

# Achieving Great Praise In The Land Where They Would Die

BY JAMES F. JOYCE, S.J.

The New York area holds several graves of Irish patriots and their families, including some of the prominent participants in the Rising of 1798—the United Irish movement. The failure of that Rising resulted in many Irish patriots forced into exile with some arriving in the United States. In New York several of these exiles, and their descendants, achieved notable accomplishments and made significant contributions to their new country.

Buried in Green-Wood Cemetery, in what was then the city of Brooklyn, is Matilda Tone Wilson, née Martha Witherington. She was the widow of Theobald Wolfe Tone, the most noted leader in organizing the United Irish Society and its uprisings of 1798, a principal mover in the founding of Irish republicanism. In the same Brooklyn cemetery lies William Sampson, the legal defender of many arrested United Irishmen. He ended up in exile and left an important legal heritage in the United States. His daughter married the Tones' son, William, the only child of Wolfe Tone to survive into adulthood, who eventually worked for the Department of War of the United States.

In New York City, the grave of Thomas Addis Emmet is also kept. He played a number of significant roles in the leadership of the United Irishmen, but was arrested prior to the 1798 events. Emmet, in preparing for that Rising was one of the committee that arranged for sending an envoy to Paris to raise funds, troops, and arms from the French for the invasion and freeing of Ireland. He had been arrested well before Tone set sail with the French fleet to assist in Irish liberation. Emmet later reached Paris, and it was there that he heard of the 1803 rebellion led by his brother, the bold Robert Emmet. He also learned of Robert's arrest, his speech from the dock, and his execution. As exiles, Thomas Addis Emmet and his family eventually made their way to New York in 1804 where a prominent career in the law lay ahead of him. Thomas Addis



**Illustration:**  
*William Sampson was born in Derry in 1764 and, as a young man, studied law in London. Disturbed by anti-Catholic violence in Ireland, he joined the Society of United Irishmen and wrote on behalf of religious freedom and Irish independence. He was arrested at the time of the 1798 Rising and, after imprisonment, was forced into exile on the Continent. He arrived in New York City on July 4, 1806. Courtesy of M. Fitzpatrick.*

Emmet served the practice of law in New York in ways true to his principles. He is buried in the graveyard of St. Mark's Church in-the-Bowery on East Tenth Street, and an obelisk in his memory stands in the graveyard beside St. Paul's Chapel on lower Broadway. Not just he, but a number of his descendants, became prominent in New York life over the years.

Dr. William James MacNeven, from Galway, a Catholic among the mainly Protestant leaders of the United Irishmen, also ended up in exile in Paris and served as a surgeon in the Irish Brigade of the French army. He would continue a medical career in the United States, teaching medicine in New York and at what would be a medical unit of Rutgers University. MacNeven died in the home of Thomas Addis Emmet, Jr., who had married his stepdaughter. After a packed funeral Mass at St. Patrick's Cathedral on Mulberry Street, MacNeven was buried in 1841 at the Riker-Lent Burial Ground on Nineteenth Road in Queens in what was then

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part of Astoria, now known as East Elmhurst, across from Rikers Island. A tall memorial stone dedicated to MacNeven stands in the yard of St. Paul's Chapel, just across from the one dedicated to Emmet.



Edward Lewins was the official envoy sent to France by the United Irish committee. Lewins, a Catholic, was a lawyer from Leinster who had been active in the Catholic Committee. Its aims were the repeal of the penal laws as well as Catholic emancipation. Lewins was given authority by the United Irish leadership to conduct all negotiations with the French and their allies on behalf of the Irish cause. Lewins raised the funds and military support for the French attempted invasion, including Wolfe Tone, of Ireland. He and his family remained in exile in Paris after the failure of the 1798 Rising, and he would have a son, Charles Hippolyte deLuynes, who made his way to New York and was involved here in significant endeavours, as we shall see. Charles was buried in the Bronx at Fordham College, now Fordham University.

