 1993)* said about Herzog's role in the Mathew affair: "Die Rolle, die Eduard Herzog darin spielte, muss als unklar bezeichnet werden." (The role which Bishop Herzog played in it must be regarded as unclear.)¹ This assessment is no longer valid. I have sought to bring the facts to light and have included my own interpretation where this seemed necessary for a full understanding of the issues involved. I am convinced that the failed attempt to establish an Old Catholic Church in England has to be seen against the background of Anglican-Old Catholic relations. Therefore I begin in the first

chapter with some introductory remarks on the Old Catholic Church and its links with the English Church, then go on in the second chapter to narrate the story, to consider the different approaches of the two communions to the problem of *episcopi vagantes* in the third chapter and, lastly, to summarize the main points in the conclusion as a basis for further discussion on this topic.

Summary

This dissertation seeks to narrate for the first time all the facts and issues surrounding the failed attempt to establish an Old Catholic Church in England within the wider context of Anglican-Old Catholic relations. Events came to a head when in 1908 the Old Catholic bishops consecrated Arnold Harris Mathew, *de jure* Earl of Landaff, to the episcopate, without consulting the Anglican bishops. Not until after his consecration did they learn that no Old Catholics existed in England and that they had been deceived. In 1910 Mathew broke with the continental Old Catholics by secretly consecrating two Roman Catholic priests to the episcopate and by unilaterally declaring his movement independent. In 1913 and 1920 the Old Catholic Bishops' Conference officially stated that they were no longer in communion. Mathew went on to ordain and consecrate priests and bishops. These *episcopi vagantes* have caused a problem within the Anglican Communion, because from an Augustinian point of view their orders could be considered valid. Anglican scholars such as Brandreth and Anson have addressed this issue but the Anglican Communion has never come around to declaring their orders invalid. The Old Catholic scholar Rein recently dealt with the case, but considered the affair unclear. This dissertation uncovers for the first time the pivotal role of Bishop Herzog in "the Mathew Affair" and reveals clearly that Mathew deceived the Old Catholic bishops which makes invalid both his own consecration and all subsequent ordinations and consecrations which stem from him.

1. Anglican-Old Catholic relations in the last century

The Mathew Affair can only be fully understood in the context of Anglican-Old Catholic relations in the last century which can be divided into four periods:

The first period was a time of discovery. In the middle of the last century John Mason Neale ¹ was the first member of the Church of England who discovered the existence of the "ancient Church of Holland". During the Reformation Holland had become a Protestant country, but a number of secular clergy had remained at their posts. They were, however treated badly by the Jesuits who wished to obtain control of the whole Catholic Church. In the seventeenth century the clergy of the Church of Utrecht gave refuge to leading Jansenists who were being persecuted in France. The Jesuits exploited this situation and the Dutch clergy ran into trouble with Rome, being accused of heretical teaching. To secure the apostolic succession the chapter of Utrecht elected a bishop, who was not recognised by the Holy See. The little Church of Utrecht remained steadfast in the Catholic faith. This fact greatly impressed Neale, especially as this church possessed valid orders. He saw a chance for the Church of England to emerge at last from its isolation.

Following the first Vatican Council Catholics in Germany, Switzerland, and Austria who could believe neither in the infallibility of the Pope nor in his primacy were excommunicated by the Roman hierarchy and had to organise themselves into their own Catholic churches. The Germans and Swiss established national Catholic churches which shortly afterwards were recognised by the state. The Austrians had more problems to obtain recognition. The movements in France under Père Hyacinthe Loyson, in Italy under Count Campello, and in Spain and Portugal never had much success. In England theologians like Henry Parry Liddon ² were interested in the Old Catholic movement following their acquaintance with the theology of Ignaz von Döllinger ³, one of the most famous Catholic theologians in Germany in the nineteenth century, who became the spiritual leader of the Old Catholics.

Another group in England interested in these new Catholic churches came largely from the Anglo-Continental Society, founded in 1853 by Canon Meyrick. Its members were generally hostile to Rome and their society supported every movement which weakened Roman Catholic influence. They recognised the Old Catholics as "brethren by race and temperament" ⁴ who were in need of help. Men like John Wordsworth, later Bishop of Salisbury, and Harold Browne ⁵, Bishop of Winchester, were convinced that national Catholic churches on the Continent in communion with the English Church would be a great step forward to the reunion of Christendom.

The second period centres on the formal constitution of the Old Catholic Churches in Germany and Switzerland. In 1873 the German church elected Reinkens as its first bishop; he was consecrated by Bishop Heykamp of Deventer on 11th August 1873. The first Swiss bishop, Eduard Herzog, was consecrated in 1876 by Bishop Reinkens. The conservative Dutch bishops were not willing to assist, alarmed as they were by the changes made in Germany and Switzerland, especially the rejection of the authority of the Council of Trent and the proposals to abolish obligatory celibacy for the clergy. The Austrians elected Amandus Czech as their bishop, but the government refused to allow him to be consecrated, and the Austrian Old Catholics had no bishop until 1925. This period also comprises such significant Old Catholic events as the Old Catholic Congresses and the Bonn Reunion Conferences of 1874 and 1875 ⁶. These meetings attracted a number of Anglicans from England and America who were interested in the reunion of the Churches of East and West. This interest lasted only a few years. Having discovered that the Old Catholic movement would never have mass appeal and that these National Churches would remain small, general interest in England shifted to the Roman Catholic Church. However, a few people like John Wordsworth remained steadfast and took part in Old Catholic events for many years to come.

The third period overlaps with the second one. It covers a more official mutual rapprochement between the Anglican Communion and the Old Catholic Churches in Germany and Switzerland, through the declarations of the Lambeth Conferences of 1878, 1888 and 1897 ⁷. Only the first two of these were really significant. The 1878 Lambeth Conference recommended to study the situation of the Old Catholics. This declaration of sympathy provoked the synod of the Old Catholic Church in Switzerland ⁸ and the House of Bishops of the Convocation of the Episcopal Church of America ⁹ to make official responses in the following year. These developments led to the establishment of intercommunion, when Bishop Herzog, Bishop Reinkens and the Scottish Bishop Henry Cotterill, of Edinburgh, celebrated the Eucharist together on 10th August 1879 in the parish church of St. Peter and St. Paul in Berne. ¹⁰ This led to mutual participation in Holy Communion in services of both communions and to the decision of the German synod in 1883 to invite individual members of the Church of England to Holy Communion. ¹¹ The Lambeth Conference of 1888 adopted this practice for the German and Swiss Old Catholics. ¹² It is worth noting that the Dutch remained aloof from all these events, never changing their original position.

The last period was a time of stagnation in Anglican-Old Catholic relations, following the Lambeth Conference of 1888 which did not go as far as Herzog and others had expected in supporting the Old Catholics in their struggle. At the same time the Old Catholics came closer together and in 1889 the Old Catholic bishops formed the Union of Utrecht. ¹³ The Archbishop of Utrecht, Johannes Heykamp, invited his

Dutch colleagues the Bishops of Haarlem and Deventer as well as Bishop Reinkens and Bishop Herzog to a conference held on 24th September 1889 in Utrecht, which led to the Declaration of Utrecht, the doctrinal basis for all Old Catholics. The Declaration rejected the decrees of the Council of Trent in matters of discipline, and in dogmatic matters accepted its decisions only insofar as they were in harmony with the teaching of the early church. The Conference agreed that no bishop was to have jurisdiction over any church but his own, and that the bishops would not consecrate any bishop without the consent of the Conference and provided that the candidate accepted the Utrecht Declaration. With the Union of Utrecht the Church of Utrecht ceased to be Roman Catholic in any sense and placed herself alongside the other Old Catholic churches. The Dutch, however, remaining conservative, were reluctant to accept Anglican orders and in 1894 declared that they would not recognise their validity.¹⁴ This position became crucial to Old Catholic-Anglican relations, because all Old Catholics were now bound to act in unity. This reluctance and the consecration of Bishop Kozłowski as an Old Catholic bishop in the United States in 1897 nearly brought friendly relations between Old Catholics and Anglicans to an end.¹⁵

To conclude we can say that after some years the initial interest in the Old Catholics flagged considerably on the Anglican side. The Catholic wing of the Church of England lost interest when the Church of Utrecht continued to regard Anglican orders as invalid. On the Old Catholic side it was only Bishop Herzog who made special efforts to achieve reunion with the Anglican Communion, which were successful in bringing about intercommunion between the Old Catholic Church of Switzerland and the Scottish Episcopal Church and the Episcopal Church of the United States. Rein points out that the relationship between the two communions was not always as good as is often claimed: "Die Auffassung, dass die Beziehungen zwischen Anglikanern und Altkatholiken kontinuierlich gut gewesen seien ... muss als ein Mythos bezeichnet werden, der einer kritischen Quellen- und Geschichtsschreibung nicht standhält." (The opinion that the relations between Anglicans and Old Catholics have always been good ... has to be described as a myth which cannot be maintained in view of the critical study of sources and history.)¹⁶

2. **The Mathew Affair: A crisis in Anglican-Old Catholic relations**

2.1. *The early history: "A bishop for England". The attempt to establish a non-Roman Catholic bishop in England 1902-1907*

2.1.1. **The "revolt from Rome" movement in the Roman Church**

In November 1901 the Archbishop of Utrecht, Gerardus Gul, received a request from an English Roman Catholic priest, Richard O'Halloran. He asked the Archbishop to consecrate another Roman Catholic English priest, Herbert Ignatius Beale, as a bishop for a movement of independent Roman Catholic priests in England. The Archbishop was not willing to do so.¹ In August 1902 the Fortnightly Review informed the public that 150 Roman Catholic priests had assembled secretly and had elected a bishop.² This movement was called "the revolt from Rome".

In November 1902 Father Richard O'Halloran and Father Herbert Beale paid the Archbishop a visit in Holland. However, the Archbishop was still not convinced. The English priests travelled on. From Bonn O'Halloran wrote his first letter to Bishop Herzog.³ Three days later, the Bishop received the two priests in his home in Berne. He told them that they had to built up independent Catholic parishes and organise a church before the consecration of a bishop would be possible.⁴

Back home, Beale gave up his title as Rector of the Roman mission of Brislington, Bristol, and declared publicly in the Daily Chronicle of 23rd January 1903 that he wanted to begin independent Catholic services the following Sunday in the new Catholic mission of St Cyprian, Gunnersbury, London W.⁵ This was exactly what the Old Catholic Bishops had asked for. On 31st January Herzog wrote in answer to one of O'Halloran's further inquiries that the English had now started to fulfil the first demand in organising independent parishes and as soon as they had four or five parishes, each with a rector and a parish council, it was likely that the Dutch bishops would consecrate Beale. On the question of the essentials of the Old Catholic faith Herzog answered: "Your standpoint is ours. We accept the faith of the general councils and don't think that we have the right to put away any article of faith or to formulate a new creed."⁶ However, Beale's independence did not last for long. In the Daily Chronicle of 5th February, he declared that he no longer had any connection with the "revolt from Rome". He was received back into the Roman Church and became rector of St. Edward's, Nottingham.⁷

Now, O'Halloran remained on his own. He became entangled in a most difficult situation, when in the same month Cardinal Cotti, the Prefect of the Holy Office, declared the major excommunication of all priests and their followers who celebrated the Eucharist in the Archdiocese of Westminster without permission. ⁸ Therefore O'Halloran informed Herzog that he was searching for a subsidiary bishop for the movement in England. Herzog was quite happy with this wish, replying that this was exactly the approach of the German and Swiss Old Catholics, who are giving spiritual help to those Catholics in their countries who are rejected by the Roman Church, and adding that he, O'Halloran, should be the priest to become bishop. ⁹

Who was this man in whom Herzog put all his trust after knowing him for only a matter of weeks? — O'Halloran was born on the 25th December 1859 at Ballyhindon in Ireland. He was the fourth and youngest son of Denis O'Sullivan O'Halloran of the O'Hallorans of Curraghoo, Glanworth. He was educated at St. Joseph's College, Mill Hill, London, where he studied classics, philosophy and theology. He was ordained priest in 1880 at Hereford by the Rt Revd Cuthbert Hedley, Bishop of Newport. ¹⁰ O'Halloran was trained to become a secular missionary priest at Mill Hill where Dr Vaughan was the principal. Whilst he was a student he was led by writings of Dr Vaughan and the then Cardinal Manning to regard the religious orders with anything but a friendly eye. According to O'Halloran, Vaughan later changed his mind and became a great supporter of the monks. He wanted O'Halloran to become a member of a religious order in his first priestly year. O'Halloran refused because he was trained as a secular priest and on the day of his ordination he had had to swear not to enter any religious order or society. The refusal caused lifelong tension between Vaughan and O'Halloran, but Cardinal Manning protected the young priest. Manning advised him to go back to St. Joseph's and O'Halloran remained there until he got a licence from the rector of Mill Hill to seek employment in an English diocese. He started his work in Yorkshire but soon got into trouble with the Bishop of Middlesborough. In 1888 Cardinal Manning called him to Westminster and appointed him to a mission in London. After the death of Manning in 1892, Vaughan succeeded to the office of Archbishop of Westminster and shortly afterwards was made Cardinal. Soon after he had become archbishop he sent a letter to O'Halloran, saying that he questioned his right to "title" in Westminster and therefore no longer wanted him in the Archdiocese of Westminster. He tried to get rid of him, but O'Halloran continued his work at St. Catharine's, Bow, just as if Vaughan had never suspended him. However, Vaughan continued his efforts to evict him out of the church and the house at Bow. In 1894, the new Cardinal, Vaughan, transferred him to the rectory of Ealing and commissioned him to build up this mission. O'Halloran's work prospered and in less than fourteen months he was in possession of a fine site and a house. He opened a school which flourished and he had a large congregation in the new church. His rapid success, instead of pleasing the Cardinal, enraged him. He tried to get rid of O'Halloran. In order to throw him out of the place, Vaughan sent a number of Benedictine monks to Ealing. The monks denounced him to his

flock and told the people that they would commit a mortal sin if they came to his church. But a large number remained in O'Hallorans parish. Being Irish, they stood by their Irish priest.¹¹ Therefore, from the year 1896 onwards no confirmation or other Episcopal service was held in Ealing. In 1899, in a letter to the editor of the Middlesex County Times, Cardinal Vaughan informed the public that Father O'Halloran had, for a considerable time, been suspended from the use of all ecclesiastical faculties and that no Catholic might receive his ministrations or join in his services.¹² In his reply O'Halloran urged the Cardinal to bring the case before Rome.¹³

It is clear that as time went on the position of O'Halloran had become more difficult and the "revolt from Rome" movement seemed to be a chance for him to find companions and therefore to survive. However, it must be noted that O'Halloran never thought of becoming an Old Catholic or opposing Papal infallibility. On the contrary he always hoped to find support in Rome against the English Roman Catholic hierarchy. This failed to come. O'Halloran then saw an alternative in the Old Catholic bishops of Holland, since this was the old Roman Catholic Church of that country. These bishops refused their help but O'Halloran found a sympathetic ear in Bishop Herzog.

Herzog was especially convinced after he received a copy of a proposed letter to the Pope, written by O'Halloran and signed by twenty members of the Ealing parish, which was then sent to Rome on 23rd January 1903.¹⁴ The letter informed the Pope of the fact that the Roman Catholic bishops of the Archdiocese of Westminster had refused to perform any Episcopal function since 1896. Furthermore no help had come from Rome, and now major excommunication would be imposed on them without a canonical trial. The parish would now follow the ancient rule of St Athanasius that in a case of necessity any Catholic bishop, being of the universal Church, might be asked for spiritual help; therefore, they would invite the Dutch Old Catholic bishops to visit Ealing and to administer confirmation in their church.¹⁵ When Herzog received a letter from O'Halloran saying that he would accept the episcopate, Herzog informed him that the English had to act in the same way as the other Old Catholic Churches had done in the last century: "With regard to the Old-Cath. Church of Germany and Switzerland the following steps were taken: 1. Independent Catholic Parishes were founded. 2. These Parishes were brought into connection by a Church Constitution. 3. This Constitution contained the rules for the election of a Bishop. 4. According to this rule the Delegates of these Congregations held a Synod and elected a Bishop..." Herzog then advised him to send his documents to the Archbishop of Utrecht and to publish his election in England. He concluded his letter in French (which he preferred to English) by saying: "Nous sommes très heureux de venir au secours d'une église soeur, mais cette église doit exister et donner quelques preuves de sa validité." (We are quite happy to come to the aid of a sister church, but this church must exist and must give some proof of its validity.)¹⁶

The following day the Daily News published the decree of Cardinal Vaughan that everyone who worshipped in the Archdiocese of Westminster without his permission should be excommunicated. On 24th February 1903 Herzog felt compelled to write to Bishop Spit of Deventer: "Dieser Erlass [*excommunicatio major*] betrifft direkt Pfarrer O'Halloran in Ealing W., Mattock Lane, London. Der genannte Geistliche schreibt mir nun, dass er sich bis zur Einsetzung eines Bischofs in England an den altkatholischen Episkopat des Kontinents wende. Zunächst wünscht er, dass ein Bischof aus Holland nach London herüberkomme, um in seiner Kirche die heilige Firmung zu spenden. Er habe 45 bis 50 Kandidaten. Ich meine nun, dass diesem Gesuche entsprochen werden sollte. Es handelt sich vorläufig um eine ganz einfache Hülfeleistung, die weder uns noch die betreffende englische Gemeinde zu irgend etwas verpflichtet. ... Bei dieser Gelegenheit könnte sich der betreffende altkatholische Bischof am besten und sichersten über die in England bestehenden Verhältnisse unterrichten." (This decree directly concerns the Revd O'Halloran in Ealing West, Mattock lane, London. This clergyman now writes to me that he will turn to the Old Catholic episcopate on the Continent until the appointment of a bishop in England. Firstly, he wishes a bishop from Holland to come to London to administer confirmation in his church. He says he has 45 to 50 candidates. I think we should react positively to this request. For the time being all that is required is simple assistance which puts neither us nor the English parish under any obligation. ... The Old Catholic bishop concerned would thereby have the opportunity to inform himself well and reliably about conditions in England.)¹⁷ The answer of the Dutch Bishops to Herzog's request was "no". They were not at all willing to help, saying that O'Halloran had no Old Catholic beliefs.¹⁸ They would only help once O'Halloran had absolutely repudiated the Immaculate Conception and Papal Infallibility; but he refused, on the grounds that in Ealing they were "a born catholic people" who refused the absolutism of the Roman hierarchy but not the Primacy of the Pope.¹⁹ Herzog promptly replied to the Dutch bishops. With some anger, he explained that there would be no Old Catholic Church in Switzerland if in the 1870s the late German Bishop Reinkens had had the same reservations about the Swiss movement as the late Archbishop of Utrecht, Heykamp! O'Halloran was in the same situation; he had been excommunicated and needed help from the Old Catholic bishops.²⁰ Herzog did not give up and made some inquiries of the Anglicans. He wrote to the Bishop of Salisbury, John Wordsworth on 17th March 1903. He asked him for advice as a wise and benevolent friend of the Old Catholics, explaining that he was willing to respond positively to O'Halloran's request.²¹ The Bishop of Salisbury, who was the Archbishop's adviser on foreign affairs, took Herzog's inquiry seriously. Writing to the Archbishop of Canterbury, Randall Davidson, he asked him what answer he should give.²² Davidson replied that the utmost caution would be necessary before they committed themselves to sanctioning anything of that kind.²³ The Archbishop made a few inquiries because he wanted to be convinced "that Father O'Halloran is not simply a wild Irishman who has evoked personal enthusiasm from his congrega-

tion and friends who are prepared to follow him anywhere." 24 The result fully justified his cautious attitude. The Bishop of Salisbury then advised caution to Bishop Herzog, the latter replied that he did not want to trouble the archbishop with that matter. 25

Herzog did not hear anything from O'Halloran for months and in September 1903 Cardinal Vaughan died and was subsequently replaced by Mgr. Bourne who had no personal objections to O'Halloran. 26 Thus, for the time being the story came to an end.

2.1.2. The lull before the storm

In 1904 the Revd Herbert Ignatius Beale again tried to establish contact with Bishop Herzog. Herzog told him that in the same summer an Old Catholic Congress would be held at Olten, Switzerland. On 1st September Beale presented himself before the International Old Catholic Bishops Conference, claiming to be the right man to organise the Old Catholic movement in England, and saying that they should first consecrate him bishop. 1 The Conference told him that he had to establish a church before he could be considered for consecration. 2

During the Old Catholic Congress in Olten Bishop Herzog lectured on the significance of territorial borders for ecclesiastical jurisdiction: *Bedeutung der territorialen Grenzen fuer die kirchliche Jurisdiktion* (RITH 48/1904). He especially questioned the Anglican position on ecclesiastical jurisdiction. 3 In his text Herzog pointed out that in many modern nations people were familiar with more than one denomination, and freedom of belief was guaranteed for all citizens. Thus, the territorial borders of ecclesiastical jurisdiction had lost their earlier importance and, therefore, there existed only a spiritual jurisdiction over organised parishes which wished to belong to a certain church. Herzog concludes with seven general rules. Rules five to seven deal especially with the relationship to the Anglican communion. Rule 4 says that the Old Catholic bishops would not act against the jurisdiction of churches which were in communion with them and that they would not support schismatic movements within these churches. Rule 5 points out that the Old Catholic bishops, according to the teaching of Cyprian: *Episcopatus unus est, cuius a singulis in solidum pars tenetur*, are entitled to help Catholics outside their dioceses who are in a predicament, if they ask for help. Rules 6 and 7 make clear that the jurisdiction of several bishops ought to be possible for one area if diversity in theology, rite, discipline or nationality made it necessary. This step was a result of the mobility and ethnic mixture of modern society. The churches should live side by side and in friendly relationship, trying to find ways for intercommunion without giving up their independence. 4

It was very hard for Herzog to obtain any response to his opinion from the Anglican side. There was also no sign that the English would help the "Old Catholics" in England. They were occupied with the Ritual Crisis in their own church. ⁵

In 1905 O'Halloran again asked Bishop Herzog to send a bishop to administer confirmation in Ealing and in the following year Beale again suggested his own consecration. In December 1906 O'Halloran informed Herzog that a Dominican monk, Basil Hirst, had joined the movement. ⁶ On 11th December Herzog wrote to O'Halloran to say that he should now establish some parishes and unite them to a Church-body by a constitution. He suggested making a special effort and asking the Bishop of Haarlem, Van Thiel, for help with the preparation because, as Herzog said, it would be a glorious day if the bishops could consecrate a bishop for England at the next international Old Catholic Congress, which was to assemble in The Hague in 1907 ⁷ He was dissatisfied, because time was moving on and still nothing had happened. He was also under the impression that the Anglicans had forgotten him. ⁸

Van Thiel, who wanted to explore the situation in England together with a layman, had to postpone his visit. O'Halloran and Beale quarrelled and, furthermore, in April 1907 a piece of news reached the two Old Catholic bishops saying that O'Halloran was mixed up in legal proceedings with his former friend Marsh-Edwards. Marsh-Edwards, who originally had supported him and had given the money to built the recently completed new building for the school in Ealing, was now in financial difficulties and wanted it back, claiming about Pound 400. This could be the end of O'Halloran's mission since he had no money at all (in the end O'Halloran won the case in Court). ⁹

In the summer of 1907, the international Old Catholic Congress took place at The Hague without the consecration of an Old Catholic bishop for England. It seemed that the movement had definitively come to an end? Only a few Anglicans participated in the Congress. In the November issue of the Anglican Church Magazine, J. J. Lias, one of the most loyal friends of the Old Catholics, expressed his deep regret at the unsympathetic attitude of the vast majority of English bishops and clergy towards the Old Catholics: "Certain is, that whether the English Church does or does not extend its sympathy to Old Catholics, it can neither put them down nor annihilate by ignoring them. They have passed the term of infancy, and have entered that of adolescence. The church will hear more of them before long, and then the English Church will stand self-condemned."¹⁰ These were prophetic words but what happened later was not what the author expected. However, the subsequent developments were only possible because Anglican-Old Catholic relations had reached such a low ebb.

