

BAVARIA

(MUNICH)

MUNICH

FO 9/208: Henry F. Howard to Earl Granville, Confidential, No 11, Munich, 16 January 1871

[Received 19 January by post. For: The Queen / Gladstone / Circulate; G[ranville]]

King's return to Munich due to continuing debates on treaties between Bavaria and North German Confederation

The Debates in the Chamber of Deputies on the Treaties between Bavaria and the North German Confederation still continue without any immediate prospect of their termination.¹

The King of Bavaria arrived yesterday evening at Munich from His Castle at Hohenschwangau with the intention, I understand, of now permanently taking up His residence in the Capital.

I have reason to believe that His Majesty has somewhat accelerated his return to the Capital in order to meet the wish of His Ministers that he should, by His presence, give a contradiction to the Reports which had been current that He was indifferent, if not unfavorable, to the acceptance of the Treaties, and take an opportunity of exerting His influence upon the Conservative party, with a view to their adoption.

I believe there is little room for doubting that, although His Majesty took the initiative in offering the Imperial Title to the King of Prussia,² and although he not long ago complimented the Minister of Justice, in a letter which was published, upon his defence of the Treaties in the Chamber of Peers,³ He is nevertheless anything but pleased at the sacrifices which they impose upon Him and the Country. As matters however, stand, it appears to me there is no other safe course than to submit to these sacrifices.

¹The treaties in question were: the Treaty of Union between Bavaria and the North German Confederation and the Final Protocol of 23 November 1870; the agreement between Bavaria, the North German Confederation, Württemberg, Baden, and Hesse, 8 December 1870; and modifications made to the above agreements in the note of the Bavarian foreign ministry of 13 December 1870.

²Howard is referring to Ludwig's so-called *Kaiserbrief* to Wilhelm I and his letter to the German princes of 30 November 1871.

³Speech of Lutz in the first chamber of the Bavarian *Landtag* on 30 December 1870; the details of Ludwig's letter could not be established.

**FO 9/208: Henry F. Howard to Earl Granville,
Confidential, No 14, Munich, 20 January 1871**

[Received 23 January by post. For: The Queen / Gladstone / Circulate; G[ranville]]

King of Prussia's letter accepting the title of German Emperor

On the 17th instant the Prussian Minister⁴ handed to Count Bray, for delivery to the King of Bavaria, the King of Prussia's formal answer to His Bavarian Majesty's Letter offering the Title of German Emperor to His Prussian Majesty[.]⁵

His Prussian Majesty's Letter, which was delivered to Count Bray sealed and unaccompanied with a copy, contains His acceptance of that title, and speaks, as I understand, at the same time of the preservation of the Rights of the German Sovereigns, and of a cooperation by His Majesty towards a development of the Federative Principle in Germany.

General Hartmann, the Commander of the 2nd Bavarian Army Corps before Paris, having requested Instructions relative to an invitation which he had received to send a Deputation of his Corps to Versailles to assist at the ceremony of the Proclamation of the King of Prussia as German Emperor on the 18th instant, the King of Bavaria, by Count Bray's advice, authorized the Bavarian general by telegraph to comply with the invitation.

Your Lordship will recollect that the 18th of January is the anniversary of the day on which in 1701 Frederick I of Prussia put the Regal Crown on his own head at Königsberg.

Count Bray observed to me yesterday that the Imperial Title was a mere title, not carrying with it, as such, any Prerogatives or political Rights, and that he was glad the Proclamation of the Empire had taken place previous to the acceptance by the Bavarian Chamber of Deputies of the Treaty of the 23rd of November last for the entrance of Bavaria into the Empire.⁶

In yesterday's Sitting of the Chamber of Deputies the President⁷ made mention of the Proclamation of the King of Prussia declaring

⁴Georg Graf von Werthern.

⁵Wilhelm I was offered the imperial crown by Ludwig II in the so-called *Kaiserbrief* of 30 November 1870; he accepted on 18 December 1870, formally assumed powers on 1 January and was proclaimed German Emperor at Versailles on 18 January. Wilhelm's formal notification to the German princes was dated 12 January 1871 and transmitted on 17 January.

⁶The treaties (see n. 1 in this section) were approved by the chamber of deputies on 21 January 1871 with the required two-thirds majority.

⁷Ludwig von Weis.

His acceptance of the Title of German Emperor. This communication did not elicit any expression of feeling, either in one sense or the other, on the part of the Chamber[.]

**FO 9/208: Henry F. Howard to Earl Granville,
Confidential, No 22, Munich, 23 January 1871**

[Received 25 January by Messenger Robbins. For: The Queen / Gladstone / Circulate; 'Answered', 30 January; 'Glad to know his opinion, but he should be careful in conversation not to show dislike of German Unity', G[ranville]]

Considerations regarding establishment of German Empire

By the entrance of Bavaria into the German Empire,⁸ the Union of Germany has been effected, to be followed in all probability, at a more or less distant time, by Unity.

Considering that Prussia is the Soul and Sword of the new Empire, it may be feared lest its' tendencies should not be of the pacific character which could be desired.

The King of Prussia, in his memorable Proclamation on assuming, on the 18th instant, the Imperial Title⁹ declares that he will be the Augmentor of the Empire, not by warlike conquests, but by the works of peace and on the field of National Prosperity, Freedom and Morality.

Who could doubt the honesty of His Majesty's intentions? But as long as His counsels are directed by a Statesman so ambitious as Count Bismarck, and as long as a policy of conquest and aggression is supported, as it has been, by the Prussian People, what security can there be that the fulfillment of these generous intentions may not be frustrated, and that the German Empire may not as little imply Peace as the French Empire which the Emperor Napoleon declared to be Peace?¹⁰

The spoliation of Denmark in 1864, the attack upon Austria in 1866, and the apparent determination of Prussia to crush France entirely, do not afford a favorable prognostic for the future preservation of Peace.

It therefore appears to me that it behoves the other Great Powers of Europe to keep a watchful eye over the new Empire and to combine their efforts so as to prevent its' outpassing the bounds, which it has

⁸On 30 January Ludwig II signed the federal constitutional agreements with retroactive effect from 1 January 1871. For the November treaties, see n. 1 in this section.

⁹See n. 6 in Berlin section.

¹⁰Louis-Napoleon (Napoleon III) in a speech of October 1852 affirmed: 'L'Empire, c'est la paix'.

now assigned to itself, and becoming a not less danger to the repose of Europe than the power which it has now all but annihilated.

**FO 9/209: Henry F. Howard to Earl Granville,
Confidential, No 120, Munich, 26 April 1871**

[Received 1 May by messenger. For: The Queen / Gladstone / Circulate; G[ranville]]

Religious agitation in Bavaria

Demonstrations and Counter Demonstrations, Replies and Rejoinders on the Question of the Decrees of the Vatican Council follow each other in rapid Succession.¹¹

A meeting of Catholics, stated to have been attended by a thousand persons, was held in this Capital on the 23^d instant, in opposition to that of the so-called Ancient Catholics,¹² and adopted the Resolutions acknowledging the Ecumenical Character of the Council, and accepting the Doctrine of the Papal Infallibility.

The Roman Catholic Clergy, not only in Bavaria, but likewise in Prussia and other parts of Germany, are associating themselves to the Manifesto of the Incumbents of the Parochial Churches of Munich against the views, assertions and line of conduct of Dr. von Döllinger.¹³

On the other hand addresses of sympathy continue to be sent to Dr. von Döllinger by Bavarian and Foreign Universities, corporations and meetings of Laymen.

The committee of the late meeting of Ancient Catholics have published a Reply to the Pastoral Letter of the Archbishop of Munich,¹⁴ noticed in my despatch N^o 115 Confidential of the 21st instant, in which they charge him with having already violated the Bavarian constitution by promulgating the Decrees of the Council, contrary to the terms of the Circular addressed by the Minister of Justice on the 9th of August

¹¹The First Vatican Council met from 8 December 1869 to 20 October 1870. It adopted two dogmatic constitutions: *Dei Filius* of 24 April which pronounced on the teachings of the Catholic faith, and *Pastor Aeternus* of 18 July 1870 which stipulated papal primacy and infallibility.

¹²For the *Altkatholiken* (Old Catholics), see n. 36 in Berlin section.

¹³Döllinger, in a letter to Archbishop von Scherr dated 28 March 1871, refused to submit to the decrees of the Vatican Council. The manifesto of the Munich clergy, dated 14 April 1871 and addressed to the archbishop, contradicted Döllinger's claim of widespread support for his case.

¹⁴Gregor von Scherr's pastoral letter is dated 14 April 1871. The *Comité der katholischen Aktion in München* replied on 20 April, on the occasion of its inaugural meeting.

last, prohibiting such a promulgation without the “*Placetum Regium*” having been previously obtained.¹⁵

Upon the whole, however, I am inclined to think that the agitation has reached its highest pitch, and that it will, by degrees, subside, if no new incident arises to revive it, and I continue to be of opinion that no Schism of any magnitude in the Roman Catholic Church in Germany will result from it, considering that all the German Bishops, including Dr. Hefele, the Wurtemberg Bishop of Rottenburg, have submitted to the Decrees of the Roman Council, and particularly since Dr. von Döllinger has submitted to his sentence of excommunication,¹⁶ which was not, as had been stated by the newspapers, read out from the Pulpit in the cathedral of Munich last Sunday, by ceasing all ecclesiastical functions, and has even given up holding this half year, as Professor of the University of Munich, the course of Lectures in Church History he had announced.

Another reason for my believing that the agitation against the Decrees of the Council is not likely to produce all the results which its promoters anticipated is, that it appears not to [be] encouraged by the Prussian Government. M. de Wolf, the Attorney General, President of the Munich Committee of lay Anti-Infallibilists, lately received a Letter from Baron Stauffenberg, one of the Bavarian Deputies to the German Parliament at Berlin, belonging to the Progressist Party,¹⁷ saying that the agitation was not approved of in Prussian Government circles, in as much as it was thought injudicious before the conclusion of the definitive Peace with France,¹⁸ to raise questions which were calculated to create discord amongst Germans. Another reason given against the agitation was, that the feelings of hatred on the part of the French Population against the Germans were beginning to subside, and that it would be inexpedient to revive them by continuing a movement which was viewed with distaste by the lower Clergy in France, who were Infallibilists, and who exercised a predominant influence over the rural population of France. A temporising course in Religious and Church matters, such as that pursued by the Prussian Government was therefore that which was recommended to the Bavarian Liberal party. The Munich Committee

¹⁵Despite the notification of 9 August 1870 which, in accordance with the constitutional edict on religion of 1818, extended the requirement of the *placetum regium* (royal approval) to the decrees of the Vatican Council, the dogmatic constitution *Pastor Aeternus* was published on 18 August 1870.

¹⁶Döllinger was excommunicated on 17 April 1871; he submitted to the verdict on the same day.

¹⁷Stauffenberg was a member of the National Liberals.

¹⁸The peace between France and Germany was concluded in the Treaty of Frankfurt of 10 May 1871.

having already invited the cooperation of Germany generally in their agitations, M. de Wolf replied that it was too late to stop it, – but I have no doubt that this Prussian advice will have the effect of slackening it to a certain extent. Already one of the principal movers of it, Count Moy, His Bavarian Majesty's Grand Master of Ceremonies, has left Munich for some weeks on leave of absence, nominally on account of the state of his health.

The course adopted by the young King of Bavaria has been marked by his usual inconsistency.

But a short time ago, His Majesty encouraged Dr. von Döllinger in his opposition to the Decrees of the Council, invited him to a Banquet at the Court, and ostentatiously devoted most of his conversation to him. Ten days subsequently, on the very day, I may add, on which the Archbishop of Munich launched his Pastoral letter against Dr. von Döllinger,¹⁹ His Majesty invited His Grace to a dinner at the Palace, and afterwards had a long conversation with him. In the course of this conversation The King urged the Archbishop not to proceed to the excommunication of Dr. von Döllinger, but His Grace having replied that he was under the necessity of obeying the dictates of his conscience, His Majesty rejoined that the Archbishop was free as a Bishop to act in the matter as he thought proper, and that He, (The King) would not, on that account, remain the less well disposed to him. This was looked upon by the public as an abandonment by The King of Dr. von Döllinger, but within the last day or two, the Doctor having sent His Majesty an Essay of his on "Prophecy and Divination",²⁰ His Majesty replied by a most gracious letter,²¹ in which He expressed his regret at his excommunication.

Professor Dr. Friedrich, whose sentence of excommunication was read out in St Louis Church last Sunday, has petitioned the Minister for Public Worship to be allowed to continue the exercise of the Ecclesiastical functions, on the plea that the Archbishop was not authorized to excommunicate him for his non recognition of a Dogma not recognized by the State.

The course of the Bavarian Government in these matters has been vacillating, and is unfavorably contrasted by the public with that of the Wurtemberg Government, who have confined themselves to publishing a notification²² that they do not concede to the Resolutions of the Vatican Council at Rome, as they are recorded in the two Dogmatic Constitutions of the 24th of April and 18th of July 1870, and

¹⁹On 2 April 1871.

²⁰*Der Weissagungsglaube und das Prophetentum in christlicher Zeit* (1871).

²¹Ludwig II to Döllinger, 22 April 1871.

²²Declaration by the minister for church and school affairs of 20 April 1871.

more particularly to the Dogma of the Personal Infallibility of the Pope, any legal force in constitutional or civil matters.

M. de Lutz, the Bavarian Minister of Public Worship, who is, at the same time, Minister of Justice, and is now at Berlin, began by prohibiting the publication of the Resolutions of the Vatican Council, without the Royal Placet having been previously obtained, and afterwards, when all the Bavarian Bishops, with the exception of the Archbishop of Bamberg,²³ contravened this prohibition and promulgated the Resolutions in one form or the other, His Excellency abstained from taking any action against them.

**FO 9/211: Henry F. Howard to Earl Granville,
Confidential, No 264, Munich, 13 October 1871**

[Received 16 October by post. For: The Queen / Gladstone / Circulate; G[ranville]]

Hegenberg's concern at critical state of Austrian Empire

Count Hegenberg spoke to me yesterday with much concern of the present critical State of the Austrian Empire, the maintenance of which, to say nothing of its European importance, was of such paramount importance to Germany in general, and to Bavaria in particular.

His Excellency observed that, if in consequence of the dissolution of the Austrian Empire, the German Provinces of Austria were to fall to Prussia, they would bring with them a Democratic and subversive element most dangerous to the welfare and even to the existence of the German Empire.

He assumes that, if Count Hohenwart's present attempts at an arrangement should fail,²⁴ as those made by his Predecessors on different principles have done, Count Beust will be called upon to endeavour to bring about a settlement.

Here it is believed that German money is largely employed in exciting the German opposition against the present Austrian Government.

²³Michael von Deinlein; his request of 26 September 1870 to grant the royal *placet* was declined in March 1871.

²⁴Hegenberg was referring to Hohenwart's federalist agreement with Bohemia. On 10 October 1871 the constitutional proposals of the Bohemian Diet – which stipulated extensive political autonomy – were laid before Franz Joseph I and caused widespread criticism throughout the Austro-Hungarian Empire. The new *Landesordnung* was ultimately rejected by the emperor on 20 October.

**FO 9/211: Henry F. Howard to Earl Granville, No 287,
Munich, 22 November 1871**

[Received 24 November by post. For: The Queen / Gladstone / Circulate / Rome; T.F.W. [Thomas Frederick Wetherell]]

Bavarian government proposal to introduce 'pulpit paragraph' into German Penal Code, allowing for prosecution of politically outspoken clergy; outrage in Conservative Party

M. de Lutz, the Bavarian Minister for Ecclesiastical Affairs, in conjunction with his Colleagues the other Bavarian Plenipotentiaries to the Federal Council of the German Empire, submitted a few days ago to that Body, with the sanction of the King of Bavaria, the Project of a Supplementary Article to the German Penal Code, which is to come into operation in Bavaria on January 1. 1872, relative to the abuse by Clergymen of their Ecclesiastical Office, calculated to produce a disturbance of the Public Peace, and to promote Political Agitation.²⁵

According to the published accounts, the Article provides that a Clergyman or another Servant of Religion, who, in the exercise, or in connection with the exercise of his calling, publicly before a concourse of People, or in a Church or another place destined for Religious meetings, before several Persons makes a publication, or enters into a discussion relative to State Affairs, in a manner which appears calculated to disturb the Public Peace, will be punished with imprisonment up to two years.

Today's newspapers report that the Bavarian Proposal, after having been accepted by the Federal Council, has already been laid before the Imperial Parliament at Berlin, by which it is expected that it will be adopted notwithstanding the opposition of the Catholic Party, and the objections which may be secretly entertained to it by some members of the Liberal Party.

The Bavarian Minister of Justice,²⁶ in conversation a few days ago with one of my colleagues respecting this motion, which although general in its terms and applicable to the Clergy of all Religious Confessions, is aimed at the Bavarian Roman Catholic Clergy, observed that he was aware that the course adopted by the Bavarian

²⁵The so-called *Kanzelparagraph* ('pulpit paragraph'), submitted by Bavaria on 16 November 1871, was passed by the Federal Council on 19 November and by the *Reichstag* on 29 November (1st reading on 23 November). On 10 December 1871 it came into effect as §130a of the *Strafgesetzbuch des Deutschen Reiches* of 15 May 1871 (which from 1 January 1872 superseded the Bavarian Penal Code of 1860).

²⁶Johann Nepomuk von Fäustle.

Government in initiating it would produce a storm in this Country, but that, the provisions of the German Penal Code concerning the abuse of the Ecclesiastical Office being much less stringent than those of the Bavarian Penal Code now in force, the Government without it, would be as it were outlawed, and that it was necessary that they should show the Roman Catholic Clergy that they were in earnest.

I hardly recollect any incident which has produced a more painful impression upon the conservative Party here than the measure thus proposed by the Bavarian Government. They stigmatize it as irreconcilable with the principles which M. de Lutz advocates of the Separation of the Church from the State, and with liberal principles in general, and as an attempt to enslave, and to subject the Ministers of Religion to the arbitrary control of the Government.

I imagine that there cannot be two opinions as to the desirableness that the Pulpit should not be abused for political purposes. On the other hand, I think there cannot be a doubt but that the measure in question, if passed by the German Parliament in its present shape, will, on account of the elastic interpretation of which it is susceptible, place the Clergy at the mercy of the Police and of common Informers. At all events it will tend to increase the Religious and political discord unfortunately existing in this Country and to widen the breach between the Patriotic or Conservative party, and the present Bavarian Government, whilst the sanction which The King of Bavaria has given to it will add to His Majesty's unpopularity with that Party, which forms so considerable a majority of the Population.

The storm foreseen by the Minister of Justice will probably follow on the reassembly of the Bavarian Chambers.²⁷ Already the dissolution of the Chamber of Deputies, in which there is a Conservative Majority against the Government, is spoken of with more confidence than previously. The want of union amongst this Majority had hitherto induced the Ministers to hope that they might contrive to govern for some time longer with the present Chamber, but it is thought that their more recent religious Policy will tend to consolidate the Conservative Majority and thus render a dissolution inevitable.

²⁷The second chamber of the *Landtag* reconvened on 14 December 1871; its previous sitting had been on 16 October.

**FO 9/215: Robert B. D. Morier to Earl Granville,
Confidential, No 10, Munich, 22 March 1872**

[Received 1 April by messenger. For: The Queen / Gladstone / Circulate / Rome; G[ranville]]

Conversation with King of Bavaria about Jesuits and Döllinger

In the course of the conversation with which the King honored me this day, and which lasted more than half an hour, His Majesty adverted to the part played by the Jesuits in history, and to their disastrous activity at the present day. As far as I could make out it was especially their want of respect for the Royal Office, and the recklessness with which they attacked Kings who would not bow down to them which seemed so strongly to prepossess His Majesty against them. I congratulated His Majesty on having amongst his subjects a man who was doing such mighty work in confounding the politics of that order, and who so nobly defended what might be termed the liberty of the historical conscience. His Majesty asked me many questions respecting the lectures of Dr. Döllinger which I told him I had been attending, and said the study of them was one of his greatest pleasures.

In the great struggle between culture and obscurantism, civilization and Papocracy now raging so fiercely in Germany, and nowhere more than in this Kingdom, the King appeared to me to be sincerely and from conviction on the right side.

**FO 9/215: Robert B. D. Morier to Earl Granville,
Confidential, No 13, Munich, 29 March 1872**

[Received 1 April by Messenger Biehl. For: The Queen / Gladstone / Circulate / Italy / Paris / Berlin; G[ranville]]

Conversation with Heggenberg regarding Bismarck's attitude to Rome

I have been anxious to ascertain what effect the inauguration of Prince Bismarck's crusade against Ultramontanism has produced upon the Bavarian Gov^t, how far they have been admitted behind the scenes and whether they were pleased or the reverse at the manner which the Imperial Chancellor has thrown down the Gauntlet to the Court of Rome.²⁸

²⁸In spring 1872, following the introduction of the so-called Pulpit Law in December 1871 (see n. 25 in this section), Prussia's anti-Catholic policy was primarily related to the question

In a conversation which I had with Count Hegnenberg a fortnight ago His Excellency rather dealt in generalizations. The intershock between the Empire and the Papal Chair was one not to be avoided. It could not but come sooner or later. No nation had ever succeeded in asserting itself, no people had grown to man's estate without having at some period or other of the process had to resist and give battle to the Papal claim to Supremacy. Germany had for centuries been considered at Rome the only quarter whence no resistance would come and been looked upon as "par excellence" the "terra obedientiae."²⁹ That this land of passively obedient Catholics and respectful protestants should suddenly arise in its' strength with a will of its' own and a firm determination to order its' affairs in Church and State in accordance to that will was an order of things which it was certain "a priori" Rome would resist to the utmost. The endeavor to prevent the creation of the German Empire, the frantic efforts made to undermine it now that it stood erect, these were the alpha and omega of the ultramontane movement and it would be the gravest misconception to attach a religious meaning to it.

Such was the general purport of the long and somewhat academical account given by His Excellency of the present crisis. On my asking him however in what manner the blow struck at Berlin would affect the conflict between Church and State of which Bavaria was more immediately the theatre His Excellency confessed that considering the intensity of that conflict and the acute form which the struggle had recently taken he would for his own part have preferred a little peace and quiet.

In the conversation which I had with His Excellency this day he was more explicit.

I said that after having carefully read the Debates in the Prussian Chambers and the speeches delivered by Prince Bismarck there appeared to me to be a certain disproportion between the "Mise en Scène"³⁰ of the Prussian Gov^t and the ostensible objects to be attained. This seemed to me to be especially the case in regard to the amount of passion thrown into the conflict by the Imperial Chancellor who was too politic a man to be passionate without a distinct motive.

His Excellency observed that the same impression had been produced upon his own mind. He had carefully studied Prince

of state authority in educational matters (see pp. 47–48). For Prussia's policy towards the Holy See, see the following dispatch.

²⁹Latin: 'land of obedience'.

³⁰French: 'staging'. Morier is referring to Bismarck's speeches in the Prussian house of deputies of 30 January, 9 and 13 February 1872, and in the Prussian upper house on 8 and 10 March 1872.

Bismarck's political career ever since the time that he was Minister at Frankfort and though knowing him to be a man of strong not to say violent temper he had not only never known him to be betrayed by passion into an impolitic act but he did not remember any public display of temper on his part which had not been itself subservient to a politic object. He had therefore come to the firm conclusion in regard to the present case that Prince Bismarck held in his hands the threads of a real conspiracy directed against the Empire though what those threads were he knew no more than I did.

That the Imperial Chancellor had completely changed his views as to the treatment which should be applied to the pretensions [*sic*] of the Papal Court he could himself testify. On the last occasion that they had met Prince Bismarck had asked him what line he meant to take with reference to the Vatican decrees.³¹ He (Count Hegnenberg) had answered that having to assist in governing three millions of Catholics most of whom accepted those decrees he would have as little to do with the latter as possible. "If" he had said "I was called upon to have dealings with three millions of people who had firmly got into their heads that squirrels had no tails the subject of all others which I would avoid would be that of squirrels and one thing I should never attempt to do would be to persuade these people that squirrels had tails." Prince Bismarck had heartily agreed with him and had observed that the subject required to be treated with legal cold bloodedness.

I asked Count Hegnenberg whether he brought M. Thiers' recent declaration in the French Chamber with reference to the Roman Policy of France³² into connection with Prince Bismarck's attitude and he said he considered it as the direct result of that attitude.

I threw out by way of suggestion whether it were possible, considering that Prince Bismarck's speeches coincided with Count Arnim's presence at Rome,³³ that the Imperial Chancellor had only made a demonstration of force in order to support the action of his Envoy, as I presumed Count Arnim had not gone to Rome without instructions of an important kind, and whether in case he succeeded in intimidating the Roman Court the drama might not end in a grand scene of reconciliation.

Count Hegnenberg said there was no doubt that orders had been recently given along the whole ultramontane line to act circumspectly

³¹For the decrees of the Vatican Council of 1870, see n. 11 in this section.

³²On 22 March 1872 Thiers declared in the National Assembly that while French support of an independent Holy See remained unchanged, further discussion of the Roman question, i.e. the status of the Vatican following the declaration of Rome as the Italian capital, in 1861, and the incorporation of the Papal States into the Italian kingdom, in 1870, was inopportune at that particular moment.

³³For Graf Arnim's mission to Rome, see the following dispatch.

and on the defensive, but that this order was of older date than the last events and unconnected with them, and that as to a reconciliation now that was out of the question. The battle had begun and must be fought out to the bitter end.

I may add that I have not been able to ascertain anything with certainty regarding Count Arnim's instructions beyond the fact that he was ordered to make some strong representations with respect to the appointment of the Bishop of Posen to the Primacy of Poland.³⁴

FO 9/215: Robert B. D. Morier to Earl Granville, Most Confidential, No 18, Munich, 6 April 1872

[Received 15 April by post to Darmstadt. For: The Queen / Gladstone; Qy: Berlin / Rome / Paris; G[ranville]]

Conversation with Arnim about his mission to Rome

Count Arnim who arrived here the day before yesterday from Rome left yesterday evening for Berlin & I was fortunate enough to have a long and interesting conversation with His Excellency.³⁵

I repeated to him the conversation I had had with Count Hegnenberg, recorded in my despatch to Your Lordship N^o 13 of the 29th ultimo, and told him that my own conviction with regard to his Mission had all along been that he was charged to offer advantageous terms to the Pope, and that Prince Bismarck's display of Parliamentary vehemence³⁶ had had for its object to bring vividly home to the Papal imagination what would be the consequences of refusing the terms thus offered. I also told him that the conviction of Count Hegnenberg was that Prince Bismarck had in his hands the threads of some very real and tangible conspiracy against the German Empire, though what those threads were, he (Count Hegnenberg) knew no more than the rest of the world.