#### TWO ATTORNEYS AND THEIR WORK

The two lawyers among this generation of exiled revolutionaries, Thomas Addis Emmet and William Sampson, were to make an important and public impact upon New York history. One of their most fascinating cases was that of *Kohlmann v. Clinton* which occurred in a

New York City court. It would become known as a case of free exercise of religion under United States Constitutional considerations.

Alsatian-born, Swiss-educated Anthony Kohlmann had become a Catholic priest and, in 1803, joined the Society of Jesus, the Jesuits, who were newly restored after decades of suppression. Father Kohlmann was assigned to the United States and was sent to New York. For various reasons including the temporary absence of a bishop to lead the new diocese in New York, he took on some diocesan administrative duties.

The cornerstone for the first New York Catholic cathedral, St. Patrick's, which parish he temporarily administered, was laid on Mulberry Street in his time, and a small school was started. In addition, Father Kohlmann was appointed vicar general of the new diocese by Bishop John Carroll, who had been a Jesuit before the Society's suppression. Kohlmann continued to serve the diocese as it awaited arrival of its first bishop. (The initial appointee had been Roscommon-born Richard Luke Concanen, who died enroute; the next appointee was Meath-born John Connolly, whose arrival was delayed by international conflict of the time. Both were Dominican Friars.)

In 1813, Father Kohlmann became involved in a controversial matter regarding the Catholic sacrament of Confession. A penitent came to him at St. Peter's Church, confessed theft, and was absolved in the sacrament with a penance of making restitution. This he did anonymously through the agency of Father Kohlmann. The victim found out that it was penitential restitution and demanded that Father Kohlmann be subpoenaed to give information on the details and the identity of the penitent. This he refused to do.

United Irishmen William Sampson and Thomas Addis Emmet were the lawyers who worked on the legal case on behalf of Father Kohlmann. Richard Riker handled much of the court presentation. The legal team made the case that any such information, revealed under the seal of Confession to a duly recognized member of the clergy, was privileged and not the subject of coerced testimony by a court of law. The decision of the court, presided over by Mayor DeWitt Clinton sitting as judge, was in Father Kohlmann's favor. This case has been cited as

#### Illustration:

*The son of a prominent Anglo-Irish family, Thomas Addis Emmet was born in 1764 in Cork City. He was educated in Trinity College, and developed a strong commitment to increasing Irish self-determination and to religious freedom. He joined the United Irishmen in 1795. A key leader of the organization, he was imprisoned early in 1798 and ultimately forced into exile. After the failed rebellion in 1803 and the execution of his brother, Robert, he immigrated to New York. Courtesy of Library of Congress.*

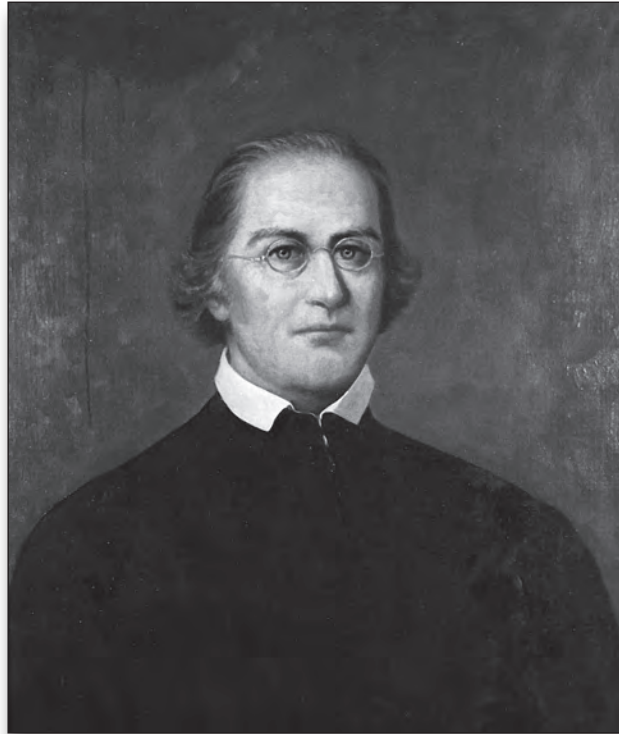
precedent for any number of adjudications. The arguments have been the foundation for laws later passed in many jurisdictions, and in the laws of other nations. A New York State statute passed in 1828 widened the coverage to clergy “of any denomination...in his professional character...[as] enjoined by the rules of practice of such denomination.”