2.2. *A.H. Mathew becomes an Old Catholic*

2.2.1. **Mathew's first contact with the Archbishop of Canterbury**

The Archbishop, Randall Davidson, ¹ first heard of the Revd A. H. Mathew on 7th July 1907, when the latter wrote a letter expressing his desire to exercise the Christian Ministry in the Church of England, in which, as he said, he was baptised, to which his parents adhered, and in which he was educated and brought up. In this and subsequent letters he further stated that in his youth he had studied for the Anglican ministry, but had later on embraced most of the tenets of the Church of Rome and was ordained to the Roman Catholic priesthood in 1878. Rationalistic views, however, led him to leave the Roman Church in 1889. In 1892 he married a lady who was, and had always remained, a member of the Church of England. Soon afterwards he was again dissatisfied with his own theological position and began to sympathise with the liberal school represented by Father George Tyrell, the Jesuit, and the French theologian, Mgr Duchesne. This and other influences led him back to the church of his baptism. After all this, he asked the Archbishop for a benefice in a country parish. ²

The Archbishop answered on 15th July saying that he could not make any promise, but in any case Mathew would have to serve in a subordinate position first and would have to be formally admitted to the ministry of the Church of England by repudiating the errors of Rome. However, Mathew replied that he was not willing to undertake subordinate work and therefore he would rather remain in obscurity. In his letter of 19th July Davidson said: "I have carefully considered all that you have said and I feel pretty sure that you have come to a right resolve in deciding that on the whole it will be best for you to give up the idea of offering yourself as a candidate for admission to the ministry of the Church of England and to remain in lay communion..." ³

However, the case did not end here. On 8th August 1907 Mathew again sought work from the Archbishop. He had some time ago, he said, been received back into the Church of England by the Revd Robert Eyton (who had married Mathew and his wife) with the approval of Bishop Temple of London; and he received communion from time to time. The Archbishop was quite angry that Mathew had not told him everything in the first instance. He repeated in his letter of 10th August that it would be essential for Mathew to work in a subordinate capacity and under guidance before it would be appropriate to entrust him with the care of a parish. Davidson advised him simply to live as a layman in the Church of England. However, two days later Mathew again asked for a job. Therefore, the Archbishop made enquiries about Mathew in his neighbourhood in Chelsfield. He got several answers, from the Dean-

ery, the Rectory and others, all giving a more or less negative picture. ⁴ These letters and the fact that Mathew had written to the Bishop of London in a somewhat different way are responsible for the negative attitude of Davidson towards Mathew. ⁵ The Archbishop wrote to the Bishop of London, saying that in Mathew's neighbourhood he was supposed to be a pronounced and strenuous Roman Catholic "and the Vicar of his parish apparently has no idea of his having any thoughts of Anglicanism." Davidson came to the conclusion: "He [Mathew] is a very queer fish. ... Altogether I am not prepared to encourage him, though from all letters I am inclined to think he is at the bottom a good fellow with a queer twist in his temperament."⁶

To conclude, by the middle of December 1907 the Archbishop of Canterbury had made his mind up about Mathew. After careful consideration, he was convinced that Mathew was unsuitable for the ministry in the church. On the other hand he got the impression that Mathew was "a good fellow", but a bit crazy if not insane. It might be that Davidson took pity on Mathew and therefore he answered a great number of Mathew's letters in the coming years; about 70 letters still exist.

2.2.2. Mathew's first acquaintance with the Old Catholics

When Mathew was convinced that he would get no job in the Church of England he approached the Swiss Old Catholic bishop, Eduard Herzog. On 21st September 1907 he wrote his first letter blurring it out: "My Lord Bishop, the time has certainly arrived for the Old Catholic movement to extend its operations to this country. ... I should be very glad to know whether your Lordship would be disposed to assist the movement by conferring episcopal consecration upon a priest, who would be willing to undertake the apostolic work in this country, *without any pecuniary assistance* from the Old Catholic Church on the Continent? Begging your blessing I remain my Lord Bishop Yours most respectfully Arnold H. Mathew." ¹ Herzog, who did not know Mathew, replied in the manner he had always used when such an inquiry had come from England, saying that the Old Catholic bishops would not consecrate a bishop *in partibus*, but they would be willing to help if an Old Catholic church with a constitution were founded and a bishop elected by a synod. ² On 26th September Mathew sent a long letter asking the bishop to send him information about the Old Catholic beliefs, especially about whether the clergy necessarily had to be celibate and whether the bishop could accept jurisdiction *pro tempore* over a congregation of English Old Catholics. As for himself he said: "I separated from Rome in 1889, being unable to adhere to the decrees of the Vatican Council or to admit the universal jurisdiction of such Popes as e.g. Benedict IX, John XII, ... &c. &c. &c.!" ³ He also mentioned a priest in London who had separated from Rome, because Cardinal Vaughan wished to take possession of his buildings. "I do not know him, nor whether he would be disposed to join our movement, but if he were so disposed, his

church would be of great use. However, he is, I am told, not altogether so wise as he should be in some respects, & I have hesitated to communicate with him." ⁴ Four days later he gave his own religious story. ⁵ He mentioned that his friend, George Tyrell, who had recently been expelled from the Jesuits, had very strongly advised him to take steps for the beginning of an Old Catholic movement in England. "I may add that I was ordained on my own patrimony. My father was the third Earl of Landaff, and I am *de jure* the fourth — but I do not make use of the title. I merely mention this in order that your Lordship may see that I am well known in this country." ⁶

Herzog replied he was not allowed by the Swiss government to exercise episcopal jurisdiction outside Switzerland, but sent him the conditions by which the Old Catholic bishops would enter into communion with another National Catholic Church. He drew Mathew's attention to O'Halloran, explaining that he was the priest in London mentioned above and that the Bishop of Haarlem, Van Thiel, had been ready to visit him, but was turned back, which had brought an end to their mutual relationship. ⁷

More letters followed and as soon as the one's mail arrived the other answered. On 8th October 1907, Herzog informed Van Thiel of his connections with Mathew, saying that this Englishman had an outstanding character. ⁸ It is likely that Mathew was mentioned during the Old Catholic Bishops Conference in The Hague on 2nd and 5th September 1907. ⁹ On 27th July Mathew had written to the Archbishop of Utrecht in a similar vein to that of the later letter to Herzog, but with a somewhat different explanation for the necessity for an Old Catholic movement in England! ¹⁰ Mathew did not get an answer.

Contact between the Old Catholics and Mathew was entirely limited to correspondence with the Swiss bishop. Herzog was more and more impressed by the content of Mathew's letters and by the connections he had. He very positively remarked that Mathew was a personal friend of the famous Father Tyrell, of whom he had a high opinion. It seems that Herzog marked Mathew out as an equal ally in the fight against the Papacy. Herzog, who had published a certain amount, sent copies of all his books and leaflets to him. More than thirty letters were exchanged between Herzog and Mathew in 1907. In October one of the main subjects was the question of clerical celibacy. Herzog explained that it was probable that the Old Catholic bishops very soon consecrate a married priest in Austria, and he was convinced it was impossible to retain celibacy for the bishops. ¹¹ Mathew replied that he was satisfied with the answer, ¹² but did not aspire to the episcopate, and Father Tyrell would be a much more suitable man for this office. ¹³ However, on 17th October 1907, Herzog mentioned for the first time the possible consecration of Mathew.

In October their correspondence began to revolve around the subject of suitable candidates for the movement in England. On the one hand it was clear to both sides that Beale was not an honest man. On the other hand, Mathew had met O'Halloran and thought that he was a good man, but O'Halloran wanted to start secretly, and by calling the movement the "Old Roman Catholic Church", because his congregation was composed of Roman Catholics and therefore it would be necessary to begin gently. ¹⁴ Herzog was satisfied that Mathew wanted to take care of O'Halloran.

In November Herzog tried to invite Mathew to assist at the confirmation at Olten, one of the main congregations in Switzerland, saying that Mathew could thus get some ideas about the inner workings of an Old Catholic parish. ¹⁵ Unfortunately Mathew fell ill and was not able to leave England. On 2nd December he wrote to Herzog to say that he had seen O'Halloran again, but he had been disappointed at the interview because he could not arrive at anything definitive with O'Halloran. The fact was that, after he had had to defend his property before the Court against Marsh-Edwards, O'Halloran was still financially in a very difficult position owing to a high mortgage on it. He was afraid to offend the owner, an old Roman Catholic lady, who could demand it back within three months. ¹⁶ In his answer Herzog said they now had to abandon the plan to include O'Halloran in the movement. ¹⁷

To conclude: By the middle of December 1907 Herzog was convinced that Mathew was an outstanding personality on account both of his knowledge and of his social class. On 12th December 1907 he wrote to Van Thiel that if congregations were established in England, Mathew would be the right person to be consecrated bishop for these parishes, but a public statement was necessary, Herzog said. ¹⁸

Mathew, however, was sidetracked again and kept Herzog waiting. In December he "discovered" that unlike the late German Bishop Reinkens and Bishop Herzog, the Dutch bishops did not consider Anglican Orders valid. Therefore, Mathew thought he had found a suitable job for himself. If he were consecrated bishop by Herzog, he would be able to revalidate Anglican Orders by conditional ordinations. He had the idea of getting a benefice under the Bishop of London and once he was so established, he wanted to consecrate privately, *sub conditione*, any Anglican Bishops already occupying Sees, to make sure of the validity of their orders. ¹⁹ Herzog said quite clearly that he could not accept this proposal, because he would not interfere with the Church of England. The Old Catholic bishops, however, would give every help needed to Catholics who organised themselves in parishes and publicly declared themselves independent from Rome. ²⁰ Mathew chose to ignore the message and approached the Archbishop of Canterbury. On 19th December he presented his idea to Davidson: "I think that a way to serve the Church of England as *une église amie* may be open to me, which will also, I hope, help forward the movement of reunion of those Churches which reject the modern Papal pretensions..." ²¹ The Archbishop's

chaplain acknowledged the letter in the Archbishop's absence, but Mathew could not wait for an answer. He signed the Declaration of Utrecht of 1889, the basic document of the faith of the Old Catholic Churches, and on 28th December 1907, sent it to the Archbishop of Utrecht, and also informed the other Old Catholic Bishops about the step he had taken. Thus, he had formally become an Old Catholic.²² On 30th December he also informed the Archbishop of Canterbury's chaplain.²³

Mathew's ideas and requests both to the Archbishop of Canterbury and to Bishop Herzog should perhaps be seen in the context of his life and family circumstances, which could well shed further light on his motives. He was born in 1852 and therefore fifty-five years old when he tried to get a benefice in the Church of England. This is an age at which people normally see a last chance to make a new start in their lives. Mathew had always had an unstable temperament. In 1890 he had adopted the name of his North Italian grandmother and called himself Count Arnaldo Girolomo Povoleri. This led to the marriage with Margaret Duncan in 1892. After the death of his father in 1894 his son and heir decided that it would benefit him to take his place in the British peerage. He put forward the claim to be the fourth Earl of Landaff of Thomastown, County Tipperary. However, he could not live on the fact of being *de jure* an Irish Earl alone. He had no income and it might be that his savings which consisted of the inheritance of his father and his wife's fortune had come to an end. Meanwhile in 1895 a daughter was born, in 1900 a son and in 1907 another daughter. Mathew had to support his family as best he could. By the end of the century he had turned to literary work as a means of earning his living and according to Anson this was his true vocation.²⁴ On 7th May 1907 a *nihil obstat* and *imprimi potest* were given by the Westminster archdiocesan censors to A.H. Mathew's authorized translation of Mgr Duchesne's *The Churches Separated from Rome*. However, shortly afterwards he turned against the Papacy, according to Anson as the result of frequent correspondence with George Tyrell.²⁴ Apparently on the advice of the now excommunicated Tyrell, Mathew turned to the Anglican bishops, but was rejected by them. Therefore he should have had some support from the Old Catholic bishops on the Continent. He had made his first acquaintance with Old Catholicism in the 1880s when he had met Père Hyacinth Loyson in England. In 1889 he had spent his holiday with him and his wife in Paris. This might be the reason why, in 1895, he had written for the first time to the Archbishop of Utrecht as Count Povoleri, asking for the consecration of a bishop for a church in England. It seems he received the answer that he first had to leave the Church of Rome under protest and build up a church.²⁵ The Dutch bishops never changed their attitude. Therefore in 1907 he first wrote to Bishop Herzog, where he finally found a sympathetic ear.

Herzog, who did not have the same information as the Archbishop of Canterbury, came to a positive assessment only through his correspondence with Mathew. He

considered him a learned man of high social rank. Herzog's frequent exchange of letters with Mathew made Herzog the expert on this case among the Old Catholic bishops. By the end of the year, when Mathew signed the Declaration of Utrecht, it seemed that he was the long-expected person to organise an Old Catholic mission in England, and the most suitable one for the episcopate. What was decisive at this stage, was that there was no consultation with anyone in England or generally between the Old Catholic bishops themselves. Herzog only informed the Dutch Bishop Van Thiel about his relationship with Mathew, without sending any of his letters. It seems that he wanted to confront his colleagues with a *fait accompli* at the start of a new Old Catholic Church in England.

2.3. A.H. Mathew's election and consecration

2.3.1. Who took the decision to consecrate?

In the beginning of the new year, Mathew waited two long weeks for an answer from the Archbishops of Utrecht or Canterbury. On 14th January he wrote to Herzog, complaining that most Anglicans were hostile to the Old Catholics, and furthermore it would be acceptable, if Herzog was willing, to consecrate an elected bishop in Berne without waiting for the consent of the Dutch bishops.¹ Some days later, Herzog received an enthusiastic letter from O'Halloran, begging him to consecrate Lord Landaff as the first bishop for England "without the necessity of four parishes declaring at one side with the Bishop: and *hundreds* of parishes will follow."² The next day Herzog informed O'Halloran of the procedure for the election of a bishop. He also answered Mathew, telling him that O'Halloran did not grasp the fact that the Old Catholics would never consecrate a bishop *in partibus*, but would only consecrate a bishop to a constituted Old Catholic body in England. The only candidate would be Mathew himself, Herzog said.³

In the same mail Mathew received the long awaited answer from the Archbishop of Canterbury. Davidson said the Church of England was the true representative of the Catholic Church in the country and therefore he could hardly be expected to look favourably upon the establishment of another society claiming that position, even if it did so in a less arrogant spirit than the Vatican.⁴ Mathew now lost heart. He had suggested to O'Halloran that his parish should elect a suitable priest as its bishop but O'Halloran had simply laughed and had said: "We are two, you and myself. We neither of us wish to be Bishop, and for myself I could not possibly accept the office — you are free to do so, & therefore we have decided, my people and I, that you must be elected."⁵ Mathew considered it to be nonsense, because they had only two congregations and he had not more than twenty people at Chelsfield. Herzog, in trying to encourage him, explained very clearly the procedure which had to be followed in

electing a bishop.⁶ When Mathew did eventually receive the confirmation from the Archbishop of Utrecht that the Dutch bishops had accepted him and would be willing to support him, he again plucked up courage.⁷ In February, Herzog insisted, in several letters, on the foundation of more parishes because only a church body would have the right to elect a bishop, and not a parish on its own. At the beginning of March Herzog received a letter from Mathew saying that both he and O'Halloran had been ill. The letter went on: "I believe the elections have been completed but the documents are not quite ready."⁸ Herzog immediately asked for information.⁹ In reply, he received a petition to the Archbishop of Utrecht, signed on 13th March by O'Halloran and five others, requesting the consecration of the Revd A.H. Mathew as bishop for their Catholic parishes. The minutes of the synod stated that on 18th February sixteen lay members and seventeen priests had elected Mathew. All the other documents which Herzog had asked for were sent at the same time. However, there was no list of parishes and Herzog was surprised that the movement now had twenty priests. At his request Mathew sent him a register of the parishes in his own handwriting with the names of the priests and the trustees, saying that all the priests had left the Roman jurisdiction.¹⁰

The English asked if the consecration could take place in Utrecht, and they proposed 8th April, Wednesday in Passion Week. O'Halloran was most anxious to hold a confirmation service at Ealing on Easter Sunday. The Benedictines had made great preparations at their church for a confirmation service of their own, and O'Halloran wanted to save his congregation from the temptation held out to them by the monks.¹¹ On 21st March, Herzog forwarded all the documents to Archbishop Gul. In his covering letter he strongly recommended Mathew for the episcopate, saying that he had heard Mathew was well known in the nobility,¹² parishes existed and their delegates had elected Mathew as their bishop on 18th February. Herzog said the Dutch bishops should decide about the matter and they should feel free to invite the German Bishop Demmel to the Bishops' Conference. Approval of the petition would be unpalatable to the bishops of the Anglican Church, but he had presented his opinion for consideration at the Old Catholic Congress in Olten in 1904. If the Dutch bishops agreed to consecrate Mathew, he would give his consent, Herzog said. He urged them to be quick in their decision so as not to give the Romans any chance to prevent the foundation of an Old Catholic Church in England, as had happened in 1903 when they had convinced Beale that he should return to their jurisdiction. The Bishop of Haarlem, Van Thiel, was to visit Mathew in Chelsfield and arrange everything with him there.¹³

The English urged Herzog that the consecration should take place before Easter, and when Herzog explained that the bishops of Holland first had to assemble in the Bishops' Conference, he received O'Halloran's order: "Urge [on] the slow Dutchmen!"¹⁴ O'Halloran even offered to withdraw from the movement should his name be in any

way offensive to the Dutch bishops, but he refused to see Van Thiel in Ealing, thinking he would not come as a friend but in an inquisitorial capacity.¹⁵ On 27th March, Herzog in a letter to Van Thiel said he was at a loss, no longer knowing what advice he should give.¹⁶

When Herzog wrote, he did not know that the Dutch bishops had met on the previous day. They decided, providing Bishop Demmel agreed, to consecrate Mathew on the 22nd April 1908.¹⁷ After Herzog had been informed by Van Thiel he replied on 30th March: "Ich beichte Ihnen, dass ich im Grunde meines Herzens *nicht ganz* beruhigt bin: Ich bin beunruhigt wegen der Weigerung, Ihren Besuch anzunehmen. Warum wollte man Sie nicht kommen lassen? Die Gründe, die man uns nennt, überzeugen mich nicht. Gott gebe einen guten Ausgang." (I confess that in the depths of my heart my mind is not set at rest: I am alarmed by the refusal to accept your visit. Why do they not want you to come? The explanation which we have been given, does not convince me. May Almighty God bring the matter to a good conclusion.)¹⁸ When he received the April issue of *De Oud-Katholiek* with an article *Een oud-katholieke beweging in Engeland* with all the details about the movement, he sent a telegram to Van Thiel with the advice to wait for the impact of the article on the Anglicans. However, he was too late. The previous day, 1st April, Demmel had also sent a telegram to the Archbishop, saying that he agreed with everything, even with the consecration on 8th April.¹⁹ The Archbishop then announced to Mathew and Herzog that he had fixed the consecration for 8th April. Herzog, therefore, wrote to Van Thiel that he was still sceptical, but he could not find a new reason to postpone the event. He advised Van Thiel to send the article to as many people in England as possible: "Vielleicht erhalten Sie dann noch vor dem 8. April aus England gewisse Aufklärung, die Sie Herrn Mathew vorlegen können. Es scheint mir eine moralische Unmöglichkeit zu sein, dass man uns falsch informiert habe." (Perhaps you will receive certain information from England before the 8th April which you can present to Mr Mathew. It seems to me a moral impossibility that we should have been wrongly informed.)²⁰ He also wrote to the Archbishop to inform him that under these circumstances he would not be willing to take part in the consecration.²¹

On 2nd April the Dutch bishops announced in a pastoral letter to their dioceses that on 8th April they were to consecrate A.H. Mathew as an Old Catholic bishop for England. Mathew, who was very pleased, sent out a great number of printed cards to his friends, country families and members of the House of Commons and the House of Lords, including the Archbishop of Canterbury, to announce his consecration. However, on 7th April Herzog got a telegram from Van Thiel, stating: "Konsekration aufgeschoben" (consecration postponed). The Dutch bishops had been informed by Father Volet, the rector of the Old Catholic parish in Paris now under the jurisdiction of Holland, that Mathew was a married man and *pater familias*. Up to this time no Old Catholic bishop had been married. There was no time to stop

Mathew and O'Halloran's journey and they arrived at Utrecht only to find the consecration had been cancelled. They returned home immediately.²² On 9th April Herzog asked Mathew officially whether he was married and why he had never said a word about it. On the other hand it was quite clear to Herzog that this fact could not be a reason for preventing the consecration. After the discussion with him about celibacy in the previous year, Mathew could well have thought that the question had been settled. Herzog asked Dr Eugène Michaud, Professor in Church history and dogmatics at the (Old) Catholic theological faculty in Berne for an expert opinion. Michaud came to the conclusion that this was a question of discipline and therefore each church had to make its own decision.²³ Herzog recommended that the Dutch bishops should publicly declare that the question of matrimony for bishops was the business of the individual churches.²⁴