Count Arnim gave me to understand that I had not been far wrong in my estimate of his Mission. He had in fact been instructed to offer

³⁴Graf Ledóchowski was secretly appointed primate during the Vatican Council. Prevalent rumours were confirmed only after he was listed as primate of Poland in a clerical calendar for the year 1872, printed at Toruń. For the Prussian authorities the title implied political power as the representative of the Kingdom of Poland; it was interpreted as anti-German and disloyal to the Prussian kingdom.

³⁵Harry von Arnim-Suckow, German envoy to Paris, visited Rome from 9 to 31 March 1872, over one year after he left his post as envoy to the Holy See. On 21 March 1872, in an audience with Pope Pius IX, he finally presented his letter of recall.

³⁶See n. 30 in this section.

to the Pope the friendship and alliance of Prussia in return for tangible services to be rendered by the Papal Court to Prussia, or, what in this case was the same thing, to the German Government. These services I understood to be the exercise of the Papal Influence for the purpose of detaching the clerical party in Germany from the coalition hostile to the Empire. Let the partizans of the Pope cease in Germany to make common cause with Guelphs[,] ³⁷Particularists, and Poles, let them in France cease to identify themselves with the Party of Revenge, and Prussia will once more be the friend and ally of former days; but if, on the contrary, the army of papal officials, for such at the present day are nine tenths of the Catholic Clergy distributed throughout the lengths and breadth of Germany, continue to receive their orders from a body whose avowed object is the overthrow of the German Empire, then there is no alternative but that of war to the knife between Emperor and Pope. "Service pour Service." "Do ut des." "Facio ut facias". I can help you, you can help me. But not only I won't help you if you don't help me, but the very conditions of the game are such that unless you give me your active assistance, you, or your agents, which comes to the same thing, are actively injuring me. There can therefore be no question of neutrality between us. It must be either avowed friendship or open enmity.

Such I gathered were the intent and purport of the instructions Count Arnim took with him to Rome, and such was the alternative which, as late as a fortnight ago, he was charged by telegraph once more to urge with all his might upon the Vatican. Confident, however, of ultimate success, the Papal Court refused the terms offered to them, or rather opposed to all the arguments of the Ambassador the "non possumus"³⁸ which has already blunted so many of the edged tools of Diplomacy.

I observed to Count Arnim, that, considering who the party was that offered the terms, and at how low an ebb were the fortunes of the party to whom the terms were offered, such a choice appeared to me incredible. He replied that, in judging of the Court of Rome, it was before all things necessary to get rid of two wide spread misconceptions, the one that it was an intelligent body, the other that it was invulnerable. It was the least intelligent of existing political Powers, it was highly vulnerable the moment people ceased to believe in its invulnerability. I would obtain the clearest conception of what

³⁷This refers to the House of Welf and its opposition to Bismarck after the Prussian annexation of Hanover in 1866.

³⁸Latin: 'we cannot'.

the Court of Rome really was by imagining three old Fakirs who for upwards of a quarter of a Century (the Pope and Cardinal Antonelli had occupied their present situations for 26 years, the Cardinal Vicar³⁹ for 27 years, a thing hitherto unknown in the annals of the Popes) had used the same phrases, thought the same thoughts, mumbled the same anathemas, and who never held communion with any persons but those who came to worship at their shrine. How could it be expected that arguments of policy could tell upon persons in this mental attitude. I replied that I was at a loss to understand how so negative an attitude was to be reconciled with so very positive a policy as that of a combined action against the German Empire in Germany and out of it, and I enquired in what sense I was to understand such expressions as those that orders had been sent from Rome to the Catholic hierarchy to act in combination with M. de Windhorst [*sic*] and the like. Count Arnim observed that these orders and this policy did not proceed from the Roman Court itself, or those persons who were its official Representatives. Like that which the centre of our planet was supposed to be the Court of Rome was a vacuum, but it was not the less a centre because of its being a vacuum. All things in the Catholic world gravitated towards it, all heat radiated from it. But the strategy and tactics of the Ultramontane party were not elaborated by the Court of Rome itself, but by the Society of Jesus in concert with the Committee of Geneva, under whose auspices the “Correspondance de Genève” was conducted.⁴⁰ The latter were the true Head Quarters from which the orders and policy emanated. The Fakirs only bowed their heads in assent. When he had urged as the condition of the contract that the Roman Court should enjoin upon the partizans of the Pope to dissociate themselves from the avowed enemies of the Empire, he had been answered that to take such a step would be for the Holy Father to interfere directly in the internal politics of Germany. How could such conduct be reconciled with his Holy office? Besides if the precedent were once established the Papal See would be called upon to interfere in every part of the world. In Mexico, in France in Spain in Austria it would be expected to step in and lend its authority to the “de facto” Government. When

³⁹Costantino Patrizi Naro.

⁴⁰The *Comité de défense catholique* was founded on 23 October 1870 by the leaders of Catholic committees from nine European states. It aimed to defend the Pope and the temporal sovereignty of the papacy and, more generally, to defend the Catholic Church against the threats of liberalism, socialism and nationalism. *La Correspondance de Genève / Genfer Correspondenz* was published from 1870–1873 as a Catholic news service both in a French and German edition.

Count Arnim had observed that, for the Pope to state publicly that he would offer up prayers for the Catholics of Germany as if they were a persecuted and illused race, was an act of intervention, he had been answered that the Holy Father prayed for all conditions of men, and that there were none who would not be the better for his prayers. As a curious coincidence Count Arnim told me that on returning from his audience at the Vatican, he had found amongst the letters brought to him by the post a copy of the Papal Breve thanking the “Correspondance de Geneve” [*sic*] for the Good Work done by it on behalf of the Catholic Church.⁴¹

As regarded Count Hegnenberg’s theory that Prince Bismarck had in his hands the threads of a tangible and dangerous conspiracy, I did not gather from Count Arnim that he shared this view. The fact of the coalition between the Ultramontanes and the elements hostile to the Empire on political grounds was one known to all the world, and which had found its Parliamentary expression in the party known as that of the “Centre” in the Reichstag. It was against that party that Prince Bismarck’s parliamentary campaign was directed. It appeared to me as if Count Arnim considered that the Imperial Chancellor had rather allowed himself to be carried away by passion, and had spoken “*ab irato*”,⁴² and he confirmed what I had elsewhere heard that Count Ledokowski’s acceptance of the Primary of Poland, and the evidence thus obtained of that Prelate’s making common cause with the Anti-Prussian Polo-Catholic Party had, on personal grounds, given deep offence to Prince Bismarck.⁴³

I said to Count Arnim that I was still in the dark as to the exact origin of the change of front effected by the Prussian Government in its relations with the Papal Court. I had been at Berlin last year shortly after the celebrated address Debate in which the Party of the Centre for the first time displayed its colours,⁴⁴ and I had been astonished at the apparent apathy with which the demonstration was treated in political circles, and at the absence of any signs on the part of the Imperial Government of taking up the gauntlet which had been thrown down. The sharp measures which followed in the summer and especially the reconstruction of the Ministry of Public Worship by the elimination of

⁴¹Papal brief to the editors of *La Correspondance de Genève*, 26 February 1872.

⁴²Latin: ‘by one who is angry’.

⁴³See n. 34 in this section.

⁴⁴Morier was referring to the debate on the reply to Wilhelm’s speech from the throne, which marked the opening of the *Reichstag* on 21 March 1871; in particular, the paragraph arguing against interference in the internal affairs of other peoples. The *Zentrum* faction – which advocated the re-establishment of temporal papal sovereignty – rejected the address to the emperor, which was carried by an overwhelming *Reichstag* majority on 30 March.

the Denominational Departments had consequently very much taken me by surprise.⁴⁵

Count Arnim said that the change of front had been effected earlier than was generally supposed, though the result of that change became known only later. The alteration of policy might be considered as coinciding with the beginning of last year, i.e. with the political changes which made the King of Prussia German Emperor. Up to that time the policy of the Prussian Government had been to cultivate good relations with the Papal See at almost any price, and nothing to outwards appearance could be more hearty than those relations. But in reality there was a total absence of any kind of reciprocity. The good offices were altogether on the side of Prussia. Not one single concession had ever been obtained in return from the Papal Court. The attitude of the Pope was that of a man who owes no man anything, and to whom the whole world is enormously in debt. Anything given to him therefore, however valuable, is regarded but as a small installment of that which is his due, and were some one tomorrow to offer him Bologna and the Marshes, he would, accept the gift but not the less expect the donor to say that he was an unprofitable servant. No one could speak on the subject with more “*connaissance de cause*”⁴⁶ than he (Count Arnim) could, for though during the period that he was Prussian Minister at Rome, he had gone so far in his amiability to the Roman Court as to have obtained the reputation of being one of the *Papalium*⁴⁷ he had never succeeded in extracting anything from the Curia. When the King of Prussia became German Emperor the Pope believed that this state of things would continue, and that with the increased power to bestow favors the quantity of the favors bestowed would proportionately multiply. Hence the well known amiable letter addressed by the Pope to the Emperor.⁴⁸ The time had come however when the Prussian Government was determined to obtain something in return – “*Service pour Service*” – and this I understood from Count Arnim was clearly intimated to the Papal Court at the beginning of last year shortly after Prince Bismarck’s return from Versailles.⁴⁹ Very soon afterwards came the Address Debate above adverted to, and the declaration of war to the Empire by the Catholic Particularistic Centre.

⁴⁵The Catholic section of the Prussian *Kultusministerium* was abolished in July 1871 and merged with the Evangelical section into a new department for ecclesiastical affairs.

⁴⁶French: ‘knowledge of the facts’.

⁴⁷Latin: ‘one who belongs to the pope’

⁴⁸Letter of 6 March 1871 in which Pius IX congratulated Wilhelm I on his accession to the imperial throne.

⁴⁹Bismarck returned from Versailles on 9 March 1871.

The conflict thus irritated between the two Courts had grown in intensity ever since. Its last phase was the Mission from which he had just returned, which, though Count Arnim did not use the expression, must be considered as having had for its object the presenting of an ultimatum which had been rejected. The last leaf of the Sibylline books⁵⁰ had been committed to the flames.

As regards the prospects of this conflict I was unable to obtain any very clear idea of what Count Arnim's notions were respecting the "Modus procedendi"⁵¹ which Prussia should, for the future, adopt. He seemed to me fully to appreciate the danger, whilst dealing blows to the partizans of Papal encroachment, of wounding and irritating the great Catholic Body whom it was so important to conciliate, and he agreed with an observation I made to the effect that I considered the great difficulty of Prince Bismarck's position to consist in the double position he occupied as the Prime Minister of a State with Protestant traditions, and the Chancellor of an Empire, some of the most important elements of which, like Bavaria, had exclusively Catholic traditions. On the whole it appeared to me as if Count Arnim's own treatment, if he were called upon to prescribe, would consist in very sharp measures directed exclusively against the Order of the Jesuits.

There was one portion of Count Arnim's conversation which especially struck me. He mentioned incidentally the fact that it was his conviction that M. Thiers ardently desired the presence of the Pope on French soil. The President of the Republic had, it was true, denied this to him, and assured him that, in saying that if the Pope came to France he would be treated with all the honors due to his exalted position he had only used the commonplaces of International Courtesy, but his surmises that this did not represent the true state of the case had been confirmed by what he had learnt at Rome. He had there been told, but not by the Fakirs, that M. Thiers had been most solicitous in urging upon the Pope to come to France. I asked him what earthly benefit, as I did not credit M. Thiers with heavenly aspirations, the French President could hope to desire from the presence of such a Guest on the soil of France. Count Arnim replied that M. Thiers was haunted by the idea of making France the centre of the Catholic Universe. To transfer the cynosure of Catholic eyes from Italy, whom he hated, to

⁵⁰The *Libri Sibyllini* was a collection of oracular statements consulted in times of crisis or when events of extraordinary nature occurred during the Roman Empire. According to legend six of the prophetic books were burned before Tarquinius finally agreed to purchase the remaining three, at the original price for all nine.

⁵¹Latin: 'manner of proceeding'.

France, to place France before the world as the undisputed “Defender of the Faith”, and to bask in the belief that as long as the Head of the Church was domiciled on French soil German Catholics would consider France a kind of Holy Land which it would be sacrilege to touch, such in Count Arnim’s eyes seemed to be the ideas which filled the brain of the busy little old man now ruling the destinies of the French Nation.

Count Arnim having with much earnestness expounded this theory, I was not a little surprised, at a later period of our conversation, to hear him speak of the continued residence of the Pope at Rome as fraught with the utmost danger, and as being the combination which enabled the Papal Party to do the maximum of mischief to Christendom. Indeed it seemed to me as if he had no more earnest wish than to see His Holiness start upon his travels. As the only alternative seemed to be France, I was unable to see how the fulfilment of M. Thiers’ wishes could appear a satisfactory result in Count Arnim’s eyes, and unfortunately I had not the time necessary to arrive at a solution of the mystery. The Pope had, on the occasion of his audience, told Count Arnim that he had, as yet, taken no resolution in regard to his departure from Rome.

I must add in conclusion that I saw Count Arnim at the end of his visit to Munich, and after he had conferred with the Bavarian Ministers, and that he told me that he had found the Bavarian Government fully prepared to back up the policy of Prince Bismarck.

[...]

P.S. I perceive that I have omitted two Statements of Count Arnim’s both of them of some interest.

In describing the amiable dispositions of the Court at Berlin in days gone by and the impolitic characters of the Court of Rome he mentioned that after the war of 1866 the Prussian Gov^t had been exceedingly desirous that the Papal Nuncio should be accredited to Berlin and reside there instead of at Munich, but that the Curia had been afraid of thereby causing offence at Vienna and had refused. Your Lordship may remember that rumours to that effect were rife at the time but were categorically contradicted by the Official Press.

Count Arnim also told me that his mission would not be altogether fruitless in so far that something would probably be done towards moderating the zeal of the ultra:montane party, but whatever those measures might turn out to be they would not be of a character sufficiently marked in any way to modify the actual situation.

**FO 9/216: Robert B. D. Morier to Earl Granville, No 39,
Munich, 28 November 1872**

[Received 2 December by Messenger Biehl. For: Gladstone / Chancellor of Exchequer; G[ranville]]

The great Adèle Spitzeder banking swindle

Adèle Spitzeder, middle aged spinster, formerly an actress of little professional repute but enjoying extra professionally a very questionable reputation, afterwards bank directress, now in jail on the charge of fraudulent bankruptcy, is undoubtedly the personage who at the present moment deserves the greatest share of attention on the part of any one desirous of making himself acquainted with the social, political and religious condition of Bavaria.

Some two years and half ago the lady in question announced that she was ready to undertake the business of banking for the people.⁵² The wave of liberal reforms which, with the Empire, had broken over Bavaria had repealed the Usury laws⁵³ and the Jews were sucking the life blood out of the faithful devotees of an Infallible Pope. But a Saviour had arisen in the person of Adèle Spitzeder. Saint Crispina, as one of her organs in the Press in good faith christened her, had dived into the mysteries of Hebrew finance and had learnt the secret of profitably employing money borrowed at a 100 per cent: her mission, however, being to the poor and needy she would only take small sums, the savings of the peasant, the servant and the artizan. To these she would give 8 per cent per month for their money paying them two months interest in advance. Beginning at first upon a small scale and repaying punctually at the end of three or six months the sums deposited with her the lady after a time found herself at the head of an enormous business.

Having adroitly appealed to the two most powerful forms of the Real and Ideal in a debased and ignorant population, greed and fanaticism, and having taken care that the professional fanatics i.e. the editors and the writers of the Ultramontane Press and the wire-pullers of the Ultramontane party and of the so-called "Catholic" and "Peasant Unions", should be the first to taste of the forbidden fruit, [note in margin: 'What?'], she soon found herself, to the great disgrace of Munich, mistress of the entire Press of the capital, three papers only excepted. Between these latter and especially one of them, the Neueste

⁵²Note in pencil at top of page: 'The metaphors are about as good as the divinity. [Illegible initials]'

⁵³From 1 January 1872 usury was regulated by § 291 of the Imperial Criminal Code which superseded the Bavarian Penal Code.

Nachrichten, the organ of the National:liberal and Imperial, or, as it is here, and with some Justice, termed the Prussian party, and the organs of the people's bank arose a war to the knife, carefully planned and mis [*sic*] en scène by the Spitzeder; by the light of whose flames new victims were daily allured into her nets. The fury of the liberal organs, which in Germany are mostly in the hands of literary Jews, was craftily kept at white heat by the cry of "Down with the Jews" and by daily attacks of the most virulent and scurrilous kind on the Hebrew race in the abstract and individual Rothschild and the like in the concrete. Every outburst which followed on these attacks was a fresh advertisement for the People's Bank.

At last, the Government remaining inactive, though it is asserted that judicial proceedings might at an early period have been instituted, the Society for the Voluntary Relief of the poor, took the matter in hand and endeavored by every means in their power to warn the population of the risk they were running.⁵⁴ The result was a run of some days on the bank which, however, after 2 or 300 thousand florins had been paid across the counter, was successfully weathered. And here again political passion and religious fanaticism came to the help of the People's Banker. The Society for the Voluntary Relief of the poor is a liberal society, whose efforts have been mainly directed against the results of Ecclesiastical political-economy and the mendicancy fostered by Monks and Religious Houses. Hence, like everything else in a country passing through such a political crisis as that in which Germany is at present engaged, this Society has a very distinct political color and it was sufficient for it to have been the quarter whence the note of alarm was first sounded and for a run upon the bank caused by that alarm to have been successfully withstood, to stamp a measure, undertaken from purely philanthropic motives, with the character of an unsuccessful attack made by Antichrist upon the Holy catholic religion and to create a delirium of enthusiasm for the victorious benefactress. The infallible Pope, Adèle Spitzeder and 96 per cent was a very successful cry when opposed to that of Jews, Protestants Liberals and Prussians.

During the six months which followed, a sort of madness seems to have seized upon the population and especially the peasant population. In whole districts not only were the Savings' banks entirely emptied but peasant proprietors sold their freeholds, or heavily mortgaged them, to carry the proceeds to the till of Saint Crispina. In the Street in which her bank was situated this holy woman further

⁵⁴Morier is referring to the first public warning against Spitzeder's operations, issued by the Munich *Armenpflegschaftsrat* on 27 February 1872.

established an eating house where for 3 Kreuzers pious catholics were regaled with an excellent dinner and beer ad libitum.⁵⁵

She herself the while lived in a style calculated to impress the public mind with the very profitable nature of her business. What amount of truth there may be in the account of the orgies and the scenes of profligacy and low debauchery, which are said to have nightly taken place in the Spitzeder Palace, I shall not pretend to say, because the attacking party cannot be said to have been over choice in the selection of their means of attack. But a wholly unprejudiced eye witness gave me an account of her progress through a county district in which he happened to be staying, the incidents of which are worth recording. She arrived splendidly attired, at the village Inn, where my friend was dining, with two carriages and four & accompanied by a body guard of some half dozen gentlemen, dressed in black evening coats, white cravats and yellow kid gloves, in one of whom the ostler of the Inn recognized a former waiter and in another the former official sweeper of the Munich cattle market. Hampers of champagne were produced and a feast of portentous dimensions was inaugurated. In a short time the villagers got wind of who their guest was and dense masses of peasants surrounded the Inn and entreated of her to appear. The Lady, flushed with her libations, descended accompanied by her black coated and white cravated following and, half Saint, half bacchante, marched triumphantly through the village between the serried ranks of population, who bowing to the ground kissed her hands, clutched reverently at the florins she distributed and received with uncovered heads her hiccupping benedictions.

At last the crash came. Not only was the affair assuming financial proportions calculated to cause the most serious alarm but the political side of the question was becoming daily more intensified by the approaching municipal elections. By her great success and popularity and by the lavish distribution of largesses Adèle seriously threatened to turn the scale against the liberal party which has for some years reigned Supreme in the Municipal Council. Such a victory in the Capital might have disturbed the even balance now existing in the country at large between the two parties. Her bankruptcy on the other hand if it could be brought about before the day of election⁵⁶ could not but lead to such a state of Anti Spitzeder exasperation as would insure victory to the liberal side. The Government, vehemently called upon to take some kind of measure, was at last induced to

⁵⁵The offices, as well as Spitzeder's private flat, were located on Munich's *Schönfeldstrasse*. The so-called *Vollsküche* was opened on 22 September 1872.

⁵⁶The municipal elections were scheduled for 28 and 29 November 1872.

issue a public warning⁵⁷ which was followed by a sufficient run on the bank to enable a consortium of creditors, doubtless packed by the Managers of the Liberal Press, to call upon the Tribunal to make a preliminary inquiry into the solidity of the Bank. According to the forms of Civil Procedure in force in Bavaria this preliminary inquiry can be accompanied by a preliminary civil arrest, but such was the state of the public mind that the Tribunal did not venture to take this measure without previously calling upon the Government to consign the troops to the barracks and to surround with a military cordon the whole quarter in which Adèle's bank was situated.⁵⁸

The descent of the police took the lady wholly by surprise and the appearance presented by her house, when the sanctuary had been broken into, is said to have been passing strange. Images of the Virgin Mary, Crucifixes, Mass books with literature of a very different description, articles of female attire of every sort and of the costliest kind, diamond necklaces, string of pearls, jewelry in every shape mingled up with countless bills of exchange heaped up unsorted and unregistered in every nook and corner, on the chairs, on the tables and on the floor, in utter and horrible confusion.

The next day the civil suit was changed into a criminal prosecution for fraudulent bankruptcy. The bubble had finally burst and the panic stricken multitudes woke to the realities of the situation. The assets do not much exceed a million of florins, the liabilities are believed to be probably in excess of 10 millions.

It would be difficult to overestimate the blow which this gigantic swindle has inflicted upon the ultramontane cause, for though it would be most unfair to identify with it the more respectable leaders of the party who, the Archbishop of Munich⁵⁹ amongst the number, did warn the public against the undertaking, yet the fact that D^r Sigl, the editor of the *Vaterland*, the most virulent and most active organ of the Ultramontanes, was one of the most conspicuous agents of the bank and that he and the other myrmidons of the Ultramontane Press in return for fabulous sums of money taken out of the pocket of the poorer classes, did inflate the bubble to the ruinous proportions to which it attained, cannot be got over. Nor will the recollection of the sums of 8 and 10 thousand florins given in a lump by the Spitzeder for various "Catholic Unions", and now being digested by those Societies,

⁵⁷The ministry of the interior issued public warnings on 30 October and 5 November 1872; on 7 November the Munich police department, in a detailed declaration, also followed suit.

⁵⁸On 12 November 1872, after a preliminary inquiry concerning the bank's assets, the bank was closed and Spitzeder arrested.

⁵⁹Gregor von Scherr.

easily pass away from the public mind. Nor again can the solidarity of the Pope and of the highest dignitaries or the Catholic Church, the Bishop of Mayence⁶⁰ included, with D^r Sigl and the Vaterland, whose efforts on various occasions have received the highest ecclesiastical commendation, be forgotten. In a word the cause of the Infallible Pope, who be it noted has had to deny in a Roman newspaper⁶¹ the charge of having received money from the Spitzeder, has been hopelessly identified in the eyes of educated Germany with that of this modern financial Circe and her obscene crew, and a proportionate amount of grist has been brought to the Prussian mill.

Apart however from the religious and political aspect of the affair the moral & social mischief caused has been of a very grave kind. Whole classes of the population, who had ceased to work and had lived on their monthly dividends and their 3 Kreuzer dinners, now find themselves not only deprived of their savings but entirely demoralized by months of idleness and riotous living. Large numbers moreover, wholly ignorant of money transactions and who sold or bought Spitzeder bills without the formalities of the law, find themselves, without a notion where the matter will end, involved in civil lawsuits and even in criminal proceedings, and daily fresh arrests take place of persons implicated in the transactions. One murder has already been recorded as the direct consequence of this new kind of Catholic banking, that of a wife by her husband, a peasant who revenged himself with his hatchet for the ruin brought upon him by his wife's faith in Saint Crispina:

“Tantum religio potuit sudere malorum”!⁶²

**FO 9/219: Robert B. D. Morier to Earl Granville,
Confidential, No 3, Munich, 30 January 1873**

[Received 3 February by Messenger to Darmstadt. For: The Queen / Gladstone / Circulate / Qy: Berlin; G[ranville]]

Remarks on position of Bavarian representative to the Holy See after withdrawal of Prussian chargé d'affaires

The withdrawal of the Prussian Chargé d’Affaires from the Vatican in consequence of the Papal Allocution placed the Bavarian Government

⁶⁰Wilhelm Emmanuel von Ketteler.

⁶¹*L’Osservatore Romano*, on 26 November 1872.

⁶²Latin: ‘So much wrong could religion induce’ (Lucretius, *De rerum natura* I/101).

in a singularly disagreeable position.⁶³ The peculiarity of this Government is that it faithfully represents the state of paralysis to which Bavaria has by an untoward combination of circumstances been reduced since its entry into the frame work of the German Empire. With a parliament exactly divided between two parties one of which represents the most violent forms of ultramontanism and particularism and desires nothing more than secession from the Empire and the creation of a *Civitas Dei* based on the principles of the Syllabus,⁶⁴ whilst the other is as keen in its endeavours to bring about a yet more intense form of Unity than that consecrated by the German Constitution,⁶⁵ – With a King whose morbid sense of his royal dignity appears to glow more and more each day until His Majesty's entire activity seems concentrated upon the attempt to realize the gorgeous splendor of the Court of Louis Quatorze amidst the solitudes of his Alpine Palaces, with the fear of what Berlin will say constantly before their eyes, the actual Ministry desire above all things to be well with everybody, not from any natural benevolence, but because they are conscious of their paralysed limbs and know that whilst it is so easy to smile all round as long as they are seated in their invalid chair, to move in any one direction is matter of impossibility.

Now the departure of M^r Stumm from Rome was equivalent to forcing action upon them, for either to leave Count Tauffkirchen at Rome or to recall him was to give expression to an act of Volition emanating directly from Munich, and certain from the one side or the other to call forth a storm of disapprobation.

To leave matters as they were however seemed the nearest approach to inaction, and was accordingly the course which, for the present at least, has been adopted, – but with the natural result of calling forth a chorus of indignation in the liberal and national press both in Bavaria and non Bavarian Germany. A telegram from Berlin last week informed the world that the question of the recall of the Bavarian Minister from Rome formed the subject of a Ministerial Crisis at Munich,⁶⁶ and that a very few days would determine whether the Bavarian Cabinet would or would not shew a proper sense of what they owe to the Empire by withdrawing the Bavarian Minister from a Court whose Sovereign had so grossly insulted the German Emperor.