Sampson published summaries of the arguments. These included historical references to the oppression of Catholics in Ireland and the denial of their civil rights, rights which should be, he contended, the hallmark of the new constitutional republic in America. William Sampson can certainly be considered among the United States earliest civil rights lawyers. Emmet and Sampson both made note of the fact that they were Protestants (Sampson’s ancestors had fought at the Battle of the Boyne) and felt it was their duty to fight for anyone denied their rights as Catholics had been in Ireland. Emmet and Sampson also went on to gain acquittal in court for the thirty-three Irish Catholics who were arrested as they protested the Orangemen’s Day Parade in New York in 1824. Sampson was particularly eloquent in decrying religious bigotry or any other prejudice in the land of freedom.

William Sampson established a Society for Religious and Civil Liberties. Eventually, he would conduct a campaign for election to the House of Representatives. (He had little use for such Federalists as Rufus King, who tried to prevent Irish rebels from entering the United States or for the anti-Catholic Federalist John Jay who had been condemned by Wolfe Tone for including anti-Irish immigrant provisions in a 1795 treaty with England.) Sampson was defeated for Congress in a complicated conflict of loyalties among the voters regarding a newly evolving political party. But he remained a prominent defender of human and civil rights, and of the spirit of the United Irish movement.

Thomas Addis Emmet went on to prominence in the law. During his career he argued before the United States Supreme Court. In one such matter, he argued the individual state’s position in an important case regarding interstate commerce, *Gibbons v. Ogden*. He did not prevail (the lawyer for other side

was Daniel Webster). Emmet continued to be active politically and serve as legal counsel in any number of situations where he saw the most need, including service for a short time



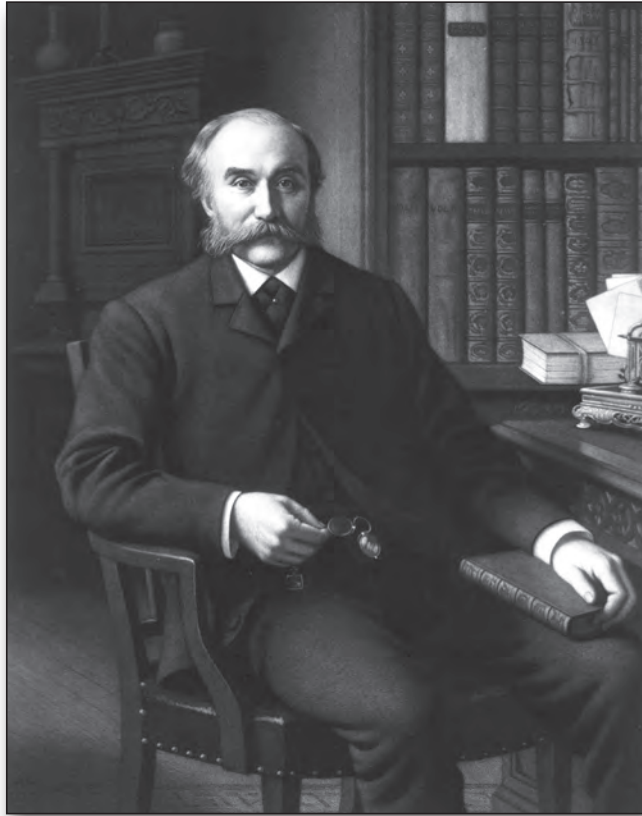
as the New York State Attorney General. At his funeral, pallbearers included the governor, as well as a senator and future president, Martin VanBuren. The law firm Emmet founded evolved through the years and is still in practice with offices on Broadway in lower Manhattan. At one point in the history of the firm (Emmet, Marvin, and Martin) one of its partners was a New Yorker who would be a future president of the United States, Franklin Delano Roosevelt. As mentioned, Thomas Addis Emmet was laid to rest at St. Mark’s Church, but the Irish inscription on his monument at St. Paul’s Chapel is *Do mhiannse ard-mhathas chum tir a braithe; Do thug se clu, a’sfuair se molah a dtir a bhais*. In English it states “He dreamed great things for the land of his birth; he achieved great praise in the land where he died.” The United Irish members who moved to New York handed on that spirit to a number of their descendants.