The English did not wait for a decision from the Continent. On 8th April O'Halloran wrote to Herzog in the name of Mathew, who was ill, that they had invited the representatives of the parishes to reassemble in Chelsfield on the 10th April.²⁵ On 13th a new petition reached Herzog: Representatives from eight congregations with nine priests and thirty-two lay members had decided to present a celibate candidate and had elected O'Halloran, but he would only accept the office if the Old Catholic bishops were not willing to consecrate a married man.²⁶ Herzog insisted on the consecration of Mathew in his letter to Archbishop Gul which he sent on 13th April.²⁷ The next day he wrote to Van Thiel, saying that it would be a disaster for the Old Catholic movement in England if it was not possible to consecrate Mathew, and the following day he emphasized it again.²⁸ On 16th April the official message from Van Thiel, the secretary of the Bishops' Conference, reached him that the Conference had assembled on 13th April in Rotterdam and decided to consecrate Mathew on 28th April in Utrecht. The same day, both Demmel and Herzog informed the Dutch bishops that they agreed with this decision.²⁹ The Dutch Bishops issued a new pastoral letter and on 28th April 1908. A.H. Mathew was consecrated to the regional episcopate of the Catholic Church in the Kingdom of Great Britain at St Gertrude's Cathedral, Utrecht, by Archbishop Gul, assisted by the Bishops of Haarlem and Deventer and Bishop Demmel from Germany.³⁰

2.3.2. The raising of objections by the Anglican bishops

In January 1908, Mathew assured the Archbishop of Canterbury that in no way did he wish to come into collision with the Church of England. He rather wished that they should be in complete harmony and unity, for the ends in view were identical.¹ Two months later he invited the Archbishop "to form a bond of union between the Old Catholic and the Anglican Churches in this country..."² He then said a bishop consecrated abroad would unite with the Church of England in all its services and

become a suffragan of Canterbury or another see. They would become merely a branch of the Church of England and celebrate the Old Catholic rite in the vernacular, as at Berne. "In this way a perfect *entente cordiale* between the Churches would be established, and we would be drawn into closer touch with the Orientals, who are on cordial terms with the Old Catholics on the Continent. Numerous Catholics would at once unite with such a part of the Church of England, and I cannot but think it would be mutually advantageous were such a fusion of the two bodies to be accomplished." ³ It is quite clear that the Archbishop on the throne of St Augustine would in no way be willing to "unite" the established Church of England with a suspended Roman priest and his little flock. He could not take these letters seriously! However, he was alarmed after he had received Mathew's card on the 8th April saying that his consecration would take place the same day. ⁴ The Archbishop wrote to the Bishop of Salisbury, John Wordsworth, asking him if he had ever heard of this "strange man": "It seems to me very strange that the consecrating Bishops should not have applied to some of us before taking part in such a service. I own that I think the position may become rather serious if we have in England a body of people calling themselves Old Catholics and perhaps getting hold of some of our cranky and extreme men." ⁵ Sarum's chaplain promptly replied: "The Bishop does not know Mr. Mathew at all and supposes that in this matter the Old Catholic Bishops have acted foolishly and hastily." ⁶ The same day the Bishop of Salisbury made inquiries in Holland, writing to his friend, the Bishop of Haarlem. ⁷ Van Thiel forwarded this letter directly to Herzog, who replied on 12th April that he had expected such a letter, but he was pleased that the Anglicans now had the opportunity to react. ⁸ Three days later he asked if there was any news, because he had heard nothing from England. ⁹ And the next day, when it was clear that the consecration would definitely take place: "Von anglikanischer Seite werden wir nun wohl schwere Vorwürfe hören müssen. Allein ich stelle mir vor, dass [die] drei holländische Bischöfe noch selten nach ihrer Meinung gefragt worden seien, wenn in Holland eine anglikanische Gemeinde errichtet wurde. Hier in Bern habe ich Dinge erlebt, die mich tief beschämten..." (We will now have to hear heavy reproaches from the Anglican side. However, I imagine that the three Dutch bishops have seldom been asked for their opinion, when an Anglican congregation was established in Holland. Here in Berne I have experienced things which have thoroughly saddened me...) ¹⁰

The Bishop of Salisbury, who had been informed that the consecration had been postponed, wrote again to Van Thiel. He made it clear that the Church of England was the strongest national Church in the world, able more than any other to keep the aggressive spirit of Rome in check and, therefore, not at all interested in a rival Catholic body. In any case, a man with such an unstable life as Mathew was unlikely to become a strong leader, Sarum said. ¹¹ This letter was again forwarded to Herzog. The previous day Herzog had informed Van Thiel that Mathew had been attacked by the Romans. This was a good sign, he said: "Würden sie ihn nicht fürchten, so

würden sie ihn in Ruhe lassen." (If they were not afraid of him, they would leave him in peace.)¹² He then dealt with the Anglican objections. Once more he was very sorry that he had never received an answer to his opinion on the *Bedeutung der territorialen Grenzen der kirchlichen Jurisdiktion* (Olten, 1904). If the Anglican bishops were friendly to Mathew, there would be no change in the mutual relationship between the two churches. He was astonished that the Bishop of Salisbury had not made inquiries after the publication of all the details in *The Guardian*.¹³ The next day Herzog wrote to Van Thiel that the Anglican objections shed a good light on Mathew. The Bishop of Salisbury was opposed only because he was afraid of negative consequences for his own church.¹⁴ On 26th April Van Thiel wrote to Archbishop Gul that he had no reservations at all about Mathew. He had merely received some letters from Lias to Mathew which showed Bishop John Sarum in a bad light. The arguments of the Bishop of Salisbury were "ongegrunde verdachtmakingen" (groundless suspicions).¹⁵ It is also worth noting that the records of the Bishops' Conference (Rotterdam, 13th April) make absolutely no reference to the objections of the Anglican bishops against the consecration.

In brief, the intervention of the Bishop of Salisbury produced the opposite effect; instead of preventing the Dutch bishops from consecrating Mathew, it dispelled the doubts of Bishop Herzog and the Dutch bishops.

2.4. *Mathew's episcopate, his breaking of the Declaration of Utrecht and his Declaration of Autonomy and Independence*

We noticed that before Mathew's consecration took place there were already indications of troubles to come. They started with the breach between O'Halloran and Mathew. On 6th May Mathew wrote to Herzog to say that he was having great trouble with O'Halloran.¹ Mathew had discovered that there had been no synod, no seventeen priests, no parishes and no canonical election. O'Halloran urged Mathew to consecrate him. Mathew refused, saying that if he wished to become his assistant bishop he must apply to the bishops of Holland. After this O'Halloran declared he was not and never had been an Old Catholic and that none of his people would have anything to do with "the Old Catholic heresy".² Several most insulting letters from O'Halloran followed. He said that Mathew had broken their contract; he and his parish had given their signature so that Mathew could become a valid consecrated bishop, but a bishop for their own purposes: "You were to be a Roman Catholic subsidiary."³

These are the superficial facts at this stage. We have now to consider the motives behind and have to try to reconstruct the course of events: It may be that there really had been some sort of a gentlemen's agreement in this case. O'Halloran who for

years had been isolated with his parish, had been looking for some support from the Old Catholics, especially for a bishop who could confirm members of his congregation. As we have seen, this did not happen. After he had been approached by Mathew and had realized that the Old Catholic bishops were willing to consecrate Mathew, he saw a new chance to get the episcopal service he needed. He never described himself as an Old Catholic. He simply expected the Dutch bishops grant the episcopate to the British in the same way as it had been granted to the Dutch from Britain by St Willibrord, hundreds of years before. He had learnt from Herzog that he could not get "the consecration" as a separate item and that a bishop could only be consecrated if he was elected by parishes and had adopted the Old Catholic faith. However, being the rector of a Roman Catholic congregation, he could not sign the Declaration of Utrecht without losing the support of his own parishioners. He had therefore given every support to Mathew. He had organised a "synod" among his friends and parishioners and they had "elected" Mathew on 18th February in Chelsfield. It was Mathew's place of residence, but he was not present, because he was ill. More difficult to reconstruct is the course of the second "synod" on 10th April in Chelsfield. It may be that the event did really happen and Mathew did preside over it. The representatives, however, had been merely extras. It is not entirely clear whether Mathew had realized what was going on. He gave his signature to the petition to Archbishop Gul to consecrate O'Halloran, but he had not drafted this document. ⁴ It seems that the unthinkable had really happened, what Herzog could never believe, namely that Mathew had agreed to his "election" without knowing anything about the parishes he had to lead as a bishop. ⁵

It may be that both O'Halloran and Mathew were entirely fixed on their own separate aims. It is difficult to understand why O'Halloran, who had been patient for so many years, now lost his temper. Either he did not realize that he had to accept Mathew's behaviour for a little while to get what he wanted — his own consecration to the episcopate to secure the future of his congregation in Ealing: his demand for consecration could then be understood as the attempt to get rid of Mathew without losing the episcopal power which had been gained — or he could simply no longer cope with him because after the consecration Mathew's real character became clear to O'Halloran. It was obvious for him that the "purple" made Mathew mad. ⁶

It is said that immediately after discovering the true facts, Mathew wrote to Archbishop Gul offering to resign, which the Dutch refused.⁷ Herzog's judgement of the situation was that "O'Halloran ein moralisch unzurechnungsfähiger Mensch ist, Mathew aber alles Vertrauen verdient." (O'Halloran was morally irresponsible, but Mathew deserves total confidence) ⁸ After O'Halloran's letter to the editor of *The Guardian* published on 13th May under the pseudonym "Incredulous", saying that the consecration had been obtained under false pretences, that no parishes existed and that therefore the consecration was not valid, Bishop Herzog wrote to *The*

Guardian, explaining that they had received documents which had clearly given the impression that all the congregations mentioned did exist indeed.⁹ Later on, Bishop Van Thiel, the secretary of the Old Catholic Bishops' Conference, sent an official letter to *The Guardian* which was published on 3rd June, stating that "our confidence in Bishop Mathew remains unshaken, after carefully perusing a large number of documents bearing upon this matter, and we earnestly hope ... that he will receive the cordial support of the British people and Church in the trying circumstances in which he had been placed."¹⁰

Feeling that he had to accept facts as they were, and make the best of the situation, Mathew had already started a series of lectures in Queen's Small Hall on his movement in connection with the ancient Catholic Church of Utrecht. However, they did not attract a large number of people, and the spy who was secretly sent by the Archbishop of Canterbury to the first lecture reported that only twenty-seven people had attended.

The Revd W. George Barber, curate of St James' Church, Hampstead Road, London, attended two of the lectures.¹² As a result of his connections with Barber and to further studies, Mathew became quite satisfied about the validity of Anglican orders.¹³ Barber was very anxious to reunite and establish intercommunion with the Old Catholics.¹⁴ Mathew's positive attitude to Anglican orders caused some anger amongst Continental bishops, and Herzog told Mathew that it was by no means his duty, although he was now in Old Catholic orders, to justify Anglican Orders.¹⁵ However, Herzog's confidence in Mathew remained unshaken.¹⁶

In the summer of 1909, Mathew moved from Chelsfield, Kent, to 151 Fellowes Road, South Hampstead. In his little oratory he performed his first episcopal functions by ordaining the Revd W. Noel Lambert as deacon and priest, then Minister of an independent Congregational Chapel in River Street, Islington. In September he took part in the eighth International Old Catholic Congress in Vienna. In his speech he said the aim of Old Catholicism was the reunion of the churches, especially with the Orthodox Churches of the East.¹⁷ The reason for this appeal may be that he was impressed by the Old Catholic Bishops' Conference, which had been held earlier, on 6th September. The famous Russian Orthodox lay member, General Kireyev, had introduced to the Conference some delegates of the Mariavite Church in Russian Poland, together with Bishop elect John Kowalski. The Conference decided to consecrate this candidate.¹⁸ On 5th October Mathew assisted Archbishop Gul, Bishop Van Thiel, and Bishop Demmel at the consecration in Utrecht of this first bishop of the Polish Mariavite Church.¹⁹ These two events were the only authentic experiences Mathew ever had with Old Catholicism, and they were not at all satisfactory for him. In Vienna he had discovered that the majority of the bishops and clergy were far more "Protestant" in mind than he had expected.

Back home, Mathew tried to renew the connections he already had with members of the Orthodox Church, who were anxious for union with him, as he wrote to Herzog.²⁰ He had been in communication with Madame Novikoff, Sister of General Kireyev, and the Archpriest Smirnoff of the Russian Embassy Church in London and others. The union with the Orthodox would most infuriate the Anglicans, he wrote to Herzog some days later in November.²¹ The Orthodox now had six churches in England and wished to expand their operations. The union with them seemed to Mathew "a felicitous opportunity" to escape all his troubles. His position had become increasingly difficult and it seemed to him essential to become attached to a body already established in England.²²

It seems that by now Herzog was beginning to see Mathew in a different light. He made inquiries of Bishop Van Thiel, saying that it would be no misfortune if Mathew was received into the Orthodox Church, but it would be a violation of the Declaration of Utrecht.²³ Some days later Herzog said he almost wished Mathew would be successful in that matter "da wir im Falle des Übertritts zur Orthodoxie für Mathew keine moralische Verantwortlichkeit mehr hätten." (because in the case of his submission to Orthodoxy, we would no longer have any moral responsibility.)²⁴

Mathew's behaviour became more and more unpredictable. On 22nd April 1910 he provided his pro-cathedral in Islington, Lambert's former chapel, with a Dean and Chapter! On 13th June, at Corby, Lincolnshire, he secretly consecrated the two ex-communicated Roman Catholic priests, Beale and Howarth, to the episcopate, to secure the Old Catholic Church in England against the loss of Apostolic Succession!²⁵

According to Herzog, with this act Mathew had excluded himself from communion with the Old Catholic bishops. Herzog first heard of the consecration in September when he was informed of it by Barber.²⁶ Herzog advised the Dutch bishops to react. On 5th August 1910, Bishop Van Thiel had already had to explain in *The Guardian*, after Mathew had changed his mind and written against the Anglicans and the validity of their orders, that the Dutch bishops recognized Mathew's movement as autonomous, making it clear that, although they were in no way responsible for his acts and did not see eye to eye with him, they were nevertheless in full communion with one another. Now the reaction of the Dutch bishops was much stronger. In *De Oud-Katholiek* (1st December 1910) they declared that Mathew had broken the Declaration of Utrecht. He had done so on four counts in raising Howarth and Beale to the episcopate: 1. by failing to inform his fellow bishops, 2. by performing the consecration secretly and 3. without assistants, and 4. because the two priests were still technically subject to the Holy See.²⁷

Through this article Mathew realised that he was *persona non grata* with the Dutch as well as the Anglicans. He decided to withdraw from the movement and to leave

the clergy to elect another bishop. However, eight of the clergy wished to adhere to him and desired him to go on as an autonomous bishop, but two priests wished to leave his jurisdiction: W.N. Lambert, the Dean of his pro-cathedral, and C.W. Bollmann, a German, whom he had ordained priest on 19th September 1910.²⁸ In a letter to Bollmann, Mathew stated that "we become, presently, an independent revival of the old English Catholic Church, doing the best we can without recognition from the Old Catholics abroad."²⁹ He then said, if Bollmann chose to continue his mission as an Old Catholic priest in communion with Utrecht, he would inform the Archbishop. On 23rd December Mathew confirmed that "Bollmann had withdrawn from Bishop Mathew's jurisdiction and transferred his 'obedience' to the Archbishop of Utrecht."³⁰

On 29th December 1910 Mathew drafted a "Declaration of Autonomy and Independence", which was published in *The Guardian*, on 6th January 1911. He pointed out that he differed from the Continental Old Catholics in seven respects, most of them concerned with the increase of what he called Protestant abuses.³¹

In brief, firstly with the breaking of the Declaration of Utrecht and secondly with his Declaration of Autonomy and Independence Mathew had separated himself from communion with the Old Catholics on the Continent. Thus, the attempt to establish an Old Catholic Church in England had come to a heart-rending end.

2.5. *The reaction of the Anglicans*

2.5.1. **The irritation of the bishops**

After the consecration of Mathew to the episcopate the Archbishop of Canterbury expected an explanation from the Old Catholic bishops on the Continent. He advised the Bishop of Salisbury to write again, which he did but to no effect.¹

The case came up at the Lambeth Conference of 1908. The report, drafted under the chairmanship of the Bishop of Salisbury, John Wordsworth, stated that the committee "cannot but deprecate very earnestly the setting up of new organised bodies of Christians in regions in America, England, and elsewhere, where a church with apostolic ministry and Catholic doctrine offers all religious privileges without the imposition of uncatholic terms of communion, more especially in cases where no difference of language or nationality exists."² This was slipped into Resolutions 68 and 69.³ The Archbishop of Canterbury had the responsibility of bringing the Resolutions to the notice of the Old Catholic bishops. It was clear to Herzog that they must give an answer, should the Archbishop of Canterbury officially send the Resolutions. He was ready to draft the response.⁴ Davidson, however, who always wanted to be

friendly, did not send his letter until the 4th March 1909, saying the delay was caused by difficulty in completing the Arabic Version of the documents! ⁵

In June 1909 Bishop John Wordsworth and Bishop E.S. Talbot of Southwark travelled to Utrecht. On the 12th they had an interview with Archbishop Gul to solve their problems. ⁶ Three weeks later the Archbishop of Utrecht sent an official response to the Lambeth Conference resolutions to Canterbury. The letter had been drafted by Bishop Herzog, and therefore was in line with the view which he had held since 1904. ⁷ Herzog's intransigent stand seems understandable; on the one hand he still believed in Mathew, and on the other he was disappointed with the Anglicans. He did not change his mind until 1911. In March 1912 he was paid a visit by Bishop Bury, suffragan of London for North and Central Europe, who told him that the Archbishops of Canterbury and York would really appreciate it if the Old Catholics were able to take a rather friendlier stand towards the Anglican Bishops in England. ⁸

On 15th August 1911 the Bishop of Salisbury, John Wordsworth, died. The Old Catholics lost a great friend and the Archbishop of Canterbury his expert. ⁹

To summarize, it can be said that the consecration of Mathew irritated the Anglican bishops intensely. Later they realized that the breach between Mathew and the Continental Old Catholics radically changed the situation. They clearly adopted a wait-and-see policy.

2.5.2. A simple attempt at understanding: Barber and the foundation of the Society of St. Willibrord

Another initiative must be mentioned, the foundation of the Society of St. Willibrord, by the Revd W. George Barber. As we have seen, he became acquainted with Old Catholicism through Mathew's lectures in Queen's Small Hall in May 1908. He was first mentioned in Mathew's letter to Herzog on 5th June 1908, as "a very good clergyman ... [with] considerable influence". ¹ Barber realized that Mathew's consecration would cause problems, therefore he strongly advised the Old Catholic Bishops on the Continent to send letters with fraternal greetings to the Archbishop of Canterbury for the Lambeth Conference of 1908. ² Herzog was not willing to do so, writing to Mathew that the Old Catholics should now see to one another. ³ In July Barber travelled to the Continent and met Bishop Demmel in Bonn and Bishop Herzog in Berne. He also wrote to Archbishop Gul, saying that Mathew's movement had begun to grow and that he would give any support needed. ⁴ On 29th September he stated that he had already started preparations for a Society of St. Willibrord to promote friendly relations and intercommunion between the Old Catholics and Anglicans. He sent a draft of the constitution. ⁵ On the Anglican side, the Bishop of Gi-

braltar, W.E. Collins, had already agreed to become president, and Barber wished Archbishop Gul to accept a similar role on the Old Catholic side. But he refused to be involved, and so did Herzog.⁶ Herzog, who had great worries in his own country, was quite happy to see Van Thiel, who for the time being had been asked to become vice-president, involved in the relation with the Anglicans. On 16th November he wrote to him: "Ihr Eintritt in die Gesellschaft des h. Willibrord bereitet mir nicht die geringsten Sorgen, sondern eine gewisse Genugtuung. Ich überlasse Ihnen nämlich nun, mit lebhaftester Freude, die Unterhaltung freundlicher Beziehungen mit den Engländern."⁷

The foundation of the Society was first reported in *The Guardian* of 28th October. The report said that the Archbishop of Utrecht was the first patron, the Bishops of Gibraltar and Haarlem the first presidents.⁸ The first formal committee meeting was held on 7th January 1909. However, things did not develop well; the fact that Bishop Mathew was a vice-president caused considerable reluctance among many Anglicans to join; it was difficult for any bishop to belong to the Society, especially after the proposed ordination of Lambert had become public.⁹ The second committee meeting was held on 1st June 1909. Barber was still apparently friendly to Mathew, but he was very disappointed. In October the breach took place,¹⁰ and Mathew left the Society. Barber went on with his efforts. Although the Archbishop of Canterbury thought of him as a "curious man",¹¹ he appreciated that he was steadily informed by him on the Old Catholics.¹² Unfortunately, on 14th August 1914 Barber died and the Society remained moribund until it was revived in 1928 by Canon J.A. Douglas.

2.6. *Reconciliation between Anglicans and Old Catholics*

2.6.1. **Overcoming the crisis**

The first step in the direction of reconciliation with the Anglican bishops was taken by the next Old Catholic Bishops' Conference in 1913. In September 1910 Herzog had already desired a Conference,¹ but later changed his mind.² The Conference assembled on 6th September 1913 in Cologne. All the bishops were present.³ Herzog presented a declaration, which the bishops accepted. They declared that they no longer had any connection with Mathew and, therefore, were in no way responsible for his declarations and actions.⁴

From 9th to 12th September the International Old Catholic Congress took place in Cologne. The Archbishop of Canterbury did not send Bishop William Willcox of Willesden who was the head of the English group as an official delegate of the Church of England "because I think such a delegation would be too formal a step at

present ... we have to steer a difficult course between too much and too little", he wrote to him.⁵ Therefore Willcox said in his address to the Congress that there were still pressing problems to solve within the Old Catholic Church.⁶ After the congress Herzog sent a letter to the Bishop of Willesden in which he sincerely apologised for the part he had played in the consecration of Mathew, saying that the Dutch bishops had not always agreed with his line. He said, he had been convinced throughout of the validity of Anglican orders and he wished to establish friendly relations between the two Churches.⁷ The Archbishop considered this letter very important,⁸ and the visit of the Bishop of Haarlem, Prins, to England in November had also done much good, because Davidson learned from him that privately Prins strongly disapproved of the way in which the Old Catholics had acted in the Mathew affair.⁹

The mutual exchange was disrupted by the War. On 9th February 1920 the Archbishop of Utrecht, Gerardus Gul, died and was duly replaced by Franciscus Keninck.¹⁰ In contrast to his predecessor, he was more open-minded towards the Anglicans. On 28th and 29th April 1920 the Old Catholic Bishops Conference assembled in Utrecht under his leadership.¹¹ The Conference gave a detailed account of the Mathew affair. They declared that they had broken off contact with Mathew in 1910, and since he had died in 1919 they wished to forget the whole story, but in recent years a number of bishops and priests had appeared, especially in England and Northern America, ordained or consecrated by him or his successors, who claimed to be Old Catholics. Therefore, the Conference again declared publicly that the Old Catholic bishops had no ecclesial relations at all with these persons. They would not enter here into the question of principle, they said, whether an ordination or consecration obtained by sacrilegious fraud could be valid.¹² The document was sent to the Archbishop of Canterbury in a printed form without a covering letter. Davidson, who recognised it as a very important document, had to ask Bishop Herzog if it had been sent to him officially, "so that I may regard it as a communication formally made to myself as Archbishop of Canterbury by the Old Catholic Bishops? This point has some importance as affecting the relation of the Church of England to the Old Catholic Church on the Continent."¹³

In 1920 the Lambeth Conference also assembled again. The report of the committee under the chairmanship of the Archbishop of York, Cosmo Lang, stated that friendly relations with the Old Catholics had been carried on steadily since 1908, but the outbreak of the War had rendered communication and contact with them very difficult.¹⁴ The report went on in line with the statement of the Old Catholic Bishops Conference of 1920. Resolution 26 repeated the desire to maintain and strengthen friendly relations between the two communions.¹⁵

In brief, after the War both sides were eager to for reconciliation. The Old Catholics clearly dissociated themselves from Mathew and his successors and the Anglicans were willing to accept this step.