⁶³Ferdinand von Stumm was put on leave of absence on 30 December 1872 following the papal allocution of 23 December in which Pius IX criticized the persecution of the Catholic Church, especially the conduct of the emperor and the imperial government.

⁶⁴For the *Syllabus Errorum*, see n. 141 in Berlin section.

⁶⁵Constitution of the German Empire of 16 April 1871.

⁶⁶The rumours of a ministerial crisis originated in a report of the *Deutsche Reichskorrespondenz* (a daily lithographic news service at Berlin) dated 23 January 1873.

I have reason to know that this is one of those telegraphic lies so often had recourse to for the purpose of bringing about that which is telegraphed as having already been brought about. There has been no dissention [*sic*] whatever in the Bavarian Cabinet on this subject. The Berlin Cabinet was sounded as to its views, and no pressure whatever has been put from thence to obtain the recall of Count Tauffkirchen.

On the other hand that gentleman being himself desirous of leaving Rome owing to the state of his health and still more because of the largely increased rent which he foresees he will have to pay, has been writing to his Government⁶⁷ strongly urging the desirability of his recall on diplomatic grounds, and it is not improbable that in the course of the Spring he will obtain unlimited leave, or that he will exchange his post with one or other of his Colleagues in Germany.

FO 9/219: Robert B. D. Morier to Earl Granville, No 6, Munich, 14 February 1873

[Received 17 February by messenger to Darmstadt. For: The Queen / Gladstone / Circulate / Qy: Berlin; G[ranville]]

Bavarian government's attitude towards religious question attacked by Liberal Party

I adverted in a former Despatch, N^o 3 of January 30th, to the paralysed condition to which, through no fault of their own, but owing to an untoward combination of circumstances, the present Bavarian Government were reduced. Hitherto the national, liberal and anti-ultramontane party have been content to make allowance for these circumstances and to give their support to Ministers who could at least boast of the virulent hostility of the papal party and whose words, whatever can be said of their deeds, had undoubtedly committed Bavaria to the anti-papal side.

There are many symptoms however that this attitude of the liberal party is likely to undergo a change. The energetic action of the Prussian Government and the drastic character of the measures submitted by them to the Prussian Chambers in connexion with ecclesiastical matters have roused the envy and stimulated the passions of the party who represent progress in Bavaria, and whose one idea of progress at

⁶⁷Letter from Tauffkirchen to Pfretzschner, 31 December 1872. On 22 January the Bavarian council of ministers (*Ministerrat*) decided to take no action with respect to the Bavarian mission to the Holy See. However, Tauffkirchen was unofficially informed of the possibility of applying for leave of absence due to ill health.

the present moment is, under the plea of self-defence, to deal vindictive blows to the pretensions of the Roman Curia.⁶⁸

An article lately published in the *Allgemeine Zeitung*, and of which I enclose herewith an ample précis by M^r Scott, gives expression to the views which I am told prevail very generally in the ranks of this party, and contains a very distinct warning that, unless words are somehow more supplemented by deeds than they have hitherto been, the Government will be left tête-à-tête with their ultramontane adversaries.⁶⁹

Though the sins of omission are those with which the Government from the liberal point of view can be most fairly charged, a great deal is made in the enclosed article of it's sins of commission.

It is charged, and that with great acrimony, first,

– with encouraging the Episcopacy in it's illegal courses by officiously publishing articles in the *Allgemeine Zeitung* to show that the Government had no means at their command to check those illegalities.⁷⁰

Secondly, – with appointing infallible Bishops and parish priests whilst looking on with folded arms at the excommunication hurled against the Old Catholic Clergy.⁷¹

Thirdly, – with raising the Salaries of the Priesthood and founding Infallible Professorships.

Fourthly, – with not granting the use of the gymnasial Church to the Old Catholic Congregation, and thus forcing the latter to put up with very insufficient and inconvenient church accomodation [*sic*] in the Capital of the Kingdom and the Centre of the movement.⁷²

I have gone through these grievances one by one with one of the most illustrious of the Old Catholic Divines who by his position is better able than any one else in Bavaria to know the true merits of each case and to deliver a sound judgment upon it, and the following is the result of my investigations.

As regards the first count it is true that when the Bavarian Bishops published the new Dogma without obtaining the 'placet' required by the provisions of the Concordat, the Executive took no steps to punish the offenders, but then it is equally true that the law whilst

⁶⁸Morier is referring to the bills – introduced in the Prussian house of deputies on 22 November 1872 and 9 January 1873 – which led to the May Laws of 1873 (see n. 112 in Berlin section).

⁶⁹Enclosure: précis of article ('Die Wahl zwischen Rom und den Reich') in *Allgemeine Zeitung*, 6 February 1873.

⁷⁰The article in question ('Die bayerische Regierung und die Katholikenbewegung') was published in the *Allgemeine Zeitung* of 13 May 1871.

⁷¹For the so-called Old Catholics, see n. 36 in Berlin section.

⁷²From October 1871 the Old Catholics of Munich used St Nikolai church.

forbidding such publication has remained 'lex imperfecta'⁷³ with no sanctions attached to it's infringement.⁷⁴ This was explained in a series of articles in the *Allgemeine Zeitung* at the instance of the Minister of Public Worship,⁷⁵ an unwise measure in the opinion of my informant as these articles undoubtedly did a great deal to show the Episcopacy the strength of their position.

As regards the appointment of infallible Bishops⁷⁶ the Government had no choice unless they had elected to leave the sees vacant, which they were not in a position to do.

On the third head the attack is a very unfair one. The raising the stipends of the clergy was a measure imperatively called for as the increased dearness of all articles of consumption had rendered the old stipends wholly inadequate. The measure was moreover a general one including all public servants.⁷⁷ To revenge themselves on the Pope and the Italian Bishops who framed the Vatican Decrees by starving the parochial clergy of Bavaria would have been a measure as cruel as it would have been impolitic. The charge of founding infallible Professorships is equally unfair. The Chamber has refused to grant to the Government the money asked by them for the celebration of the University Jubilee⁷⁸ last year unless they consented to pay professors who should lecture on Ecclesiastical History and Philosophy in the place of the Old Catholic Professors⁷⁹ who had been excommunicated and whose lectures the theological Students were in consequence unable to attend. The measure was strongly urged by D^r Dollinger himself on the plea of the extreme undesirability of leaving these students altogether without instruction on these important subjects. As regards Munich two very innocuous Professors⁸⁰ already lecturing on other subjects had been selected and endowed, and as regards Würzburg, an extremely able man D^r Brentano who, though he had carefully abstained from expressing himself in regard to the new Dogma, was known to be an anti-infallibilist was appointed and thus a wedge introduced into the otherwise serried papal phalanx of the Würzburg faculty.

The not conceding of a Church to the Old Catholic Congregation is the point which has caused the most ill-blood and which the liberal

⁷³Latin: 'unfinished law'.

⁷⁴On the royal *placet* for the publication of the Vatican decrees, see n. 15 in this section.

⁷⁵Johann Lutz.

⁷⁶Morier is referring to the appointment of the bishops of Würzburg and Speyer.

⁷⁷The salary increase for civil servants was included in the budget for 1872 and 1873 (*Finanzgesetz* of 28 April 1872), and passed by the second chamber on 23 April 1872.

⁷⁸The University of Munich was founded (like the University of Ingolstadt) in 1472.

⁷⁹Ignaz von Döllinger, Johann Friedrich, and Jakob Frohschammer.

⁸⁰Joseph Bach and Isidor Silberagl.

party most resents, but on this point my informant fully absolves the Government.

The only Church at their disposal is that used by the Gymnasia of Munich. It is at present wholly taken up by the services required for those institutions. To be able therefore to consult the wishes of the Old Catholic congregation it was necessary for them in the first place to find accommodation for the gymnasia and this they endeavoured to do by applying to the King for the use of a Church at the disposal of the Crown, and in which they proposed that a part of the gymnasia services should be performed, but the Court refused to grant their request, and they find themselves therefore 'de facto' without a church to dispose of.

The real gravamen of the articles however remains the sin of omission in not calling upon the Imperial Chancellor to introduce his ecclesiastical laws into the German Parliament instead of the Prussian Chambers, and it is clear therefore that this appeal to Casar [*sic*] so hateful to Bavarian Particularists and Ultramontanes, will henceforward be the salient feature of the liberal programme.

FO 9/219: Robert B. D. Morier to Earl Granville, No 9, Munich, 27 February 1873

[Received 3 March by messenger to Darmstadt. For: The Queen / Gladstone / Circulate / Berlin; G[ranville]]

No truth in report about Bavarian uniforms being changed to emulate those of imperial army

Political society at Munich has been very much agitated during the last few days by a report which appeared in the *Allgemeine Zeitung*⁸¹ in a form apparently authentic to the effect that the King had at last consented to a change in the uniform of his army, which, by substituting the 'Pickelhaube' for the present horse hair helmet and dark blue for light, would have practically assimilated the uniform of the Bavarian troops to that of the rest of the Imperial Army, itself, as Your Lordship is doubtless aware, copied exactly from the Prussian pattern. I am in a position to state positively that there is no truth in this report, and that, beyond a possible slight change in the colour of the trousers, His Majesty remains inflexible on a question on which party spirit runs so high in his dominions. Much stress has been laid in the organs of the National party on the fact that the French Generals, and amongst them General Chanzy, in their official reports have

⁸¹ *Allgemeine Zeitung* of 23 February 1873.

stated that they had always been able to tell by the peculiarity of their uniforms where the Bavarian Corps stood, and that, knowing them to be numerically weak and decimated, they had always concentrated their attacks upon them, thereby causing the comparatively large losses suffered by the Bavarian Army.

It is urged that though it may be a beautiful thing to die for the Great German Fatherland, it is peculiarly hard to call upon the Bavarian Soldier to die an additional death for the lesser Bavarian Fatherland.

FO 9/220: Robert B. D. Morier to Earl Granville, No 44, Munich, 9 November 1873

[Received 1 December by messenger. For: The Queen / Gladstone / Berlin / Circulate; G[ranville]]

Debate in Bavarian lower chamber on whether Bavaria should vote in favour of extending imperial legislative competence to the entirety of civil law

A question of considerable interest as regards the Constitutional development of the German Empire formed the subject of discussion in the Bavarian Chamber of Deputies Yesterday.

In federative States the line of demarcation between the Federal, or as in the case of Germany it would be termed the Imperial Power, and the local Power is necessarily for practical purposes very difficult to define, whilst for political purposes it is beset with pitfalls and stumbling blocks of every kind.

When the present Constitution of the German Empire⁸² was framed the idea which was prominent in the minds of the framers was the avoidance of the comatose State to which the late German Confederation had from the day of its birth been doomed by the clause in its Constitution⁸³ which rendered any organic change in the Constitution itself impossible except by the unanimous vote of all the members of the Confederation.

To guard against this danger the present Constitution provides by its concluding Article that organic changes are to be negatived if 14 votes in the Bundesrath⁸⁴ are recorded against them. In other words organic changes can be made whenever they are voted by a simple

⁸²Constitution of the German Empire of 16 April 1871; it was based on the Constitution of the North German Confederation of 1867.

⁸³Article 13 of the Vienna Final Act of 1820.

⁸⁴Federal Council.

majority of the Reichstag and by a majority of 44 out of the 58 votes⁸⁵ which compose the Bundesrath.

The three Kingdoms Bavaria, Wurttemberg and Saxony having together 14 votes (Bavaria 6, Wurttemberg 4, Saxony 4) these three gudgeon amongst the allied minnows can, if they hold together, prevent organic changes in the empire.

I should add two further remarks:

1st That the vote actually given at the green table of the Bundesrath is all that is required to give validity to the decisions of that Body, that it is to say that the Imperial Constitution does not trouble itself to enquire whether the Plenipotentiary recording that vote has been authorized either by the Executive Government or the Legislature of the Country he represents to vote in such and such a manner or whether in so doing he goes beyond his power. All that is needed is that his vote should be given and be duly recorded in the protocol of the Sitting. Practically therefore, for it is not to be presumed that a Plenipotentiary would vote against the instructions received from his Government, the legislative power in regard to organic changes in the Constitution rests with a majority of the Reichstag, or Representative Body of the Nation, and with a majority (in a proportion of 44 to 14) of the Governments of the several States, to the exclusion of the Legislative Bodies in the several States except in so far as these may exercise an influence over the decisions of their several Executives.

2nd That having thus left a wide door open for Constitutional Changes, the Constitution of the 16th of April 1871 was not over careful in defining the subjects to which at first starting should be deemed Imperial, as distinct from local – many of the Subjects defined as Imperial being so interwoven with others which remained local that it was to be foreseen that before long the severed parts would have to be reunited. Accordingly from its first Session the German Parliament has had to have recourse to organic changes in its Constitution always in the direction of encreasing [*sic*] the competency of the Imperial at the expense of that of the local Legislatures.

One of the most important of the Changes demanded by the liberal Party in the Reichstag was the extension of the Imperial competency to the entire domain of the Civil Law. By Article 4 of the original Constitution only the Criminal law, Civil and Criminal Procedure, the laws of Contract, of Bills of Exchange, and the Mercantile Code were made subject to Imperial Legislation. Now without being a lawyer, it seems obvious that when such important portions of the Civil Law as

⁸⁵A majority of 45 votes was necessary. For the concluding article of the constitution (Article 78), see n. 4 in Stuttgart section.

the law of Contract, of Bills of exchange, and the Mercantile Code,⁸⁶ had been removed from the domain of local legislation to that of the Empire the remaining portions would have to follow. Contracts in some form or other pervade almost all the Civil relations of life, and to have one law of Contract and fifty different laws on the many subjects which are immediately affected by Contracts was clearly a *reductio ad absurdum*⁸⁷ of paragraph 4 of the Imperial Constitution.

Consequently for three Consecutive Sessions M. Lasker and other prominent members of the Reichstag brought in a Bill for the extension of the Competency of the Empire to the entire domain of the Civil Law.⁸⁸ This Bill was always passed by the Reichstag, but as there seemed no probability of the necessary majority being secured in the Bundesrath, the Imperial Chancellor refused to submit it to that Body.

For a while it seemed as if the three Kingdoms, whose united votes make up the 14 votes required to negative a measure of this kind, would hold together, but this union was at last broken up and last year the Bundesrath came to the conclusion that the necessary majority, if not actual unanimity, could be relied upon and thereupon passed a Resolution to the effect that if the Bill were carried a Commission should be appointed simultaneously with its publication to draw up a Civil Code for the German Empire.⁸⁹

It was known that the Bavarian Government was one of those which after having resisted the measure had at last given their adherence to the principle of the Bill, and the question arose

1st Whether they would vote for it in the Bundesrath without being authorized to do so by the Bavarian Parliament, and; 2^{ndly} whether in case the Bavarian Parliament were consulted and refused to authorize the measure the Government would bow to its decision, vote against the measure in the Bundesrath, be outvoted, and thus place Bavaria in the invidious position of having an important change in her Constitution forced upon her against her will by the rest of the Empire, or whether to avoid this Catastrophe they would ignore the decision of the Chambers and vote for the Bill, or lastly whether

⁸⁶The respective laws date back to 1861 (*Allgemeines Deutsches Handelsgesetzbuch*) and 1869 (*Allgemeine Deutsche Wechselordnung*).

⁸⁷Latin: 'reduction to the absurd'.

⁸⁸The bill was introduced in the *Reichstag* on 25 October 1871 (passed on 15 November), 6 May 1872 (passed on 5 June), and on 18 March 1873 (passed 3 April 1873). An earlier bill had already been presented to the *Reichstag* of the North German Confederation in April 1869.

⁸⁹The appointment of a commission was brought forward by Saxony on 31 March 1873 and agreed to on 2 April. The Federal Council finally passed the civil code bill, which amended Article 4 of the imperial constitution of 1871, on 12 December 1873 (becoming imperial law on 20 December 1873).

they would consider the question as one involving the existence of the Cabinet and resign.

I should add that it was known that the Bavarian Representative at Berlin⁹⁰ had obtained last spring the postponement of the vote of the Bundesrath on the subject upon the plea of wishing to ascertain the opinion of the Bavarian parliament on the question.

From the above it will be evident that whereas in regard to the prerogative of the Imperial Parliament all is plain sailing, all that is required for the passing of the measure being the necessary majorities in the Reichstag and Bundesrath, both of which are secured, this is by no means the case in regard to the delicate question of the relations between the local Executives and the local Legislatures.

In dealing with the matter the Bavarian Government have shewn considerable astuteness. Instead of themselves bringing the matter before the Chambers and thereby creating a precedent which would for ever afterwards have forced them to submit questions coming before the Bundesrath to the previous sanction of the Bavarian parliament thus establishing the principle of their responsibility to the latter Body for their votes in the Bundesrath, they put up the leaders of the liberal Party, Mess^{rs} Völk and Herz, to bring forward a petition praying the Bavarian Government to vote in the Bundesrath for an alteration of Article IV of the German Constitution in the sense of extending the prerogative of the Empire to the whole domain of Civil Law.

It was this petition which formed the subject of debate in the lower Chamber Yesterday, and the result was the carrying of a Resolution praying the Government to give effect to the petition aforesaid by a majority of 3, viz^t by 77 against 74 votes.

I will not trouble Your Lordship with the details of the debate which was of a very technical character, mostly turning upon the manner in which the Bavarian Constitution had come to be affected by the Treaties of Versailles.⁹¹

The Government was represented by M. Fäustle [*sic*], Minister of Justice, who did not join in the debate properly speaking but who in a very able speech, in which he avoided all the political Aspects of the question, gave a clear "exposé" of the practical and business sides of the measure and explained the action of the Bavarian Government. He accounted in the following satisfactory manner for the opposition at first offered by him to the measure and for his adherence to it later.

⁹⁰Johann Nepomuk von Fäustle.

⁹¹For the November Treaties of 1870, see nn. 1 in this section and 15 in Darmstadt section.

When M. Lasker originally proposed the transfer⁹² he had been afraid of piecemeal legislation by the Reichstag which would have placed the whole of the Civil Law at the mercy of the political passions of the day, but when the Bundesrath had resolved that if the measure were passed the way in which practical effect would be given to it would be by appointing a Commission in which Bavaria would be represented, for the purpose of drawing up a Civil Code which should be presented as a whole to the Legislative Bodies of the Empire, his objections vanished.

The resolution of the Lower House has still to be debated in the Upper House but whatever that Body decides it may be assumed that the Government has received sufficient moral support by the vote of the Chamber of Deputies to go on its way rejoicing.

**FO 9/220: Robert B.D. Morier to Earl Granville,
Confidential, No 45, Munich, 25 November 1873**

[Received 1 December by messenger. For: The Queen / Gladstone / Circulate / Berlin; G[ranville]]

Ludwig II's aversion to German national flag; speech by Swabian district president in direct contrast to king's recent speech at Garmisch

I adverted in my despatch N^o 42 of the 7th Instant to the Speech which the King is reported to have made at Garmisch and to the language held by His Majesty on that occasion in reference to the German National Flag.⁹³ The deep aversion which His Majesty entertains for this emblem of German Unity is matter of notoriety. Not only have the words spoken by His Majesty this year at Garmisch and last year at Füssen⁹⁴ never been contradicted, but in the course of last summer His Majesty gave another notable proof of his dislike to the German tricolor – He caused namely 200 blue and white flaglets to be distributed to the fishing and pleasure boats on the lake of Starnberg,

⁹²In the sitting of the *Reichstag* of 25 October 1871.

⁹³According to an article in the *Bayerische Kurier* of 31 October 1873, which Morier had summarized in his No 42, Ludwig, in a speech to a deputation of the Garmisch Veterans' Society (on 24 October 1873), insisted that it was 'only with my Bavarian colours that honour can be paid to me and with none others whatsoever'.

⁹⁴On 30 November 1873 Ludwig made known his disapproval of the enthusiastic reception given by residents of the town of Füssen to the German Crown Prince, Friedrich Wilhelm, earlier that summer.

upon which His Majesty's summer residence⁹⁵ is situated, with a strong intimation that they alone were to be used and that the Black White and Red should henceforth be discontinued.

Under these circumstances and considering the very severe terms in which His Majesty animadverted upon the duty owed to Him in connection with this very question of the Flag by his Bavarian employés, the following toast lately delivered on the occasion of the opening of a new Railway by the President of the District of Swabia and Neuburg, Monsieur de Hörmann, has caused considerable excitement.⁹⁶

In drinking to the health of the German Empire M. de Hörmann is reported to have spoken as follows:

“Amongst the decorations with which on this festive occasion your town has been adorned I have noticed that the German and Bavarian Flags waved peaceably and harmoniously side by side – and so it should be. To be a good Bavarian and to be a good German are not only compatible with each other, but the one character complements and perfects the other. We have both the power and will to continue with fidelity to our great German Fatherland fidelity to our King and love and devotion to our Bavarian Fatherland which constitutes so valuable and necessary a position of the German Empire. You will therefore I doubt not Gentlemen join with the same enthusiasm with which you have just drunk the King's health in the toast which I propose to the prosperity of our Great German Empire, raised as it has been by the blood and the toil of our German people. Long live the German Empire”.

A subject and high employé of the Crown could hardly read his Sovereign a lesson in a more marked and pointed manner than was done on this occasion, and the possibility that two such speeches as the one at Garmisch and this one at Sonthofen should have been delivered within a few weeks of each other is a melancholy evidence of the sort of anarchy to which this country is being reduced by the King refusing to conform Himself to the Constitutional usage of adapting His public language to the policy of His Ministers and by His Ministers not having the patriotism to resign rather than expose themselves and their Sovereign to the undignified position created by this dualism.

⁹⁵Berg Castle.

⁹⁶The railway line between Immenstadt and Sonthofen was opened on 15 November 1873.

FO 9/220: Robert B. D. Morier to Earl Granville, Most Confidential, No 47, Munich, 28 November 1873

[Received 4 December by messenger. For: The Queen / Prince of Wales / Gladstone / Circulate; G[ranville]]

Anxiety felt in regard to the mental condition of the king

I find that quiet kind of people, not given to gossiping or to painting things in black but who yet know a good deal of what is going on, are beginning to feel considerable uneasiness at the increasing eccentricities of the King.

His Majesty's speech to the President of the Committee at Garmisch reported in a former despatch:⁹⁷ his sudden and unexpected return to Munich immediately before the opening of the Chambers⁹⁸ yet his abstention without any cause assigned from being present on that occasion: his refusal to receive the Presidents of the two Houses⁹⁹ deputed to lay a loyal address at the feet of His Majesty: the Story which has got about respecting the motive of his return and which I have reason to believe is strictly true viz^t to assist in solitary grandeur at the Representation of a manuscript piece, said to be of a very strange description and put upon the stage with a magnificence never before seen and at a fabulous cost:¹⁰⁰ his repeated acts of discourtesy to his brother Sovereigns, not only to the German Emperor, whose visit¹⁰¹ he has never returned, but to the Courts with which he is most closely allied, as, for instance, his lately sending word to Dresden to request that no one should for the present be deputed to notify to him the accession of the new King¹⁰² as it would not suit his convenience to receive a foreign Envoy: his refusal to have any personal dealings with his Ministers or with any of the great officers of his Court, all intercourse between His Majesty and them being carried on in writing: his eccentric devotion to one of his outriders, a certain Hornich [*sic*], for whom he has caused an expensive villa fitted up with every luxury to be built on the lake of Starenberg and in whose company and that of a second rate actress named Scheffski he is said to spend much of

⁹⁷See the preceding dispatch.

⁹⁸On 29 October 1873; he left Munich again on 9 November. The *Landtag* was opened on 4 November.

⁹⁹Franz Ludwig Philipp Schenk von Stauffenberg (first chamber) and Franz August Schenk von Stauffenberg (second chamber).

¹⁰⁰During his stay at Munich Ludwig attended six private performances at the Opera House; however, none of these match Morier's description.

¹⁰¹Wilhelm I visited Regensburg on 10 August 1871 and Hohenschwangau on 8 September 1871.

¹⁰²Albert, King of Saxony from 29 October 1873.

his time when at the castle of Berg; his strange mode of life when in the mountains, where he disappears for weeks together, living the while in absolute solitude, not even the Ministries in Munich knowing his whereabouts: All these stories, some of which may be and probably are exaggerated, but most of which are I fear too well authenticated not to be true, make up together a body of evidence which taken in connexion with the fact of his brother's¹⁰³ mental disease and the undoubted insanity of his Aunt the Princess Alexandra seems to point to the danger that what has hitherto been deemed mere eccentricity may deepen into something far worse and more disastrous.

The most melancholy feature in connexion with this state of things is the fact that the King's State, with the worst construction placed upon it is openly talked of, even in those coteries whose social position places them in closest contiguity with the Court, in a manner which proves how little His Majesty has succeeded in gaining the affections of his people.

The two facts respecting the King which are the best known are his hatred of Prussia and of the Prussian Royal family and his equal detestation of the ultramontanes.

This double aversion, illogical as it appears when viewed from the merely political point of view, is not unnatural when taken in connexion with the morbid sense which the King is known to entertain of his Royal Dignity. His Majesty's subjects are pretty equally divided (and he is doubtless aware of the fact) between those whose loyalty is fast drifting towards the German Emperor as the sole object of their devotion and those whose eyes are lifted up in adoration to the Triple Crown.¹⁰⁴ The "tertium quid",¹⁰⁵ the loyalty to the old, hereditary Bavarian House is fast becoming a thing of the past:

".... a service of the antique world
 not for the fashion of these times
 where none will sweat but for promotion."¹⁰⁶

That an instinctive sense that such is the case has much to do with the King's dislike to having any dealings with his subjects of whatever degree. I am strongly inclined to suspect, but that the isolation to which he thus condemns himself must powerfully react on any morbid tendencies to which he may be liable is obvious.

¹⁰³Otto.

¹⁰⁴The Papal tiara.

¹⁰⁵Latin: 'third thing'.

¹⁰⁶William Shakespeare, *As You Like It*, II, iii.