**Illustration:**

Father Anthony Kohlmann was born in 1771 and came to the United States as a Jesuit priest in 1806. Two years later, he was assigned to the new diocese in New York City and, pending arrival of its first bishop, was named vicar general. Within a few years, he became the central figure in a precedent-setting case dealing with the question of whether statements made in confessions to members of the clergy are privileged, or protected, information. Courtesy of Georgetown University.



**Illustration:**  
*Dr. Thomas Addis Emmet was born in Virginia in 1828 and raised in the United States. He began the practice of medicine in 1852 in New York, and around the same time was appointed as resident physician (later to be visiting physician) for the Emigrant Refuge Hospital on Wards Island. He eventually specialized in treating diseases affecting women and contributed numerous articles on the subject to medical journals during his career. Dr. Emmet remained committed to Ireland throughout his years and was particularly concerned with achieving Home Rule through constitutional means. Courtesy of U.S. National Library of Medicine.*



#### DESCENDANTS & GREAT DEEDS IN NEW YORK

Thomas Addis Emmet and his family became noted for exemplary achievements in New York City and State during the nineteenth century. Family members for generations excelled in the law, the arts, literature, and in medicine. In Ireland, Thomas Addis Emmet's father, Dr. Robert Emmet, had been the State Physician, perhaps equivalent to Surgeon General in the United States. One of Emmet's sons, John Patten Emmet, taught chemistry and medicine at Thomas Jefferson's University of Virginia. (Jefferson and he had correspondence, but mostly over practical matters such as lodging.)

Probably the most distinguished of Emmet's physician descendants was a grandson. Also named Thomas Addis Emmet, he was active in New York City later in the nineteenth century. Dr. Emmet was a founder of the Women's Hospital, and a gynecologist and obstetrician who pioneered women's medicine and developed practices to deal with and avoid childbirth injuries. A revolutionary procedure that bore his name could repair certain types of tears in the lining of the womb.

Dr. Emmet also served as physician for public facilities on Blackwells Island and for the Emigrant Refuge hospital on Wards Island in the East River where his service among the poorest of the poor on the quarantined island for contagious diseases was heroic. (Also serving on the islands were Catholic chaplains, all from religious orders and mostly Jesuits.) As fellow workers among the poor, they were well acquainted with Dr. Emmet. The great majority of the patients on these islands were immigrants, many of them born in Ireland and Catholic. Their numbers mounted even more after the famine immigration. The difficult conditions on the islands are indicated by the death of the first priest sent to them who lasted just a month before contracting typhus and dying. Year after year Jesuits were sent to serve, never fewer than two at any one time. The first four died within a year of their appointments. Over the next twenty years of ministry on the East River islands at least ten more would contract cholera or fevers. Eventually, Archbishop John Hughes entrusted all the care of Catholics on the islands to the Jesuit order, a mandate that lasted for over a century. There seems to have been a good relationship between these priests and Dr. Emmet even though he was not Catholic.

A few events concerning Emmet's service on Wards Island evoke interest. It was not unusual for doctors and nurses (as well as chaplains) to contract typhus or yellow fever. Dr. Emmet once found an entire building with all patients and nurses deceased, all the deaths having occurred within thirty six hours. At one point, the story goes, Dr. Emmet himself was pronounced dead and, while he was being ferried across the East River to Manhattan for burial preparation, a Jesuit chaplain noticed he was still alive. (It is difficult to find documented evidence that this happened. However, the incident is noted in a history of the American Jesuits. Since the report was also handed on orally by future chaplains, it seems factual. Father Herbert Kane, S.J., who served for many



years on the islands during a later period, used to recount the story. As he told it, one of the priests noticed the “corpse” snoring.)