2.6.2. The end of the crisis: the recognition of Anglican Orders

The recognition of the validity of Anglican orders was in the true sense of the word the end of the crisis between Anglicans and Old Catholics, especially the Church of Holland. Under the episcopate of Archbishop Gul (1892-1920) the Dutch Old Catholics had been reluctant to undertake any rapprochement with the Anglicans, but since 1909 they had discussed the question of Anglican orders again. On 26th January 1910 Herzog advised them to suspend the publication of an expert opinion, because a positive statement on this matter would create opposition among the Orthodox, and also opponents among the Anglicans. ¹

The question was raised again during the Bishops' Conference of 1920. The declaration was probably drafted by Herzog and originally contained the official recognition of Anglican orders. The three Dutch bishops, however, had the section on validity of Anglican orders removed, not because they had some specific doubts about the issue, but because they had not yet officially decided on the question, they said. ² The Church of Holland later came to a positive decision. On 2nd June 1925 the Archbishop of Utrecht sent a letter in Latin to the Archbishop of Canterbury Randall Davidson announcing that his Church formally accepted Anglican ordinations as valid. ³ White, now Dean of Christ Church, Oxford, furnished Davidson with an appropriate reply "to our Old Catholic friends". ⁴ On 3rd September the Old Catholic Bishops' Conference in Berne ratified the decision with an official declaration which had been drafted by the new Swiss Bishop, Adolf Kury. ⁵ The latter officially forwarded the declaration, together with a similar resolution of the International Old Catholic Congress which had assembled afterwards, to Archbishop Randall Davidson. ⁶

Thus the wider crisis which had started in the 1890s came to an end. None of the bishops who had been involved for the whole time, except Archbishop Davidson, lived to see it. In 1931 the Bonn Agreement was produced by a new generation. ⁷

3. The problem with the *episcopi vagantes*

3.1. *Introductory remarks*

*Episcopi vagantes*¹ are wandering bishops. Nowadays they are a problem. They claim to possess valid orders, therefore they violate the jurisdiction of existing Catholic Sees if they operate in an area where a historic Catholic See exists. It is, therefore, necessary to consider the subject of validity.² The Catholic Church knows two classic theories of validity, which may be termed the Augustinian theory and the Cyprianic (or better Early Fathers' theory).

According to the Augustinian theory, a bishop who has been validly consecrated when excommunicated or otherwise cut off from the Church, retains the power of transmitting a succession of valid, if irregular, orders. This is how Brandreth paraphrased the words of St Augustine: "Once possessing the powers of a bishop, always possessing the powers of a bishop."³ The advantage of this theory is that an ordination is always valid as long as it is carried out by a valid bishop, who performs the essential ordination rites. The Augustinian theory was generally accepted in the West and is still the official position of Roman Catholic Church.

The theory based on the insights of the Early Fathers is quite different; it is older and more complex. It is not restricted to the single question of "valid or not", but includes wider ecclesiological questions, such as the role of the episcopate in the Church, the apostolic succession and, more generally, the nature of the Church. According to the Early Fathers the local church should be seen as a worshipping assembly. The bishop is the focus, and his leadership means preaching and worshipping and forwarding the spiritual aspects of Christian living. In the words of Bouyer: "This means, as St Cyprian said, that there cannot be a bishop without a church any more than a church without a bishop. The word makes the Church, in and through the eucharistic celebration, of which it is the fundamental source; nobody can preach the word without a bishop. Therefore any bishop, even regularly appointed and consecrated, as long as he has no church of his own, is not yet a bishop properly speaking, but just a person who has received the full preparation for some future episcopate..."⁴ In this context the work of Clemen of Rome is of some interest. He points out that the appointment of a bishop can only happen with the consent of the whole congregation, and that the congregation has a joint responsibility throughout the time of his episcopate.⁵ As early as Irenaeus it is obvious that bishops are men who are always in the public eye.⁶ His understanding of the bishop's role is summed up in the famous sentence: "We should obey those presbyters in the Church who have their succession from the apostles, and who, together with succession in the episcopate, have received the assured *charisma* of the truth (*certum charisma veritatis*)."⁷ Apostolic succession,

therefore, is not something that the bishop enjoys as a personal possession, in isolation from the local community over which he presides. He is successor to the apostles because he is head of a particular local church, that means, president of a eucharistic assembly.⁸

In brief, we can say that for the early Fathers the bishop and the local church are strongly connected. Apostolic succession passes through the local church and is never independent. This theory is generally accepted in the East, where the Augustinian theory was never accepted. It seems that in the non-Roman Catholic Churches in the Catholic tradition the older theory is gaining more and more followers.

3.2 *The Anglican view*

The problem of the validity of the orders of *episcopi vagantes* which the Anglican Church has, especially the Church of England, must be seen in a wider context. Bishop Herzog and the late Old Catholic Bishop Reinkens in Germany considered Anglican orders valid. In 1894 the Church of Utrecht had decided against recognition and in 1896 Pope Leo XIII had denied the validity in the Bull *Apostolicae curae* by declaring "that Ordinations carried out according to the Anglican rite have been and are absolutely null and utterly void."¹ In both cases the Bishop of Salisbury, John Wordsworth, drafted the answer. According to Brandreth, he was the greatest Anglican authority on the subject.² He clearly held the Augustinian view, and therefore the Anglican Communion was inclined to do so in practice.³

In 1910, when the problem with Mathew's first consecrations occurred, the Archbishop of Canterbury and the Bishop of Salisbury were afraid of the serious consequences which could affect their church.⁴ After some inquiries in Holland, they obtained a letter from Herzog on 2nd February 1911 on the validity of Mathew's orders, stating that if Mathew had consciously deceived the Old Catholic bishops, his consecration was not valid. "But if he was innocent of the deception, I believe that we may consider his consecration valid. O'Halloran's congregation at least really existed, and soon after, the second congregation, that of Lambert, came into existence. If so, Mathew was the recognised Bishop of an actually existing little Church, as the organ of which he could perform valid functions (ordinations). Since his separation from Utrecht, and the loss of the last little congregation, he is merely a private person. I should therefore consider the ordinations he had since performed as no longer valid. If it were my place to express a personal wish, it would be the following: — In case English Bishops reordain *sub conditione* the clergy ordained by Mathew, it would serve to avoid disputes if it were expressly and distinctly said that the ordinations conferred by Mathew were doubted (*angestanden*), because there were grounds

for suspecting that Mathew had obtained his consecration by false pretences, and not because any doubt was thrown upon the succession of the O[ld] C[atholic] Bishops."⁵

At the end of June the Committee on Episcopal Status met under the leadership of the Bishop of Ely, as Convener. Before the meeting the Convener sent his colleagues a paper containing ten excerpts from different documents. He wrote: "Thus three main views have been set forth: 1. That "Bishop" Mathew's ordinations should be regarded as so open to question that those ordained by him should be re-ordained (perhaps *sub conditione*), 2. that his ordinations until his breach with Utrecht are to be regarded as valid; afterwards as invalid. 3. That all his ordinations, if rightly performed, are valid." ⁶ It is obvious that views one and two are in line with Herzog.⁷

The Lambeth Conference of 1920 discussed the problem, and attempted the attitude of the Anglican Communion which was laid down in Resolutions 27 and 28. ⁸ The Report stated: "The circumstances of Bishop Mathew's consecration *are so uncertain*, and his subsequent isolation is so complete, that, without casting any sort of reflection on the validity of Old Catholic orders, or discussing the theological question of abstract "validity", we feel that as a matter of practice, in the event of any persons ordained by him or by his successors desiring to come over to the Anglican Church... the only proper course would be for them to be ordained *sub conditione*." ⁹

This statement is not wholly satisfactory. If the Anglican Church started from the Augustinian theory, as she did, then we can in no way say that the circumstances were *uncertain*. The consecration was carried out by four valid bishops, who had performed the essential rite upon Mathew; he was therefore in valid orders. This might be different with ordinations and consecrations carried out by Mathew himself or his successors, where the "apostolic succession" might be said to be broken. The main problem of the statement is that it was not based on a theological conclusion, but that it was, rather, a pragmatic decision, designed only to solve an existing problem with a practical solution, without tackling the general questions behind it. The bishops could not merely accept these *episcopi vagantes* as representing "a branch of the Church". They did not draw the logical conclusion from this that ordinations and consecrations by such *episcopi vagantes* are invalid. In a consistent Augustinian view it is not possible to reordain somebody *sub conditione*. In the words of John Wordsworth: "Clergy validly ordained by a degraded or heretical bishop cannot be re-ordained." ¹⁰ They can only be admitted on penitence and licensed to officiate in a proper Catholic church. ¹¹

In brief, the statement of the Lambeth Conference of 1920 did not solve the problem, but only shelved it. The Lambeth Conference of 1958 dealt with the matter again without coming to any clearer conclusion. In approaching the question of *episcopi*

vagantes it would be helpful to follow Brandreth's advice: "We should be inclined therefore to say that orders which are wantonly irregular are, in fact, invalid and worthless." ¹² Every other view leads to insecurity and confusion.

3.3. *The Old Catholic view*

It is not surprising that the Old Catholic view originated from Herzog. We find his first statement in a letter to Van Thiel, written on 14th January 1911: "... Ich glaube also, dass Mathew und O'Halloran ein "*par nobile fratrum*" seien, die uns *gemeinschaftlich* belogen und betrogen haben. Ist unter solchen Umständen die *erschlichene* Konsekration gültig? Ich war immer und bin heute noch der Meinung, ein Bischof bedürfe der rechtmässigen Wahl oder Ernennung durch eine *organisierte Kirche* ebenso wie der Konsekration." (I believe that Mathew and O'Halloran are a "*par nobile fratrum*" who have lied and deceived both of us. Is consecration obtained by trickery valid under such circumstances as these? I have always held, and still hold today the opinion that a bishop must be lawfully elected or appointed by a properly constituted church, as well as consecrated.)¹ It is obvious that Herzog saw the need to consider the problem carefully. In 1915 he drafted two theses on the validity of episcopal consecration for a general discussion, after he had been approached by the Episcopal Church in the United States. He maintained firstly that a consecration gained through deception cannot be accepted as valid even if carried out correctly. Secondly, if the sentence *Nulla ecclesia sine episcopo* is true, then so is also the inverse, *Nullus episcopus sine ecclesia*, that is, if a man seeks to become bishop without being elected by a church, then the consecration cannot be said to have been conferred, even if the rite is correctly observed. ² The problem of this statement was that Herzog did not speak directly about Mathew but employed metaphorical language in his explanations, yet if we follow his arguments, Herzog's opinion is clear: Mathew had obtained the consecration by deception, and he was not elected by an organised church. Herzog said that the "consecration" was stolen by misleading the Old Catholic bishops, as it is impossible to cheat the Holy Spirit, the consecration should be regarded as ineffective (*unwirksam*). The Old Catholic bishops recognised Herzog's opinion as a basic document, but they never adopted it as an official text.

The problem of the official declarations of the Bishops' Conferences in 1913 and 1920 was that they did not consider the question of principle, that is whether an ordination or consecration obtained by sacrilegious fraud can be valid. Like the statement of the Lambeth Conference of 1920 they avoided theological reflections on the problem, stating only that the Old Catholics had no longer any relations with Mathew and his successors.

However, it seems that the Old Catholic bishops always took Herzog's line. ³

Conclusion

The consecration of A.H. Mathew as an Old Catholic bishop for England has to be seen in the wider context of Anglican-Old Catholic relations:

1. These relations had been excellent during the years of the constitution of the Old Catholic Churches on the Continent in the years following the first Vatican Council, especially with Germany and Switzerland. Since the 1890s, however, there had been a marked cooling off. The main reason for this was the refusal of the Church of Utrecht to accept the validity of Anglican orders and the subsequent shift of interest to Rome amongst members of the Catholic wing of the Church of England.
2. Relations between Anglicans and Old Catholics were built on personal connections. The circle of interested people was small and as time went on it became even smaller, because the first generation died out in the 1870s and 1880s. Only two promoters of closer links between the churches remained alive during the whole period, the Bishop of Salisbury, John Wordsworth, and the Swiss Bishop, Eduard Herzog.
3. Wordsworth and Herzog had a significant influence on the official declarations made by the Lambeth Conference and the Old Catholic Bishops' Conference respectively. Wordsworth was instrumental in drafting the important statement on inter-communion with the Old Catholics of the Lambeth Conference of 1888. The declarations which followed — from the Conferences of 1897, 1908, and 1920 — merely repeated the wish for closer mutual relations between the two communions without taking any action. This reflected Wordsworth's own development after the Dutch refusal to recognise Anglican orders. From 1889, Herzog was bound by the Declaration of Utrecht and could no longer act independently of the other Old Catholic bishops to promote closer relations.
4. Until now scholars have consistently underestimated the important role of Herzog. They knew of the links between Canterbury/ Salisbury and Utrecht/Haarlem but seem to be unaware that Van Thiel, as Bishop of Haarlem from 1906 to 1912 responsible for inter-church relations, always consulted Herzog on all important matters, although there were no official links between England and Berne at this time. In effect, Herzog was the casting vote behind the scenes.
5. The Mathew affair was not the reason for the cooling of relations between the Anglicans and Old Catholics (Moss, Küry), rather it represented the lowest point (Rein, Kirscht). The incident was clearly the result of worsening relations, fuelled by mutual disappointment, especially on the part of Wordsworth and Herzog. The affair proved to be a catalyst for a new rapprochement between the two communions.

The consecration of Mathew has also to be seen as an internal Old Catholic matter:

6. Since 1902 there had been a number of serious attempts by Roman Catholics in England, who had run into trouble with the Roman hierarchy, to obtain the service of an Old Catholic bishop for their parish (O'Halloran) or the consecration of a bishop for an independent movement (Beale). The Old Catholic bishops, especially Herzog, thought of these people as Old Catholics who were seeking to organise themselves into their own national church. The bishops remained unaware of the true facts.

7. Herzog was entirely mistaken in his estimation of Mathew which was formed solely on the basis of their correspondence. Herzog saw in Mathew a rich and learned man well known amongst the nobility, the long-awaited leader for the Old Catholics in England. This conception was disastrous, as it was so significant in influencing the decision of the Dutch bishops.

8. Later, Herzog became sceptical, because O'Halloran did not want to receive Van Thiel as a visitor. Mathew's marital status came to light at the wrong moment. The final decision of the Dutch bishops to consecrate Mathew was entirely based on their decision that married bishops were acceptable, and this issue overshadowed everything. The Dutch did not even wait for all the relevant documents from Herzog.

9. A further problem lay in the personality of Herzog (and Demmel). He was easily impressed by the great and noble, and the bishops and archbishops residing in historic sees. This is why he left it to the Dutch to make the final decision (and Demmel always accepted every decision) even though he was aware that Van Thiel, as the optimist he was, could never share in his scepticism about the situation, because he could never believe that people could behave as badly as that.

10. The responsibility for the consecration lay with the Dutch bishops, as well as Bishop Demmel and Bishop Herzog. Herzog and Van Thiel took the lead. It must be said that the bishops acted without consulting their churches. It is hard to understand why they acted even without consulting the whole Bishops' Conference (Czech, Hordur).

Once the consecration had taken place a number of problems emerged, and doubts began to rise about the validity of Mathew's episcopal orders:

11. The Old Catholic bishops were mistaken in not accepting Mathew's offer to resign once they discovered that they were deceived and no Old Catholic parishes existed in England.

12. O'Halloran was certainly not the only culprit; Mathew is to blame in the first instance. His letters to Davidson, Gul, Van Thiel and Herzog clearly show that he al-

ways distorted the facts to suit himself and was ready to portray other people in a bad light if it helped his course. We may assume that he suffered from megalomania.

13. If we consider the line of Herzog's arguments the consecration of Mathew was clearly invalid and he had no power to ordain or consecrate anybody. Therefore, none of his successors are in valid orders.

14. It is a problem that neither the Lambeth Conference nor the Old Catholic Bishops' Conference expressly declared the invalidity of these orders. It should be noted, however, that the Old Catholic bishops have always followed the line of Herzog who remained unequivocally opposed to the validity of the orders of Mathew and his successors.

15. The question cannot be reduced to a technical discussion about validity, but must be seen in the wider context of the role of ministry in the Church, that is, as a question about the nature of the Church (ecclesiology) which needs further study among Anglicans and Old Catholics.

Notes

1. See Rein, Kirchengemeinschaft, p. 46.

Introduction:

1. Rein, Kirchengemeinschaft, p. 154.

Chapter 1.:

1. John Mason Neale (1818-1866) was one of the greatest priests of the Church of England in the nineteenth century. In Church Design, the Religious Life, Hymnology and Church Relations, his influence was profound. See A.G. Lough, *The Influence of John Mason Neale*, London 1962. In 1858 he wrote his famous book *A history of the So-called Jansenist Church of Holland*, which still remains the best source for the history of the Church of Holland as Bishop Eric Kemp, Chichester, told me in a personal talk. In my opinion the book was replaced in 1948 when C.B. Moss published *The Old Catholic Movement, its Origins and History*, which in our days is still the main publication in English about the history of the Old Catholics.
2. See Johnston, *Life and Letters of Henry Parry Liddon*, London 1904. Liddon (1829-90) was Canon of St. Pauls' Cathedral and sometime Ireland Professor of Exegesis at the University of Oxford. In 1870 Liddon was the first Englishman who met Dr Döllinger after the definition of the Infallibility and the Primacy of the Pope. In 1874 he was invited by Döllinger to participate in the Bonn Reunion Conference and took part again in 1875. He had considerable influence and afterwards published the documents. He advised Döllinger not to attempt to organise a third conference because the English feelings were running very high after the second one. At the end of his life Liddon was disappointed by the Old Catholics, thinking that they had abandoned the position in which they found themselves in 1870. (see p. 359)
3. Ignaz von Döllinger (+ 1890) was the greatest German Catholic theologian in the nineteenth century. Among numerous publications on him see Peter Neuner, *Stationen einer Kirchenspaltung, Der Fall Döllinger — ein Lehrstück für die heutige Kirchenkirse*, Frankfurt 1990. — Some of Döllinger's books were translated into English by the Revd Henry Nutcombe Oxenham, e.g. *The first age of Christianity and the Church* (London, first edition 1866, fourth edition 1906). Nutcombe admired Döllinger very much. He took part in the Reunion Conference in 1874 but followed the way of John Henry Newman and subsequently joined the Roman Communion. (see Moss, *The Old Catholic movement*, pp. 261 & 265).
4. Watson, *Life of Bishop John Wordsworth*, London 1915, pp. 91-2. John Wordsworth (1843-1911), Bishop of Salisbury (1885-1911), was an authority on Old Catholicism and one of the main experts in England in this field. He first came in contact with the Old Catholics during a prolonged journey through Southern Germany and Austria in 1871. (pp. 91-2) In September 1872 he took part in the second Old Catholic Congress in Cologne. (pp. 93-4) In 1888, he and the Bishop of Lichfield, W.D. Maclagan (see How, *Archbishop Maclagan*. Maclagan (1826-1919), Bishop of Lichfield 1878-91, Archbishop of York 1891-1909) at the request of the Archbishop of Canterbury, Dr Benson to prepare some documents on Old Catholicism for the Lambeth Conference of 1888, visited the Old Catholic communities in Germany, Switzerland and Austria. (see How, pp. 252-62) In 1889, Wordsworth and the Bishop of Newcastle, Dr Wilberforce, paid a similar visit to the ancient Church of Holland. (How pp. 261-2; Verhey, *L' Eglise d'Utrecht*, pp. 92ff; Watson, p. 322) In 1889 he went to see the Old Catholics in Bohemia, spending three days at their see at Warnsdorf. (Watson, p. 324) In 1890, he took part in the Old Catholic Congress at Cologne, and in 1891 at a meeting in Lucerne, where the new joint church *Christuskirche* with the Episcopal Church of the United States, was consecrated. (Gilg, *Christkatholizismus in Luzern*, pp. 174-181) In 1892 he went again to Lucerne where he attended the Old Catholic Congress. On this occasion he received the honorary degree of DD from the Old Catholic faculty at the University of Berne. (Watson, p. 325) In the following year contact with the Old Catholics was interrupted by the illness of Mrs Wordsworth. After her death in June 1994, it was not resumed with much frequency, because he

failed to convince the Church of Holland concerning the validity of the Anglican orders and was therefore disappointed. On 5th May he wrote to the Archbishop of Canterbury, Randall Davidson: "The Dutch Bishops have, I heard, always disliked me since my *Responsio ad Batavos*." (LPL, D 328, 277-8, see also footnote 14)

5. Harold Brown, Bishop of Winchester, participated in the Bonn Reunion Conference in 1874 and was later involved in the visits of Herzog (and the German Old Catholic Bishop Reinkens in 1881) to England.