**FO 9/220: Robert B. D. Morier to Earl Granville, No 49,
Munich, 31 December 1873**

[Received 5 January by Extra Messenger Biehl. For: The Queen / Gladstone; G[ranville]]

Bavarian upper house rejects Lasker bill regarding transfer of state civil law competence to German Empire

With reference to my despatch, N^o 44 of the 9th ultimo, in which I reported the vote of the Lower Chamber on the subject of the extension of the competency of the Empire to the entire domain of the Civil Law I have now the honor to report that the Upper House though technically rejecting the proposed alteration has virtually acceded to it.¹⁰⁷

The manner of the vote was thus: The Chamber had first to decide whether its' accession to the petition that the Government would authorize their Plenipotentiaries at Berlin to vote in the Federal Council for the extension of the Imperial Competency to the whole of the Civil Code would or would not involve a change of the Bavarian Constitution. The Lower Chamber had negatived this proposition on the plea that the Versailles treaties¹⁰⁸ had already once for all altered the Bavarian Constitution in the sense that the Imperial Legislation could extend it's competence at the expense of that of the Local Legislature without asking the leave of the latter.

The Upper House however negatived the proposition and affirmed that such a change would involve a change in the Bavarian Constitution and would therefore in order to be valid require a majority of two thirds of the members constituting the House.

Upon the petition itself being put to the vote it was assented to by a larger majority than that by which it was passed in the Lower House but as this majority was nevertheless not equal to two thirds of the entire House the motion was technically negative.

The Gov^t however, as I had the honor to state in my former despatch, did not require the consent of the Chambers for its' vote in the Federal Council and only wished for the moral support of the Legislative Bodies in Bavaria. This it considers it obtained by the principle of the measure being agreed to by majorities in both Chambers & accordingly it gave it's vote in the Federal Council in

¹⁰⁷The sitting of the upper house took place on 4 December. On 8 November the lower chamber voted in favour of the so-called Lasker bill, which had been passed by the *Reichstag* in April 1874 (for the 3rd time since 1871) and sought to extend the legislative competence of the Empire to the entirety of Bavarian civil law. On 12 December it was passed by the Federal Council; the respective law on the modification of Article 4 of the imperial constitution was enacted on 20 December 1874 and came into effect on 7 January 1875.

¹⁰⁸For the November Treaties of 1870, see nn. 1 in this section and 15 in Darmstadt section.

favor of the proposed extension. The measure having thus passed the Federal Council & having been already twice passed by the Reichstag became law a few days ago and thus at the close of the year one of the most dangerous corners in the development of German Unity has been successfully turned.

FO 9/223: Robert B. D. Morier to Earl Granville, Most Confidential, No 11, Munich, 10 February 1874

[Received 28 February by private hand. For: The Queen / Disraeli / Circulate / Paris / Berlin; D[erby]]

Bavarian government affronted by Bismarck's lack of adherence to constitution in imperial foreign policy

Two of my German Colleagues have informed me confidentially that they had ascertained that the Bavarian Government had been kept in entire ignorance of the Circular despatch (now admitted to be authentic) lately addressed by Prince Bismarck to the Representatives of Germany abroad and in which the Chancellor is said to discuss the possibility of Germany having to assume the offensive against France.¹⁰⁹ For once, my informants told me, the placidity of the Bavarian Foreign Minister¹¹⁰ had given way, and with an energy altogether foreign to him he had exclaimed "this is too bad". With these momentous words the episode as far as Bavaria is concerned was I doubt not closed, it lying altogether outside the region of probability that remonstrances even in the mildest kind will be made at Berlin. The episode itself however is invaluable as an illustration of the relations which exist between the Empire and the confederated States of which it is composed, or rather between the Sovereign entities which, according to the Treaties of 1870 and 1871, constitute the Empire and "l'Empire c'est moi"¹¹¹ of the Imperial Chancellor.¹¹²

According to those Treaties, or rather to the organic Law into which, under the title of the Constitution of the German Empire,¹¹³

¹⁰⁹The rumour of a circular despatch originated in Bismarck's instructions to the ambassador to St Petersburg of 13 January 1874, which expressed Germany's preparedness to oppose any French efforts to connive with the Roman curia. The despatch was further communicated, confidentially, to the German ambassadors and envoys in Rome, Paris, London, and Vienna, with the request not to issue any statements in this regard.

¹¹⁰Adolph von Pfretzschner.

¹¹¹French: 'I am the Empire'.

¹¹²Morier is referring to the so-called November treaties of 1870; see n. 1 in this section and 15 in Darmstadt section.

¹¹³The constitution of the German Empire was enacted by the imperial law of 16 April 1871.

those Treaties have been incorporated, the right of declaring war is vested not in the Emperor but in the Emperor and the Federal Council,¹¹⁴ i.e. in a majority of the Confederated Sovereigns, and there exists, on paper, a carefully elaborated mechanism, in which Bavaria occupies an exceptional position, for the purpose of furnishing the associated Sovereigns with the means of using this all important prerogative. According to Section 8 of the Constitution, the Federal Council is to provide itself with a standing Committee for Foreign Affairs to be presided over by Bavaria, and in which that Kingdom with Wurttemberg and Saxony are to have permanent seats, the other members being yearly elected by the Council.

This Committee is, in theory, to be kept exactly informed of all that concerns the international relations of the Empire, and to be thus enabled to follow step by step and, to a certain extent, to controul [*sic*] the foreign policy of Germany so that, in the event of a Crisis, the Federal Council may be in a position to exercise its all important function of deciding upon peace or war with a full knowledge of the data required to form a sound judgment.

I do not know, and I very much doubt, whether this Committee has ever formally constituted itself, but it is certain that, if it has, it has remained a dead letter.¹¹⁵

As well might a Committee of mice be formed to discuss with some monster cat the proper measures to attach to his collar the warning bell as such a Committee be found to cross-examine Prince Bismarck respecting the secrets of his foreign policy.

Besides this paper Committee Bavaria has a yet more exceptional position assigned to her in reference to the Foreign relations of the Empire. By the final protocol attached to the Treaty of the 23rd of November 1870,¹¹⁶ it was agreed that Bavarian Envoys abroad should, in the absence of the German Representative, assume the direction of the German Legations thus temporarily deprived of the Chiefs, and a sum of money was actually to be allotted to her out of the Imperial funds for this purpose. Such a course, had it been acted upon, would have necessitated Bavaria's being kept fully acquainted with the policy of the German Foreign Office, but I need hardly add that she has not

¹¹⁴According to Article 11 of the imperial constitution, declarations of war required the consent of the Federal Council, except in cases when the territory or coast of the Confederation was attacked.

¹¹⁵The *Bundesratsausschuß für auswärtige Angelegenheiten* was created by the Treaty of Union between Bavaria and the North German Confederation of 23 November 1870 (see n. 1 in this section) and confirmed by Article 8 of the imperial constitution of 1871. The constitutive meeting of the committee took place on 26 February 1871. By 1874 it had met only four times.

¹¹⁶Article 8 of the Final Protocol of the Treaty of 23 November 1870.

once had the Courage to claim the exercise of this dangerous privilege. In a word, Bavaria is according to the text of the Constitution as it were the left hand of the Empire in regard to its foreign action, though the right hand takes good care that its left partner shall not know what it is about.

Such is the theory. Let us look at the practice.

The Imperial Chancellor takes a portentous step which more or less affects the funds all over Europe and shakes both Germany and France to their foundations. To use his own drastic language, it is merely intended to throw a jet of cold water over the Parisians,¹¹⁷ but it was well calculated if the French Government had acted with less prudence to lead to instant war.

Of this step the Bavarian Government is first informed by the Newspapers, and the Foreign Minister exclaims "It is too bad"!

FO 9/223: Robert B. D. Morier to Earl Granville, Confidential, No 12, Munich, 15 February 1874

[Received 28 February, by private hand. For: The Queen / Disraeli / Circulate / Paris / Berlin; D[erby]]

French chargé d'affaires stresses pacific intentions of his government; Bavaria kept in ignorance of Bismarck's foreign policy

My French Colleague, Count Lefebvre de Béhaine, who has been for some time absent on leave, returned to Munich last week and called on me to-day. He came straight from Paris and had seen the Marshal President¹¹⁸ the day before he left.

I found him deeply preoccupied with the threatening attitude which Germany seemed so suddenly to have taken up with regard to France. He assured me that nothing could be more pacific than the intentions of the French Government or more certain than that all parties in France without exception were convinced that war at present would mean annihilation: nor did he attempt to hide from me the consternation with which the possibility of Germany's assuming the offensive apparently filled him, and, I presume, the political

¹¹⁷The expression was coined by Bismarck at a parliamentary dinner on 4 February 1874. It referred to the anti-French press campaign of January 1874; in particular, an article which had appeared in the semi-official *Norddeutsche Allgemeine Zeitung* on 16 January that raised the possibility of war, due to the influence of the Catholic clergy on the French government and the ongoing French interference in German internal affairs regarding the Imperial Territory of Alsace-Lorraine.

¹¹⁸Patrice de MacMahon.

personages whom he had so recently seen at Paris. He said that the impressions he had received during the few days since his return to Germany were even worse than he had anticipated and that he found everything attuned apparently without rhyme or reason to war. He had on the day of his arrival called at the Ministry of Foreign Affairs and had hastened to give to M. de Pfretzschner the assurances he brought from the Marshal of the absolutely pacific temper of the French Government.

The Minister replied to his observations by the following astounding remark "Tout dependra de l'attitude du parti du Centre."¹¹⁹

It would be unfair, considering the political calibre of the amiable Sinecurist to whom are confided the so-called foreign Affairs of Bavaria, to attribute 'malice prepense' or indeed any distinct political meaning to this amazing utterance. M. de Pfretzschner's one dread when he has to meet the Foreign Representatives accredited to his Sovereign is lest the conversation should turn on any matter connected with Foreign politics. When it is impossible for him to avoid the subject his one preoccupation seems to be to say nothing but what he conceives would be agreeable or at all events considered inoffensive at Berlin, but this if possible as a general and impersonal observation and not seldom in the shape of a platitude.

Now as I showed in a previous despatch Bavaria is kept profoundly ignorant of the secrets of the German Foreign Office, and therefore, on those extraordinary occasions when she has to emit an opinion, she is reduced to make an approximate guess as to what she ought to say. Now I imagine that the present was an occasion of this kind and that M. de Pfretzschner being taken by surprise by M. de Lefebvre's peaceful missive, and therefore sadly 'gravelled for lack of matter', just repeated the "refrain" which to a thousand different tunes has for the last few weeks been reiterated in the officious, semi-officious and national=liberal press of Germany and which may thus shortly be summed up: –

The Party of the Centre (or Ultramontane Party as its enemies designate it) in the German Parliament has identified itself with the rebellious Bishops of Germany, the French Bishops make common cause with the German Bishops, the French Government ostentatiously patronise the French Bishops, therefore the Party of the Centre and the French Government are one.¹²⁰ But as every question when it has reached a certain stage of intensity must be settled by the

¹¹⁹French: 'Everything depends on the attitude of the Centre Party.'

¹²⁰Morier is referring to the resistance of German Catholic bishops against measures of the *Kulturkampf* and the anti-German agitation of French bishops. The Franco-German tensions that had been brewing since January 1874 originated, in part, in a pastoral letter

needle gun and as this remedy cannot be employed on a political Party in one's own Country, if the Centre becomes unmanageable the only "objectif", for the needle gun is the French Government. Therefore, sooner or later, if the ecclesiastical conflict intensifies, France will have to be attacked.

Now this kind of argument which is perfectly united to the rhetoric of journalism, when met with in the mouth of a responsible Statesman is truly alarming. As it is, I do not believe that the Bavarian Minister the least saw the import of his own words or perceived to what extent he laid himself open to the retort of his interlocutor. It would, however, have been labour lost to have taken advantage of the opening, and I doubt whether M. de Lefebvre did so. To me however he observed bitterly = It seems therefore that it has come to this that we are to have peace or war, to be attacked or left alone, according as a Party in the Reichstag, of whose name not one Frenchman in a million has even heard, and of whose existence few even of our Ministers know, vote or abstain from voting in a manner agreeable to the Imperial Chancellor.

Count Lefebvre de Béhaine is an experienced diplomatist and a man of very calm and sound judgment and I confess I was astonished at seeing him take so serious and gloomy a view of the present situation.

I gave him my reasons for considering that there was more of barking than of biting in the Newspaper war now carried on and for thinking that the requirements of his home policy had more to do with Prince Bismarck's threats than any serious idea of a fresh war. M. de Lefebvre's long experience of Germany and especially his intimate acquaintance with Berlin make him a good judge on such a subject, and I was glad to find that he attached great weight to my observations. On the other hand he seemed to think that the dangers presented by the internal conflict were such (M. de Lefebvre I should state is an Ultramontane and as such views the ecclesiastical conflict in a very dark light) that a campaign against an exhausted and beaten foe might perhaps be considered the less formidable alternative.

That which most struck me in this conversation was the tone of extreme depression with which my French Colleague spoke, and the perfect sincerity with which he gave me to understand that France was at present wholly incapable of successful resistance to an attack from Germany.

of the bishop of Nancy of 3 August 1873, which called for French reunification with the lost provinces of Alsace-Lorraine.

If he at all represents the tone actually prevalent at Paris there can be no doubt that Prince Bismarck's "jet of cold water"¹²¹ has produced the desired effect.

**FO 9/223: Robert B. D. Morier to Earl Granville,
Confidential, No 16, Munich, 16 February 1874**

[Received 9 March by Extra Messenger Biehl. For: The Queen / Disraeli / Circulate; D[erby]]

Remarks on press article suggesting Germany should resolve Eastern Question by carving up Austria and Turkey and sharing proceeds with Russia

Friday's "Allgemeine Zeitung" contains an Article on the relations of Germany, Russia and Austria towards each other, and the bearings of those relations on the Eastern question, which may mean a great deal or turn out to mean nothing at all.¹²²

In attempting to gauge the value of this manifesto the position and exact function of the Augsburg Gazette amongst the organs of Public opinion in Germany should not be lost sight of.

Many years ago that paper had I believe certain political dogmas of its own. Before 1848, certainly, and even later and down to 1866, it was reputed to be especially amenable to Austrian influences. Since that time it has been accused by its former friends of having gone over to the Prussian camp.

I do not, however, consider that this at all correctly describes the attitude of the paper whose object it seems to me to be to remain neutral on most subjects, whether political or scientific, and to open its columns to opposite views according as these are floated to the surface by the prevailing current of the day. Not that it in any way pretends to possess, or indeed cares to cultivate, that peculiar instinct which e.g. enables the Times on Monday to state, in plain language, good grammar and large type, what the more intelligent kind of Grocer, would unprompted and of his own accord, say on Tuesday in bad grammar and inarticulate language, but that it seeks to place side by side, directly from the sources whence they spring, the different views prevailing on any subject at any given moment. It thus becomes a kind of advertisement sheet for political or scientific ideas and, as such,

¹²¹See n. 117 in this section.

¹²²The article 'Deutschland und Russland gegenüber Österreich und der orientalischen Frage' (*Allgemeine Zeitung*, 13 February 1874) highlighted Austria-Hungary's weak position alongside Russia and Germany and warned the Dual Monarchy to play off Russia against Germany. The author was Mihailo Polit-Desančić.

is a very useful institution. Every now and then, however, it breaks through this rule and vehemently takes up some subject, as it did in the case of the Vatican Council, when it made itself the Champion of the Anti=infallibilist cause and produced a lasting impression with articles afterwards worked up into Janus and with the letters of Quirinus.¹²³

Owing to it's usual practice being such as is above described and to the great prestige and wide circulation of the paper, it is largely had recourse to, not only by party leaders, political professors and statesmen, but sometimes directly by Governments themselves as a medium for making known their several political programmes or for feeling the pulse of the public in regard to possible combinations; but, as variety and contrast of colour appear to be what it particularly affects, it sometimes happens that it also opens it's columns to mere political adventurers and that the wildest and most unsubstantial schemes meet with an undeserved hospitality at its hands.

Thus, like the sheet which descended upon the house top of the Centurion Cornelius,¹²⁴ it is filled with beasts clean and unclean and the public are invited to kill and eat, each man choosing for himself that which he most desires.

On the present occasion we have to deal with an exceptionally unclean beast.

The Article of which I have the honour herewith to enclose a translation¹²⁵ pleads, with an arrogance and cynicism for which precedents must be sought in the official press of the worst days of the first Napoleon, that the time has come, or all but come, when Germany and Russia, holding as they do, in virtue of their irresistible force, the fate of Europe in their hands, should proceed to the solution of the Eastern question by dismembering Austria and Turkey: the Upper Danube for Germany, the Lower for Russia, with Austria relegated to Pesth as the future centre of a shrivelled up Monarchy, under the threat that, if she resist this process, she must make up her mind to be strangled in the embrace of her Giant neighbours. All this too, after the French fashion at the beginning of the century, in the name of culture and civilisation!

¹²³Morier is referring to a series of articles ('The Pope and the Council') and some 69 letters ('Letters from Rome on the Council') written by Döllinger and published in the *Augsburger Allgemeine* in 1869–1870, under the pseudonyms Janus and Quirinus. For the First Vatican Council and the dogma of papal infallibility, see n. 11 in this section.

¹²⁴Morier is referring to the conversion of Cornelius and the vision experienced by Simon Peter on the rooftop of his own house – not that of Cornelius as Morier has it (Acts of the Apostles, 10). A note in the margin of the dispatch reads: '? Simon the Janus' [sic].

¹²⁵Enclosure: translation of article 'Germany and Russia in presence of Austria and the Oriental Question', *Allgemeine Zeitung*, 13 February 1874.

Now of course the importance or unimportance to be attached to this monstrous manifesto depends altogether on which of the sources above enumerated the article must be referred to. The mere fact of its appearance in the *Allgemeine Zeitung* gives it no importance because, for the reasons above stated, that paper is not itself the organ of any party and does not represent, as the *Times* would in England, or the *Cologne Gazette*¹²⁶ in Germany, or the *Debates*¹²⁷ in France, a definite and measurable volume of public opinion. At the most it might be inferred that the *Allgemeine* would hardly have inserted an Article of so violent a tendency, and especially one written in so slovenly a style and so destitute of all literary merit, unless it emanated from some source to which it had reason to attach importance.

The question therefore arises as to what the article really means. Is it a “ballon d’essai”¹²⁸ to see how far public opinion is ready to acquiesce in the programme put before it, or is it a shadow of coming events cast upon the Wall, or is it merely a blank cartridge fired with a view to frighten Austria and keep her to her good behaviour? And in any one of these cases is the origin official or semi official, officious or semi-officious? Has it been printed out of malice prepense or is its insertion the result of indiscretion? Is it the dream of a professor or the nightmare of an employé?

I regret that I am not in a position to answer any of these questions and that I have been unable to find any one here to help me to answer them.

There are however considerations suggested by the article, wholly independent of its origin and even of the motives of the writer, to which I cannot but call Your Lordship’s attention.

Such an Article, I make bold to say, would not have been written in German, still less have been published in a leading German Newspaper, four years ago, and the mere fact of the possibility of its appearance now seems to me a grave matter well deserving of attention.

I should be sorry to compare the Young German Empire with the Empire of Napoleon the 1st or to predict the same psychological results from Königgrätz, Gravelotte and Sedan as those which were produced by Marengo, Jena and Austerlitz and ultimately led to Moscow, Leipzig & Waterloo.

Germans are not Frenchmen, but they have that in common with them that they are human beings and, in human nature, like causes will, within certain limits, produce like results. The sense of irresistible

¹²⁶ *Kölnische Zeitung*.

¹²⁷ *Journal des débats*.

¹²⁸ French: ‘trial balloon’.

power, the monopoly of irresistible force, act like poison in the blood, and that this poison, since the overthrow of France,¹²⁹ has been working, though slowly and without much showing on the surface, in the blood of Germany, cannot I fear be altogether denied. The first and worst symptom of such a process is the confusion between force and right and the article of which I enclose a translation seems to me in that respect dangerously symptomatic. For whoever the writer may be, whether a professor turned Chauviniste, or an employé's employé writing to order, the phantasies which he commits to paper cannot, from the very nature of the case, be altogether individual but are rather the product of a certain "climate of opinion", the emanations of an atmosphere thick with the fumes of Victory.

The unconscious cynicism with which the writer appeals to force as the only principle of policy, as if this were a self evident proposition, shews that he lives in a World where:

Force should be right; or rather right and wrong
Should lose their names, and so should justice too.
Then everything includes itself in power,
Power into Will, Will into appetite;
And appetite, an universal Wolf,
So doubly seconded with Will and power,
Must make, perforce, an universal prey.¹³⁰

Far be it from me to say that this is the prevailing "climate of opinion" in Germany, or that it must necessarily become so, but it is the duty of a faithful observer to note even the first symptoms of possible disease.

**FO 9/224: Robert B. D. Morier to Earl of Derby,
Confidential, No 60, Munich, 30 July 1874**

[Received 3 August by Messenger Biehl to Cologne. For: The Queen / Disraeli; D[erby]]

Prussian government urges Bavarian government to take measures against ultramontane press and Catholic societies

I have reason to believe that a note has been addressed by the Prussian Legation here to the Bavarian Government calling upon them to

¹²⁹In 1870–1871.

¹³⁰William Shakespeare, *Troilus and Cressida*, I, iii.

take vigorous measures against the Ultramontane Press and also, and this “en première ligne”,¹³¹ against the Catholic Unions and Societies which under various names are distributed throughout the length and breadth of Bavaria.

Hitherto the action of the Prussian and German Governments has been almost exclusively directed against the clerical Representatives of Ultramontanism, the recalcitrant Bishops and Priests and the Orders more particularly credited with the task of aiding and abetting the Spirit of insubordination. The Kullmann attempt has apparently provided the Imperial Chancellor with the welcome opportunity of extending the field of his operations and attacking the ultramontane laity and Bavaria certainly offers a promising field for a campaign of this kind.¹³²

What extent of pressure is being put upon the Bavarian Gov^t I have not yet been able to ascertain but such few remnants of the diplomatic body as the tropical heat of the last month has left at Munich have been much exercised in their minds by hurrying backwards and forwards between Kissingen and the Bavarian Metropolis. The Prussian Minister¹³³ who had gone away on leave and wished us all Goodby [*sic*] was suddenly described by the telegraph as being at Kissingen. He returned mysteriously to Munich for a few hours, and the same evening M. de Pfretzschner started for Kissingen and so on!

One thing is however certain and that is that the Government of King Louis, if the pressure put upon them is a strong one, will find themselves placed in a very awkward position. The system by which they have hitherto kept their heads above water has been always to show their readiness to bark at the word of command transmitted to them from Berlin whilst at the same time carefully abstaining from biting. As under existing circumstances this was felt in the country to be perhaps the least objectionable course, the Nationals thinking that barking was at least better than nothing and the ultramontanes that it was certainly better than being bit, they had the prospect as long as they could keep to this method of remaining where they were. But if, however unwillingly, they find themselves forced to have recourse to their teeth they will probably find at the ensuing elections¹³⁴ that their present majority of one may chance to be seriously compromised.

¹³¹French: ‘first and foremost’.

¹³²For Kullmann’s assassination attempt on Bismarck at Kissingen, see n. 183 in Berlin section.

¹³³Georg Graf von Werthern.

¹³⁴The next elections for the chamber of deputies of the Bavarian *Landtag* were scheduled for July 1876.

**FO 9/224: Robert B. D. Morier to Earl of Derby, No 64,
Munich, 8 August 1874**

[Received 12 August by post. D[erby]]¹³⁵

Morier incapacitated; request for interim assistance at legation and long-term increase in staff members

I regret to have to inform Your Lordship that the state of my hand is such as to prevent me for some time from properly attending to the current business of this Legation and I have therefore earnestly to request that some assistance may be afforded me as soon as possible. I have been alone since the 20th of June and it was in consequence of over exertion caused by this want of assistance that I am now completely disabled[.]

I venture at the same time to submit to Your Lordship's consideration whether it might not be found possible to increase the staff of this Legation by an Attaché or Third Secretary. I have no wish to exaggerate the importance of this Mission or to represent the work as greater than it really is[.] at the same time it stands to reason that the reduction in the rank of this Legation¹³⁶ caused no corresponding reduction in the work and that what was before distributed between a Minister[.] a First Secretary[.] a Second Secretary and an Attaché now falls for several months of the year on one person only. Nor should I omit to state that Her Majesty's late Government having instructed me to report upon Alsace Lorraine in addition to Bavaria, an instruction which has not been rescinded by Your Lordship, a very considerable amount of additional work over that of my predecessor has been imposed upon me. I think I might with confidence ask whether the Archives of the German department of the Foreign Office do not testify to an amount of work received from Munich larger than the Average received from Missions worked by two only of Her Majesty's diplomatic Servants. But this is not the test which I would desire to apply: that test is the amount of work that I consider ought to be done but which I am obliged to leave undone, and the fact that even as regards the work done I cannot get through it without the constant employment of Voluntary Aid. With respect to the Current business of a Legation, such as attending to distressed British Subjects, travellers who have lost their luggage or their temper, persons about to marry, English clowns who have run away with foreign Columbines, Circus

¹³⁵Note on the reverse side of the dispatch initialed 'T' (Lord Tenterden, permanent under-secretary of state for foreign affairs): 'Mr Morier ought to have assistance sent to him: but I see no necessity for permanently increasing the staff.'

¹³⁶See p. 3.

rider's whose horses have been impounded, forgers undergoing their sentence, Maiden Ladies whose shoes, "half worn, long, and very narrow," have been stolen from them at the hotel (I take instances that have occurred within the last few days) Affidavits, the Witnessing of powers of Attorney and the thousand other ills that diplomatic flesh is heir to, it is but natural to suppose that the average numbers of such cases will be in a great measure determined by the size of the Country in which the Legation is situated. It is therefore probable that Bavaria with her five Millions of inhabitants will furnish a larger amount of such work than Countries with a similar diplomatic staff one fourth or one fifth her size. This work at Munich is very irregular and differs greatly at one time from what it does at another but it is of a nature which makes it impossible for me to leave my post when alone for a single day and is often such as to prevent my attending to work of more real interest and importance. If an attaché desirous of learning his work were attached to my Legation I can undertake without presumption to teach it to him thoroughly and to find plenty of opportunities of doing so.

FO 9/226: Robert B. D. Morier to Earl of Derby, No 13, Munich, 27 March 1875

[Received 5 April by messenger. For: Disraeli; D[erby]]

Remarks on Fabrice episode; inter-state tensions caused by espionage and denunciation in diplomatic circles

Mr Lumley's Dispatch N^o 34 of the 18th of March, a copy of which is transmitted to me in Your Lordship's N^o 10 of the 24th instant, contains a graphic and perfectly accurate account of an episode which did not appear to me at the time to possess sufficient interest to be reported to Her Majesty's Government.¹³⁷

Espionage and denunciations constitute so important a portion of the intertribal relations of the German Empire, and enter so largely into the daily routine of diplomacy at the smaller German Courts, that those who have for some years lived in this atmosphere have, by a beneficent law of nature, become, if not reconciled, at least used to it and have lost all sense of its' abnormal and noxious character. With the exception of the Prussian Minister,¹³⁸ whose recognized functions

¹³⁷In Lumley's dispatch from Brussels he reported his conversation with Oswald von Fabrice, in which the latter discussed his experiences of Prussian espionage at Munich; in particular, Prussian complaints about his relations with the Bavarian Catholic Party which had caused a rift between the Saxon and Prussian governments.

