

## GENERAL JOHN BURGOYNE, 1730-1792

### *An Early Advocate of Catholic Emancipation*

**E**NGLISH Anti-Catholic legislation reached its climax in the first year of the reign of William and Mary, when it provided that, in future, all recruits, before enlistment in the army, should be forced to take the attestation oath forswearing the Catholic religion. This stupid piece of bigotry prevented Catholics from engaging in the defence of their native land, and drove many ardent young spirits amongst English, Scottish, and Irish Catholics into foreign military service. Thus England was robbed of men who would have led her armies with the same brilliant success that attended them in their foreign commands. Every student of European history is confronted, from time to time, with the names of Brown, O'Donnell, Blake, MacMahon, to mention but a few. Perhaps the best known of these were the two Browns, Count George Brown, who held a high command in the Russian army, and his brilliant nephew, Ulysses Maximilian Brown, Count of the Holy Roman Empire and Field Marshal of Austria, who, after checking the victorious Frederick the Great on the field of Lobositz, 1756, fell in the battle of Prague (1757).

England's blunder consisted in something more serious than supplying foreign powers with brilliant captains—it gave to her enemy, France, a finely-trained force which, at Fontenoy, in 1745, snatched victory out of defeat and drove Cumberland, 'William the Butcher,' from the field. Small wonder was it that George II was said to have cursed the laws that robbed him of such soldiers. The real wonder is that self-interest did not overcome bigotry, and that no determined effort was made to alter a penal code so obviously disadvantageous to the government that en-

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forced it. But in point of fact, the first Catholic Relief Bill was not passed till thirty-three years after the defeat at Fontenoy. It is true that in 1774 Lord North's government passed the Quebec Act, granting tolerance to the Canadian Catholics; but here necessity drove hard, for it was feared that the French-Canadians might otherwise throw in their lot with the rebellious States. This Act, however, was confined to Canada, and brought no amelioration to Catholics at home. But the Quebec Act was a beginning—in fact, it was the first measure of relief meted out to Catholics since the reign of Mary Tudor, and it led indirectly to the first Catholic Relief Bill, which was passed through Parliament, in 1778, by the good offices of Sir George Savile.

English Catholics, however, had found an even earlier friend than Savile in that brilliant if erratic person, General John Burgoyne, of Saratoga fame. The son of an army captain who died in a debtor's prison, school companion at Westminster of Lord Strange, eldest son of the Earl of Derby, he, by his breeding and charming manners, won the favour of Derby, whose daughter, Lady Charlotte Stanley, he eloped with in 1743. The Earl, infuriated, disinherited his daughter, and soon the young couple found themselves in pecuniary straits. To escape his creditors, Burgoyne, having sold his captaincy, took his wife to live in northern France in 1746. His father-in-law relented seven years later, and Burgoyne was able to return, and, through Derby's interests, obtained the rank of Captain in the 11th Dragoons, from which, in May, 1758, he transferred to the Coldstream Guards, in which regiment he later obtained the rank of Lieutenant-Colonel. In 1761 he became Member of Parliament for Midhurst in the Tory interest, but in the following year he was commissioned Brigadier-General in the army, sent out

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under Lippe to defend Portugal against the Spanish invasion. He greatly distinguished himself in this campaign. He captured Alcantara, and by his vigilance caused the invaders to withdraw from before Abrantes, and finally from Portugal.

During this campaign he found amongst his men many Catholics who had enlisted in the army because the hard-pressed Government had not too strictly insisted on the administration of the Anti-Catholic Oath; nevertheless, these men had done violence to their consciences by ostensibly enlisting as Protestants. He therefore determined, if possible, to obtain justice for these and other Catholics who might wish to enter the army, and accordingly, having talked the matter over with the late Secretary of State for the Northern Department, General (afterwards Field-Marshal) Henry Seymour Conway, he brought before the House of Commons a motion for redressing the grievances of Catholic soldiers. He bluntly told the House that in the late war he had had the honour of commanding five hundred Roman Catholics. It was true, he said, that they had enlisted as Protestants, but it was well-known that wherever possible they attended the Catholic service, and he, for his part, had placed no obstacle in their way, provided they did not attend in uniform. He declared they were as brave soldiers as any in the British army, and added that foreign nations were astonished that many fine soldiers should be forced into the service of other countries because of an oath they could not take without violating their consciences. Though this forceful speech was ably seconded by his friend, General Conway, the appeal fell on deaf ears. Perhaps his advocacy of the oppressed gave Lord North and his Government something to ponder over in the coming years, and some sort of relief did come eight years later, and before Burgoyne died, in 1792, at the age

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of sixty-two, he had the consolation of knowing that the lot of the Catholic soldier was a much happier one than it had been in the days of his Portuguese command.

As to Burgoyne himself, he was very soon called upon to take up an important command in the American War. The story of his defeat and surrender at Saratoga is too well-known to bear repetition here. Of course, he was severely blamed, and with a good deal of justice, for his conduct of the campaign; but his personal courage and bravery have never been in doubt. Moreover, he was not the only one in a responsible position who made mistakes. Orders to Howe to support Burgoyne were despatched much too late from England. Burgoyne's conduct was, at his own request, made the subject of a Parliamentary debate, and he resigned all his official positions. The chief blame, however, must attach to those who planned a campaign attended with so much difficulty and took no special measures to guard against failure.

Burgoyne was restored to his rank in 1782, and appointed Commander-in-Chief in Ireland, but after holding this post for eighteen months he retired into private life and spent his time writing plays, of which the best known were 'The Maid of the Oaks' and 'The Heiress'—the latter play kept the stage for a long time. In 1787 he emerged from his retirement to take a leading part in the impeachment of Warren Hastings. This was the last event of his interesting life, and he died five years later. By an illicit alliance which he contracted after the death of his wife, he left several children, the eldest of whom, Sir John Fox Burgoyne, became an engineer officer in the British army, saw active service in the war against Napoleon in 1800, took charge of the siege of Sevastopol in 1855, and died a Field-Marshal in 1871.

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