6. The Bonn Reunion Conferences in 1874 and 1875 were an initiative of Döllinger as an attempt at reunion between the East and the West. In 1874 there were about thirty Anglicans present (see Rein, *Kirchengemeinschaft*, p. 108, footnote 18.) among them Liddon, Brown, the Dean of Chester, Dr Howson, the Warden of Keble, the Revd E.S. Talbot, the Master of University College, Durham, Dr A. Plummer, and several priests and laymen from England; from the United States the Bishop of Pittsburgh, Dr Keefoot, with several priests. (see Moss, *op.cit.*, p. 261) The conference agreed to a document to the Eucharistic sacrifice which in 1889 was included into the Declaration of Utrecht. (see Oeyen, Christian; "Altkatholische Stellungnahmen zur Theologie des eucharistischen Hochgebetes", in: *IKZ* 3, 1980, pp. 191-6 and Küry, *Altkatholische Kirche*, p. 427) The second conference assembled in 1875 and the number of the participants was much larger, because they had been attracted by a general advertisement. There were at least sixty Anglicans. (see Rein, *Kirchengemeinschaft*, p. 108.) The main topic was the filioque question. The conference was attacked afterwards by Dr Pusey and other Anglo Catholics who thought that the filioque clause was in danger. (see Johnston, *Life of Liddon*, pp. 188-9; Moss, *op.cit.*, p. 267)

7. The Lambeth Conferences in 1878, 1888 and 1897 dealt with the Old Catholic movement. The Lambeth Conferences which have been held every ten years since 1867, are a gathering of the bishops of the Anglican Communion in an informal meeting without jurisdictional power. The bishops work in committees, producing a report. The assembly then passes resolutions, indications for the bishops on how to deal with special problems in their dioceses. — The Lambeth Conference in 1878 was careful and recommended to study the situation of the Old Catholics, which was done mainly by Bishop John Wordsworth of Salisbury. The Conference of 1888 dealt thoroughly with the question of the Old Catholics. It was the third subject on the agenda "The Anglican Communion in relation to the Eastern Churches, to the Scandinavian and other Reformed Churches, to the Old Catholics and others." The Report of Committee No. 10, which dealt under the chairmanship of Bishop Harold Browne of Winchester with the Old Catholics and the Scandinavians, is of greater length than we would expect. It says that the Church of Holland is found to be in agreement with the Anglican Church on many points and that more frequent brotherly contact may remove many of the barriers which at present separate the Churches. It suggests admitting the Clergy and Laity of the German Church to Holy Communion on the same conditions as their own communicants. With regard to the Church in Switzerland the Report says that this church was now sufficiently established that the same privileges could be extended. The organisation of the Old Catholic Church in Austria was not yet regarded as sufficient for more formal relations. The same remarks are made in regard "to the smaller groups of brave and earnest men of the Latin races, driven under somewhat similar circumstances to associate themselves in separate congregations in Italy, France, Spain and Portugal. ... We desire, in our outlook into the future, to call to mind the well-known declaration of the Gallican Clergy of 1862, and also the advances made by Archbishop Wake in correspondence with the Doctors of the Sorbonne, towards establishing a basis for intercommunion between the Churches of France and England. If some such principles could now be revived, we have reason to believe that they would be welcomed by many both in France and Italy, and they might again form the basis of hopeful negotiations." (Davidson, *The Lambeth Conferences*, pp. 340-6) The Encyclical Letter issued by the Bishops expresses sympathy with the Old Catholics, but says "that the time has not come for any direct alliance with any of these ... and we entertain the hope that the time may come when a more formal alliance with some at least of these bodies will be possible". (p. 273) Resolution 15 takes up the recommendations of the Report. (A) deals with the Church of Holland; (B) with the Churches in Germany and Switzerland, stating: "we offer them the privileges recommended by the Committee under the conditions specified in its Report.", (C) wishes more formal relations with the Old Catholics in Austria, when their organisation is sufficiently tried and (D) speaks, with regard to reforming movements in Italy, France, Spain and Portugal, "that they may be enabled to adopt such sound forms of doctrine and discipline, and to secure such Catholic organisation as will permit us to give them a fuller recognition." The movements in these countries were without bishops but (E) expresses clearly that the Anglican bishops are not willing to support them in this way. "That, without desiring to interfere with the rights of Bishops of the Catholic Church to interpose in cases of extreme necessity, we deprecate any action that does not regard primitive and established prin-

ciples of jurisdiction and the interests of the whole Anglican Communion." (pp. 282-3) No (Anglican) bishop should be consecrated for an area (especially not for the natives), if a Catholic bishop already has jurisdiction over this territory. Briefly, we can say that the Lambeth Conference of 1888 recognises the historical rights of the ancient Church of Utrecht and expresses sympathy with the Old Catholic Churches in Germany and Switzerland because these churches on the one hand had now been established and had a recognised civil position in their countries and on the other hand they are in communion with the See of Utrecht from which they received their valid orders. The Conference admits members of these churches to Holy Communion and invites *individual members* of their churches to support these Old Catholics financially for the training of future clergy. This may have been less than Bishop Herzog expected. Some evidence is given in a report, published in *Der Katholik*, the journal of the Swiss church: "Um kein Missverständnis zu veranlassen, will ich ausdrücklich bemerken, dass ich in England zwar eine immer zunehmende Sympathie und Achtung für unsere Sache glaubte wahrnehmen zu können, allein gleichzeitig auch der sehr bestimmt vorhandenen Anschauung begegnete, dass man uns in jeder Hinsicht selber überlassen müsste." (To avoid misunderstanding I should like to express my conviction that I recognized a growing sympathy and respect for our case, but at the same time I realized that the view was that we should be left to our fate.) (Berichterstattung des Bischofs über die Geistlichkeit und die Kultusangelegenheiten der christkatholischen Kirche (Schluss), in: *Der Katholik* 25/1889 (12. Jahrgang), Bern 1889, p. 219. Here quoted from Rein, *op.cit.*, p. 146) However, I cannot justify the negative conclusion which was drawn by Rein. The negative tone in the Encyclical Letters and the unwillingness to support certain movements on the Continent must be related only to the movements in the Latin countries and certainly not to the Old Catholics in Germany and Switzerland. (Rein, p. 141-7) The Lambeth Conference of 1897 brought nothing new. In the words of Stephenson: "The report on reformation movements on the Continent and elsewhere surveyed the state of the Old Catholics in Germany and in Switzerland and dealt with the Reformed movements in Spain, Portugal, Italy, and France, Austria, Mexico and Brazil. The resolution of sympathy did not add anything to that of 1888. In the case of Germany and Switzerland there was a repetition of the offer of admission to Holy Communion." (Stephenson, *Anglicanism*, p. 106)

8. On 5th June 1879 the Swiss synod met in Solothurn. It accepted four resolutions from Herzog. They responded positively to the Lambeth Conference of 1878, saying that the Swiss Church essentially shared with the Anglo-American Church the same Apostolic and Catholic faith, declaring "... in wesentlichen Dingen mit den angloamerikanischen Kirchen auf gleichem christlichen und katholischen Boden zu stehen. Sie versteht auch ihrerseits die Annäherungen verschiedener Kirchen so, dass durch diese die Selbständigkeit der einzelnen Landeskirchen und die Beibehaltung berechtigter Eigenthümlichkeiten nicht beeinträchtigt werde." (... in essentials I shared common ground [in terms of being Christian and Catholic] with the Anglo-American Church. This church also understands links with other churches in the way that the independence of national churches should be preserved, and their distinctive features not disturbed.) (Herzog, "Internationale kirchliche Beziehungen", p. 22) According to Moss, the synod formally granted permission to members of the Anglican communion to communicate at Old Catholic altars. (Moss, *The Old Catholic Movement*, p. 333. However, there is no evidence for this claim: neither Küry nor Herzog comment on such a decision.)

9. A synodical declaration was made by the Episcopal Church in the United States after the Lambeth Conference of 1878. In October, the House of Bishops of the General Convocation declared their sympathy with the Old Catholics and decided to accept the validity of their orders. Bishop Herzog said about this decision: "Niemals ist über den Altkatholizismus sonst von irgendeiner kirchlichen Behörde in gleich feierlicher Form ein Beschluss gefasst worden." (Never has a church authority made a decision on Old Catholicism in a such a ceremonious way.) (Herzog, *op.cit.*, pp. 32-4) This declaration was one of the main reasons for the good relations of Bishop Herzog with the Episcopal Church.

10. Shortly after the Lambeth Conference of 1878, Bishop Herzog was invited by Bishop Harold Browne, who had been translated from Ely to Winchester, to take part in the meeting of the Anglo-Continental Society at Farnham Castle. Twenty-five bishops were present there. On 31st July 1878 the Society decided to support Bishop Herzog financially in the education of priests. Père Hyacinthe Loyson from Paris was also invited. (Herzog, *op.cit.*, p. 22) An arrangement was made to place his congregation under the jurisdiction of the Scottish Church, because it could not be under the jurisdiction of any of the Old Catholic bishops. Bishop Herzog was hindered by the agreement with the Swiss government not to exercise jurisdiction in a foreign country, but was able to administer confirmation for the Primus of the Scottish Church, Dr Robert Eden, in the Gallican Church at Paris on 13th June 1879. Herzog wrote in his diary: "Die Interkommunion wurde damit tatsächlich

konstatiert." (Intercommunion really was established.) (Walter Herzog, *Bischof Dr. Eduard Herzog*, p. 207) On 10th August the same year the intercommunion reached its peak for the time being, when in the parish church of St. Peter and St. Paul the Scottish Bishop Henry Cotterill, of Edinburgh, Bishop Herzog and the German Old Catholic Bishop Reinkens celebrated the Eucharist together. (Herzog, *Synodalpredigten*, p. 209) According to Moss, the incident caused a storm in the Scottish Church, since there was not any formal agreement on intercommunion yet. (Herzog, op.cit., p. 226) — For the concept of "intercommunion" in its historical context see Rein, *Kirchengemeinschaft*, Chapter 0. 3., "Das linguistische und dogmatische Terminologie- und Strukturproblem im Hinblick auf den Begriff Kirchengemeinschaft", pp. 71-92.

11. As a result of Herzog's and Reinkens' visit to England in 1881, the German synod decided in 1883, to invite Anglicans to Holy Communion: "Es wird gestattet, den Mitgliedern der englischen Kirche das hl. Abendmahl unter beiden Gestalten zu reichen." (It is allowed to give Holy Communion in both kinds to members of the Church of England.) (Küry, *Die altkatholische Kirche*, p. 435) This was only a formal invitation but not yet "förmliche Intercommunion" (formal intercommunion). The latter would have made a formal decision by the synod necessary and this was not taken in the last century. (see Rein, op.cit., pp. 133-4)

12. see footnote 7.

13. In 1889, the bishops of Holland, Germany and Switzerland entered into a formal union, the Union of Utrecht of the Old Catholic Churches. When they had gathered the bishops agreed "Die Mitglieder der Konferenz [International Old Catholic Bishops' Conference] werden anderen Kirchen gegenüber keine Verpflichtungen eingehen, ohne dass diese vorher in gemeinschaftlicher Beratung besprochen und von allen Mitgliedern gebilligt worden sind." (Members of the Conference will not commit themselves to other churches without discussing the matter with the others and without general consent.) (Konvention von Utrecht, Vereinbarung von 1889, Art. 5, in: Stalder, Kurt; *Die Wirklichkeit Christi erfahren*, p. 230) By it, the bishops and their churches were bound to joint actions. However, the International Old Catholic Bishops' Conference has no jurisdiction over other churches and therefore "decisions" made by this body are juridically similar to those of the Lambeth Conference.

14. In 1894, the Church of Utrecht published in Dutch and French *La Succession Apostolique dans l'Eglise Anglicane* (Amsterdam 1894), stating that there were still doubts about the possession of the apostolic succession in the Anglican Church. John Wordsworth immediately replied in his *De Validate Ordinum Anglicanorum Responso ad Batavos* (18th October 1894, Second edition in 1895) with the approval and encouragement of Archbishop Benson. The public interest in the subject of English Orders was awakened by these publications and others which followed. The controversy took a wider range, the Roman Church itself sharing in the discussion. The conflict reached its peak in 1896, when on 13th September Pope Leo XII issued the Bull *Apostolicae Curae* in which he gave his reasons for denying the validity of Anglican orders. John Sarum then drafted an answer to the Pope which was delayed by the death of Archbishop Benson and later revised with the new Archbishop, Frederick Temple and finally published on 9th March 1897. Johannes van Thiel, then President of the Old Catholic Seminary of Amersfoort and later Bishop of Haarlem, on 22nd March, wrote to John Wordsworth: "Pour la Réponse, ses arguments me semblent très convaincants; à mon avis c'est un réponse sans réplique." (The arguments of the response seem to me very convincing; and in my view it is a response without a reply.) (The whole story was told by John Wordsworth in this article "Archbishop Temple and the Responso Archiepiscoporum Angliae ad litteras apostolicas Leonis Papae XIII, dated 19th February 1897", in: Sandford, *Memoirs of Archbishop Temple*, Vol. 2, London 1906, pp. 388-397, Van Thiel's quote see p. 393.)

15. The reason is on the one hand the foundation of the Union of Utrecht by the Old Catholic Bishops of Holland, Germany and Switzerland, and on the other the consecration by Bishop Herzog in 1897 of Bishop Kozłowski of the "Polish-Catholic Church in Chicago", which caused a storm in the Episcopal Church in the United States. (Herzog, "Internationale kirchliche Beziehungen", p. 11)

16. Rein, *Kirchengemeinschaft*, p. 206.

Chapter 2.1.1.:

1. In December 1901 the Archbishop of Utrecht, Gul, wrote to O'Halloran, saying if Englishmen would like to have their own Old Catholic bishop they had to follow the German example of 1870. First, they should officially protest against the Roman dogmas of the first Vatican Council and then declare their independence. In April 1902, in answer to the letter of the Archbishop, Beale wrote that the protesting priests would leave the Roman Church after the consecration of Beale to the episcopate. RAU, Mathew cum suis, p. 1.
2. Zurburg, Irrungen, p. 266.
3. BAB, O'Halloran to Herzog, 21st November 1902: "His Lordship Dr. Herzog. My Lord. Father Beale and myself — both Roman Catholic priests of England, who are friends of the Archbishop of Utrecht — Dr. Gul — desire to see and hope to have the pleasure of calling on you and making your personal acquaintance on Monday next."
4. BAB, Notizen über Mathew (Notes on Mathew), p. 1.
5. *ibid.*
6. BAB, Herzog to O'Halloran, 31st January 1903. Herzog explained the Old Catholic position: "Nous ne croyons pas avoir le *droit* d'envoyer un évêque missionnaire dans un pays étranger chrétien, mais nous pouvons avoir le *devoir* de venir en aide à des coreligionnaires qui se sont organisés en église." (We do not believe to have the *right* to send a missionary bishop into a foreign Christian country but we may have the duty to come to help our brothers and sisters in faith who are *organised in a church*.)
7. BAB, Notizen über Mathew, p. 1.
8. RAU, Herzog to Bishop Spit, 24th February 1903.
9. BAB, Herzog to O'Halloran, 12th February 1903. Herzog was convinced that O'Halloran was the man for the episcopate: "L'expérience que vous avez faite vous prouve qu'il faut choisir un homme de confiance. Il me semble que cette homme est trouvé. C'est vous même. Apres avoir combattu si longtemps et avec tant de succès, vous n'avez pas besoin d'autres témoignages que vous êtes digne de l'épiscopat." (The experience you had, proves that you should elect a trustworthy man. It seems to me that this man has already been found. It is yourself. You have been fighting successfully for a long time and you do not need other witnesses to prove that you are worthy of the episcopate.)
10. RAU, Curriculum vitae [of O'Halloran] sent to the Archbishop of Utrecht in 1908.
11. *Cardinal Vaughan and Father O'Halloran, The rights of the secular priests vindicated*, reprint of the *Middlesex County Times*, June 1901.
12. *Middlesex County Times*, 22nd July 1899. Herbert Cardinal Vaughan, Archbishop of Westminster to the editor: "Neither his place of worship nor the proposed school alluded to can be in any way recognized as connected with the Catholic Church. The Rev. O'Halloran is free according to the civil law, like anybody else in England, to establish a sect of his own and to invite adherents; but in the interest of truth and honesty it is important that I should again give notice to all whom it may concern that neither Mr. O'Halloran nor his establishment is in communion with the Church of Rome."
13. *Middlesex County Times*, 29th July 1899. Father O'Halloran's letter to Cardinal Vaughan from 24th July 1899. O'Halloran said he would prove before the Court in Rome that he was neither a heretic nor a schismatic "but a loyal son of the Bishop of Rome and the Canonical Rector of Ealing" and that Cardinal Vaughan was a public slanderer and the monks intruders who should be sent back to their monasteries.

14. BAB, letter of the parish SS. Joseph and Peter's, Roman Catholic Church, Ealing, to His Holiness Leo XIII, (no date). According to *Der Katholik*, No. 8, 21st February 1903, "Revolt from Rome", it was sent to Rome on 23rd January 1903.

15. *ibid.*, p. 3. O'Halloran wrote to the Pope: "In Ealing our way of action is straight; our duty is plain; the voice of conscience which is the voice of God — tells us that the time is come to wait no longer for that help from the Apostolic See which will not come... It is this sad truth that forces itself upon us and causes us to seek some unworldly Catholic bishop who will befriend us. Mindful that our own St. Anslem acted on the spirit of the rule already cited — when on his journeys in other lands he often administered confirmation, and recalling once again the fact that an Irish Bishop did help the persecuted secular priests of Holland — we are about to turn our eyes and stretch out our hands to the successors of those priests whom our Bishops assisted at a critical moment in their history ... to visit Ealing and give confirmation in our Church."

16. BAB, Herzog to O'Halloran, 20th February 1903.

17. BAB, Herzog to Spit, 24th February 1903. Herzog was willing to react positively to O'Halloran's request: "Genauso hat s.Z. der sel. Erzbischof Loos in verschiedenen Städten Deutschlands die hl. Firmung gespendet. ... Es versteht sich von selbst, dass ich annehme, die Angelegenheit werde mit dem Herrn Erzbischof und dem Bischof von Haarlem besprochen... Es wird nicht nötig sein, die Angelegenheit vorerst vor die altkatholische Bischofskonferenz zu bringen. Es handelt sich ja nicht um einen Akt, der auf das Verhältnis zu einer anderen Kirche Bezug hätte; denn die Hülfesuchenden katholischen Engländer sind kirchlich noch gar nicht organisiert, stehen aber streng auf dem katholischen Boden..." (In the same way the late Archbishop Loos has performed Confirmation in several German towns... I am convinced that you will discuss the matter with the Archbishop and the Bishop of Haarlem... At the moment, it is not necessary to bring the matter to the Bishop's Conference. It does not concern relations with another church because the Catholic English people who ask for help are not yet organised as a church but stand firmly on Catholic ground...).

18. The official answer to Herzog was sent on 7th March 1903 by Bishop Spit in agreement with the Archbishop Gul and Bishop Rinkel. About the so-called "Old Catholics" in England they said: "Bisher ist es mehr Unzufriedenheit über das Walten des Kardinals Vaughan als eine Glaubensbeschwerde, was Rev. O'Halloran zur Opposition zu treiben scheint. Erfahren sie im erstgenannten einige Befriedigung so bleiben sie was sind: römisch-katholisch." (Until now there has been more unhappiness about the actions of Cardinal Vaughan as a problem of faith, which seems to drive the Revd O'Halloran into opposition. If they get satisfaction [in the Roman Church] they will remain what they are: Roman Catholics.) RAU, 596 O'Halloran.

19. BAB, O'Halloran to Herzog, 13th March 1903. O'Halloran wrote in his appeal: "We are persecuted by Curial Bishops, whom we have not elected ... We appeal to you — valid consecrated bishops — to give us the structural help we need. But we do not intend to accept any Foreign Bishops over us in England — we mean to govern ourselves. Our appeal to the Continental bishops is merely for spiritual assistance in the extreme case of necessity in which we find ourselves."

20. BAB, Herzog to Spit, 10th March 1903

21. BAB, Herzog to John Wordsworth, 17th March 1903: "Selbstverständlich würde ich den Akt nicht als eine tatsächliche Verneinung der Rechtmässigkeit der Kirche von England & ihrer Organe auffassen, sondern ihn auf gleiche Linie stellen mit den bischöflichen Handlungen, die Bischof Wilkinson auf dem Kontinent vollzieht & zwar, wie in Holland, sogar in Gemeinden, die des Englischen gar nicht mehr mächtig sind. Wird die Hilfe nicht geleistet, so muss sich in kurzer Zeit O'Halloran mit seiner Gemeinde dem Kardinal Vaughan wieder unterwerfen, während die Hilfeleistung *vielleicht* dazu dient, die unter der Bezeichnung "Revolt from Rome" bekannte Bewegung zu stärken. Die Konsekration des Bischofs Koslowski hat mir sehr schwere Vorwürfe eingetragen; ich möchte zu einer solchen nicht ein zweites Mal Veranlassung geben. Aber deswegen habe ich mir die Freiheit genommen, die vorstehenden Zeilen an Sie zu richten. Wollen sie dieselben als ein Zeichen meiner brüderlichen Gesinnung auffassen. Sollten Sie Bedenken tragen, so werfen Sie diesen Brief einfach in den Papierkorb..." (It goes without saying that I do not see the act as the real negation of the legitimacy of the Church of England and her authorities, but see it in the same line as the episcopal actions of Bishop Wilkinson on the Continent, as for example, in Holland as well as in congregations which are no longer English speaking.

If we do not help, in a short time O'Halloran and his congregation will have to submit to Cardinal Vaughan. Our support, may *perhaps* serve to strengthen the movement which we call the 'Revolt from Rome'. The consecration of Bishop Koslowski has caused serious criticism; I should not like to give an opportunity for such a reaction for a second time. Therefore, I have taken the liberty of writing to you. Would you be so kind as to accept it as a sign of my loyalty? If you have objections, please simply throw the letter into the waste-paper basket...).

22. Bell, *Randall Davidson*, p. 404. Letter of the Bishop of Salisbury to the Archbishop of Canterbury, 19th March 1903: "Personally I should not regard it as an intrusion on the part of an Old Catholic Bishop were he to come to England and there confirm *in my diocese* Roman Catholics who were genuinely and intelligently desirous of his ministrations and who wished for the Roman rite. But probably other Bishops would take a different view, and would say that any Englishman who, ceasing to be under Cardinal Vaughan, desires still to be a member of the Church Catholic, must become a member of the Church of England and be confirmed according to our rite. In any case I think Bishop Herzog should tell us more fully what is his own view. He must not leave us to decide the matter for him; nor, I imagine, does he wish us to do so."

23. *ibid.*, p. 405. Letter of the Archbishop of Canterbury to the Bishop of Salisbury, 30th March 1903.

24. *ibid.* The Archbishop of Canterbury invited Arthur Galton who had written up the story of the revolt from Rome in the *Fortnightly Review* (August 1902).

25. BAB, Herzog to John Wordsworth, May 1903. Herzog wrote that if he administered confirmation he would not do it without publishing a public statement saying it would not be an act of jurisdiction but a friendly gesture for a Catholic parish in a predicament because the bishops of the Church of England were bound by their rites and therefore not able to help. He would declare that the confirmation would not be an interference in the affairs of the Anglican Church and that he fully accepted the validity of the Anglican Orders.

26. Anson, *Bishops at large*, p. 168.

Chapter 2.1.2.:

1. BAB, Notizen über Mathew, p. 2.

2. RAU, Protokoll der 9. Bischofskonferenz am 1. September 1904 zu Olten. The Conference, including the Archbishop of Utrecht, Gul; Bishop Herzog; the German Bishop Weber; Bishop Koslowski from Chicago and the diocesan administrator of the Austrian Old Catholics, Czech, discussed a statement prepared by Bishop Herzog. Then the Bishops questioned Beale. In the end they told him that he first had to organise a church before he could get the consecration.