¹³⁸Georg Graf von Werthern.

in the diplomatic body are those of a stringent Police magistrate, and who besides his ordinary staff is assisted by a body of able and active detectives in plain clothes who, though guessed at, are not easily identified, the foreign Representatives at a German Court drag on a kind of shamefaced existence, knowing that their days are doomed, that their “raison d’être” has ceased, and that, with the exception of a few remnants of a state of society that has for ever perished, their presence is acceptable to nobody. They know moreover that there is no desire that their death bed should be a pleasant one, but that they are perpetually watched in the hope of being detected in some act which would justify a more speedy and sanguinary method of depriving them of their existence.

Under the circumstances it is not to be wondered at that we should suffer from a low and depressed state of the vital organs & that when speaking to each other, and much more to strangers, we should have acquired a muffled and *sotto voce* way of utterance of which we ourselves have wholly ceased to be aware.

On the other hand it is even less a matter of surprise that new comers, especially those who arrive straight from great centres like London or Paris, should be unable at first to accommodate themselves to this hushed way of life, and should find it inexplicable that their own ways and words should strike the more ancient settlers as hazarded and somewhat smacking of temerity.

Your Lordship will doubtless remember that when Gulliver, after having been carried away by the eagle from Brobdingnag,¹³⁹ and dropped into the sea was picked up by M^r Thomas Wilcocks “the honest worthy Shropshireman” who commanded the East Indiaman to whose providential presence in those waters the great traveller owed his preservation, the thing which most struck the crew of the ship “and at which they wondered very much, was to hear Gulliver speak so loud”, whereas the latter “admired as much at the voices of him (Captain Thomas Wilcocks) and his men who seemed to him to whisper and yet he could hear them very well.”¹⁴⁰

The mystery was cleared up when it was remembered that Gulliver had for two years been straining his voice to be heard by the inhabitants of Brobdingnag and for the same period had exclusively listened to the stentorian utterances.

¹³⁹Fictional land in Jonathan Swift’s *Gulliver’s Travels* (London: Motte, 1726; Dublin: Faulkner, 1735).

¹⁴⁰Quotes from *Gulliver’s Travels*, II, ch. 8.

We should feel more humiliated than we do by the revelations made at Brussels by Baron Fabrice, (whose astonishment at the hubbub caused by his having merely talked here in the same way and at the same pitch of his voice as he had hitherto done with impunity in Brussels and London appears to one quite legitimate,) were it not that he himself was only a chance visitor to Brobdingnag and that he has now, after all, only returned to his own countrymen to whose proportions, vocal and other, he will doubtless find it easy after a time to conform himself.

When Gulliver “observed another thing, that when he first got into the ship and the sailors stood all about him, he thought they were the most little contemptible creatures he had ever beheld” the sailors only laughed and handed him a looking glass.

FO 9/226: Robert B. D. Morier to Earl of Derby, No 24, Munich, 14 April 1875

[Received 19 April by messenger to Darmstadt. For: The Queen / Disraeli / Circulate; D[erby]]

German interpretations of Times article warning Bismarck not to interfere in Belgium; Great Britain's calming influence on European and international politics

The leading Article on the relations between Belgium and Italy [*sic*],¹⁴¹ published in the “Times” of the 10th instant, has excited great attention in Germany and, being generally supposed to represent the views of Her Majesty's Government on the subject, has exercised a very beneficial influence.¹⁴²

It has been commented upon by the German Press in a tone very different from that which usually characterizes the criticisms devoted to the expressions of English public opinion, and I have reason to believe that it has seriously occupied the attention of persons in high places who know how to discriminate between the utterances of the Press, and assign to them the more or less importance which is their due.

¹⁴¹Germany, not Italy.

¹⁴²The subject of the article in question was the German note to Belgium of 3 February (see n. 195 in Berlin section); despite earlier apprehensions on the propriety of German recommendations *The Times* concluded that the remonstrance was ‘nothing which can fairly be called a threat’.

It is not, I think, too much to say that for the first time since the close of the French war the Chauviniste portion of the German Press have felt that there is ground which it is dangerous for even the Almighty Chancellor to adventure on, and that the temperate warning not to interfere with Belgium addressed to him by the "Times" and supposed to be but the echo of that which he has received from Your Lordship¹⁴³ is one which he cannot afford to leave unheeded.

A keen but somewhat cynical student of European politics observed to me some years ago that nothing would more directly contribute to the restoration of European stability than that the three Powers, which he was pleased to describe as ruling England viz: the Prime Minister for the time being, the leader of the Opposition, and the Editor of the "Times", should enter into a solemn League and Covenant, not indeed to defend the independence of Belgium with English blood and treasure, but each and severally, on all occasions, in reason and out of reason, *à tort et à travers*,¹⁴⁴ to declare that this is what England would do *le cas échéant*¹⁴⁵.

Apart its cynicism there can I think be no doubt that the remark truly describes the tranquillizing effect invariably produced upon Europe whenever she is reminded that amidst the shifting sands of continental politics there is our block at least which remains firmly attached to the solid masonry of a Power whose policy moves in a different and less impassioned sphere than that of the conquered and the conquering nations, the swaggering giants and the trembling dwarfs, who at present occupy the mainland of Europe and whose susceptibilities and heart burnings keep the public mind in a constant state of fever and alarm. It is instinctively felt that the reappearance of Great Britain on the scene of active political combinations would revolutionize all existing relations and that the tenacity of her national character and the shelter of the insular position she enjoys would almost necessarily give to any European war in which her honor forced her to engage an altogether different character from those short crashing campaigns which are the only ones which the national armies of the Continent, as at present constituted, and with their drain upon the entire able-bodied population, can venture to engage in.

¹⁴³Derby, in confidential dispatch No 93 to Lord Odo Russell of 27 February 1874, stressed British commitment to Belgian independence and neutrality.

¹⁴⁴French: 'in an unconsidered fashion'.

¹⁴⁵French: 'where necessary or appropriate'.

**FO 9/227: Robert B. D. Morier to Earl of Derby, No 71,
Munich, 15 October 1875**

[Received 1 November by messenger. For: The Queen / Disraeli / Circulate in turn / Qy: Berlin; D[erby]]

Remarks on the address to the king by the Bavarian lower chamber

Although, as I had the honor to inform Your Lordship in my despatch N^o 65 of the 28th ultimo, the Chambers were opened on that day by Prince Luitpold on behalf of the King with the solemnities usual on such occasions no Speech from the Throne greeted the Representatives of the Nation. This was the more remarkable that the present is a new Parliament and the Chamber of Deputies a newly elected one. It would seem as if the Ministry, in view of the abnormal state of affairs and of the general confusion into which politics have fallen in this country, had fashioned their conduct on the homely rule that “the least said the soonest mended”.

A very short time sufficed to show the physiognomy of the new House – a compact majority of 79 against a compact minority of 76 first electing Baron Ow, an ultramontane leader, to the Presidency of the House and immediately afterwards voting that an humble address, i.e. an indictment ag^t the Ministry, be presented to His Majesty.¹⁴⁶ That the majority was bent on mischief was shewn by the manner in which they packed the Committee appointed¹⁴⁷ to draw up the Address and by their unconditionally surrendering themselves into the keeping of D^r Jörg, a leader the “thoroughness” of whose principles has on many previous occasions led his party to dire discomfiture.

The draft of address, drawn up in the solitude of D^r Jörg’s closet and not communicated by him even to his political friends before it was submitted to the Committee, was voted by that body without discussion on the 8th and the Debates upon it began on Wednesday last the 13th.

I have the honor to enclose herewith a copy and translation of this document.¹⁴⁸

The gravamen of the charges brought therein against the Ministry lies in the manipulation by the Ministry of the late general elections, in the arrangement and distribution of the Electoral Districts by

¹⁴⁶Ow-Felldorf was elected president on 29 September 1875.

¹⁴⁷The committee was appointed on 2 October 1875.

¹⁴⁸Enclosure: house of deputies’ address to the king (translation; copy of original document not in volume). The address was passed on 14 October; however, on 19 October, Ludwig refused to accept it.

the Central Government and the handling of the elections by the Subordinates of that Gov^t.

That the charges thus brought have a foundation in fact cannot be denied. The existing State of the law,¹⁴⁹ assigns to the Executive the very unconstitutional task of fixing and delimitating the electoral districts according to an average electoral unit of 31,500 souls and the present Ministry undoubtedly exercised this art of “electoral geometry”, as it has not unaptly been christened, in the manner most favorable to their interests and least favorable to the interests of their adversaries. That they did so, as their friends assert, to prevent rural ignorance from swamping urban intelligence does not seem to me to touch the constitutional side of the question – for the Bavarian Constitution in adopting the principle of equal electoral Districts has adopted a numerical standard and not a standard of intelligence versus ignorance. At the last elections for the German Reichstag,¹⁵⁰ which are by direct voting and with universal suffrage, the ultramontane votes in Bavaria were 60 per cent of all the votes polled. As the voting for the Bavarian Parliament is indirect and based upon a census the results at the general elections last summer were probably not so favorable to the ultramontanes as this but it is quite certain that 79 and 76, the actual majority and minority in the Chamber, do not faithfully represent the number of votes polled by each party and that very far larger proportionate numbers were required to make up the 79 than were required to make up the 76.¹⁵¹ The absurdity of the present system would at once appear if the present ultramontane majority were to play their cards with sufficient adroitness (which they are sure not to do) to substitute a ministry of their own for that now in Power. The first thing such a Ministry would do would be to dissolve the present Chamber and then, following the example of their predecessors, to manipulate the electoral districts to their own advantage with the certain result of an ultramontane majority as much in excess of their numerical strength as it is, at present, below it.

From the parliamentary and constitutional point of view, therefore, it is certain that the ultramontane, or, to use the name which they have themselves assumed, the Bavarian Patriotic Party, have a just cause of complaint and that this cause of complaint is the fit subject of an address and remonstrance to the Crown, and the important point to note is that this party does represent the numerical majority of the Bavarian people, by whatever electoral machinery it may be tested,

¹⁴⁹Articles 1 and 2 of the Electoral Law of 4 June 1848.

¹⁵⁰On 11 January 1874.

¹⁵¹In the elections of 24 July 1875 the Patriotic Party polled 2,800,000 votes, the Liberals 1,967,000.

and consequently that their permanent exclusion from the Gov^t of the Country, or rather the permanent Gov^t of the country in diametrical opposition to their wishes and ideas, whatever advantages to mankind in general such exclusion may bestow, really means the death knell of Parliamentary and constitutional institutions in Bavaria.

Had the Ultramontane majority confined itself to formulating this grievance and to demonstrating the parliamentary monstrosity of a Ministry remaining in power after it had failed, in spite of wholesale electoral manipulations, to secure a parliamentary majority, it would have been wise in its' generation. The Ministry is the weakest of the adversaries opposed to it. They possess neither the affection nor the confidence of the national liberal minority of the House nor do any of its' members exercise a personal influence over the King. Existing in virtue of their supposed neutrality between the two parties they have hitherto kept the portfolios to which they are so fondly attached by a series of acrobatic feats of equilibrium which have sometimes astonished the bystanders but have failed to excite any deeper or more permanent feelings. It is their subserviency to the ecclesiastical policy of the Prussian Cabinet as reflected in the legislation of the Empire¹⁵² and generally to all that emanates from Berlin, not apparently so much from internal conviction as because they consider this policy conducive to their personal security, which has so profoundly roused and irritated the ultramontane party against them. Hence if the endeavors of D^r Jörg and his friends had been confined to driving the actual Ministers from office and to substituting a really neutral Gov^t, just tinged with "patriotism" and ultramontanism, they might have had some chances of success. As it is, instead of confining their attack to the weakest point of the defence, the address goes on to rouse the two strongest forces arrayed against ultramontanism: the Imperial Gov^t of Germany and the fears and susceptibilities of the King. With an inconceivable want of political tact the address reproaches the Ministry with having given up "to an interest which is far from being universally German" one after another of the Rights reserved by treaty to the Bavarian Crown¹⁵³ i.e. of having sold Bavaria to Prussia – and then it throws in the King's teeth a supposed and I believe apocryphal dictum of his father's about

¹⁵²Morier is referring to the so-called Pulpit Law of 1871 (see n. 25 in this section), the Jesuit Law of 1872 (see n. 27 in Darmstadt section), the so-called Expatriation Law of 1874 (see n. 140 in Berlin section), and the Imperial Civil Marriage Law of 1875 (see n. 87 in Darmstadt section).

¹⁵³The sovereign rights (*Reservatrechte*) retained by Bavaria in the November Treaties of 1870 (see n. 1 in this section) included the maintenance of separate postal and railway systems, military command to be retained by the king in peacetime, property insurance regulations, citizenship laws, and beer and brandy taxes. See also n. 8 in Stuttgart section.

“making peace with his people”,¹⁵⁴ which it requires but a very slight acquaintance with His Majesty’s character to know will be resented by him as an unwarrantable piece of impertinent lecturing.

But the folly and political imbecility displayed in these tactics as regards the King are far greater than even this. For the accusations brought against the Ministry of having betrayed the Rights of the Bavarian Crown to Prussia was intended to set the King against the Ministry and to draw His Majesty over to the Patriot Camp as to a city of refuge for what remained of those Rights. But it is certain that the motive power which has decided the King’s action at all the great crises of his reign has been not Love but Fear of Prussia and consequently that if one thing is more likely than another to make him refuse to dismiss his Ministry at the bidding of a Parliamentary body it will be the fear that to do so in consequence of an address in which the gauntlet had been thrown down to the Imperial Gov^t will rouse the anger of his “good brother”¹⁵⁵ on the Spree.

The address after two days of very stormy Debates was voted yesterday by the stereotype majority of 79 to 76.

The reports of these Debates will not be published for some days.

FO 9/229: Clement Lloyd Hill to Earl of Derby, Confidential, No 22, Munich, 4 March 1876

[Received 13 March by private hand to Darmstadt. For: The Queen / Disraeli / Circulate / Berlin; D[erby]]

Railway centralization scheme; Bavarian resistance

The Declaration of Monsieur de Pfretzschner as to the attitude which the Bavarian Government would adopt on the Railway Centralisation Question, which formed the Subject of my Despatch N^o 20 of the 25th Ultimo, has caused considerable Agitation in this Country, and, to judge by the Press, not a little Interest throughout Germany.¹⁵⁶

¹⁵⁴Maximilian II used this phrase in June 1859 after the dismissal of the von der Pfordten ministry.

¹⁵⁵Morier is probably alluding to the satirical poem *Ludwig Wittelsbacher an seinen stammverwandten Bruder an der Spree* by Karl Simrock. The poem, which is often ascribed to Heinrich Heine, deals with Ludwig I’s affair with Lola Montez.

¹⁵⁶On 25 February 1876 Pfretzschner assured the second chamber of the government’s intention of maintaining Bavaria’s reserved rights (see n. 153 in this section) and, on account of the expected consequences for the relationship between the German Empire and the German states, also declared Bavaria’s opposition to the imperial railway scheme and the transfer of Prussian state railways to the empire (see n. 234 in Berlin section).

Articles have appeared varying in tone according to the Views of the Parties which the several Newspapers represent but worthy looking at the Matter in a political Light and tending to attribute the Line taken by Bavaria to her strongly developed Particularism.

In today's 'Augsburg Allgemeine Zeitung', however, there is an interesting Article, of which I have the Honour to inclose a Translation, which deprecates the Tendency to look upon this as a purely political Question and points out the financial grounds on which the proposed Centralisation would be undesirable.¹⁵⁷

I believe the following to be the real History of the Affair.

When first the Question was mooted it met with considerable opposition in Saxony, the Government of which Country expressed its' Views unofficially to that of Prussia and asked to what extent the proposed Centralisation was to be carried. The Reply was evasive, as were those returned to similar Representations of Wurtemberg and Bavaria.¹⁵⁸

When it was known that Herr Freytag, the Leader of the Right or clerical Fraction of the Bavarian Chambers, would put a Question on the Subject to the Government,¹⁵⁹ the King at once intimated to Monsieur de Pfretzschner the form in which he desired it should be answered.

I may here mention that in talking to the very well informed Diplomatist who has furnished me with most of these Details His Majesty observed: 'The Purchase of the Railways by the Empire is the Beginning of the End'.

Several Reasons would suggest themselves for this Action on the Part of King Louis. His Majesty must find himself in a Position of some Difficulty in governing with a Ministry whose only Hold on Office is his personal Support. His Jealousy of Prussian Interference would naturally make His Majesty lean towards the 'patriotic' Party of the Right were not this Tendency checked by his Dislike for the Ultramontanes, of which he has given fresh Proofs recently by such Acts as special Congratulations to D^r Döllinger on his Birthday and the Presentation of his Portrait to D^r Lutz, the Minister of Education and public Worship, a Statesman of very anti-clerical Views.¹⁶⁰ But, on the other Hand, he does not wish to have too strong a liberal Ministry who might urge him to Concessions contrary to his Inclination. By

¹⁵⁷Enclosure: translation of article by Victor Böhmert, *Allgemeine Zeitung*, 4 March 1876.

¹⁵⁸Hill is referring to the Prussian note of 26 December 1875, which was also communicated to Bavaria and Württemberg.

¹⁵⁹Interpellation relative to the purchase of German railways by the empire of 22 February 1876, presented to the second chamber of the Bavarian *Landtag* on 23 February.

¹⁶⁰In early February 1876 Lutz received a signed and elaborately framed photograph of Ludwig II.

the present Step a Sop has been thrown to the Right and a Weapon taken out of their Hands: the Position of the Ministry, it is hoped has been strengthened; while the Views of His Majesty and the Country in general have in effect been plainly expressed, though there appears to be a Feeling that it would have been better had their Expression taken some Form by which it might have been made more clear, than has been done by an answer to an Interpellation, that they are the opinions of the Majority of the Chambers and not those of a Ministry which is in a Minority.

How far the collective opposition of Bavaria[,] Saxony and Wurtemberg, who are in perfect accord on this Question, can be effectual must depend upon whether the Matter is allowed to be one affecting the Constitution of the Empire, when their united fourteen Votes would theoretically be able to negative it in the Bundesrath.¹⁶¹

Nothing is known here as yet officially as to the Way in which the Declaration is viewed at Berlin; but I learn, confidentially, that Monsieur v. Bulow informed the Envoy of Wurtemberg¹⁶² at Berlin within the last few Days that no Decision was yet arrived at as to the Course which would be pursued.¹⁶³

In the meantime the Position of the Ministry has not been improved, for on the Motion for voting the usual temporary Budget in yesterday's Sitting, Herr Freytag put in a Paper signed by all the opposition,¹⁶⁴ i.e. the Majority, saying that while they refrained from opposing the Budget in order that the Administration of Business might not be impeded, they guarded themselves against the Supposition that they thereby approved the general Policy of the Government.

There seems no Way in which this State of Things can be altered but by a Dissolution of the Chambers, when further skilful Manipulation of the electoral Districts, such as that which has already given much offence, might, it is thought, possibly result in giving Ministers a small Majority.¹⁶⁵

¹⁶¹For the blocking minority in the Federal Council as stipulated in Article 78 of the imperial constitution of 1871, see n. 4 in Stuttgart section.

¹⁶²Carl von Spitzemberg.

¹⁶³The imperial railway project was submitted to the Prussian state ministry on 12 February 1876; the bill was approved on 12 March 1876 and submitted to the Prussian *Landtag* in April 1876.

¹⁶⁴The memorandum was resolved and signed by all 79 deputies of the Patriotic Party on 3 March 1876.

¹⁶⁵For the manipulation of electoral districts, see pp. 482–485.

**FO 9/229: Clement Lloyd Hill to Earl of Derby, No 28,
Munich, 11 April 1876**

[No date by Messenger Mayl. For: The Queen / Disraeli / Circulate; D[erby]; 'This is an interesting dispatch', R.B. [Robert Bourke]]

Historical sketch of legislation for monastic institutions in Bavaria; outline of Dürschmidt's work

In my Despatch N^o 24 of the 22nd Ultimo I endeavoured to lay before Your Lordship the Hopes and Fears of the Catholic Clergy in Bavaria as expressed by themselves. The Views of the advanced liberal Party which called forth the Memorial¹⁶⁶ inclosed in that Despatch may be found in an able and interesting Work published last year by M. Dürschmidt, which was alluded to in M^f Morier's Despatch N^o 35 of the 29th of April last and is entitled "The Conventual Associations of Bavaria and the Task imposed upon Imperial Legislation".¹⁶⁷ My present object is to lay its' Contents as briefly as possible before Your Lordship.

After describing the Rise, Progress and present Position of Monastic Institutions, the Author discusses the Questions of the Good which they may be supposed to do to the Country, the Importance which the Church attaches to them and which they really possess as Agents in spreading her Influence, and their political Relations to the Government: and from a Consideration of the past and present Laws on the Subject he draws his Conclusions as to the Legislation which will be necessary for the future.

Your Lordship will not care to follow M^f Dürschmidt through the numerous Papal Bulls, Episcopal Pastorals and internal Regulations of the several monastic and conventual Associations which he cites as proving that the blind and unreasoning obedience which the Church of Rome demands of the Members of such Bodies is incompatible with the Welfare of the State and may at any time become a Source of positive Danger; neither will I trouble Your Lordship with the Statistics which have been compiled to show the remarkable Increase of late Years in the Number and Wealth of these Institutions. I will rather

¹⁶⁶The memorandum to the King of Bavaria was drawn up on the basis of the resolutions made at the episcopal conference at Eichstätt (16–18 August 1875) and was signed by all Bavarian bishops between 13 and 23 October 1875. Among the anti-clerical and anti-Catholic developments which were criticized were the Old Catholic movement, the disregard and repression of the Church in education and school matters, and the endangerment of religious orders and congregations.

¹⁶⁷Heinrich Dürschmidt, *Die klösterlichen Genossenschaften in Bayern und die Aufgabe der Reichsgesetzgebung*, Nördlingen 1875; in June 1875 the book was put on the *Index Librorum Prohibitorum* and thus banned by the Catholic Church.

confine myself to a short account of the State of Things which has called forth the Demand for the more stringent Legislation which is put forward by the Party whose Views are represented in M^r Dürrschmidts' Work.

From the Middle Ages to almost the French revolution Bavaria was a kind of promised Land to Monastic Institutions. Enactments, such as those of 1675, 1701, 1756 and 1764,¹⁶⁸ whose Tendency was to check the Growth of their Riches and Influence had, it is true, been passed; but it was not till the Change of Ideas which marked that period throughout Europe had taken place that those Laws culminated in the Edicts of 1803,¹⁶⁹ which secularized all monastic Property on the Ground that such Institutions were obstacles in the way of the moral and intellectual Cultivation of the Nation. The Reaction however did not outlast the Fall of Napoleon, and the Conclusion of the Concordat of 1817 and the Passing of the Constitution of 1818 are again turning points of the Legislation on the Subject.

The Compromise effected in the Concordat which was well understood by the Church of Rome to be partial and was distinctly if reluctantly accepted as such, became the Law of the Land when it was engrafted in the Constitution. But the Ink of the latter was hardly dry when the real Intentions of the Church were declared; the Law of the Church was pronounced by the Pope to be higher than the Law of the Land and her Interpretation of the Concordat was to be preferred by all Catholics to that put upon it by the Constitution.¹⁷⁰

Then began the Struggle for Supremacy between Church and State which, excepting an Interval during the Reign of Louis I and the Abel Ministry when the Hierarchy ruled supreme, has never since caused Omissions and Flaws in the several Enactments of the Government, Disputes as to their Meaning, the hereditary and magnificent Affection of the Princes of the Royal House of Bavaria for the Church, and the political Requirements of successive Ministers who for party Reasons wished to stand well with their formidable Rival, all tended

¹⁶⁸Hill is referring to the edict of 3 January 1867 (prohibiting the purchase of immovables), the Civil Code of 2 January 1856, and the amortization laws of 1 August 1701 and 13 October 1864.

¹⁶⁹The secularisation of Bavarian monasteries primarily took place in 1802, i.e. before the Final Recess of the *Reichsdeputation* of February 1803, which Hill is most probably referring to.

¹⁷⁰The Concordat of 24 October 1817 was published as an appendix to the so-called *Religionsedikt*, which itself formed part of the Bavarian constitution of 26 May 1818. The problem of the subordination of the Concordat to the constitution was resolved in September 1821, when Maximilian I Joseph declared that the Concordat was to be regarded as a state law.

to strengthen and confirm the Church in her Resistance to the secular Authorities.

Though the old Laws by which the Crown of Bavaria has the Power of Supervision and Control over the Affairs of the Church within its' Dominions are still unrepealed,¹⁷¹ they have, through the Causes above enumerated, fallen into Disuse and been so habitually Disregarded that Bavarian Statesmen have of late been driven to confess their Inability to cope with the aggressive Policy of the Church, and from the liberal Point of View the last State of this Country is worse than the first.

The Syllabus and the Infallibility Decrees¹⁷² are the more immediate Causes of the Temerity displayed by the Catholic Party and have incited it to an Assumption of the Right of Interference in the domestic and external Policy of the Country which is felt to be intolerable. The Flood has burst through the frail Dam which Bavarian Legislation is able to oppose to it and the consequent Danger to the Empire calls for the strong opposing Bulwark of Imperial Laws.

The artificial Balance of Parties now maintained in Bavaria makes local Measures of Amelioration useless, but the Imperial Constitution comes to the rescue of this overpowered member of the Federation. Article IV gives the Empire the Right of Control over all Societies within its' Boundaries, therefore of course, it is argued, over religious Societies. This Right was exercised in the Case of the Jesuits, it should, say the Liberals, be used also in that of Monastic Institutions.¹⁷³

When historical Traditions such as those I have briefly summarized are studied under the Influence of Ideas which are so directly opposed to those supported by the Church, it is easy to understand that any Legislation which is proposed to limit her Power is not likely to err on the Side of Leniency. We may indeed almost wonder that the complete and perpetual Suppression of all Monastic Institutions is not invited upon, and that the objects to be gained are confined to the following Heads:

- i. The Protection of the moral and physical Freedom of their Members.