Possibly through his associations with Jesuit chaplains, Dr. Emmet began an interest in the Catholic faith, and he eventually joined the Catholic Church. In 1897, Notre Dame College would award him its Laetare Medal for service to society and the Church, and he was named a Knight Commander of the Order of Saint Gregory by Pope Pius X.

As descendant of the Irish patriot grandfather whose name he carried, Dr. Emmet never lost his dedication to the cause of Irish independence. He published several works regarding the grievances of the Irish. He was elected president of the Irish National Federation of America, an organization that proposed and supported a nuanced position on Home Rule. He continued to be active in advocacy around Irish nationalism until his death. Interestingly, he is not buried in New York after all his good works here, but rather in Dublin's Glasnevin Cemetery. In the next generation of the Emmet family, a Robert Emmet, the namesake of his great-great-grandfather (the State Physician of Ireland), and of his great-grand uncle (the executed rebel), would enroll as the two-hun-

dredth student to attend Fordham College at Rose Hill in the Bronx.

#### A DESCENDANT FROM FRANCE

Mention of Fordham College leads to the consideration of another individual involved in the Irish Rising of 1798, Edward Lewins, one of Wolfe Tone's most trusted allies in the United Irish movement. As mentioned earlier, Lewins was the movement's envoy to France where he raised the funds and military assistance in preparing the ill-fated invasion of Ireland.

Remaining in Paris after the defeats of the rebels, Lewins retained quasi-diplomatic status and continued to liaise with French government and military, being of some service to them. The family name was changed to *de Luynes*, reportedly at the urging of Napoleon Bonaparte. Lewins and his wife Mary Ann, née Brennan, had children whom they brought up and educated in France. One, Charles Hippolyte de Luynes, played a role in significant educational and religious endeavours in New York City.

Charles Hippolyte de Luynes attended a Sulpician seminary in Europe, was ordained a priest, and recruited for the missions by Bishop Benedict Joseph Flaget for the fledgling diocese

#### **Illustration:**

*A view of Wards Island across the East River. The island was named for two brothers who acquired it after the American Revolution. In 1847, as more immigrants arrived in New York, the State opened on the island the Emigrant Refuge, which became a large hospital complex for sick and destitute people. Wards Island was acquired by the City of New York in 1851, which expanded its public service facilities. Courtesy of New York Public Library.*

**Photo:**  
 An 1882 photo of St. John's College which began at the direction of Bishop John Hughes in the 1840s. Situated in the Fordham section of the Bronx, the College became Fordham University early in the next century. Courtesy of New York Public Library.



of Bardstown established in Kentucky in 1808. A short time later Bishop Flaget would also recruit French Jesuits for the diocese. Father de Luynes had been acting as administrator of the cathedral parish in Bardstown, was the editor of the Diocesan newspaper, and taught at the seminary. Yet, he was attracted to the spirituality of the Jesuits and entered the novitiate they established there. These Jesuits, including Father de Luynes, were to be invited to come to the Diocese of New York by Bishop John Hughes.

Bishop Hughes invited them to teach at his already established St. John's College, and to continue to expand its curriculum to serve the educational matriculation of lay students. Hughes had purchased property in what was then Westchester County, adjacent to the ford across the Bronx River. On Rose Hill, in the area of Fordham, construction of what would evolve into Fordham University, the Jesuit higher education apostolate of New York City was undertaken.