3. Later he told Bishop Van Thiel of Haarlem what his aim had been: "Meine Ansichten über unsere Berechtigung, den Glaubensgenossen in anderen Ländern beizustehen, habe ich am Kongress in Olten teilweise vorgetragen. Mein Gutachten ist vollständig abgedruckt in Protokoll S. 84ff, aber von den Engländern, die es ohne Zweifel verstanden haben, gänzlich ignoriert worden." (I have presented part of my opinion on our right to help our brothers and sisters in faith in other countries at the [International Old Catholic] Congress in Olten. My expert opinion is fully published in the minutes, p. 84ff, but was totally ignored by the English who, were undoubtedly able to understand it.) BAB, AH 87, Herzog to Van Thiel, 7th January 1907.

Van Thiel (1843-1912), ordained in 1862, from 1885 President of the Seminary at Amersfoort, consecrated 1906 as Bishop of Haarlem. About his character, F. Kenninck said: "Vertrauensvoll glaubte Van Thiel leicht und gern das Gute. Mit seiner Nathanaelsgesinnung durchschaute er die bösen Absichten falscher Brüder nicht sogleich. Er war das Gegenteil eines Talleyrand; er hielt die Menschen für gut, bis sie sich böse erwiesen. Selbstredend blieben Enttäuschungen ihm nicht erspart. ... Sein Charakter kann am besten mit einem Wort eines früheren Kollegen, des Herrn Professors Weeldenburg, gezeichnet werden: "Der Präsident (V.Th.) meint, die Sonne scheine, wenn ihm hinter dem Rücken ein Streichholz angezündet wird." Selbstverständlich war dieser ein Philosoph und zwar ein Pessimist, Van Thiel aber ein echter und unverbesserlicher Optimist, naiv besonders auch in weltlichen Angelegenheiten..." (Being as trusting as he was, Van Thiel found it easy to believe

in goodness. Because his mind was similar to Nathanael he was unable to see through the bad intentions of false brothers. He was the opposite of Talleyrand; he thought of human beings as being good until he recognised them as bad. I do not have to say that he was not free from disappointments... His character can be described from a quotation by his former colleague, Professor Weeldenburg: 'The Principal (V.Th.) thinks the sun is shining if somebody lights a match behind him.' It goes without saying that this colleague was a philosopher and a pessimist; Van Thiel, however, was a real and irresponsible optimist, naive especially in worldly matters... Obituary by F. Kenninck (President of the seminary, later Archbishop) in: *JKZ*, No. 4, 1912.

4. Herzog, "Bedeutung der territorialen Grenzen", p. 682, in: *RITH* No. 48, 1904 Herzog went on with the following arguments saying that the Roman Church still believed that there could only be one bishop for a particular area. (This opinion was also shared by a small number of Anglicans under the leadership of Lord Halifax.) The Church of Rome recognised exceptions if it was necessary for linguistic, national or ritual reasons but under normal circumstances there should only be one bishop as there was only one altar and one pulpit in a church. In a case of emergency a bishop was entitled to give his ecclesiastical services to Christians and parishes outside his diocese. This was the case for the Church of Holland or the Old Catholics in the 1870s after their excommunication. The Church of England saw herself in another plight when she set up chaplaincies on the Continent with two bishops, one appointed for Northern Europe and the other for Central Europe. Another case was the appointment of the Anglican Bishop in Jerusalem for the English in this area. The bishop and his chaplains held services in English according to their ordinary rite. This is a good example of two or more bishops in one territory.

5. In short, this crisis had been going on since the late nineteenth century and reached its peak in 1904 when a Royal Commission into Ecclesiastical Discipline was set up to examine the situation of lawbreaking through Ritualists, priests of the Church of England who had adopted Romish practices like candles, incense and vestments. The Commission's report appeared in 1906 and the anti-Ritualist agitation which had made the Commission necessary, died down somewhat. G.I.T. Machin, *Politics and the Churches in Great Britain 1869 to 1921*, Oxford 1887, pp. 234-55.

6. BAB, Notizen über Mathew, p. 4.

7. On 7th January 1907 he wrote to Van Thiel quite frustratedly: "Es überrascht mich gar nicht, dass die Engländer [Anglicans] unsere Absicht nicht billigen, unseren Glaubensgenossen in England zu helfen. Aber die Herren Engländer lassen ja ihre eigenen Glaubensgenossen auf dem Kontinent auch nicht im Stich. Vor einigen Monaten wurde hier ganz in der Nähe meiner Wohnung eine kleine anglikanische Kirche eingeweiht, ohne dass man mir auch nur mit einer Silbe von dieser Feier Kenntnis gegeben hätte, während doch ohne Zweifel die römischen Gesandtschaften eingeladen worden sind. ... Wenn die Herren engherziger und selbstsüchtiger sind als der Papst, so sind wir doch nicht verpflichtet, auf sie mehr Rücksicht zu nehmen als auf den Papst. Ich begrüße es also lebhaft, dass Sie die Gemeinde in London bald besuchen werden." (I am not at all surprised that the English do not approve of our intention to help our brothers and sisters in faith in England. The English gentlemen, however, do not leave their brothers and sisters in faith on the Continent on their own. Some months ago a small Anglican Church was consecrated not far from my house and nobody had said anything to me but without doubt Roman delegations were invited... If these gentlemen are more small-minded and more selfish than the Pope, we are not obliged to show more consideration for them than for the Pope. Therefore, I really look forward to your coming visit to the congregation in London.) BAB, Herzog to O'Halloran, 11th December 1906.

8. BAB, AH 87, Herzog to Van Thiel, 7th January 1907.

9. BAB, O'Halloran to Herzog, 22nd December 1907. The ground for Marsh-Edward's behaviour was that he had been dismissed by O'Halloran after he had been consecrated a bishop by M. Vilatte. On his request, Herzog had written to O'Halloran that the Old Catholics would in no way accept someone ordained or consecrated by this *episcopus vagans*.

10. RITH 61/1908, pp. 118-20.

Chapter 2.2.1.:

1. "One of the most curious figures whom the Archbishop met in the ecclesiastical sphere was a certain Bishop Arnold H. Mathew." These are the opening words in Bell's chapter on the case of Bishop Mathew in his biography of the Archbishop of Canterbury, Randall Davidson. Bell, *Randall Davidson*, p. 1016.
2. *ibid.* and LPL, D 328, No. 1ff.
3. LPL, D 328.
4. *ibid.* Mr Norman from Chelsfield House wrote on 1st December: "I have never had the pleasure of meeting Mr. A.H. Mathew. He lives in a little home at Pratt's Bottom. I believe he is a most estimable person, but he hardly associates at all with the neighbours — Mr. Mathew, and I believe his wife, are Roman Catholics. It is said that he is legally 4th Earl of Landaff, but that being a poor man, or for other reasons, he had never claimed the title."
5. *ibid.* No. 206. A letter to the Dean of Ripon, dated 10th December, makes it clear: "Pardon my delay to your letter about that curious man Mr. Mathew. I have had much correspondence with him and have come clearly to the conclusion that he ought to remain in lay communion. ... I am quite clear that I cannot recommend him to resume ministerial work or offer him such a position as he desires. The last thing he would wish apparently would be what you suggest, namely, to serve quietly as a curate. I do not know whether you have seen the rather magnificent volume he has published about himself and his ancestry. He therein claims quite definitely to be Earl of Landaff, but he says that he does not claim this in ordinary life. Altogether it is an odd story, and I cannot help thinking there is something mentally queer."
6. LPL, D 328.

Chapter 2.2.2.:

1. BAB, Mathew to Herzog, 21st September 1907. Mathew explained his attitudes: "The recent Syllabus and the Encyclical have caused widespread dissatisfaction, & although the clergy do not see their way to unite with the Anglican Church, because of the doubts concerning the Orders of the Anglican clergy. There are many who would be very glad if an Old Catholic commencement could be made, and a Bishop appointed to organize and preside over such an effort. Without a properly constituted episcopal initiative, I doubt if anything effectual could be accomplished in this country, but I have good reason to know that a Bishop once established in this country, would receive such support as would enable him to place the Old Catholic Church upon a very secure and permanent foundation in this country. An undoubted consecration is, in fact, the *only* thing required."
2. Brittain, Herzog to Mathew, 24th September 1907.
3. BAB, Mathew to Herzog, 26th September 1907.
4. *ibid.*
5. BAB, Mathew to Herzog, 30th September 1907. Mathew's religious story reads like this: "I made my studies in philosophy & theology at the Seminary of the Roman Catholic Archbishop of Glasgow in Scotland where I received the tonsure & four minor orders. I was ordained Subdeacon, Deacon & Priest at St. Andrew's Pro Cathedral in June, 1878 in Glasgow, by the same Archbishop, and I was appointed assistant priest at the same Cathedral. Later on I was sent to the Cathedral of Plymouth in England as assistant priest, and after a few years I became parish priest of the village of Dunston, where I built a Church and a school. After that, I was appointed parish priest at Oldcotes and then, in 1885, at Trowbridge, where I built a Church. I was then promoted by the Bishop of Clifton to the Rectory of the important parish of St. Mary, at Bath. In 1889 my studies in ecclesiastical history compelled me to cease my belief in the papal claims, and accordingly, at very great sacrifice. I resigned my benefice and retired into private life. I have remained in retirement ever since, and have occupied

myself with library work, attending Mass at the Roman Catholic Church, there being no Old Catholic Church in this country."

6. *ibid.*

7. Brittain, Herzog to Mathew, 30th September 1907.

8. BAB, Herzog to Van Thiel, 8th October 1907. Herzog wrote to Van Thiel: "Wenn ich mich nicht irre, so haben sie mir im Haag von einem Engländer der Grafschaft Kent gesprochen. Ein solcher hat sich seither mit mir in Beziehung gesetzt, Rev. Mathew in Chelsfield. Wenn mich nicht alles trügt, so haben wir es hier mit einer ganz hervorragenden Persönlichkeit zu tun. Wir haben schon verschiedene Briefe gewechselt. Sobald etwas Positives zu sagen ist, werde ich Sie von den Dingen unterrichten. Einstweilen handelt es sich nur um Ansichten und Pläne." (If I am not mistaken, I learned from you in The Hague about an Englishman from the county of Kent. This man made my acquaintance, Revd Mathew from Chelsfield. If I am not completely wrong, we are confronted with an outstanding personality. We have already exchanged a number of letters. As soon as I can say something positive, I will tell you. At the moment we are only dealing with opinions and plans.)

9. It seems that Mathew's letter to the Archbishop was mentioned by Van Thiel only to Herzog and not publicly in the Conference itself. The Conference was mainly occupied with the consecration of a new bishop for the Polish Old Catholics in the United States after the death of Bishop Kozlowski on 14th January 1907. On 29th September 1907 Bishop Hodur was consecrated for them in Utrecht by the three Dutch bishops.

10. RAU, 595 Mathew, Mathew to Gul, 27th July 1907: "My Lord Archbishop, the time seems to have arrived for an Old Catholic movement in this country. Among the advanced High Church party there is great dissatisfaction with the divided condition of opinion in the established church, and doubts as to the validity of Anglican Orders are widely entertained, but the modern papal claims prevent a coalition between them and the Roman Catholics and conversions to Rome are few. ... What is required here now is an Old Catholic Mission, which would provide valid Orders & Sacraments & Mass, and take the place of the ritualistic or High Church movement. ... I write, therefore, to inquire whether the Old Catholic Church of Holland would be inclined to confer consecration upon a priest in Roman Catholic Orders, who has embraced Old Catholic opinions, & who would have the leadership of the movement? It would have to begin in apostolic poverty, relying solely upon the help and blessing of God. Several congregations of the High Church religion have expressed their willingness & indeed anxiety to place themselves under such a Bishop, to receive conditional Baptism and to embrace the whole Catholic Faith & practice of the Church of Holland."

11. Brittain, Herzog to Mathew, 12th October 1907.

12. BAB, Mathew to Herzog, 14th October 1907. Mathew replied: "I am very glad a married Bishop is to be consecrated for Austria. The increase in the episcopate is very important, and freedom in their domestic concerns will open the way to the admission of many learned and capable men to the ministry of the Old Catholic branch of the Church & diminish the influence & authority of the Curia."

13. On the other hand, in the good Catholic tradition that one never aspires to an ecclesiastical office he said: "If it were clearly the will of God that I should receive this apostolic burden, I should submit to the authority of the Old Catholic Church in the matter, but I should prefer to end my days in the ranks of the inferior clergy, if I had my own choice."

14. BAB, Mathew to Herzog, 20th October 1907.

15. Brittain, Herzog to Mathew, 6th December 1907.

16. BAB, Mathew to Herzog, 2nd December 1907.

17. Brittain, Herzog to Mathew, 6th December 1907.

18. BAB, AH 88, Herzog to Van Thiel, 12th December 1907: "Sobald irgend ein öffentlicher Schritt geschehen sein wird, werde ich Sie in Kenntnis setzen. Ich weiss leider auch aus eigener Erfahrung, dass man in solchen Dingen viel weniger getäuscht wird, wenn man sich möglichst geringe Hoffnung macht. Das Reich Gottes ist eben immer wieder mit einem Senfkörnlein vergleichbar; wer gleich einen ganzen Baum oder gar einen Wald von Bäumen haben will, der wird betrogen." (As soon as a public step is taken, I will inform you. Unfortunately I know from my own experience that one is less in danger of being misled if one's hope is quite small. It is always possible to compare the kingdom of God to a mustard-seed; anyone who wants a forest of trees sprouts away will be deceived.)

19. BAB, Herzog to Mathew, 2nd December 1907.

20. Brittain, Herzog to Mathew, 6th December 1907: "D'abord je ne voudrais pas tromper les évêques anglicans. Au congrès d'Oltén dont je vous ai envoyé le protocole, je me suis prononcé pour le droit de venir en aide à nos coreligionnaires aussi dans les pays où il y a une église amie. J' avais en vue l'Angleterre. Mais je ne voudrais pas me rendre responsable d'un schisme *au sein* de cette église amie..." (Firstly, I had no intention of cheating the Anglican bishops. At the Congress in Olten, of which I have sent you the minutes, I stressed our right to come to help our brothers and sisters in faith in another country, even if there is a *friendly* church. I had England in mind. I would not, however, like to be responsible for a schism in the heart of this friendly church...)

21. It must be noted that the Old Catholic bishops in 1889 drafted three documents, firstly the *Declaration* to the Catholic Church, secondly an *agreement* about the mutual relationship between their churches and thirdly a set of rules of the Conference. It seems that Mathew only signed the first document. According to Herzog (Records of the 37th session of the National Synod, 30th October 1911, p. 35) Mathew signed the agreement on the day of his consecration. However, Herzog had not been there and we were not able to find anything of the kind in the archives in Holland.

22. On 29th December 1907 Herzog wrote to Mathew: "Vous êtes autorisé de dire, *si vous voulez*: I am in full communion with the Old Catholic bishops; même si vous voulez: with bishop Herzog. Aussi vous pouvez ajouter expressément que nous *approuvons* vos démarches de venir en aide aux catholiques qui, en repoussant the Vatican claims, sont excommuniés par la hiérarchie romaine." (You are allowed to say, *if you like*: (...); but only (...) if you like. You can also expressly add that we approve of your actions to come to help such Catholics who reject the Vatican claims and are, therefore, excommunicated by the Roman hierarchy.) Brittain.

23. LPL, D 328, No. 230-3; Bell, *Randall Davidson*, p. 1018 and Anson, *Bishops at large*, pp. 169-70. Mathew wrote: "In view of the difficulty of arrangements for entering the ministry of the Church of England I have at length definitively decided to abandon the idea and throw in my lot with the Old Catholics. We shall open a mission in this country for the benefit of those Roman Catholics who are unable to continue conscientious adhesion to the Vatican and this we shall do in a spirit of perfect and cordial amity for the Church of England and in no spirit of aggression, still less of proselytism..."

24. Anson, *op.cit.*, p. 164. The story of Mathew's life is told by Anson, pp. 156-66.

25. *ibid.*, pp. 165-6. Two letters of protest to *The Times* of 30th September and 1st October 1907, after the publication of Pius X's encyclical "Pascondi", condemning Modernism, led to Tyrell's minor excommunication.

26. RAU, Mathew cum suis, p. 1.

Chapter 2.3.1.:

1. BAB, Mathew to Herzog, 14th January 1908: "I do not know whether O'H. would be the right man in so difficult a position, but he might do pour commencer l'oeuvre. I do not think, that, humanly speaking, he is likely to live very long, as he has had very bad rheumatic fever, and his heart is somewhat affected. It is not serious *now*, but a malady of that kind is likely to become worse. He may leave his property to the good of the movement, so that it seems desirable to preserve good relations with him."

2. BAB, O'Halloran to Herzog, 19th January 1908.
3. Brittain, Herzog to Mathew, 20th January 1908.
4. LPL, Davidson to Mathew, 20th January 1908.
5. BAB, in a letter from Mathew to Herzog, 22nd January 1908.
6. Brittain, Herzog to Mathew, 25th January 1908. Herzog explained which documents the English had to send to the Archbishop of Utrecht: "1. Liste des paroisses et prêtres, 2. Constitution de l'église, 3. Règlement de l'élection épiscopale, 4. Protocole de l'élection de l'évêque, 5. Curriculum vitae de l'évêque élu, 6. Demande de Consecration (avec la 'Déclaration' [Declaration of Utrecht, 1889] signée par l'évêque élu." (1. List of congregations and priests, 2. Constitution of the church, 3. Regulations for the election of a bishop, 4. Notice of the election of the bishop, 5. *Curriculum vitae* of the bishop-elect, 6. Application for consecration (with the 'Déclaration' signed by the bishop-elect).)
7. RAU, Mathew cum suis, p. 2.
8. BAB, Mathew to Herzog, 2nd March 1908.
9. *The Guardian*, 27th May 1908, Herzog to the editor.
10. RAU, Reverendissime Monseigneur l'Archévêque d'Utrecht..., Ealing 13th March 1908; Herzog, Notizen über Mathew, p. 7. This list played a crucial role because in the end it convinced Herzog. (see *IKZ*, No. 3, 1915, p. 345) Mathew, who had been informed about this article in *IKZ*, wrote to Herzog on 5th August 1915: "Je n'ai jamais de ma vie envoyé rien du tout à vous de cette espèce." (I have never sent anything of that kind to you.) The next day, he gave some more details: "Also you say you have a list of our parishes in my handwriting I beg to state that these recriminations after seven years of my episcopate, are extremely astonishing. I was as much deceived by O'Halloran as you were yourself and was no party to any "fraud" of his, for I was extremely ill first with tonsillitis & afterwards with influenza & severe bronchitis all the time his negotiations with your Lordship were proceeding, & when he came to see me, several times a week, he saw me in bed. He told me the name of some of these "250 priests", Beale, Horwath, ... I never sent you or anyone else any "list of priests" &c. I remember, when he had injured his hand, he dictated to me the names of some parishes he was, he said "organising" — not including his own at Ealing, where he has a Church and School &c. ... I did not observe what he did with the paper he dictated to me." (both BAB)
11. BAB, see Mathew to Herzog, 22nd January 1908.
12. BAB, AH 88, Herzog to Gul, 21st March 1908 "7. Von den anderen Gemeinden wusste ich bisher nichts. 8. Ich habe *keine* Beweise dafür, dass im Laufe eines Jahres in England 100 altkatholische Gemeinden organisiert werden können, wie der überschwengliche *O'Halloran* meint; aber ich habe auch keinen Grund an den Aussagen Mathew's zu zweifeln. Genossenschaften *existieren*, und die Delegierten dieser Genossenschaften haben am 18. Feb. 1908 einen Bischof gewählt." (7. About the other congregations I did not know anything. 8. I have no proof that during one year it will be possible to organise 100 Old Catholic parishes in England, as the effusive *O'Halloran* thinks; but I have no reason to doubt Mathew's statements. Cooperatives do *exist* and on 18th February 1908 delegates of these cooperatives elected a bishop.) On the point of Mathew's economic situation Herzog was mistaken, because he thought: "Mathew hat dort ein Schloss oder doch ein Besitztum." (There, Mathew has a castle or a manor house.)
13. *ibid.*
14. BAB, O'Halloran to Herzog, 24th March 1908.
15. BAB, Mathew to Herzog, 25th March 1908.

16. BAB, AH 88, Herzog to Van Thiel, 27th March 1908: "Ich weiss nun wirklich nicht, was ich ihnen raten soll. Herr Mathew scheint mir einen Einfluss zuzuschreiben, den ich wirklich nicht besitze. Ich sage nur Folgendes: Wir werden nach Ostern wahrscheinlich kaum mehr wissen als jetzt, wenn also die Herren Bischöfe in Holland die vorliegenden Dokumente und Informationen für genügend erachten, so kann, wie mir scheint, die Konsekration vor Ostern gerade so gut erteilt werden, wie nach Ostern. ... Bf Demmel wird zur [Bischofs]Konferenz eingeladen werden müssen... Von einer Einladung Hodurs und des öster. Bistumsverweisers wird man absehen dürfen." (I really do not know what I should advise. Mr Mathew seems to see me as most influential, which I am not. I only say the following: after Easter we will probably know no more than we do now. If the bishops in Holland think that the documents and information presented are good enough the consecration can be carried out as well before Easter as after Easter... It is necessary to invite Bishop Demmel to the [Bishop's] Conference.... We might ignore the invitations to Bishop Hodur and the administrator of the Austrian diocese.)

17. RAU 185, 505; Protokoll der Bischofskonferenz vom 26.3.1908 in Haarlem. Archbishop Gul (Utrecht), Bishop Van Thiel (Haarlem), Bishop Spit (Deventer) took part, Bishop Herzog had been excused. The Dutch bishops established that according to the English documents the movement was composed of organised Catholic parishes, the election had taken place lawfully and the elected bishop was a respectable man who was able to lead and develop an independent Old Catholic Church in England.

18. BAB, AH 88, Herzog to Van Thiel, 30th March 1908.

19. RAU, telegram Demmel to Gul, 1st April 1908. Some additional information about Bishop Demmel is necessary. It must be noted that Demmel was an old man when he was elected bishop in 1906. He was pressed into the difficult office against his own will. (RAU, 572 Demmel, Demmel to Gul 25th June 1906) He was often ill and never contradicted the other Old Catholic bishops. In 1911 it was necessary to support him with a suffragan bishop. In 1912, when this suffragan, Bishop Moog, was invited to the consecration of Bishop Nicolaas Prins (Haarlem) he wrote to the Archbishop: "Übrigens hat auch Herr Bischof Demmel die Absicht geäußert, mitzukommen, aber ich wünschte, er käme nicht, weil er durch seine körperliche und geistige Verfassung eine solche Feier nur stört." (By the way, Bishop Demmel also told me that he wished to come with me, but I would prefer him not to, as he will only disturb the celebration because of his mental and physical state.) (RAU, 512 Prins, Moog to Gul, 17th September 1912) Finally, Moog was elected diocesan bishop on 18th October 1912.