¹⁷¹Apart from the Concordat, which stipulated the king's right to nominate bishops and other clergy members, control of the church was regulated by the provisions of the *Religionsedikt* (including the *placetum regium*; see n. 15 in this section) and the right to appeal against an abuse of power by church authorities.

¹⁷²See nn. 141 in Berlin section and 11 in this section.

¹⁷³Article 4 of the imperial constitution of 1871 listed the matters 'under the supervision of the Empire and its Legislature'. For the (Anti-) Jesuit Law of 1872, see n. 27 in Darmstadt section.

2. A distinct Understanding on the Question of their Rights as regards Property.
3. A well defined Limit of their external Power and Position towards the State.

The Effect, however, of the Laws, which as they are somewhat long I have given in a separate Inclosure, would undoubtedly be to give a great Blow to the Influence of the Roman Catholic Clergy in Bavaria, and to increase correspondingly the Power of the Government; and it is a clear Perception of this possible Result that drew forth the Episcopal Protest already referred to.¹⁷⁴

FO 9/230: Clement Lloyd Hill to Earl of Derby, No 45, Munich, 4 August 1876

[Received 7 August by post. For: The Queen / Disraeli / Circulate; D[erby]]

Review of recent parliamentary session; lamentable political circumstances in Bavaria

The wearisome and long protracted Session of the Bavarian Parliament has at length come to an End, it having been closed on the 29th Ultimo by H.R.H. Prince Luitpold, in the Absence of the King.

The History of its' Proceedings is far from edifying and would not be worthy of Notice were it not that, better perhaps than anything else, it paints the Position in which Bavaria is now placed.

Your Lordship will remember how the then recently elected Landtag was prorogued in October last by a Royal message in consequence of His Majesty's Displeasure at the Proceedings of the Ultramontane Majority who had, under the guise of an address to the King, practically brought an Indictment against the Government chiefly founding it on their alleged Misdoings in the Conduct of the General Elections.¹⁷⁵

His Majesty then expressed his Confidence in the Ministers and his Hope that with his Support they would carry out during the next Session Measures which would result in the Welfare of his Country.¹⁷⁶ The Session which has just terminated began on the 21st February. Whatever may be His Majesty's present feelings towards the Government, and he has during the past Months found more than

¹⁷⁴Enclosure: 'Proposed Imperial Legislation'.

¹⁷⁵The *Landtag* was prorogued on 21 October 1875. For the so-called *Jörg-Adresse*, see pp. 482–485.

¹⁷⁶Royal resolution of 19 October 1875 in which Ludwig declined the incumbent ministry's offer of resignation.

one occasion to give its' most prominent Members private Assurances of his continued Confidence, yet his Hope that useful measures would be passed has hardly been realized.

The early days of the Session were occupied by the important Question of the Purchase by the Empire of German Railways. Moved, as I had at the Time the Honour to report, by the royal Influence, the Head of Government¹⁷⁷ in his Place in Parliament declared with universal Approval of the House, that Bavaria would stand on her reserved Rights¹⁷⁸ and oppose by all constitutional Means any Attempt on the part of the Empire to obtain Possession of Bavarian or other Lines.

It is probable that much of this universal opposition arose from financial Motives; on the part of Monsieur de Pfretzschner it was, as he has since repeated privately, based on political grounds. The Despatches of Her Majesty's Ambassador at Berlin,¹⁷⁹ with Copies of which Your Lordship has from Time to Time favoured me, will have shown Your Lordship how much Weight is to be attached to this opposition, which has, I may add, been recently dormant. The "Augsbourg Allgemeine Zeitung" indeed of the 27th Ult. had an Article¹⁸⁰ which suggested that the proposed Imperial Measure was never meant to pass but was only held up as a possible Evil the Withdrawal of which Could induce its' opponents to consent to many lesser Imperial Measures.

The Article ended thus:

"The End of the Question cannot be foreseen; its' present Position justifies the Supposition that the Empire will settle the Regulation of the Railway System in the Manner which suits it best."

It was whilst this Question was going on that the Leader¹⁸¹ of the Opposition in a Memorandum signed by all his Party, which has a Majority of two Votes, to the effect that though they would not oppose the Budget to such an Extent as to render the Administration of Business impossible yet they wished to guard themselves against the Supposition that they at all approved the Policy of Government.¹⁸² And here we strike the Key-note of their subsequent Actions. As Item by Item the long Coils of the Budget have been slowly unfolded and the Turn of each successive Minister has drawn near to defend in

¹⁷⁷Adolph von Pfretzschner, on 25 February 1876. For the imperial railway question, see pp. 485–487 and n. 234 in Berlin section.

¹⁷⁸For the so-called *Reservatrechte*, see n. 8 in Stuttgart and n. 153 in this section.

¹⁷⁹Odo Russell.

¹⁸⁰The article is entitled 'Der Stand der Reichseisenbahnfrage' ('The state of the imperial railway question').

¹⁸¹Andreas Freytag.

¹⁸²See n. 164 in this section.

the House his financial Bantling, so have Rumours of violent and determined opposition been raised. Now the Public Worship, now the Education and again the extraordinary Military Budget have been condemned and thrown aside in Anticipation, but one after another each has come out of the Struggle, weakened it is true, but still substantially intact. The Opposition has indeed been violent in Language but unequal in Determination. Indeed the general Tone of the Debates has been noticed in the Speech from the Throne, of the concluding Paragraphs of which I have the Honour to inclose a Translation.¹⁸³

As regards practical Measures the past Session will be known only as having passed a Law for the increased Taxation of Dogs.¹⁸⁴

In Addition to the minor Items of the Budget a favourite Subject for the exercise of the Strength of the Opposition Majority has been the Verification of the Elections in several Districts, to one of which I made Allusion in my Despatch No. 33 of the 26th of May.¹⁸⁵ The Pastime of annulling those of liberal Members has been peculiarly popular since the Failure of D^r Jörg to induce the Chambers to pass a reform Bill the chief objects of which were to introduce direct personal voting, instead of the present System of Votes by Representatives (Wahlmänner) and to create fixed voting Districts by which it was hoped to diminish the Power of 'cooking' the Elections which the Government is now alleged to possess. This Bill which was opposed by the Liberals on Pleas of the Lateness of the Session and of the Moment being unfavourable was indeed passed by the usual Majority, but as it entailed a constitutional Change for which a Majority of two thirds is necessary, its' Clauses were of course hopeless and it was withdrawn.¹⁸⁶ This seems to have stung the opposition to the quick and several liberal Deputies, among them M. Schlör the great Railway Authority, were subsequently unseated regardless of the Fact that they were elected under the same Conditions as their Ultramontane Colleagues and that their prompt Reelection was almost certain.¹⁸⁷

Excepting the Railway Question the only Point on which Parties have been in accord was that of the raising of the King's Civil List, when of course the opposition was at once tainted with wanting

¹⁸³Enclosure: extract from the speech from the throne at the closing of the Bavarian chambers, 29 July 1876 (translation).

¹⁸⁴Law of 2 June 1876.

¹⁸⁵In his dispatch of 26 May Hill reported on the re-election of the five Liberal deputies for Munich who had previously been unseated.

¹⁸⁶The bill was introduced in the chamber of deputies on 7 March 1876 and put to vote on 28 June.

¹⁸⁷Altogether, elections in 16 districts were annulled by the majority of the Patriotic Party; in all cases Liberal candidates won the re-run of the elections.

to regain some of His Majesty's lost Favour. The Civil List was by the constitutional Law of July 1. 1834 fixed unalterably at a Sum of 2,350,580 Florins, and at first Sight it seemed difficult to meet His Majesty's Wish for increased Supplies. It was however ingeniously done by raising the Value of the Florin from one Mark seventy one Pfennigs to one Mark eighty Pfennigs, by which an Increase was granted of 201,474 Florins.¹⁸⁸

How far "His Majesty's most faithful opposition", as one of their leading Spokesmen christened his Party in the early Days of the Session,¹⁸⁹ can reconcile their factious Criticisms and these useless Delays with the title 'patriotic' by which in preference to that of 'clerical' or 'Ultramontane' they choose to designate themselves I leave to them to explain.

The State of Things, however, which is thus created is one for which, if I may judge from my short Experience, the Country itself offers no Remedy. From whichever Side the Case is viewed the local Elements of Improvement appear to be wanting. The King, capricious in his public and private Life and apparently only interested in the Affairs of the Country where his own royal Dignity is encroached upon, has hitherto never troubled himself to conceal the Coldness of his feelings towards the Imperial Family of Germany, while the future Heir¹⁹⁰ in the event of his Majesty dying unmarried is a staunch Conservative and of a Character little likely to be influenced by liberal views. Turning to the public Men we find the present Ministry composed, with the Exception perhaps of D^{rs} Lutz and Pfeuffer, of weak Characters whose chief Aim is the Retention of their Portfolios, while the Ultramontanes would almost confessedly be unable to constitute a Ministry. Among the Clergy we find ourselves in a Stronghold of Bigotry which save amongst the neighbouring [*sic*] Mountains of Tyrol it is not easy to rival. If we look at the upper Classes we find the social Sympathies of those who are not under obligations to Berlin inclining rather to the Side of Austria than of Prussia, though indeed their political Sense tells them that a united Germany is at present indispensable. The middle Classes, indolent by Nature, when not under the immediate Influence of glorious Victories are prone to look with Suspicion upon the Restlessness of Prussia; while the Peasants under the Dominion of their clerical advisers are ready blindly to follow where the latter lead, which is assuredly not in the Direction of Unity. The officers

¹⁸⁸The increase of the civil list from 4,029,570 to 4,231,044 marks was approved by the chamber of deputies on 9 June 1876; the new sum was affirmed in the Financial Law of 29 July 1876.

¹⁸⁹Andreas Freytag, in the chamber of deputies on 3 March 1876.

¹⁹⁰Otto.

of the Army alone, knowing that their Promotion cometh from the north and feeling themselves Part of a well nigh invincible whole, are thoroughly in favour of the Union which is Strength. These then, if I have rightly appreciated them, are some of the Atoms which now constitute the political Elements of Bavaria. How long a State of Affairs which is prejudicial to the Welfare of the Country itself and cannot be conducive to the Interests of United Germany will be allowed to continue without Pressure from without or what form any such Pressure may take are Questions into which I will not venture to enter.

In Bavaria, while left to itself, the Struggle is really one between Church and State, and if the Balance during the last Campaign has slightly inclined in favour of the latter it is owing more to the Faults and bad Generalship of the Army of the Church than to any merit possessed by the Leaders of the State.

**FO 9/233: Edward Stanton to Earl of Derby,
Confidential, No 83 Munich, 28 November 1877**

[Received 3 December by messenger. For: The Queen / Lord Beaconsfield / Circulate;
Qy: Vienna / Berlin; D[erby]]

King of Bavaria's sympathies towards Austria

I had the honour, in my Despatch No 78 of the 13th Instant to report to Your Lordship that His Imperial Highness The Archduke Rudolph had received the most marked attention from the King of Bavaria during the recent visit paid by His Imperial Highness to Munich, and that His Majesty had accompanied The Archduke for some distance on His Imperial Highnesses return to Vienna.⁴⁹¹

This unusual empressment⁴⁹² on the part of The King, and the fact that his Majesty, who had left Munich the day before The Archduke's arrival, returned here for the special purpose of receiving His Imperial Highness, contrasts so strongly with the rather scant courtesy which His Majesty has been in the habit of showing to the Emperor or Crown Prince⁴⁹³ of Germany when visiting or passing through Bavaria, that it has not unnaturally caused some remark from the evidence which it apparently offers of the Austrian sympathies of the Court.

⁴⁹¹Archduke Rudolf stayed in Munich from 8 to 12 November 1877; on 10 November he was appointed Royal Colonel of the 2nd Royal Bavarian Heavy Cavalry.

⁴⁹²French: 'display of effusive cordiality'.

⁴⁹³Friedrich Wilhelm.

That the Austrian Court has considerable influence over The King may also be assumed from the fact, that the recent sudden change in His Majesty's decision, as to the reception of the Papal Nuncio¹⁹⁴ (the postponement of which until after the return of the Court from Hohenschwangau had been semiofficially announced only a few days previously,) is entirely attributed to the direct intervention of the Archduke Rudolph, and it is certain that this change of plan and the official reception accorded to the Nuncio was far from pleasing to the Prussian Representative¹⁹⁵ at this Court.

Whether any serious political importance is to be attached to this Austrian influence, or to the Austrian sympathies of The King is a question on which I do not feel myself competent to offer an opinion, but, as in the present state of affairs in Europe, contingencies might possibly arise in which the attitude of the Bavarian Government might be worthy of consideration, I imagine that the incidents abovementioned may not prove altogether uninteresting to Your Lordship.

**FO 9/236: Edmund W. Cope to Marquess of Salisbury,
Confidential, No 86 Munich, 28 August 1878**

[Received 2 September by messenger. For: The Queen / Lord Beaconsfield / Rome; S[alisbury], 13 September]

Conversation with papal nuncio about his meeting with Bismarck at Kissingen and their discussion of May Laws

Since I had the honour of addressing to Your Lordship my No 81 Confidential of the 17th Instant, I have had a conversation with Mgr. Masella, the Papal Nuncio at this Court.

As I was aware that the late Cardinal Franchi, was an intimate personal friend of Mgr. Masella, on seeing His Excellency I expressed to him my sympathy at the loss he had sustained since I last had met him. His Excellency in thanking me said, that the late Cardinal Franchi had indeed been a very intimate friend of his, and that he not only, as such, felt the Cardinals death very much, but that his loss at the moment of the Kissingen interviews was greatly to be deplored.¹⁹⁶

¹⁹⁴On 12 November 1877; Masella had been in Munich since July 1878.

¹⁹⁵Georg Graf von Werthern.

¹⁹⁶Bismarck and Masella discussed the relationship between the Holy See and Prussia at Kissingen between 29 July and 16 August 1878. The interviews ended without results. The Cardinal Secretary of State, Franchi, died on 29 July.

On my remarking that many contradictory reports were in circulation as to the Kissingen Meeting, and I did not know how far His Excellency was satisfied with the result, Mgr. Masella said "I will tell you, confidentially what I have told some of the Chefs de Mission here". (His Excellency did not specify who, but I have reason to believe he meant the Ministers of Wurtemberg and Saxony and the French Chargé d'Affaires).¹⁹⁷

Mgr. Masella then told me that when the idea of his going to Kissingen,¹⁹⁸ to see Prince Bismarck, was first mooted, he wrote to Cardinal Franchi,¹⁹⁹ with whom he was in the habit of transacting a great part of his correspondence by private letter, to state that, according to his belief, the meeting would be premature, that matters were now in such a state that a reconciliation was not to be expected at once. That, on this, he received a private and confidential letter²⁰⁰ from Cardinal Franchi urging his going, and that it was his (the Cardinals) own wish that an attempt should be made, and that at all events "pourparlers" should be opened. That, after that letter he could, of course, do nothing but go at once. That unfortunately Cardinal Franchi was not spared to take any further part in the matter.

Mgr. Masella here expressed his dissatisfaction at the Press having written of the "Kissingen negotiations", and said that before the negotiation of a Treaty of Peace there must be "pourparlers", and that what was done at Kissingen must be looked on in that light.

His Excellency, who spoke in high terms of the amiability and frankness of Prince Bismarck on the occasion of their interview, said that the Prince begged him to state without reserve his ideas and objections in the matter of the "Kulturkampf". That he pointed out to His Highness that with the actual state of the so-called May Laws, it was impossible that peace could be made in a satisfactory manner, that the Catholic Church would exist under those Laws, as She had already continued to exist under difficulties, but that She could not "rentrer dans Sa vie normale"²⁰¹ whilst they were in force.²⁰²

His Excellency admitted at the same time that these Laws having been made and passed, the sudden repeal of them would be too much

¹⁹⁷Oskar von Soden, Oswald von Fabrice, Édouard de Lefebvre.

¹⁹⁸The invitation for negotiations was conveyed in a letter from the German Crown Prince, Friedrich Wilhelm, to Pope Leo XIII, dated 10 June 1878. On 30 June Masella was instructed to ascertain the time and place of the proposed meeting. On 16 July he was invited to Kissingen.

¹⁹⁹Masella was probably referring to his letters of 8 and 9 July 1878.

²⁰⁰Franchi's official instructions to Masella regarding the Kissingen negotiations are dated 21 July 1878.

²⁰¹French: 'return to normal life'.

²⁰²For the so-called Falk Laws (May Laws), see nn. 112 and 140 in Berlin section.

for the natural pride of such a Statesman as Prince Bismarck, but said that it would be for His Highness to find some other way, and that then Rome would do all She could to help in it. His Excellency did not explain what he meant by the “*autre chemin*”²⁰³ but I concluded he meant by His Highness rendering the May Laws or some parts of them virtually inactive.

Mgr. Masella said that Prince Bismarck denied that he himself was personally concerned in drawing up the May laws. That His Highness was anxious to know, in the event of peace being made with Rome, if that would put an end to the opposition he met with from the Centrum and Clerical Party in the Reichstag?. That he (Mgr Masella) had replied to this that peace being made with Rome would remove the grievance those members had as regards their religion, but that in the Party to which The Prince referred there were so many individual opinions on matters purely German, that it was impossible for Rome to guarantee that Catholic Members would always vote straight on political matters, with which Rome had no concern, and as to which she had no influence over members of the Clerical Party.

Mgr. Masella said that he had explained the views Rome took of the May Laws to Prince Bismarck, at His Highness’s own request, and that all Rome could do now was to wait for His Highness to make the next move towards a reconciliation.

Mgr. Masella did not speak of the offer of an amnesty to the Bishops and Priests who have got into trouble with the Government in Prussia, but I have been informed, from a good source, that the amnesty offered would only have included about seventy per cent of the cases, and that the Archbishop of Posen²⁰⁴ and the Bishop of Paderborn²⁰⁵ would have been amongst those excluded from it.

FO 9/236: Edmund W. Cope to Marquess of Salisbury, No 92, Munich, 3 October 1878

[Received 7 October by messenger. For: The Queen / Lord Beaconsfield / Circulate; S[alisbury]]

Reactions to Anti-Socialist Law in Bavaria; meeting of Catholic Volkspartei at Würzburg

Although the debates on the Law against the Socialists have naturally attracted a good deal of attention here, I consider that they have

²⁰³French: ‘other route’.

²⁰⁴Mieczysław Halka Ledóchowski.

²⁰⁵Konrad Martin.

caused less excitement in Bavaria than in many other parts of Germany.²⁰⁶ This is no doubt due to the fact that the population of Bavaria being mostly agricultural the Social Democratic Agitators have had a less congenial field to work on than in other parts of Germany where there is a large manufacturing population. Many people here were much shocked to find that, at the last elections for the Reichstag,²⁰⁷ the Social Democrats had polled 15,411 votes in Bavaria, viz in Munich 5249 (in district I D^r Hacker got 1997 + in district II Kiefer 3252) and in Nuremberg, Grillenperger obtained 10162 but none of these Candidates were returned, and it was only in these two towns, where there is a considerable manufacturing population, that the Social Democrats made any efforts at all to carry a seat.

The only chance that Social democratic doctrines have of making any way in Bavaria is, if they should be promoted by the priests, who alone are likely to have any great success as agitators amongst the Roman Catholic population in the small towns, in Bavaria, (in the actual country districts the agriculturalists would be unlikely to listen to anyone preaching socialism,) but this would be discouraged by the Roman Catholic landowners, and, in the present state of attempts at finding a *modus vivendi*, by Rome also, and the recent attempts of D^r Sigl to get up an agitation amongst the Roman Catholics on the subject of the proposed enactments against the Socialists has not found any favour amongst the Roman Catholic party generally.

D^r Sigl, who has already been in trouble on account of Articles in the "Vaterland" Newspaper, as reported in my N^o 69 of July 25th last,²⁰⁸ presided at a meeting of the Catholic Peoples party²⁰⁹ at Würzburg on the 25th Ultimo, and the following resolutions were passed at the said meeting, which was largely attended by persons of the extreme Ultramontane party.

I The Catholic Volkspartei in Bavaria sees in the project of Law now being deliberated on in the German Reichstag, and which is nominally aimed against the Social Democratic party, an attack directed against the political and social liberties of the German People[.]

²⁰⁶For the Anti-Socialist Law of 21 October 1878, see n. 251 in Dresden section.

²⁰⁷The Reichstag elections were held on 30 July 1878.

²⁰⁸On 24 July 1878 Sigl was sentenced to three months imprisonment for insulting the emperor in an article published in the *Bayerisches Vaterland* on 25 May 1878.

²⁰⁹The *Katholische Volkspartei*, a splinter group of the *Bayerische Patriotenpartei*, was founded in March 1877.

II The Catholic Volkspartei fears that from the line taken by this proposed Law the Fatherland will be thrown into immeasurable misfortune.

III The Catholic Volkspartei is convinced that the Social dangers can only be removed by means of reforms in political and financial affairs, and expects that only by fulfilling the just claims of the working classes can their pacification, and the turning aside of the dangers feared, be brought about.

IV Finally, the Catholic Volkspartei is convinced, that without the aid and participation of the Catholic Church any peaceful solution of the social questions is impossible.

The natural remark of moderate people on these resolutions of D^r Sigl and the extreme party is, that the question whether any special enactments are required to meet the Social Democratic movement, and how far such special laws should go, is now being discussed in the proper place, the German Reichstag, and that it is very inopportune and un necessary [*sic*] for D^r Sigl to mix up the Bavarian Catholics in any way with the matter.

In anticipation of the special regulations which seem likely to be enacted, Mr Grillenperger's organ, published at Nuremberg and called hitherto the "Nuremberg Fürther Socialdemokrat", takes from the 1st of this month, the name of the "Fränkische Tagespost" [.]

**FO 9/239: Edmund W. Cope to Marquess of Salisbury,
Confidential, No 79, Munich, 15 November 1879**

[Received 18 November by post. For: The Queen / Lord Beaconsfield / Prince of Wales; T[enterden], 18 November; S[alisbury], 18 November]

Public displeasure at Bavarian king's absence from public events and his discourtesy by not receiving the credentials of the papal nuncio

With reference to my No 77 of yesterdays date, announcing the departure of His Majesty The King for Hohenschwangau I think it right to bring to Your Lordship's notice to the fact that His Majesty's proceedings have been the source of much comment in society here, and though the Bavarian Newspapers have abstained from any remarks on this subject the German Press outside this Kingdom has not shown the same reserve.

Two circumstances especially, have given rise to a certain amount of dissatisfaction among the Bavarians with regard to the proceedings of their Sovereign.

The Exhibition of Fine Arts which was opened here in July and closed in October, and of which The King was Patron, was never visited by His Majesty.²¹⁰

The Papal Nuncio who arrived here in August last has not been able to obtain an Audience to present his Credentials to His Majesty although The King has been actually a fortnight in Munich.

With regard to the first the Exhibition attracted a great number of Royal Personages to Munich, a fact anything but pleasing to The King, Who studiously remained away, and when The King of Saxony offered to go and see His Majesty in the country,²¹¹ The King of Bavaria being then comparatively near Munich, at Berg, at once left for one of His Castles in the mountains, and escaped the visit on the plea that He was travelling about.

At the time of the closing of the Exhibition, October 26th, it was rumoured that The King was coming to Munich, and the pictures &c were not removed in expectation of the Royal Visit. The French Government, at considerable inconvenience and expense, (there being a number of pictures the property of the Nation in the French Section, experienced packers sent from Paris were waiting here) kept the pictures hanging in the French rooms till the 4th Instant. His Majesty however though in Munich did not visit the Exhibition, but ordered some pictures to be brought into the Palace and selected two for purchase. Doctor von Ziegler, His Majesty's Private Secretary, seeing the effect likely to be produced, ventured, it is said, to suggest a visit of His Majesty to the Exhibition, this however met with so little favour from The King, that Doctor von Ziegler tendered his resignation of his Post as "Cabinetschef" which has been accepted by His Majesty, nominally on the sense of Doctor Zieglers health.²¹²

With regard to His Majesty not granting an Audience to the Papal Nuncio, although The Kings dislike of seeing any stranger is well known, still, in a Catholic Country such as Bavaria, it is felt that Monsignore Roncetti having been here so long without being allowed to present his Credentials, is rather wanting in courtesy towards the Pope, (owing to The Kings unfortunate shyness the delay has no political significance,) and people are inclined, perhaps unjustly, to blame the Ministers and Court Officials for not putting a little pressure on to get this Audience granted, instead of inventing the fiction that The King is in His Capital, incognito, and supposed to be

²¹⁰The international art exhibition at the Munich *Glaspalast* took place from 19 July to 28 October 1879.

²¹¹Albert visited Munich from 10 to 13 August 1879.

²¹²Friedrich von Ziegler resigned on 11 November 1879.

still in the country, which was the explanation given to Monsignore Roncetti.

It was no secret here that The King's chief reason for coming to Munich was to hear some of Wagner's operas, and other performances, in the Royal Theatre, which was closed to the public nearly every night during His Majesty's stay, as The King always has special representations for Himself alone.

**FO 9/239: Edmund W. Cope to Marquess of Salisbury,
No 84, Munich, 17 December 1879**

[Received 20 December by post. X; T[enterden], 20 December; S[alisbury], 22 December]

Discussion in Landtag about abolition of Bavarian legations outside the German Empire

I have the honour to report that in yesterday's sitting of the Second Chamber of the Bavarian Landtag, the Estimates of the Ministry of the Royal House and Foreign Affairs were passed, without deductions for the XV Finance period 1880–81.

In every previous debate on these Estimates since the year 1872 a certain Monsieur Herz has been in the habit of bringing forward a motion for the abolition of all Bavarian Legations excepting those in Prussia and in the other states of the German Empire, and another Member D^r Jörg has each time brought forward a motion for the abolition of all the Bavarian Legations outside the German Empire with the exception of that at Vienna.²¹³

These motions have always been rejected by the Chambers and this year M^r Herz and D^r Jörg, though both made speeches protesting that they had in no wise changed their opinions, declined to bring forward their usual motions for the abolition of these Missions.

D^r Jörg in the course of his speech remarked that it was a pity that of the few Legations, Bavaria still had, some were kept up in countries known to be far from friendly to the German Empire and suggested that the money voted for the Legation at S^t Petersburg ought rather to be employed in keeping one up in London.

Some other Members took part in the discussion, objecting to the keeping up of these Missions on purely financial grounds, and hoped that the Government would consider during the coming two years

²¹³In addition to five missions in Germany, Bavarian legations were also to be found at Berne, Brussels, the Vatican (Holy See), Paris, Rome, St Petersburg, and Vienna. The mission to London was withdrawn in 1871.

whether some of the Estimates for this purpose might not possibly be reduced.