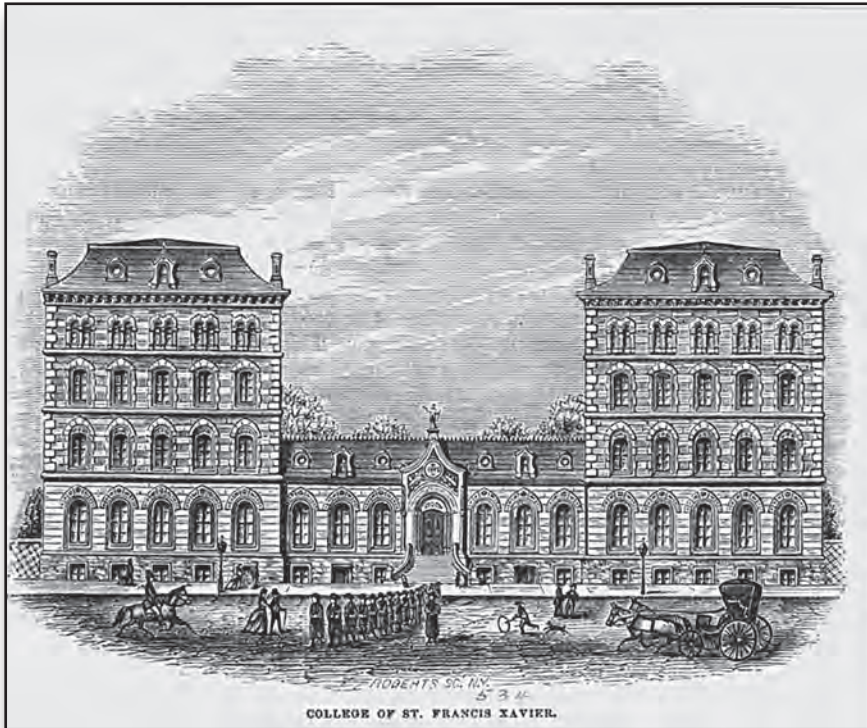
Charles Hippolyte de Luynes was among the first Jesuit priests and brothers to arrive for this new venture. Offspring of an envoy assigned to raise resources for the United Irishmen, the son became an important envoy

of the Jesuits. He was sent to raise funds for the New York apostolates, both for Fordham and for the College of St. Francis Xavier on Sixteenth Street in Manhattan. Though he did teach at the schools and preach in the parishes, de Luynes is most noted for travelling to Latin America to raise funds for the Jesuits' endeavours in New York. At that time, Latin American Churches, and wealthy Latin American Catholics, were very generous to the poor mission territory of the United States.

Many churches and schools of all levels were built and funded on an on-going basis by contributions from Latin America. Father de Luynes was very successful in Mexico. Besides funds, he was given very valuable artwork to support Jesuits' works in New York. He found generous donations in Chile, Ecuador, and Peru as well. Fordham expanded and the Church at St. Francis Xavier was constructed in large part by these monies.

Yet, it remains obvious that Charles de Luynes never lost his interest in the Irish. Besides seeing that the resources were directed to their care and education as immigrants in New York, he took an active interest in their welfare in Canada during the ravages of disease among the Famine refugees there. Father de Luynes fol-



**Illustration:**

*The College of St. Francis Xavier opened on Sixteenth Street in Manhattan in 1847 under the auspices of St. John's College. It was independently chartered in 1861 and a military training unit was established there five years later in collaboration with the New York National Guard. At the close of the nineteenth century, separate secondary and collegiate departments were established. In 1912 the collegiate department was closed. Courtesy of New York Public Library.*

lowed news from his ancestral land, and was clear about his association with the quest for freedom as that took various forms, as well as his family connection with the past struggles for a republic in Ireland. Whenever identifying himself he noted that despite his name, he was an Irishman. In Jesuit records, it was always stated in Latin: “*natus Parisi; natio Hibernia*,” that is, “Paris born; nation Ireland.”

Father de Luynes died at St. Francis Xavier, his New York home community, and he was buried in the Bronx, in the small Jesuit cemetery on the Rose Hill campus of Fordham University. Neither of those New York City institutions would have thrived as they did without the impressive efforts of the son of a United Irishman.

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