20. BAB, AH 88, Herzog to Van Thiel, 2nd April 1908.

21. On the same day he wrote to the Archbishop that he had never been misled either by Mathew or by O'Halloran: "Ich muss annehmen, dass die Mitteilungen, die wir aus England erhalten haben, auf Wahrheit beruhen. Wenn aber diese Mitteilungen auf Wahrheit beruhen, so sind wir berechtigt, Herrn Mathew die Konsekration zu erteilen." (I have to believe that the information which we got from England is true. If this information is true, we are entitled to consecrate Mr Mathew.) BAB, AH 88, Herzog to Gul, 2nd April 1908

22. They arrived on 7th about mid-day and called at once to see Archbishop Gul, only to learn from him that the consecration could not take place because Mathew was married. They had to return at once to England "feeling like dogs which had been whipped". BAB, in a letter of Mathew to Herzog, 10th April 1908.

23. RAH 225, 282; expert opinion by Prof Michaud, Berne. He came to the conclusion: "1. C'est une question purement disciplinaire, qui relève donc du jugement de chaque Église particulière autonome. 2. Ce n'est pas une question de principe, encore moins de dogme, mais simplement une application des principes déjà élucidés. Car dans l'Église d'Orient aussi bien que dans celle d'Occident, le mariage des évêques a été admis en principe et en fait, — par exemple St. Grégoire de Naziance était fils d'un évêque en charge. Donc notre Eglise ancienne-catholique est libre d'agir suivant les circonstances, pour le bien spirituel des fidèles. 3. La question a déjà été tranchée dans nos synodes; car aucune exception n'a été faite pour le maintien du célibat des évêques. 4. En Autriche, ce serait un devoir pour nous de consacrer évêque M. Cech, s'il était élu évêque; et en ce qui concerne la Suisse, il serait impossible d'exclure du nombre des prêtres éligibles à l'épiscopat ceux qui sont mariés. D'ailleurs, en Allemagne, récemment, plusieurs prêtres mariés étaient éligibles et pris en considération. Donc je crois que M. Mathew doit être consacré évêque, malgré son mariage, si les autres conditions sont remplies." (1.

It is merely a question of discipline which has to be decided in each autonomous church. 2. It is not a question of principle, less of dogma, but simply an application on principles already discussed. Hence, in the Oriental Orthodox Church as well as in the Western Church the marriage of bishops had been allowed in principle and in fact — for example St Gregory of Nazianzus was the son of a bishop in office. Our Old Catholic Church, however, is free to act according to the circumstances of the spiritual good of the believers. 3. The question has already been dealt with by our synods, since no request was made to maintain the celibacy of bishops. 4. In Austria, it will be necessary for us to consecrate Mr Cech to the episcopate. When his election took place, they acted according to the Swiss because it was impossible to exclude all who were married from the clergy eligible for the episcopate. In the same way, in Germany, a number of married priests recently were eligible and taken into consideration. Thus, I believe that Mr Mathew should be consecrated to the episcopate in spite of his marriage if the other conditions are fulfilled.)

24. BAB, AH 88, Herzog to Van Thiel, 9th April 1908.

25. BAB, O'Halloran to Herzog, 8th April 1908.

26. BAB, O'Halloran to Herzog, 10th (two letters) and 12th April 1908. If they were able to consecrate a married man they should consecrate Mathew, who would be more suitable by blood and by marriage to all the nobles of England, O'Halloran said.

27. BAB, AH 88, Herzog to Gul, 13th April 1908: "An uns für sich habe ich auch gegen die Konsekration des O'Halloran nichts einzuwenden. Ich glaube aber nicht, dass O'Halloran der schwierigen Aufgabe ebenso gewachsen wäre wie Mathew. Wenn ich mich nicht sehr täusche, so wäre Herr Mathew vermöge seiner wissenschaftlichen Tätigkeit, vermöge des Ansehens seiner Familie und vermöge seiner ökonomischen Mittel gerade für England eine sehr geeignete Persönlichkeit, mit der Leitung der Kirche betraut zu werden. ... Gott gebe, dass diese, wie mir scheint, ausserordentlich wichtige Frage, eine Lösung finde, die zur Ehre und zum Heil der katholischen Kirche gereicht." (I have no real objections to the consecration of O'Halloran. I do not believe, however, that O'Halloran is as good as Mathew for that difficult job. If I am not totally mistaken, Mathew would be the more suitable person to be entrusted with the leadership of the church, in view of his academic work, the standing of his family and his financial situation... I ask God to give this question — in my opinion it is a very important one — a solution which is to the honour and good of the Catholic church.)

28. BAB, AH 88, Herzog to Van Thiel, 14th and 15th April 1908.

29. RAU, Protokoll der Bischofskonferenz vom 13.4.1908 in Rotterdam. This document was signed by Bishop Demmel on the day of Mathew's consecration and by Herzog at the following Bishops Conference in Vienna (6th September 1909).

30. The certificate of his consecration was issued by T. van Santen, the president of the Seminary at Amersfoort and signed by the four bishops, two solicitors, eight priests and some laymen. For the original document see RAU, 595 Mathew. For an English translation see LPL, D 331, No. 275ff. It must be noted that Anson, *Bishops at large*, p. 172 contains an incomprehensible error, since he states that the Bishop of Berne had assisted in the consecration. Firstly, Berne had never been a See and secondly, it was not Herzog but Demmel from Bonn who took part in the event.

Chapter 2.3.2.:

1. LPL, D 328, 236-9, Mathew to Davidson, 21st January 1908.

2. LPL, D 328, 243-6, Mathew to Davidson, 24th March 1908: "If this could be accomplished it would do away with all appearance of rivalry or sectarianism and we should become merely a branch of the Church of England adapted to the tastes and religious habits of foreign Old Catholics resident here and to the needs and requirements of ex-Roman Catholics who are unable to adhere to the tenets of the Curia but prefer a liturgy to which they have always been accustomed."

3. *ibid.*

4. LPL, D 328, lithographical card 6th April 1908.

5. LPL, D 328, 249-51, Davidson to John Sarum, 8th April 1908.

6. LPL, D 328, 252, C.F. Medeof to Davidson, 9th April 1908.

7. RAH 225, 282, John Sarum to Van Thiel, 9th April 1908: "It seems to me incredible that you should have taken part in such a ceremony without either 1) letting the Archbishop of Canterbury (or myself on his behalf) know what was proposed, 2) making enquiries of us as to the character of the man, 3) ascertaining what "Old Catholic congregations" existed or were likely to exist in England. I venture therefore to hope that the consecration has not taken place."

8. BAB, AH 88, Herzog to Van Thiel, 12th April 1908: "Der Brief von Wordsworth lautet so, wie ich erwartet habe. Es ist mir ganz lieb, dass nun die Anglikaner sich äussern können. Ich habe das immer gewünscht, aber ich hätte es nicht über mich gebracht, bei Ihnen Erkundigungen einzuziehen, denn 1. es ist klar, dass die anglikanischen Staatsbischöfe ihre Zustimmung zur Einsetzung eines altkatholischen Bischofs nicht geben können; 2. wir stehen nicht unter anglikanischer Oberaufsicht; 3. die Anglikaner lassen uns seit Jahren vollkommen auf der Seite. Ich bin Ihnen sehr dankbar, wenn Sie dem Bischof von Salisbury offen Aufschluss geben; aber Sie dürfen ziemlich sicher sein, dass er ihnen antworten wird, die altkatholische Bewegung habe in England *gar keine* Aussicht." (The content of Wordsworth's letter is as expected. I am quite happy that the Anglicans now have the chance to express themselves. I always wished that, but I was not able to make inquiries because 1. it is clear that the Anglican state-bishops are not able to give approval to the installation of an Old Catholic bishop; 2. we are not under Anglican superintendence; 3. the Anglicans have left us apart for years. I would be grateful, if you would openly inform the Bishop of Salisbury of this, but you can be sure that he will reply that the Old Catholic movement has *no* chance at all in England.)

9. BAB, AH 88, Herzog to Van Thiel, 15th April 1908: "Ich bin sehr begierig zu hören, welche Nachrichten Sie von anglikanischer Seite erhalten haben. Ich selber habe in dieser Sache von angl. Seite keinen Buchstaben erhalten." (I very much like hearing the information you received from the Anglican side! Myself did not receive a single word from the Anglican side.)

10. BAB, AH 88, Herzog to Van Thiel, 16th April 1908.

11. RAH 225, 282, John Sarum to Van Thiel, 16th April 1908.

12. BAB, AH 88, Herzog to Van Thiel, 20th April 1908.

13. BAB, AH 88, Herzog to Van Thiel, 21st April 1908. About the question why the Bishop of Salisbury did not ask the Old Catholic about their plans, it must be noted that the first article in *The Guardian* "An Old Catholic movement in England" had been published on 8th April and was more or less the translation of the article in the April issue of *De Oud Katholiek*. On the same day John Sarum was also informed by Davidson and he reacted promptly, writing to Van Thiel the next day. Therefore, Herzog's anger cannot be understood.

14. BAB, AH 88, Herzog to Van Thiel, 22th April 1908: "Ich fasse den Brief des Bischofs von Salisbury als ein für Mathew günstiges Zeugnis auf; denn 1. Offenbar hätte man den Mann in der anglikanischen Kirche *aufgenommen*, wenn er nicht von vornherein eine gute Stelle hätte haben wollen. 2. Mathew hatte den *Mut*, eine gute Stelle zu fordern, fürchtete also nicht, als unbedeutender oder gar als übel beleumdeter Mensch vom Erzbischof von Canterbury von vornherein abgewiesen zu werden. 3. Der Bischof von Salisb. ist gegen die Konsekration, weil er davon Nachteil für die *anglikanische* Kirche fürchtet; der Nachteil, der *uns* droht, besteht wesentlich darin, dass wir die Sympathie der Anglikaner verlieren." (I interpret the letter of the Bishop of Salisbury as a good assessment for Mathew because 1. It is clear that he would have been *received* into the Anglican church, if he had not asked for a senior position from the start. 2. Mathew had the *courage* to ask for a senior position, and was not afraid of being rejected by the Archbishop of Canterbury, because he was unimportant, or because of his reputation. 3. The Bishop of Salisbury is against the consecration because he fears

disadvantage for the *Anglican* Church; the disadvantage which is imminent for us is that we will lose the sympathy of the Anglicans.)

15. RAU, Mathew cum suis, p. 6.

Chapter 2.4.:

1. BAB, Mathew to Herzog, 6th May 1908: "I am having very great trouble with *O'H* — entre nous. On my return from Utrecht he came to see me, his manner totally changed, & a look of hatred and & jealousy in his eye. He asked me to "at once consecrate him a bishop" for his own church, and he did not mean to admit any Old Catholics there &c..."
2. *ibid.*
3. BAB, O'Halloran to Mathew, 9th May 1908.
4. RAU, Reverendissime Monseigneur Gherard Gul, DD, Archevêque d'Utrecht (no date), signed by Mathew and three others.
5. RAU, Herzog to Van Thiel, 14th January 1911. Herzog wrote: "Auch sonst ist es ja kaum denkbar, dass sich ein Geistlicher zum Bischof wählen und weihen lässt, ohne mit den Gemeinden, die er leiten soll, einigermaßen bekannt sei." (It is really unbelievable that a clergyman is willing to be elected and consecrated without some knowledge of the congregations which he will lead.)
6. BAB, O'Halloran to Mathew, 9th May 1908: "And that day when I saw you decked in your *finery* — I said the man is a confounded *fool* & nothing else: it is all *clothes & mitres* & nothing else."
7. See Moss, *The Old Catholic Movement*, p. 301 and Anson, *Bishops at Large*, p. 175. On 6th August 1915 Mathew wrote to Herzog, that after he had been deceived by O'Halloran, "I immediately wrote to Mgr. Gul, Mgr. Van Thiel & yourself, and said I would resign my office at once if the Archbishop wished me to do so, as I had been completely deceived by O'H. who merely used me as a *patte de chat* to obtain the episcopate in his favour... Mgr. Gul wrote to me urging me not to resign but to "go on", so did Mgr. Van Thiel, so did you yourself. I have all these letters. Therefore I obeyed & did my best." (BAB) Non of these letters could be found in the archives, but in Herzog's Notizen über Mathew, p. 11, it is said Bishop Mathew was willing to retire.
8. BAB, AH 88, Herzog to Van Thiel, 12th May 1908.
9. *The Guardian*, 27th May 1908.
10. *The Guardian*, 3rd June 1908, p. 927.
11. LPL, see D 328, 288; Davidson to John Sarum, 12th May and D 328, 285; leaflet.
12. BAB, Mathew to Herzog, 5th June 1908. Barber travelled in 1908 to Germany to meet Bishop Demmel. Later, in 1908, he became the founder of the Society of St Willibrord.
13. *ibid.*
14. BAB, Mathew to Herzog, 11th June 1908.
15. BAB, Herzog to Van Thiel, 9th June 1908.
16. BAB, Herzog to Van Thiel, 20th August 1908. Herzog wrote to Van Thiel: "Mathew ist ohne Zweifel ein Mann, der sehr viel weiss und in weiten Kreisen geachtet ist." (Without any doubt Mathew is a man who knows a lot and has a high reputation.)

17. See Ludwig Klekler and Gerard F. Benesch, *Bericht über den VII. internationalen Altkatholikenkongress in Wien, 6.-10. Sept. 1909*, Wien [1909], p. 53.

18. RAU, Protokoll der Alt Katholischen Bischofskonferenz vom 6. Sept. 1909 im Hotel Metropol zu Wien.

19. See Anson, op.cit., p. 179 and 517. It is unlikely that the consecration happened on 13th October as reported by Moss, op.cit., p. 301 or Rein, *Kirchengemeinschaft*, p. 160.

20. BAB, Mathew to Herzog, 8th November 1909: "I very much like the idea, but wished rather to act in union with the rest of our Bishops. But will they ever *act* or is it to end in talk? Here we are quite true & independent & all would act together & it would be the deadliest *blow* Rome has ever experienced."

21. BAB, Mathew to Herzog, 12th November 1909.

22. BAB, Mathew to Herzog, 23rd and 29th November 1909.

23. BAB, AH 91, Herzog to Van Thiel, 29th December 1909 and 13th January 1910: "Ich glaube nicht, dass ihm sein Plan gelingt. Würde er ihm gelingen, wo wäre auch das kein grosses Unglück. Er wünscht natürlich als Bischof aufgenommen zu werden. Geschieht das, und zwar natürlich ohne neue Konsekration, so ist damit wenigstens vorläufig der altkatholische Episkopat in der orthodoxen Kirche anerkannt... Ich denke, wir warten das Weitere in aller Geduld ab und lassen den Mann ein wenig zappeln." (I do not believe that his plan will be successful. If he were successful, it would not be a great disaster. He would like to be received as bishop. If this happens without a new consecration the Old Catholic episcopate would be recognized by the Orthodox Church, at least for the time being... I think we should await the coming developments with patience and keep the man on tenterhooks.)

24. BAB, AH 91, Herzog to Van Thiel, 26th January 1910.

25. Anson, op.cit., pp. 179-80.

26. RAH, Herzog to Van Thiel, 22nd September 1910: "Ich halte das Vorgehen des Herrn Mathew für eine unbegreifliche *Willkür*: 1. Mathew hat selbst eigentlich noch keine Kirche; wozu zwei neue Bischöfe? 2. Eine Wahl hat nicht stattgefunden, die Herren haben sich selbst gewählt. 3. Die Herren sind römisch und stehen bisher in keiner Gemeinschaft mit uns. 4. Mathew hat uns weder Ernennung noch Konsekration angezeigt, noch uns um unsere Zustimmung ersucht. 5. Die Konsekration ist von *einem* Bischof *insgeheim*, also nicht *coram ecclesia*, vollzogen worden. 6. Mitglied unserer Bischofskonferenz kann jemand nur durch *einstimmigen* Beschluss werden. Will vielleicht auch der Konsekrator der neuen Bischöfe nicht mehr zu uns gehören?" (I consider Mathew's line of action unbelievably *arbitrary*: 1. In fact Mathew himself has not a church yet; why does he need two new bishops? 2. There was no election, the gentlemen have elected themselves. 3. The gentlemen are Roman Catholics and are not in communion with us. 4. Mathew has announced neither the appointment nor the consecration, and has not asked for approval. 5. The consecration was performed *secretly* by *one* bishop and not *coram ecclesia*. 6. Only through *consent* can anyone become a member of our Bishops' Conference. Is it possible that even the bishop who has consecrated the new bishops does not want to belong to us any more?)

27. *De Oud-Katholiek*, No. 23, 1st December 1910. Translation by Anson, op.cit., p. 181. Bell, *Randall Davidson*, p. 1910 stated that "In 1910, the Old Catholics of Holland, who found that they had been grossly deceived, broke with him [Mathew]." As we have seen this was not really the case, first they only stated what had already happened, the breaking of the Declaration of Utrecht by Mathew himself. Bell's source was the translation of the Declaration by the International Old Catholic Conference of 1920 (LPL, D 432, 187ff), which reads: "In 1910 the Old Catholic Bishops broke off intercourse with him [Mathew]." This is much more precise. The German text was: "Schon 1910 haben daher die altkatholischen Bischöfe jede Beziehung zu ihm abgebrochen." (*IKZ*, No. 2, 1920, p. 95).

28. According to Anson, op.cit., p. 182, Bollmann had been a former Lutheran Pastor. This is not the case. Bollmann was born on 16th January 1881 and was baptised in the Lutheran Church. From his youth he wished

to be a priest in the Old Catholic Church, which he joined in the beginning of the century. He was very much involved in the foundation of an Old Catholic parish in Aachen. On 4th December 1905 the first service was held in the Anglican chapel which had been blessed by Bishop Wilkinson in 1902. The Eucharist was celebrated by the Revd Bommer from Cologne. Bollmann was elected chairman and led the parish on his own. Then he got into trouble with Bommer. In January 1910 he was not reelected, because he was suspected of homosexuality. But he was a married man. With his family he left Germany for England in August 1910. Here he was ordained priest by Mathew. This had been impossible in Germany, because Bollmann lacked the qualification of a suitable education at a university. From 1911-1914 Bollmann ministered quite successfully to foreign Old Catholics under the Bishop of London. However, his parish was not recognised by the Old Catholic bishops. On 27th July 1913 he wrote to the Old Catholic Bishops' Conference, saying that he wished to place his parish under their jurisdiction. The Conference of 6th September 1913 in Cologne rejected his request with the argument that a single priest could not be under the jurisdiction of the Union of Utrecht, but only under a particular bishop. In November 1913 the new Bishop of Haarlem, Prins, visited England and got a good impression of his work. Bollmann, therefore, applied to the Dutch bishops for recognition. On 2nd February 1914 they assembled in a conference. They decided they would be willing to receive him into the Dutch clergy, but this was strongly opposed by the parish council of the Old Catholic parish of Aachen which sent negative letters to the German bishop who forwarded these documents to the Dutch bishops. In April Spit sent a negative answer to Bollmann, but correspondence went on, although interrupted by the outbreak of the war. It is not clear what happened to him afterwards. It is clear that he never ministered in the German Old Catholic Church and there is definitely no information about him in the Archives of the German Old Catholic Church after 1919. Information taken from RAH, 225, 289 and from a letter from Mrs Erentud Kraft, Bonn, to the author (23rd May 1993).

29. SSW, Folio 1, Mathew to Bollmann, 14th December 1910.

30. SSW, Folio 1, Mathew to Bollmann, 23rd and 31st Dec. 1910. This statement was also issued in Latin a week later.

31. The Declaration of Autonomy and Independence clearly showed how limited, in fact, his knowledge of Old Catholicism was and that he had never fully researched the material which had been sent to him by Herzog in 1907.

Chapter 2.5.1.:

1. RAH 225, 282; John Sarum to Van Thiel, 16th May 1908.

2. The Lambeth Conference assembled from 6th July to 5th August 1908. See Davidson, *The Six Lambeth Conferences*, p. 427.

3. *ibid.*, p. 334. The text of the Resolutions: "68. The Conference desires to maintain and strengthen the friendly relations which already exist between the Churches of the Anglican Communion and the ancient Church of Holland and the old Catholic Churches, especially in Germany, Switzerland, and Austria.

69. With a view to the avoidance of further ecclesiastical confusion, the Conference would earnestly deprecate the setting up of a new organised body in regions where a Church with apostolic ministry and Catholic doctrine offers religious privileges without the imposition of uncatholic terms of communion, more especially in cases where no difference of language or nationality exists; and, in view of the friendly relations referred to in the previous Resolution, it would respectfully request the Archbishop of Canterbury, if he thinks fit, to bring this Resolution to the notice of the Old Catholic Bishops."

4. RAH, Herzog to Van Thiel, 2nd September 1908.

5. RAU 185, 682; Davidson to Gul, 4th March 1909.

6. It came out that the Dutch bishops had not attended to the warning sent by Bishop John Sarum, because they imagined that Sarum was jealous of their success and they were convinced that Mathew's intention was to aim

at Romans rather than Anglicans. In a letter to Davidson John Sarum came to the conclusion: "Altogether our interview must I think have done good. It showed that we did not wish to be hostile to them but wished to help them and did not bear malice for their error regarding Mathew." LPL, D 329, 82; John Sarum to Davidson, 12th June 1909.

7. RAU 185, 682; Gul to Davidson, 5th July 1909. Gul's letter (which had been drafted by Herzog) said that firstly, the Old Catholics had never actively founded churches in other countries, but were always ready to support Old Catholics in other countries which had elected a bishop. Secondly, they were not willing to give up their independence and would support Catholics who organised themselves into a national church, even if there was an Anglican church in that place, because the Anglicans could not always meet their interests. Finally, they had to learn that the Anglicans always sacrificed the friendly relations with the Old Catholics for their own interests. It was necessary that the Anglicans should not urge Old Catholics to be absorbed into the Anglican Communion, but that both communions could be on friendly terms with each other.

8. RAH, Herzog to Van Thiel, 31st March 1912. He heard the same from a Russian diplomat about the American bishops. For Bury see Sophie McDougall Hine, *Bishop Bury, A memoir*, London 1933.

9. When in 1912 Bishop Bury was invited to take part in the consecration of the German Bishop Moog, Davidson asked the Archbishop of York, Cosmo Lang, for advice. Lang was against it: he questioned the position which certain of the Old Catholic bishops had taken in regard to Mathew, and emphasized the inexpediency of an Anglican bishop formally and officially associating himself in the consecration of an Old Catholic bishop when these bishops had not even pronounced themselves formally on the question of Anglican Orders. LPL, Archbishop of York to Archbishop of Canterbury, 5th March 1912. — In a letter to the Bishop of Gloucester (6th March 1912) Davidson gives an assessment about the Old Catholic bishops: "Certainly these Old Catholic Bishops are most difficult persons to deal with, as they won't write letters themselves and send us indirect messages raising big questions, at a few hours notice."