After a desultory discussion in which some speakers wandered considerably from the subject, the Estimates were voted.

Although the existence of Bavarian Missions side by side with Embassies and Legations of the Empire may seem an anomaly, there is no doubt a large party here would regret to see them abolished, their existence being considered one of the last remaining signs, to foreigners, that Bavaria though forming part of the Empire still retains some rights of her own.²¹⁴

The financial question involved is not a serious one, for these Missions are not numerous or costly, and where a Bavarian Representative is accredited side by side with one of the Empire, Bavaria does not pay her quota in the State contributions for the maintenance of the latter and as this applies to every case but that of the Mission at the Vatican the increase in the "Matrikulär Beiträge"²¹⁵ would swallow up a good part of any possible savings by the abolition of these Legations.

They will probably in time die a natural death from atrophy, if left alone, for in the rising generation in Bavaria those who desire to make the Diplomatic Service their career now begin to look to the "Reichsdienst"²¹⁶ as the best opening.

FO 9/241: Edmund W. Cope to Marquess of Salisbury, No 5, Munich, 29 January 1880

[Received 2 February by messenger. For: The Queen / Lord Beaconsfield / Circulate / Paris / Prince of Wales; S[alisbury], 3 February]

Bavarian reactions to proposed imperial Military Law

The proposed new Military Law of the Empire with its increased demands of personal service and money from the different States, though it will probably be acquiesced in by Bavaria as a necessary measure, is sure to cause much dissatisfaction amongst the public generally throughout this country.²¹⁷

²¹⁴For the right to send and receive diplomatic representatives, see n. 25 in Stuttgart section.

²¹⁵See n. 181 in Darmstadt section.

²¹⁶'Imperial service'.

²¹⁷For the army bill which was introduced in the Federal Council on 22 January 1880, see n. 346 in Berlin section.

It cannot be said that this proposal has been sprung upon the Germans unexpectedly, it has no doubt been given out somewhat sooner than anticipated, and as it includes a large increase in the infantry has perhaps taken rather a wider grasp than expected, people having become more used to hear a necessary increase in the Artillery discussed.

The deficit in Bavaria and increased taxation consequent thereon coming after a time of agricultural depression and falling on a population chiefly employed in agriculture and cattle breeding makes any threat of an additional burden look terrible indeed, and people ask where it will all end, though even men of the most peaceful tendencies say “we must keep up an army out of proportion to our means as we are between such grindstones as France and Russia[.]”

The growing prosperity of France is looked upon most certainly in Germany with alarm. In 1871 it was never anticipated that France would continue so long without severe internal dissensions and struggles retarding by their shocks her material progress. France with her soil and climate, her magnificent position, “à cheval”²¹⁸ between the Channel and the Mediterranean, must, if she remain [*sic*] quiet, forge ahead of Germany in material prosperity. The feeling amongst the pessimists that this is the case and that every year adds to the power of France whilst she is fully resolved on a war of revenge, is the real spark near the mine as far as Germany is concerned. “We are being ruined whilst France is getting rich” is what is constantly said by the above mentioned party, the natural sequel to this being, that, though longing for peace themselves, this party would feel if the slightest provocation were given it would be better to fight it out before France were to become stronger, though I am happy to say the thought always seems to be that the provocation must come from France and no idea of Germany forging a war is ever mooted. The probable cause of a future war being brought on is usually fixed by tracing back to the last. It is argued that when the Republic begins to be unpopular, and there seems a chance of other parties gaining power in France, as the Empire did when on the wane in 1870, so the Republic would endeavour to reestablish itself in popular favour by military glory and a foreign war, and in that case it would certainly be Germany that would be attacked.

²¹⁸ French: literally, ‘on horseback’; in this case, ‘straddling’.

**FO 9/241: Edward Stanton to Earl Granville, No 58,
Munich, 10 August 1880**

[Received 12 August by post. 'What answer to be returned to General Stanton', F.S.S. [Francis S. Stephens]; 'Answered [in the positive] by telegraph', 21 August]

House of Wittelsbach's 700th anniversary; proposed letter of congratulation from diplomatic corps to King of Bavaria

I have the honour to report to Your Lordship, that during a Conversation yesterday with the Papal Nuncio²¹⁹ at this Court, His Excellency informed me that as the seven hundredth Anniversary of the House of Wittelsbach was to be officially celebrated on the 25th Instant, the anniversary of the Birthday of the King of Bavaria,²²⁰ He had been considering the desirability of mediating to His Majesty on that occasion a letter of congratulation from the Diplomatic Corps accredited to this Court and was anxious to have my opinion in the subject.

His Excellency added that he had already spoken on the subject to several of my colleagues who were prepared to join in the proposed communication, and also gave me to understand that he had ascertained from Baron von Crailsheim, that such a demonstration would be acceptable to The King, though His Majesty was not disposed to hold any receptions on the occasion, and would in all probability be absent from Munich at the time.

I informed His Excellency in reply, that though personally I should be more happy to associate myself with the step he prepared to take, and did not suppose that Her Majesty's Government would raise any objection to my joining with my colleagues in this demonstration I should wish, in order to avoid any misunderstanding in the matter, to refer the subject for Your Lordships consideration before giving him a final answer.

I may add that I understand from my French Colleague,²²¹ that he has already referred the subject for the consideration of his Government and under these circumstances I venture to request that Your Lordship will kindly favour me with instructions as to whether Her Majesty's Government have any objection to my associating myself with my colleagues in the proposed demonstration.

²¹⁹ Cesare Roncetti.

²²⁰ Ludwig's 35th birthday.

²²¹ Édouard de Lefebvre.

**FO 9/243: Edmund W. Cope to Earl Granville, No 88,
Munich, 7 November 1881**

[Received 10 November by post. X; T[enterden]]

Clerical majority in Landtag attacks government over mixed denominational schools

As was to be anticipated the clerical majority, elected in July last, to the Chamber of Representatives in the Bavarian Landtag have lost no time in opening an attack on the present Ministry.²²²

The person specially selected for attack was D^r v. Lutz Minister of Public Worship and Education, and President of the Council of Ministers. The motion on which the attack was based was brought forward by M. Luthardt,²²³ and was in the form of an address to the King, praying His Majesty to cancel the Royal Ordinance of 29th August 1873 relative to the establishment of primary schools and the formation of school districts.²²⁴ The object of the Catholic party in demanding the abolition of this ordinance was to get rid of mixed schools. After two days debate (Friday and Saturday last)²²⁵ M[.] Luthardt's motion was carried by a majority of 22 viz; 85 for the motion 63 against it.

During the debate very violent attacks were made on the Government by M. Bonn and D^r Rittler, who called on D^r v. Lutz to tender his resignation and expressed the intention of their party to do all they could to force him and the other Ministers who supported him to retire.

D^r v. Lutz pointed out the absolute necessity of un-denominational schools where there was compulsory education and a population of various religions, denied emphatically that there was any silent "Culturkampf" as the opposition had asserted, pointed out that if the most ultramontane Ministry were to come into power mixed schools must still be kept up in Bavaria, and finally announced his intention to remain in his post so long as His Majesty, Who had appointed him retained him;

As a Ministry in this Country does not tender its resignation on an adverse vote in the Chamber, and it is exceedingly improbable that The King will dismiss the present Ministers to fill their places with members of the ultramontane party, the vote of Saturday last

²²²The elections were held on 21 July 1881.

²²³The motion was introduced on 4 November.

²²⁴The Royal Ordinance of 29 August 1873 introduced the formation of school districts on the basis of municipality rather than parish; it thus enabled the establishment of non-denominational schools.

²²⁵On 4 and 5 November 1876; the motion was introduced on 4 November.

will cause no change, moreover people must see that this question was chosen merely as a peg on which to hang an attack, and that, as D^r v[.] Lutz said, mixed schools must go on existing under any ministry. The development of railways has caused a movement in the population which leaves the religious boundaries less clearly defined than formerly, inhabitants of the protestant provinces of Bavaria have migrated into towns in the Catholic provinces, and vice versâ; to abolish mixed schools and yet provide proper primary education would require much more money than is now spent, – Are the mixed Schools so distasteful to the Country at large that it would pay more rates to get rid of them? I imagine even the majority which voted for M. Luthardt's motion doubt this.

**FO 9/246: Edmund W. Cope to Earl Granville, No 25,
Munich, 1 March 1882**

[Received 6 March by messenger. For: The Queen; H.P.A. [Henry Percy Anderson]; G[ranville]]

Effect of General Skobelev's speeches in Germany

The speeches of General Skobelev have attracted even more attention and have been discussed at much greater length in the German Press than in our own.²²⁶ I cannot help thinking however that the incident is giving some sort of satisfaction to the Military Authorities and the German Governments[.] As years have passed on and the last war with France has become more remote, there has been a tendency to grumble at, and find fault with the Military burdens; a feeling has sprung that the spread of social-democracy has been helped by the military system, the common soldier brought for his term of service into a large garrison, gets accustomed to life in a town, and, when his time is up, cannot settle down again in his village in the Country, but finds his way back to the town, this tending to cause a scarcity of labour in the country, and an overplus in the towns, and thus creating an underpaid and discontented class for the agitators to work upon in the cities.

As Russia is always looked upon, as the possible ally of France in any coming war of revenge, this outburst of General Skobelev has tended

²²⁶ On 24 January, in Moscow, and on 16 February, in Paris, Mikhail Skobelev held two anti-German speeches in which he talked of an inescapable future conflict between Germans and Slavs.

to silence complaints which were becoming disagreeable to the War Departments.

**FO 9/246: Edmund W. Cope to Earl Granville, No 44,
Munich, 8 April 1882**

[Received 11 April by post. X; G[ranville]]

Likely position to be adopted by Bavaria in Federal Council on tobacco monopoly

With reference to my Despatches N^o 17 of 13th February and N^o 31 of 11th Ultimo in which I had the honour to report the proceedings in both Chambers of the Bavarian "Landtag" with regard to the impending Tobacco Monopoly it appears to be now nearly certain that the Bavarian votes in the "Bundsrath" will be given against the introduction of the Monopoly, although the probable position taken by Bavaria will not be one of opposition to the Monopoly "quand même"²²⁷ but will take the form of putting in a plea that its introduction at present is inopportune owing to sufficient time not having elapsed since the existing duty has been introduced, to judge of its results.²²⁸

This was the gist of the amendment proposed by Baron de Stauffenberg during the debate in the Second Chamber, and it coincides, as I am told on good authority, with the opinions held by M. de Riedel the Minister of Finance.

The Committee of the Agricultural Society of Bavaria has carried a resolution in favour of the Monopoly, but only by a majority of one vote, viz., 13 for, and 12 against.²²⁹

The Chambers of Commerce of the provinces, with the exception of those of Suabia and Lower Bavaria, have carried resolutions against the Monopoly, e.g. six Chambers of Commerce are opposed to it and two are in favour of it.

The opposition to the introduction of the Monopoly is partly from political partly from commercial reasons; political, as there is a fear of making the Empire too independent of the Federal States, and of having the country over-run by Officials in the employ of the

²²⁷French: 'nevertheless'. Cope uses the term here in the sense of 'as such'.

²²⁸The debates in the second chamber were on 10 February 1882 and led to the rejection of the proposed imperial tobacco monopoly; on 11 March, the first chamber did not follow through with this resolution. The duty on tobacco mentioned in the dispatch had been regulated by the imperial law of 16 July 1879. For the tobacco monopoly bill, see n. 177 in Darmstadt section.

²²⁹Resolution of the general committee of the *Landwirtschaftlicher Verein* of 15 March 1882.

Empire; commercial; as fearing the injury done to private traders by the destruction of the business now in their hands.

Those in favour of the Monopoly plead that as to the first, the Empire wants money and must have it somehow, and that the Tobacco Monopoly is the best source to tap, that as to the officials, it would be left to the Government of the various States to see to the working of the monopoly within their boundaries, that as to the manufacturers and traders they would get Compensation, and many would still find employment under the new system, and that the sooner the monopoly is introduced the better, as a higher duty would ruin many of them.

The former Head of the Bavaria Statistical Bureau D^r G von Mayr had the chief hand in drawing up the scheme of the monopoly, but he is considered to be a great optimist as to its results, and many here doubt his estimate of its financial benefits being realized.

**FO 9/246: Edmund W. Cope to Earl Granville,
Confidential, No 49, Munich, 21 April 1882**

[Received 24 April by messenger. For: The Queen; H.P.A. [Henry Percy Anderson]; G[ranville]]

The king's inconsistent audiences with foreign representatives

With reference to my Despatch N^o 48 of the 6th Instant reporting the Audience granted to Monsignore di Pietro, the newly appointed Papal Nuncio at this Court by His Majesty The King, as a communication on the same subject from the Berlin Correspondent of the "Morning Post"²³⁰ was accompanied by a reference to the extraordinary treatment of M^r MacDonell and Monsieur Mariani, the French Chargé d'affaires in regard to their non-reception by His Majesty I venture to make a few remarks on the subject.

M^r MacDonell, certainly, and, as I am given to understand, Monsieur Mariani also, as their title was only that of Chargé d'affaires, did not press for a Special Audience of His Majesty, but in presenting their Letters to the Minister for Foreign Affairs, as is usual on such occasions, requested that His Excellency would be good enough to make the proper démarches²³¹ for their presentation to His Majesty.

Baron de Craillsheim, who in common with the other Ministers of the Crown, and Court Officials, had taken it very much to heart that Count Montebello was for nearly a year & a half French Chargé

²³⁰ *Morning Post*, 12 April 1882.

²³¹ French: 'steps'.

d'affaires at Munich without having been seen by The King, hoped that as the arrival of M^r MacDonell and Monsieur Mariani coincided with that of the Papal Nuncio, he would be able to persuade His Majesty to receive The Chargés d'affaires of Great Britain and France immediately after the Special Audience to the Nuncio, and, as Monsignore di Pietro was still at Rome, worked through the Bavarian Legation at the Vatican to hasten His Excellency's departure, so as to get the audiences over before Holy Week, at the same time informed M^r MacDonell and Monsieur Mariani that they would probably be received by His Majesty at once, and thus not authorizing them to proceed with their Audiences of The Queen Mother²³² and The Princes and Princesses, they were therefore unable to make the usual démarches for being received by Her Majesty and Their Royal Highnesses as would otherwise have been the case.

Many people who know His Majesty's character well, considered that Baron de Crailsheim was too sanguine about the Audiences, but I have since ascertained that the reception of The Papal Nuncio, and of Her Majesty's, and the French Chargé d'affaires was really fixed for the Evening of Saturday the 1st Instant (ominous day) but on the 31st March M^r MacDonell and Monsieur Mariani each received a letter from the Minister for Foreign Affairs, stating, that His Majesty being unwell was unable to receive them for the present, and that He did not wish to interfere with their plans of departure, Baron de Crailsheim being aware that they were each about to return to their Countries on a short leave of absence.²³³

M^r MacDonell took an opportunity the next morning to explain verbally to Baron de Crailsheim, that his plans were subordinate to His Majesty's Wishes, but His Excellency holding out no hope of His Majesty being able to see M^r MacDonell soon, and it being well known that His Majesty intended leaving Munich during Holy Week to spend some days at Hohenschwangau, both M^r MacDonell and Monsieur Mariani left Munich.

As The King took a long drive in the English Garden on the day in question, we were reassured as to the state of His Majesty's health, and the reason of The King putting off the Audiences appears to have been one of those unaccountable fits of shyness with which His Majesty is occasionally seized.

The Papal Nuncio having had his departure from Rome hurried, and Baron de Crailsheim being well aware that the longer the Audience was put off the harder it would be to bring His Majesty to consent to it, great pressure was brought to bear on The King to

²³²Marie.

²³³Mariani left for Paris on 2 April, MacDonell for London on 3 April 1882.

persuade His Majesty at all events to receive Monsignore di Pietro and, as already reported, that Audience took place on the 5th Instant. The King then left for Hohenschwangau to pass a few days and was to have returned on Tuesday last, but a Special Envoy²³⁴ from King Milan of Servia having arrived in the meantime, His Majesty remained in the mountains, and is only expected to return to-morrow, and will probably leave Munich for the summer months towards the middle of May.

Count Barbolani, the Italian Minister, who has not yet been received by The King was to have returned from leave on the 5th May, but I am told has been privately advised to postpone his arrival here as there would be no probability of His Majesty seeing him before His Departure for the summer, and the Envoy Extraordinary and Minister Plenipotentiary of The King of Italy not being received when the Papal Nuncio had been, would be sure to cause remarks in the Press which the Bavarian Government are anxious to avoid.

Such is His Majesty's dread of seeing a new face that it is well known here that His Royal Highness Prince Arnulph of Bavaria had received a hint not to bring His Bride²³⁵ to Munich until The King has left His Capital for the summer.

FO 9/246: Hugh Guion MacDonell to Earl Granville, No 81, Munich, 16 September 1882

[Received 19 September by post. For: The Queen / Gladstone / Mr Childers; G[ranville]]

Defeat of Egyptian army; press and public opinion in south Germany

I have the honour to inform Your Lordship that on receipt of the news of the brilliant success obtained by Her Majesty's Forces in Egypt, my Prussian, French, Austrian and Italian Colleagues²³⁶ called at her Majesty's Legation to offer their congratulations on this happy event; insuring, as it does, the prospect of a prompt and successful termination of the war.²³⁷

The news of this important result has been received by the South German Press with no very marked display of enthusiasm; but it must be observed, it is only lately that the majority of the South German

²³⁴Kosta Protić arrived at Munich where he inspected Bavarian military establishments on 16 April 1882.

²³⁵Princess Theresa of Liechtenstein.

²³⁶Georg Graf von Werthern, Jean-Baptiste-Félix Mariani, Karl von Bruck, and Raffaele di Ulisse-Barbolani.

²³⁷For the Battle of Tel-el-Kebir of 13 September 1882, see n. 431 in Berlin section.

Journals have assumed a less hostile attitude towards England, and their limited comments, on the present occasion, may perhaps be due to the sudden and complete dispersion of the Egyptian army, if not to the unquestionable position in which England now finds herself as regards Egypt.

I must however add that the public of this Capital, in general, more especially the educated classes, fully sympathize with the success of the British Army and freely express the hope that England will not now allow the other Powers to hinder her in establishing that order and good government in Egypt which it is the privilege of her colonies to enjoy.

Munich being one of the more important military centres in Germany the campaign has naturally been watched with interest and scrupulous attention by the military critics of this place, and I trust shortly to be able to furnish Your Lordship with a report of the frank and unvarnished opinion of the military authorities on the conduct of the campaign.

FO 9/246: Hugh Guion MacDonell to Earl Granville, No 96, Munich, 15 December 1882

[Received 26 December by messenger. For: The Queen / Gladstone / Berlin / Rome; G[ranville]]

German press on 'Martinucci' question

In reproducing the Comments of the Foreign Press on the verdict of the Court of appeal of Rome in reference to the so-called "Martinucci" Question²³⁸ the journals of this Country, both liberal & conservative have, it must be said, displayed a creditable moderation; they appear to acknowledge the necessity of acting prudently and of not dwelling on certain aspirations or proclivities at a moment when the majority in the German Reichstag is about to constitute itself; and they evidently see the danger of compromising by loud and hasty proclamations of principles, those parliamentary groups which the German Government may at a given moment think it requisite to call to its aid.

²³⁸On 10 November 1882 the Roman court of appeal – while dismissing the complaint of the Roman architect Vincenzo Martinucci against the papal *Majordomo* for outstanding payments – declared its jurisdictional competence in principle, and thus raised the question of the sovereign rights of the Holy See as stipulated by the Law of Guarantees of 1871 (see n. 204 in Berlin section).

The part this Country can expect to play in a question of this nature can be but of secondary importance and it was natural therefore that it should first wish to ascertain the views of those Catholic powers more directly interested in the Law of Guarantees.

It soon became evident that France and Austria-Hungary had no desire to see a change in the good relations existing between the Holy See and the Quirinal.²³⁹ With regard to Germany, opinions were divided and contradictions were freely exchanged by the liberal and Catholic papers as to the action of the Berlin Government in this controversy no mention was made of Bavaria.

The Catholic organs studiously avoided to awake the susceptibilities of their adversaries, whilst the liberal journals carefully refrained from examining the course of action of the Prussian Government. The latter could not however abstain from expressing their regret at the renewed relations between the Holy See and Berlin,²⁴⁰ affecting, markedly, to ignore the existence at Rome of a Bavarian Agent²⁴¹ to the Vatican.

In official circles an attempt was made to direct or rather mislead public opinion by confusing the Prussian with the German Government altogether overlooking the fact of the presence in Rome of M. de Schloeyer [*sic*].

FO 9/246: Hugh Guion MacDonell to Earl Granville, Confidential, No 100, Munich, 30 December 1882

[Received 8 January by messenger. For: The Queen / Prince of Wales; G[ranville]]

Relations between Bavaria and imperial government in Berlin

The recent alarming rumours circulated by the Berlin Press, and reproduced and exaggerated by the Journals of other countries – have found a ready echo in this part of Germany.²⁴²

²³⁹Palazzo del Quirinale (on the Quirinal Hill), the residence of the Italian king.

²⁴⁰Diplomatic relations between Prussia and the Holy See were resumed in April 1882; the Prussian envoy was Curd von Schlözer. See n. 410 in Berlin section.

²⁴¹Ludwig von Paumgarten.

²⁴²Rumours and apprehension concerning the relationship between Russia and Germany had been caused by the journey of the Russian foreign minister, Giers, to Germany, Austria and Italy in November and December 1882. Amongst other things, the press reported on Russian anti-German sentiments, Russian armaments, the construction of railway lines in western Russia, and the assembly of troops at the Russo-German frontier. Furthermore, government-supported organs of the press disclosed the existence of, and speculated on, the nature of a written treaty of alliance between Austria and Germany (i.e. the secret Dual Alliance of 1879, see n. 318 in Berlin section).

The impression produced in Munich, especially at the Bavarian Foreign Office, was one of serious uneasiness, if not apprehension.

The prospect of a campaign against so distant an enemy would, I think, find little favour in this country and would certainly not be hailed with the "élan" which characterized the war of 1870.

The projects attributed to Prince Bismarck are no doubt of a nature to flatter the national vanity of the German people, but they barely tally with the unambitious views of the Bavarians of the present day. The Journals of the Empire can therefore by similar reports only hope to arouse a sense of uneasiness in all the States which, like Bavaria have retained a semblance of autonomy, but they can never convince them that their individual and immediate interests are thereby at stake.

The Representative of one of the South German States lately remarked that the events which marked the cessation of hostilities with France left Bavaria,²⁴³ so to say, in a prominent position, i.e. as the centre of the legitimate opposition of the Federal States against the undue extension of the powers of the Imperial Government and, more especially, against the "Prussification" of their institutions. "We are willing" he said, "from a feeling of patriotism to be germanized but not to be prussianized."

Bavaria however, so far as I can venture to judge, is neither willing nor able to play so conspicuous and dangerous a part.

The experience of the last few years has helped to dispel many illusions. Indeed a certain reaction may perhaps be perceptible. The majority in the Chamber without being hostile to the principle of German Unity seizes every opportunity to proclaim and uphold the independence of the Kingdom against the encroachments of the Imperial Government, – on the other hand, guided by a deep sentiment of religion and by a strong feeling of nationality and devotion to the Crown, the people have until lately looked to the King and the Chamber as their natural protectors. Circumstances however have since led them to discover the real state of things viz. that the Chamber is powerless, the Government devoted to the interests of the Empire, and The King a strange mysterious being, sufficiently shrewd, albeit, to accommodate His whims and fancies to the dictates of the Imperial Chancellor.

The action of the Imperial Government, it may also be observed has only tended to keep alive the old aversion of this Country for everything that bears the impress of the Prussian character.

Unless, therefore, traditions have been effaced by the deceptions experienced since 1870, it is pretty evident that notwithstanding every

²⁴³This probably refers to the offer of the imperial crown to Wilhelm I by the Bavarian king, Ludwig II. See n. 5 in this section.

manifestation of antipathy the idea of “particularism” will ever remain associated with that of Federation, Empire, or Fatherland.

The various questions or incidents which have marked the year 1882 as regards Bavaria – of which I beg to submit a resumé – will I venture to think bear out the above opinion.

Mixed Schools.²⁴⁴ The zeal displayed by the Catholic Party in the discussion of this question, not only denotes the firm attachment of the Country to its national Church, but also the religious character given here to such questions – with a view, probably, to concealing the strong animosity which prevails between the partisans of German Unity and of Bavarian Autonomy.

In order to gratify the exigencies of the Catholic Party, the Municipal Council of Munich thought proper to deprive the “Old” Catholics of their only place of worship.²⁴⁵ They then unsuccessfully attacked the mixed schools – the establishment of which had required the combined efforts of the liberal party.²⁴⁶

The creation of these schools in Munich, is simply an experiment with a view to extending the system to the rural districts, – and is considered, in point of fact, an attempt at the moral invasion of the Country by Prussia, under the auspices of The King and the Government.

Postage Stamps – This question began with a petition addressed to the Federal Council by the Chamber of Commerce of Frankfort, recommending the adoption – on commercial grounds, – of a uniform system of postage stamps for the Empire, – including Bavaria and Wurtemberg.²⁴⁷

The unpretending request of the Frankfort Chamber raised however a question of such consequence to the Empire that it was naturally supposed to have been set on foot by the Imperial Chancellerie.

The opponents of autonomy readily seized the opportunity to attack one of the only remaining prerogatives enjoyed by the South German States under the title of “reserved rights”, and declared that the privilege enjoyed by Bavaria and Wurtemberg, of issuing national

²⁴⁴See n. 224 in this section.

²⁴⁵On 30 June 1882 the municipal council revoked its decision of 3 October 1871 which granted the Old Catholics (see n. 36 in Berlin section) the usage of St Nikolai church.

²⁴⁶From 1873 to 1876 five non-denominational schools were founded in Munich. The decision of the municipal council (*Magistrat*) of 4 April 1882 to reconvert these schools into Catholic schools – as had already been the case for one in 1879 – was annulled by the district government on 25 July 1882.

²⁴⁷The Frankfurt chamber of commerce advocated the introduction of standardized postage in its petition of 17 June 1882. Numerous other chambers of commerce followed suit.

stamps, was a favour and not an established right.²⁴⁸ The supporters of the national franchises, on their side, invoked the 52nd Article of the Constitution,²⁴⁹ – which secures to those states the profits derived from the independent administration of their Posts and Telegraphs.