Chapter 2.5.2.:

1. BAB, Mathew to Herzog, 5th June 1908.

2. *ibid.*

3. SSW, Folio 1, Herzog to Mathew, 11th June 1908. "Les petits et les pauvres ont le droit de se tenir dans une certaine distance des Grands et des Riches." (The humble and the poor have the right to be at a certain distance from the grand and the rich.) He said he was disappointed in the Anglicans and two years before, an Anglican Bishop with whom he used to have a very friendly relationship had officially broken off the correspondence. "Depuis ce temps j'étais laissé entièrement de côté. Maintenant je veux rester dans mon isolement. Les humiliations que j'ai supportées et mon age justifient cette position." (Since those days I have been completely left out. Now I wish to remain in isolation. The humiliations which were loaded on me and my age justify this position.) (The Anglican bishop mentioned is probably John Wordsworth of Salisbury.)

4. RAU, Mathew cum suis, p. 7; Barber to Gul, 7th August 1908.

5. *ibid.*, p. 8.

6. BAB, AH 89, Herzog to Van Thiel, 21st October 1908: "Natürlich habe ich gar nichts dagegen einzuwenden, dass Sie in dem anglo-alkatholischen Verein das Vicepräsidium übernehmen. Es ist aber an zwei Vice-Präsidenten vollkommen genug. Ich weiss auch nicht, was der Verein eigentlich tun soll? Soll er, wie das in England bei derartigen Unternehmen üblich ist, besondere Gebete und Gottesdienste einführen, um das Werk der Union zu fördern? Ich wüsste nichts namhaft zu machen, wozu ich mithelfen oder was ich nicht auch tun könnte, wenn ich dem Verein nicht angehöre. Dabei habe ich das Gefühl, dass die Sache leicht so aussehen könnte, wie wenn wir um Gunst [betteln] wollten." (I have nothing at all against the fact that you will take over the vice-chairmanship in the Anglo-Old Catholic society. Two vice-chairmen are, however, enough. Also, I do not know the aim of the society. Will it introduce special prayers and services, as is usual in England, to sup-

port the work for unity? I do not know why I should help, or what I may not do, if I am not a member of the society. Therefore, I have the feeling that the action could easily look as if we were begging for favours.)

7. RAH, Herzog to Van Thiel, 26th November 1908.

8. John Burley, "The Society of St Willibrord", in: Huelin, *Old Catholics and Anglicans*, p. 63.

9. SSW, Folio 1, White to Barber, 4th February 1909. White wrote to Barber: "If he takes this step I must resign my connections with the Society of St Willibrord unless *he* does."

10. Mathew had "discovered" the reason why the Society had been founded: The Anglicans wanted to make the Old Catholics into Uniates and he should consecrate some Anglicans so that Rome would be silenced as to the validity of Anglican orders. He wrote to Herzog: "Ah, ha — voyez vous pourquoi on a fondé la Société de St. Willibrord! (Ah, ha — you see why the Society of St Willibrord was founded!) We were very wise not to join that Society! I have been too stupid, but not so stupid as to fall into the Anglican traps. Now they see we are not caught & that the great Barber's missions, to obtain the "full recognition" of his Orders have *failed*, they have turned against us ..." BAB, Mathew to Herzog, 29th November 1909.

11. LPL, in a letter to John Sarum, 6th December 1910.

12. Already in 1909 White had written to the Archbishop about Barber: "I think that Mr. Barber really knows a great deal about Continental Old Catholicism, & will soon be the best authority on the subject." LPL, D 432, White to Davidson, 30th January 1909.

Chapter 2.6.1.:

1. RAH, Herzog to Van Thiel, 22nd September 1910.

2. RAH, Herzog to Van Thiel, 28th March 1911: "Es hat keine Eile mit der Publikation eines Urteils der *Bischofskonferenz* über unsere Stellung zu Mathew. Es fragt sich sogar, ob es noch notwendig ist, dass *wir* uns darüber aussprechen, und ob es nicht klüger wäre, einfach die von *Mathew* veröffentlichte Lossagung *hinzunehmen*. Jedenfalls gebietet die Klugheit, nur nicht den Schein zu geben, als wollten wir anfangen, päpstliche Exkommunikationen zu verhängen. Wo die Konferenz stattfindet, ist mir ziemlich gleichgültig. Aber ich würde es sehr gerne sehen, wenn auch *polnische* Bischöfe an der Versammlung teilnehmen könnten." (There is no urgency over the publication of a judgement of the *Bishop's Conference* about our relationship to Mathew. The question is, whether it is still necessary for *us* to discuss the problem, or whether it not more astute simply to *accept* the separation published by *Mathew*. On the other hand good sense tells us not to give the impression that we should like to start imposing Papal excommunications. It is not important for me where the Conference will take place. I should, however, like the *Polish* bishops also to have the opportunity to take part.)

3. RAU, [Protokoll der] 14. Konferenz der Union von Utrecht angehörigen altkatholischen Bischöfen. Present: Archbishop Gul (Utrecht), Bishop Spit (Deventer), Bishop Prins (Haarlem; Bishop Van Thiel had died on 16th May 1912), Administrator Czech (Warnsdorf), Bishop Herzog, Bishop Hodur (Chicago), Bishops Kowalski, Prochniawski, Golenebcowski; Bishop Moog.

4. The bishops accepted the following declaration: "Die am 11. September in Coeln zur Konferenz versammelten Bischöfe ziehen in Erwägung: 1. dass sie nur durch grobe Täuschung bewogen worden sind, dem englischen Priester Rev. A. Mathew die bischöfliche Konsekration zu erteilen, bezw. dazu ihre Zustimmung zu geben. 2. dass Rev. A. Mathew in öffentlichen Kundgebungen die kirchliche Gemeinschaft mit den Kirchen der Utrechter Union preisgegeben hat. 3. dass der Genannte in völlig willkürlicher und unkanonischer Weise mehrere Priester, die weder einer organisierten Gemeinde vorstanden, noch von einer solchen gewählt waren, zu Bischöfen konsekriert hat. Auf Grund dieser Tatsachen sehen sich die Bischöfe der Utrechter Union zu der Erklärung genötigt: 1. dass sie ihre kirchlichen Beziehungen zu Rev. Mathew als gelöst betrachten, 2. dass sie jede Mitverantwortlichkeit für seine Kundgebungen und weiteren Handlungen ablehnen." (The Bishops' Con-

ference assembled in Cologne on 11th September consider: 1. that they were pushed by sacrilegious fraud to consecrate the English priest Revd A. Mathew to the episcopate, or to agree with the decision. 2. that the Revd A. Mathew has given up communion with the churches of the Union of Utrecht, by public declaration. 3. that completely arbitrarily and in an uncanonical manner, this person has consecrated several priests to the episcopate who neither presided over an organised congregation nor were elected by such a congregation. Therefore the bishops of the Union of Utrecht have to declare: 1. that they are no longer in communion with the Revd A.H. Mathew, 2. that they reject all responsibility for his declarations and future actions.) *ibid.*; Burley, "The Society of St. Willibrord", *op.cit.*, p. 64 stated that in 1913 the Society "noted with thankfulness' the formal ex-communication of Arnold Harris Mathew by all the Old Catholic bishops sitting in the Bishops' Conference at Cologne in September of that year." The same mistake was also made by C.B. Moss. In his booklet *Old Catholic Churches and Reunion* (London 1927) he described the facts correctly, but in his article "Episcopacy in the Old Catholic Churches", in: Claude Jenkins and K.D. MacKenzie, eds.; *Episcopacy, ancient and modern* (London 1930), p. 340 he claimed: "The Old Catholic bishops excommunicated Bishop Mathew...". Having read the documents carefully, we have seen that we cannot in any way speak about excommunication! It was *never* an Old Catholic custom to excommunicate anybody. Interestingly enough, Moss simply omitted the fact in *The Old Catholic Movement* (London 1964).

5. LPL, Davidson to the Bishop of Willesden, 8th August 1913.

6. Max Kopp and Adolf Kury, *Bericht über den neunten internationalen Altkatholikenkongress in Köln, 9.-12. Sept. 1913*, Offizielle Ausgabe, Bern 1913, p. 15. Willcox said in his address to the Congress: "You must have still so many and pressing problems of your own to solve that the question of taking any further steps in the matter of closer communion may not yet appear practicable, and on both sides it would obviously demand the utmost care and consideration."

7. LPL, Herzog to the Bishop of Willesden, 21st September 1913.

8. LPL, Davidson to the Bishop of Willesden, 27th September 1913.

9. LPL, Davidson to the Bishop of Winchester, 13th November 1913. Bishop Prins was the first Dutch Old Catholic Bishop to visit England.

10. Franciscus Kenninck was born in 1859. Ordained to the priesthood in 1888, tutor and from 1910 President of the Seminary at Amersfoort. He was a learned man and a great authority. In 1920 he reintroduced the synod into the Church of Holland as a consultative body. See Verhey, *L'Eglise d'Utrecht*, p. 109.

11. Present: Archbishop Kenninck (Utrecht), Bishop H.T.N. van Vlijmen (Haarlem), Bishop N.B.P. Spit (Deventer), Bishop Herzog (Switzerland) and Bishop Moog (Germany).

12. "Kundgebung der am 28. und 29. April 1920 zu Utrecht versammelten altkatholischen Bischöfe" (Declaration of the Old Catholic bishops assembled in Utrecht on 28th and 29th April 1920), in: *IKZ*, No. 2, 1920, p. 95-6. The conference passed the following declaration: "1. Wir erklären, dass die im Jahre 1908 dem römisch-katholischen Priester Arnold Harris Mathew erteilte bischöfliche Konsekration durch Einreichung falscher Zeugnisse erschlichen worden ist und, wie dem genannten Geistlichen bekannt war, niemals erteilt worden wäre, wenn die Konsekratoren gewusst hätten, dass die in den fraglichen Dokumenten behaupteten und von unserem Episkopat verlangten Voraussetzungen einer Bischofsweihe gar nicht vorhanden waren. 2. Und wir erklären, dass wir mit den Bischöfen und Geistlichen, die ihre kirchenamtlichen Befugnisse direkt oder indirekt von diesem im Jahre 1908 vollzogenen Konsekrationsakt herleiten, in gar keiner kirchlichen Beziehung stehen." (1. We declare that the consecration, performed in 1908 on the Roman Catholic priest Arnold Harris Mathew, was gained through deception, by presenting false documents. The consecration would never have happened — as this clergyman knew — if the consecrators had known that the conditions for an episcopal consecration, which were asked for by our episcopate and claimed in these documents, did not exist. 2. And we declare that we do not have any connections with bishops or priests who derive their ecclesiastical power from this act of consecration in 1908.)

13. LPL, D 432, Davidson to Herzog, 2nd July 1920.

14. Davidson, *op.cit.*, *Lambeth Conference 1920*, p. 154. The report stated: "We look forward, however, hopefully to a resumption in the near future of such happy relations as existed before the war, and it is a hopeful sign that the Old Catholic Bishops have quite recently been able for the first time for several years to meet together in Conference."

15. *ibid.*, pp. 33-4. Resolutions 27 and 28 dealt with Mathew and his successors, see chapter 3.

Chapter 2. 6. 2.:

1. BAB, AH 91, Herzog to Van Thiel, 26th January 1910.

2. Records of the 15th Old Catholic Bishops' Conference, 29th April 1920 in Utrecht. The relevant text is: "Die Bischöfe der Utrechter Kirche wünschen, dass die offizielle Anerkennung der anglikanischen Weihen gestrichen wird; nicht weil man an die Gültigkeit zweifle, sondern weil die Utrechter Kirche sich über diese Frage noch nicht offiziell ausgesprochen hat. In Holland wird diese Frage bald näher behandelt werden." (The bishops of the Church of Utrecht wish to omit the official recognition of Anglican orders. They do not doubt their validity, but the Church of Utrecht had not yet officially decided on the question. In the near future they will deal with the question in Holland.)

3. LPL, D 432, Kenninck to Davidson, 2nd June 1925.

4. LPL, D 432, Davidson to White, 30th August 1925.

5. Records of the 18th Old Catholic Bishops' Conference in Berne 1925, and Küry, *Alt-katholische Kirche*, p. 468. Bishop Herzog had died on 26th March 1924.

6. Davidson who had been Archbishop of Canterbury from 1903-28, died in 1930.

7. For the further development see Rein, *Kirchengemeinschaft*, pp. 168-352.

Chapter 3.1.:

1. See Brandreth, *Episcopi vagantes*, p. 1-5. Brandreth gives the following definition of a modern episcopus vagans: "To-day a man is placed in this category who has, or claims to have, received irregular or clandestine consecration; or, having been consecrated regularly and canonically, has been excommunicated by, or otherwise cut off from, the Church which consecrated him, functions as a bishop, and is not in communion with any historic metropolitan See. The main ground of objection against him is that, in spite of resounding claims to the contrary, his episcopal status is doubtful, and that, even if his orders be valid, the exercise of them is not legitimate. In many cases the church over which he claims to preside appears to exist, if it exists at all except on paper, for the sake of the bishop, rather than the bishop for the sake of the church. In certain cases there is not even the pretence of an organized church." (pp. 1-2)

2. Rein, *Kirchengemeinschaft*, p. 162. According to Rein and others the Mathew affair brought the question of the validity of consecrations back to the centre of interest, especially the claims of the *episcopi vagantes* to be "valid" bishops. Rein writes: "Theologiegeschichtlich dürfte von bleibendem Wert ... die Frage nach der Gültigkeit von Bischofsweihen sein, die durch die Mathew-Affäre und das damit verbundene Phänomen der Episcopi vagantes wieder aktuell wurde." (From the point of view of the history of theology, the question of the validity of episcopal consecrations which through the Mathew-Affair and the associated phenomenon of *episcopi vagantes* has received current attention, may be of lasting interest.)

3. Brandreth, *op.cit.*, p. 8. See footnote 1 for the Latin text.

4. Louis Bouyer, "Bishops in the Church, The Catholic Tradition", in: Moore, *Bishops, But What Kind?*, p. 37.
5. Kurt Stalder, "Apostolische Sukzession und Eucharistie bei Clemens Romanus, Irenäus und Ignatius von Antiochien", in: *Die Wirklichkeit Christi erfahren*, p. 66.
6. *ibid.*, pp. 46-7. About the public responsibility of bishops by Irenaeus, Stalder says: "Wer die apostolische Überlieferung kennenlernen will, steht nicht vor geheimnisvoller Dunkelheit, er kann sich an diese Männer wenden, und er wird überall dasselbe zu hören bekommen." (Anyone who wants to learn about the apostolic tradition does not stand in mysterious darkness, but can turn to these men and will hear the same everywhere.)
7. Irenaeus, *Against the Heresies* III. iii, I-IV, I. Cf. Kallistos Ware, "Patterns of the Episcopacy in the Early Church and Today, An Orthodox view", in: Moore, *op.cit.*, p. 12.
8. *ibid.*, p. 13.

Chapter 3.2.:

1. Hughes, Absolutely Null and Utterly void, quote on front page. The *Bull Apostolicae curae* brought an end to the Anglo-Catholic vision of Anglo-Roman reunion which Lord Halifax had initiated. The reunion movement, however, was only a tiny minority in the Church of England. (pp. 199-210) The condemnation of Anglican orders itself had a greater impact. The late Bishop G.K.A. Bell of Chichester has called it "one of the sharpest and most public rebuffs that the Church of Rome can ever have administered to a peaceable Christian communion." (p. 3, quote taken from G.K.A. Bell, *Christian Unity: the Anglican Position*, London 1948, p. 68.) According to Taward the outcome of the Pope's negative findings on Anglican orders did not provoke conversions to the Roman Church, but its impact was the opposite: a sense of injury. This was happening just at the time when the Church of England was acquiring an ecumenical and international dimension. (Taward, *A review of Anglican orders*, p. 114) The negative attitude of Rome towards the Anglicans was also responsible for the interest of certain people in the Church of England for the Old Catholic Churches.

2. Brandreth, *Episcopi vagantes*, p. 12.

3. The Augustinian view is clearly expressed in these words of Wordsworth: "Using the word "Sacrament" in the broader sense given to it by ancient theology, which, of course, includes under the term other efficacious signs of sacred realities than those of the two great Sacraments of the Gospel, we hold in the Church of England, quite as strongly, I think, as is held in any part of Christendom, that the "Sacrament of Order" requires laying on of hands, with prayer suitable to the office conferred, and with a general intention of making a man what the Church intends as Bishop, Priest, or Deacon. We hold that such an Ordination conferred by a Bishop, as sole or chief minister, who has himself been so ordained, even if he is a heretic, is valid and cannot be reiterated without sacrilege, and that it is impossible to bind the power so conferred by Church censure." Wordsworth, "Ordination problems", p. 10-1, quoted by Brandreth, *op.cit.*, p. 12. The Augustinian view was expressed by the Lambeth Conferences, for example in the conditions required before entering into intercommunion with the Scandinavian Churches.

4. RAU, Mathew cum suis, p. 12. On 8th December 1910, after the Archbishop of Canterbury and the Bishop of Salisbury had heard that the consecration of four more bishops was planned by Mathew, they sent a letter to the Archbishop of Utrecht, urging him to put this affair to an end. They were afraid of a big action which could affect the Church of England. They received an answer from Herzog.

5. LPL, D 329, 136. Herzog's letter was translated by Sarum and sent to the Archbishop of Canterbury on 11th February 1911.

6. LPL, D 328, Invitation to the Committee of Episcopal Status to the Archbishop, 20th June 1911. Unfortunately, we have been unable to find the records of the meeting.

7. The same line was taken by the Archbishop in a case in 1912. The Bishop of Winnipeg had asked him for advice about a young Frenchman, ordained a priest in the Old Catholic church in Chicago, who wished to enter his clergy. The Archbishop's answer was sent to the Archbishop of Rupert's Land and is, therefore, of some importance: "A man who has been duly ordained priest by an Old Catholic Bishop is clearly entitled to have his orders recognized by us. Of course, we should have to be sure that the Bishop in question was a duly accredited Old Catholic Bishop, and not one of the rather *uncertain* people who have occasionally claimed some connection with the Old Catholics, and are in Episcopal Orders." This statement is also in line with Herzog, although not consistent, since it says that the "uncertain" bishops were in episcopal orders! Here, the Augustinian theory comes through. Quote from LPL, Archbishop of Canterbury to the Archbishop of Rupert's Land, 14th March 1912. (italicized by us)

8. Davidson, *The Six Lambeth Conferences, Lambeth Conference of 1920*, p. 34. The text of the resolutions: "27. We regret that on a review of all the facts we are unable to regard the so-called Old Catholic Church in Great Britain (under the late Bishop Mathew and his successors), and its extension overseas, as a properly constituted Church, or to recognize the orders of its ministers, and we recommend that, in the event of any of its ministers desiring to join our communion, who are in other respects duly qualified, they should be ordained *sub conditione* in accordance with the provisions suggested in the Report of our Committee. 28. The Conference recommends that the same course be followed, as occasion may require, in the case of persons claiming to have consecration or ordination from any "episcopi vagantes", whose claims we are unable to recognize."

9. *ibid.*, p. 155.

10. Wordsworth, *op.cit.*, p. 30, in: Brandreth, *op.cit.*, p. 14.

11. As the Roman Catholic Church did in the past before the Vatican Council II with priests coming from the Old Catholic Church.

12. Brandreth, *op.cit.*, p. 13.

Chapter 3.3.:

1. RAU, Herzog to Van Thiel, 14th January 1911.

2. Herzog, "Zwei Thesen über die Gültigkeit einer bischöflichen Konsekration", in: *IKZ*, No. 3, 1915, pp. 271-96. The theses as published in 1915 read as following: "These 1: Eine unter falschen Vorgaben und mit Vorweisung gefälschter Documente ersichlene Konsekration kann nicht als gültig anerkannt werden, auch wenn der Weiheritus von wirklichen Bischöfen genau vollzogen worden ist. These 2: Wie der Satz gilt: *Nulla ecclesia sine episcopo*, so ist auch umgekehrt der Satz anzuerkennen: *Nullus episcopus sine ecclesia*, d.h.: Ein Mann, der von keiner organisierten Kirche nach den für sie massgebenden Gesetzen zur Bekleidung des bischöflichen Amtes, sei es in einer bestimmten Diöcese, sei es ohne territoriale Begrenzung, in aller Form ernannt ist, sondern eigenmächtig und in persönlichem Interesse das Bischofsamt zu erwerben sucht, wird auch dann nicht gültig zum Bischof konsekriert, wenn der Weiheritus genau beobachtet wird." (Thesis 1: A consecration gained through deception can not be accepted as valid even if carried out correctly. Thesis 2: If the sentence *Nulla ecclesia sine episcopo* is true, so is also the opposite, *Nullus episcopus sine ecclesia*, that is, if a man seeks to become bishop without being elected by an established church according to its law, to exercise the episcopate in either a certain diocese or without territorial borders, but independently tries to receive the episcopate out of personal interest, then the consecration can never be said to have been conferred, even if the rite is correctly observed.)

3. In 1934 Archbishop Kenninck made the following statement, after he had been asked by the German Bishop Moog: "Hij [Mathew] is gewijd na het overleggen van valsche documenten, als electus van een kerk, die niet bestond. Naar mijn vaste overtuiging kan hier van een wijding geen sprake zijn." (Mathew has been consecrated, after having presented false documents, as an elect of a non existing church. It is my firm conviction that it is in no way possible to speak of a consecration.) (RAU, Archbishop Kenninck to Moog, 3rd November 1934) In 1939 the new Archbishop of Utrecht, Andreas Rinkel, was approached by Brandreth and Canon

Douglas in the matter. They prepared a report for the proposed Lambeth Conference of 1940. First, Rinkel consulted the Swiss Bishop Kury, who wrote to him: "Ich glaube, wir dürfen sagen, dass die Weihe Mathew's ungültig, weil erschlichen sei." (I believe we can say that Mathew's consecration is invalid because it was gained through deception.) (RAU, Kury to Archbishop Rinkel, 17th February 1940) Archbishop Rinkel set up a memorandum, which he sent to the Archbishop of Canterbury, Cosmo Gordon Lang. In his covering letter he said that the question was of the utmost importance for both churches, therefore he hoped that both churches would come to the same conclusion: "a denial of the *validity* of all ordinations and consecrations of *episcopi* and *presbyteri vagabundi*, who trace their orders from A.H. Mathew, Vilatte and all this sort of adventurers." (RAU, Rinkel to Archbishop of Canterbury, 11st March 1940) The most current statement was made by the present Old Catholic bishop of Germany, Sigisbert Kraft in 1989. He pointed out that consecrations associate the bishop with a diocese, therefore apostolic succession happens in the service to a concrete *ecclesia localis* as an apostolic succession in faith. The criteria for an organised church (*ecclesia localis*) are their relation with the Church of Rome or membership of one of the recognized ecumenical bodies, Kraft said. ([Sigisbert Kraft], "Zur Frage der Gültigkeit von Weihen der *Episcopi Vagantes*". Katholisches Bistum der Altkatholiken, Bonn, October 1989 (2 pages)).

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