The question thus unexpectedly raised placed the Bavarian Government in an embarrassing position, but they at once recognized the right of the Imperial Government in the matter.²⁵⁰

The partisans and adversaries of the proposed measure, – now forming two distinct political camps, – have since submitted the question to the various Chambers of Commerce of the Empire which, it is anticipated, will pronounce themselves in favour of the scheme.

Meanwhile Saxony, – who has no claim to the privilege in question, – thought it a favourable opportunity of establishing an understanding between the several Federal States. She called the attention of the Southern States to the constant encroachments of the Prussian Government, and suggested, in order to save the remnants of their territorial sovereignty, that they should abandon their policy of inaction and unite their efforts in the common defence of their respective rights.

The Government of Wurtemberg appeared at first disposed to entertain the Saxon proposal; but the cautious attitude of the Bavarian Ministers, – who viewed the suggestion as akin to treason, – paralysed the action of the other States.

The settlement of this question may not prove immediately detrimental to the principle of the postal autonomy of this Country, but it will furnish the Imperial Government with an additional proof of the docility of The King and His Government, and prepare the people for the further curtailment of their “reserved rights”.

The Kings Birthday. Certain organs of the opposition, known as the Catholic Party, – which has assumed the defence of the autonomy of the Kingdom – took advantage of the King’s anniversary²⁵¹ to remind His Majesty, in an unwonted manner and in undisguised terms, of the example of The King of Hanover and of The King of Naples who were duped by those most devoted to their interests.²⁵² Another

²⁴⁸For the so-called *Reservatrechte*, see nn. 8 in Stuttgart section and 153 in this section.

²⁴⁹Imperial constitution of 1871.

²⁵⁰In August 1882, after an intervention by the Bavarian envoy to Berlin, Bismarck sided with Bavaria and Wurtemberg against the plans of the secretary of state for the imperial post office (*Reichspostamt*), to unify the system of postage stamps across Germany.

²⁵¹On 25 August.

²⁵²The Catholic press was referring to Francesco II, the last King of the Two Sicilies, whose territory was merged with the new Kingdom of Italy in 1861, and Georg V of Hanover who, after the annexation of Hanover by Prussian troops in 1866, went into Austrian exile.

of these papers, after referring to the concessions already made to Germany, begs His Majesty to remember that He is not only the Representative of God, but also the Guardian of the autonomy of the Country.

On the other hand the Municipal Council of Munich, the majority of which is composed of these same Catholics (opposed to all Imperial interference) unanimously voted in favour of decorating the public edifices in commemoration of the victory of Sedan.²⁵³

Tobacco Monopoly. – The adverse vote given by Bavaria in the Bundesrath with regard to this scheme was prompted by political as well as financial motives.²⁵⁴

If Bavaria had agreed to the establishment of a monopoly it would inevitably have led to the introduction, in the South of Germany, of a powerful Prussian element, which would have caused its influence to be seriously felt at the elections.

The Country is well aware that this is one of the many schemes set on foot to undermine its autonomy, but it perceives also that to oppose them will in the end prove fruitless.

Suppression of the Russian Legation. The fact of The King and His Government having sought the good offices of the Chancellor to obtain the continuance of the Imperial Mission in Bavaria indicates sufficiently the friendly relations which exist between this Government and the Imperial Chancery.²⁵⁵

After the War of 1870 Prince Bismarck may have entertained certain doubts as to the attitude of the Federal States, and was perhaps justified in anticipating that the Sovereigns of South Germany might not be readily tempted to abandon their old traditions, or allow themselves to be led into a special political groove.

The experiment, however, has proved most successful, and the Chancellor is now well aware that The King of Bavaria, at all events, will neither issue an order, or give his signature without His Highness's special sanction or knowledge. The King and His Ministers are his

²⁵³Sitting of the *Magistrat* on 22 August 1882; for the so-called Sedan Day (2 September), see n. 57 in Darmstadt section.

²⁵⁴For the tobacco monopoly bill and the Bavarian vote in the Federal Council, see n. 177 in Darmstadt section.

²⁵⁵Following the accession of Alexander III the merging of the Russian missions at Munich and Stuttgart was considered for financial reasons. Bavarian and German diplomats failed to convince the Russian government to keep the status quo and in a personal letter of 29 May 1882 Ludwig II requested Bismarck's support. Subsequent interventions in June and August induced Giers to concede the independence of the mission at Munich for the time being.

surest allies in South Germany, consequently in interceding with Monsieur de Giers Prince Bismarck incurred no risk; on the contrary, he endeavoured to rescue His Majesty and His Ministers from an undesirable humiliation.

**FO 9/249: Hugh Guion MacDonell to Earl Granville,
Confidential, No 3, Munich, 12 January 1883**

[Received 15 January by messenger. For: The Queen / Gladstone / Sir C. Dilke / Copy to Paris / Prince of Wales; G[ranville]]

Lutz has no regrets upon hearing of the deaths of Chanzy and Gambetta

At a farewell dinner given last night by the Minister for Foreign Affairs²⁵⁶ to the Russian Minister,²⁵⁷ – who had that morning delivered his Letters of Recall, Herr von Lutz, the President of the Council referred, in an after dinner conversation with me, to the deaths of Monsieur Gambetta and of General Chanzy.²⁵⁸

I asked His Excellency what impression he thought the loss of two such distinguished men had produced in South Germany. His Excellency said he believed the death of Monsieur Gambetta was looked upon in Bavaria as having removed from the scene the mainspring of the agitation for a war of revenge, and that whatever harm he could do, by the use of that cry as a platform, had already been done, and his disappearance would change little in the existing feeling between Germany and France, – indeed his death had deprived his party of a cautious leader – whilst at present not only the party which Monsieur Gambetta represented but the whole of France was at the mercy of individuals who may compromise the interests of their Country at any moment.

With regard to the death of General Chanzy, he added, that is indeed a great loss for France as we have reason to know, and were it permissible to rejoice at the death of a man, we certainly cannot regret the disappearance of General Chanzy from the prominent place he held in the French Army.

²⁵⁶Friedrich Krafft von Crailsheim.

²⁵⁷Graf Nikolai von der Osten-Sacken.

²⁵⁸Gambetta died on 31 December 1882; Antoine Chanzy in the night of 4–5 January 1883.

**FO 9/249: Hugh Guion MacDonell to Earl Granville,
Most Confidential, No 16, Munich, 16 February 1883**

[Received 20 February by messenger. For: The Queen; X – Ch.W.D. [Charles Wentworth Dilke]; Qy: confidential to Berlin / Rome; G[ranville]]

No common ground between Vatican and Germany concerning May Laws

I gather from a conversation I have lately had with the Papal Nuncio, Monsignor di Pietro, that the late exchange of letters between the Emperor of Germany and the Pope has led to no practical result.²⁵⁹

The question of a more complete understanding between Germany and the Vatican seems to depend entirely upon the revocation, or at least on the revision, of the May Laws – without which all further discussion or negotiation must prove fruitless.²⁶⁰

So long as these Laws, which the Holy See considers contrary to justice, liberty of conscience and to the doctrines of the Church of Rome, are allowed to remain in force, the Vatican can – Monsignor di Pietro thinks – make no further concession nor discuss matters which are in a great measure the direct result of those Laws.

The renunciation of the Sees of Posen and Cologne by Cardinal Ledóchowsky and Monsignor Melchers,²⁶¹ as also the question of the notification of Ecclesiastical appointments,²⁶² may, as Sir Augustus Paget observes, form the subject of special instructions to Herr v. Schloetzer [*sic*] – but so long as the Laws in question remain untouched no change, I understand, will be made in the above Sees during the lifetime, especially, of their present occupants. From what the Nuncio stated I conclude, however, that His Holiness would certainly not allow these questions to stand in the way of a general settlement, and indeed the advanced age of the Cardinal and of the Bishop of Cologne might furnish a ready excuse for their retirement. Nor would

²⁵⁹The letters concerned a possible reconciliation between the Vatican and Germany and the revision of the May Laws. They were dated 3 December 1882 and 30 January 1883 (by Leo XIII) and 22 December 1882 (by Wilhelm I).

²⁶⁰For the so-called Falk Laws (May Laws) and their revision, see nn. 112 and 140 in Berlin section.

²⁶¹Ledóchowski and Melchers were discharged by the Prussian state in 1874 and 1875 but did not formally resign; in 1882 the Prussian government declined to amnesty and reinstate them.

²⁶²The prior notification of ecclesiastical appointments to the state authorities was prescribed in the law of 11 May 1873; in Wilhelm I's letter to Leo XIII of 22 December it was mentioned as a necessary concession for further reconciliation.

the notification of Ecclesiastical appointments constitute an obstacle to a final arrangement. The Holy See is naturally not disposed at present to give way in this point – yet, with a view to facilitating matters the Pope may in the end agree to consult the Government on the appointment of certain prelates – though not as a general rule. But, as I have already had the honor to state to Your Lordship, no further concession can now be expected on the part of the Vatican unless it has good reason to know that the Laws will be so amended as to meet the views of His Holiness.

I observed to Monsignor di Pietro that – admitting the readiness of the German Government to reconsider these matters – I did not see how the Berlin Cabinet could now, consistently with its former declarations, be expected by a stroke of the pen to amend those articles of the Laws, (which the Vatican more specially objects to) when those identical articles were deemed indispensable at the time the Laws were framed – and still considered to be so by a large majority in Germany. Monsignore replied that the Vatican fully recognised the embarrassing position in which the Government is placed, but it was a difficulty of its' own creation and due entirely to a want of foresight. The Chancellor, he said, now realises the failure of his attempt to fetter the consciences of the Roman Catholics throughout Germany, consequently the Holy See can, without detriment to its' interests, afford to await the result which the force of circumstances must sooner or later bring about. The German Government, Monsignore went on to say, in promulgating these noxious Laws allowed itself to be carried away by the general display of national enthusiasm during the events of 1870–71 and thought that the feeling of nationality would outweigh the sentiment of religion throughout the Country, hence the grave error into which it has fallen and which cannot now be easily repaired. The fact, moreover, should not be lost sight of, that one third of the population of the Empire is composed of Roman Catholics and that these have learnt by the experience of the last ten years the measure of moral and political freedom reserved to them under the Imperial rule. Furthermore, he added, it remains to be seen whether, in the event of a war, the Catholics of Germany, and especially of South Germany, are ready to display the same enthusiasm as in 1870.

[...]

P.S. I should add that in taking leave of Monsignor di Pietro he pointedly observed that he trusted he had been speaking with a friend (“s'intende che ho parlato con un amico”). Though he certainly appeared to converse freely but confidentially, I doubt that he was as unreserved or as sincere as he would wish it to appear.

**FO 9/249: Hugh Guion MacDonell to Earl Granville,
Confidential, No 20, Munich, 18 February 1883**

[Received 20 February by messenger. For: The Queen; X – Ch.W.D. [Charles Wentworth Dilke]; Qy: confidential to: Berlin / Rome – copied; G[ranville]]

Emperor's letter to the Vatican causes public animosity in Catholic Bavaria

Since writing my N^o 16 of the 16th inst, I have had the honour to receive Your Lordship's N^o 2 of the same date enclosing Sir A. Pagets' N^o 54 most confidential of the 9th inst. with reference to an interview between Cardinal Jacobini and M. de Schloetzer [*sic*].²⁶³

If what Monsignor di Pietro stated to me, and which I have already reported to Your Lordship, represents the views of the Vatican I fear there is little chance of the negotiations being brought to a satisfactory close.

This question has, no doubt, placed the Imperial Government in a most embarrassing position and the bitterness displayed by the Press of this Country, in the controversy which the publication of the Emperors letter²⁶⁴ has given rise to, clearly shows that the Roman Catholics of South Germany are aware of the advantages they have gained, and the ground lost by their adversaries. The former have, all along, looked upon the publication of the letter as a trap laid for the Vatican which the latter has successfully turned against the Government; and I can also safely add that in this country it was viewed as a sign of weakness rather than a friendly advance towards compromise.

Public opinion in Bavaria is apparently favorable to the Vatican – this may be partially due to the spirit of particularism of this country – and knowing this it is natural that the Vatican should now maintain its' vantage ground. In any case the letter in question has been generally received as indicating the first stage on the Chancellor's journey to Canossa,²⁶⁵ and it is not probable that the Holy See will assist him in retracing his steps.

²⁶³In his dispatch Paget reported on a conversation between Jacobini and the Prussian envoy to the Holy See, Schlözer, of 7 February 1883; in particular, he noted their disagreement over the question of notification of ecclesiastical appointments (see n. 262 in this section).

²⁶⁴See n. 262 in this section.

²⁶⁵For Bismarck's 'journey to Canossa', see n. 57 in Dresden section.

**FO 9/249: Hugh Guion MacDonell to Earl Granville,
No 29, Munich, 15 March 1883**

[Received 19 March by messenger. For: The Queen / Prince of Wales; G[ranville]]

Positive impressions left by personal audience with Bavarian king

I had the honour, last evening, of being received by the King.

I was introduced to His Majesty by the Grand Maréchal²⁶⁶ who after the presentation left me alone with His Majesty in the Throne Room.

His Majesty began by enquiring after the health of The Queen, manifesting a keen interest in the welfare of Her Majesty and all the Royal Family.

His Majesty referred in gracious terms to The Prince and Princess of Wales²⁶⁷ and dwelt at some length on the satisfaction generally felt in Germany at the friendly and cordial welcome which His Royal Highness met with at Berlin. He spoke in like terms of the Duke and Duchess [of] Edinburgh,²⁶⁸ of the Duke and Duchess of Connaught²⁶⁹ and, indeed, evinced an interest in each individual Member of Her Majesty's Royal Family.

His Majesty also touched on political topics, regretting the excesses committed in Ireland, expressed great apprehension at the turn affairs threatened to take in France and spoke with a certain freedom of the condition of Russia.²⁷⁰ These subjects His Majesty treated with a knowledge and animation which clearly proved that he is not only well informed, on all public matters, but that he holds, in his own mind, a very definite opinion with regard to them.

His Majesty then honoured me with minute enquiries as to the various countries I have visited, seeking information, more particularly, with respect to Brazil, Turkey and Spain.

Though somewhat timid in his manner His Majesty appeared to take pleasure in conversation and treated each subject with special skill and ease.

His Majesty's dignified and handsome figure certainly shows to advantage on such occasions and, I may add, was calculated to remove

²⁶⁶Ludwig von Malsen.

²⁶⁷Edward and Alexandra.

²⁶⁸Alfred and Maria Alexandrovna.

²⁶⁹Arthur and Louise Margaret.

²⁷⁰The 'excesses in Ireland' that MacDonell is referring to are the Phoenix Park Murders of 6 May 1882 in Dublin. The 'affairs in France' relate to the deterioration in Anglo-French relations over the British decision to remove the dual-control system of Egypt in October 1882.

all impression from one's mind that the King is – as generally credited – failing in health.

On dismissing me, after an audience which had lasted about half an hour, His Majesty was pleased to address the following words to me:

“Veuillez Monsieur le Chargé d’Affaires être mon interprète auprès de Votre Gracieuse Souveraine et assurez Sa Majesté que je baise sa main avec le plus profond devouement [*sic*].”²⁷¹

FO 9/250: Hugh Guion MacDonell to Earl Granville, Confidential, No 73, Munich, 28 August 1883

[Received 3 September by private hand. For: The Queen / X / Qy: Paris; Ch.W.D. [Charles Wentworth Dilke]; G[ranville]]

German press on political situation in France and relations with that country

The death of the Comte de Chambord and the rebuke addressed to France, which lately appeared in the *North German Gazette*, have furnished the Bavarian press with a favorable opportunity of discussing the political situation of the French Republic.²⁷²

With regard to the first of these events, the Bavarian papers agree that in a country like France it is difficult, if not impossible, to foresee the consequences it may lead to. It is also generally admitted that due to the strength of the Orleanist party having materially increased – that important fact should not be lost sight of. [Note in margin: ‘this is not very clear’] But while the liberal papers affect to doubt the success of an Orleanist movement, the clerical organs wish it to be understood that the moment had not yet arrived for testing the popularity of the monarchical cause. With reference to the article of the *North German Gazette*, I gather – from the general tone of the Bavarian press – that most of the writers lead their readers to infer that the warning given to the Republic was not altogether unconnected with the anticipated end of the Comte de Chambord. Under other circumstances the article of the Berlin semi-official organ would probably have passed unnoticed

²⁷¹French: ‘Monsieur Chargé d’affaires, please would you act as my interpreter to your gracious sovereign and assure Her Majesty that I kiss Her hand with the most profound devotion’.

²⁷²Henri d’Artois, comte de Chambord, Orleanist pretender to the French throne, died on 24 August 1883. For the article in the *Norddeutsche Allgemeine Zeitung* of 22 August 1883, see n. 451 in Berlin section.

in this part of the Empire, were it not for the comments of the leading foreign journals – but more especially of the “Times”. Since the death of M. Gambetta²⁷³ the idea prevails that the French press manifests a tendency to assume an air of arrogant aggressiveness, which, sooner or later, is likely to lead to some unpleasantness between the two Governments. The feeling of confidence in the military superiority of the Empire is, however, so strong that until lately the Bavarians were disposed to disregard the periodical outbursts of patriotism to which the French were subject; but the activity since displayed by France in the East, the share attributed to her in the Revolutionary movement in Spain, and last, but not least, her incessant intrigues in Alsace-Lorraine – seem to have finally exhausted their patience, and the South German papers are now evidently preparing to resent the constant provocations of their neighbours.

Under these circumstances I regret to say that the somewhat intemperate language of the “Times”,²⁷⁴ in stating that the article of the “Norddeutsche Zeitung” was “a vulgar and wanton menace” has not failed to produce a – to say the least – painful impression in this part of Germany – an impression, moreover hardly calculated to reestablish harmony between France and the Empire or, still less, to awaken a more friendly feeling towards England.

**FO 9/250: Hugh Guion MacDonell to Earl Granville,
Most Confidential, No 80, Munich, 8 September 1883**

[Received 13 September by messenger. For: The Queen / X; Ch.W.D. [Charles Wentworth Dilke]; G[ranville]]

Remarks on King of Bavaria's character and reclusive habits

Your Lordship will have perhaps perceived, by the reports of my predecessors, that it is difficult, if not impossible, to ascertain what degree of truth may be attached to the various rumours which are constantly in circulation regarding the state of The King's health. Lately again I have been “most confidentially” informed that His Majesty's eccentricities, together with a growing sullenness and irritability of character are causing some uneasiness not only to The Royal Family, but also to the Ministers, who fear the complications which the regency may give rise to.

²⁷³On 31 December 1882.

²⁷⁴*The Times* of 24 August 1883 (editorial).

Though I can in no way vouch for the accuracy of these rumours I deem it nevertheless my duty to bring them to Your Lordship's notice – for what they may be worth.

The King of Bavaria, as Your Lordship is aware lives for the greater part of the year in one of the different palaces, castles or villas situated in the most remote parts of the Bavarian Tyrol, the construction of which has entailed a very considerable expense.

His Majesty communicates with His Ministers, and the Officers of His Household, by means of a private secretary,²⁷⁵ or of some privileged servant.

It is said that, notwithstanding this isolation, His Majesty keeps Himself well acquainted with the affairs of the state, and is in constant communication with the Imperial Chancellor, indeed, at times, He even takes pleasure in surprising His Ministers by the suddenness of His decisions.

One point worth noticing, in connection with the progress of His Government, is the docility shown, on all occasions, by the Bavarian people, – a docility which everybody agrees in attributing to a strong sentiment of religion, and to a feeling of profound affection for the Wittelsbach dynasty.

As regards the share which His Majesty takes in the public business, The King, I believe, fixes His special, if not exclusive, attention, on questions concerning the prestige of His Crown abroad.

His Majesty speaks French without any perceptible accent, and with an ease the more remarkable that He very rarely has occasion to speak that language; since 1875, when He made a hasty journey to France,²⁷⁶ The King has probably not spoken French more than a dozen times.

Louis II is of high stature and strong in proportion and I noticed, on the occasion I had the Honour of being received by Him²⁷⁷ that He manifested a kind of endeavour to give a majestic character to His bearing.

It would not be difficult with regard to the mental condition of which this endeavour seems to be an indication, to relate numerous and significant anecdotes, the people therefore are not without some apprehension on this point, for if the state of health of His Majesty were, at any time, to require the establishment of a regency, it would be necessary to provide not only for the government of the Kingdom during the life of the present King, but also during that of His Majesty's

²⁷⁵Richard Hornig

²⁷⁶Journey to Reims, 24–27 August 1875.

²⁷⁷See pp. 522–523.

Brother, Prince Otho, whose mental incapacity gives no hope of recovery.

Under these circumstances it is probable that an exaggerated importance is given to every fresh eccentricity which His Majesty may indulge in. In any case The King is no doubt strangely sensitive as regards His Authority. His feelings on this point are so strong, and His susceptibilities so great, that the Members of The Royal Family, not excepting The Queen Dowager,²⁷⁸ are required to show the most complete submission, and must on all occasions obtain His Majesty's approval even for a simple change of residence.

The King is moreover as difficult of access to The Princes as to His Ministers, who have hardly any opportunity of approaching His Majesty, except, perhaps, once a year when The King comes on a short visit to Munich, where He limits His receptions to one or two Court dinners, to which the Princes, The Ministers, and the Chief Officers of His Court are invited.

With the exception of these receptions, which are becoming remarkable by their rarity, The King lives in Munich as in His mountain retreat, in solitude, and without communication with the outer world; sitting up at night, in town as in the country, till four or five o'clock in the morning, resting during the day till five or six o'clock in the evening, He spends His time in reading or dreaming, and only quits His silent retreat at nightfall to take a rapid drive in a closed carriage, or to witness at one of the two theatres²⁷⁹ attached to His palace, some performance of which He is the only spectator.

Such is The Prince, Who, although still young, has already for many years presided over the Government of Bavaria.

Numerous are the tales to which the conduct and peculiarities of The King give rise, and it is therefore not necessary to enquire how far the apprehensions above referred to are justified. The dangers arising from this sort of abdication are already apparent and can no longer be concealed. Indeed the isolation in which King Louis II has for more than twelve years maintained Himself leaves His Country, so to say, defenceless, and as the Prussian Minister²⁸⁰ has confidentially observed to me "If Prussia had had to model a King after her own idea she could not have succeeded better".

²⁷⁸Marie.

²⁷⁹*Residenztheater* and the *Königliches Hof- und Nationaltheater*.

²⁸⁰Georg Graf von Werthern.

**FO 9/250: Hugh Guion MacDonell to Earl Granville,
Most Confidential, No 108, Munich, 17 December 1883**

[Received 19 December by messenger. For: The Queen / Gladstone / Prince of Wales; Qy: copies confidential to Paris / Berlin / Vienna / Madrid, 26 December; Ch.W.D. [Charles Wentworth Dilke]; G[ranville]]

Remarks on condition of Bavarian King; rumours about possible regency; speculation on succession

I learn from my French colleague, Monsieur Mariani, that The King's eccentricities as well as His Majesty's reckless extravagance are again giving cause for serious uneasiness to the various Members of The Royal Family, and are awaking grave apprehension in the minds of those more closely connected with the Bavarian Court. Indeed, according to Monsieur Mariani's version an important question is at the present moment being considered and discussed in the Royal Family Circle viz. that of a regency.

The French Chargé d'Affaires assures me that he derives his information from a most reliable source, nevertheless, I venture to think the account he has received, of His Majesty's mental and financial condition, though correct in the main, may be somewhat exaggerated. In any case, however indispensable it may be deemed to put a check on His Majesty's expensive habits, there can be little doubt that the question of a regency cannot be disposed of by the stroke of a pen.

Apart from other considerations the fact should not be lost sight of that however monarchical and tolerant, as regards the short comings of their Sovereign, the Bavarians may be, the placing under restraint of their King and His Heir presumptive, would barely tend to strengthen their devotion to the Wittelsbach Dynasty, on the contrary, the experience they have made during the last ten years of the present regime, is more likely to induce them to put an end to the anomalous state of things created, by throwing in their lot altogether with the Empire. Moreover it is not likely that the Imperial Chancellor will allow such a favourable opportunity to slip for doing away with the monarchy in this, the more important state of the confederation; but be this as it may, His Highness will not certainly countenance the placing on the throne of a recalcitrant Prince²⁸¹ in lieu of an accommodating Sovereign.

As I have already had the honour to inform Your Lordship, The King lives nearly the whole year in one of the Castles, Palaces, or Villas situated in the most remote parts of the Bavarian Tyrol. It is

²⁸¹Luitpold.

the enormous outlay for the construction and maintenance of these buildings, in addition to the pomp and state by which, in His Solitude, He is continually surrounded, that have produced the present financial crisis. To satisfy His whims and fancies, His Majesty has seized on all the available funds which He could lawfully dispose of, and is now, it is said, seeking to obtain possession of the considerable private fortune of His demented Brother, Prince Otho, in order to clear His liabilities amounting to twenty millions of marks.

Prince Ludwig, and His Brother,²⁸² are using their utmost efforts to resist this great violation of their trust, hence the violent fits of temper to which His Majesty has lately been subject, and which are naturally creating unusual alarm.

As I have stated above, the heir presumptive to the throne is Prince Otho. In the event of The King's death the question of succession would therefore be somewhat complicated owing to the insanity of the former, no provision having been made in the Bavarian Constitution for a like contingency; consequently if The King were placed in the same position as His Brother, the confusion would be such as probably to call for the interference of the Imperial Government. Furthermore it is believed that an agreement exists by which Prince Luitpold, The King's Uncle and next heir, is to abdicate in favour of his son, Prince Ludwig, married to The Archduchess Maria Theresa of Austria-Este.

Prince Ludwig is noted here for his strong ultramontane proclivities, and has moreover taken a prominent part as an autonomist, as such he has since 1871 studiously avoided meeting any member of The Imperial Family, and has made it a point to quit Munich whenever The Emperor or The Crown Prince²⁸³ have had occasion to visit, or pass through, this Capital.

Under these circumstances it is certainly remarkable that Prince Ludwig, should, whilst at Lisbon, on board Count Bardi's yacht, in the strictest incognito, have travelled all the way to Madrid to present His respects to The Crown Prince.²⁸⁴ This unexpected act of courtesy may have given a certain colouring to the idea of a contemplated regency, but, until the report assumes a more definite form, it would perhaps be idle to give it more importance than the reasons adduced justify.

²⁸²Leopold.

²⁸³Friedrich Wilhelm.

²⁸⁴Prince Ludwig, who was on his return journey from Santiago de Compostella and Lisbon, met the German Crown Prince, Friedrich Wilhelm, at Madrid on 2 December.