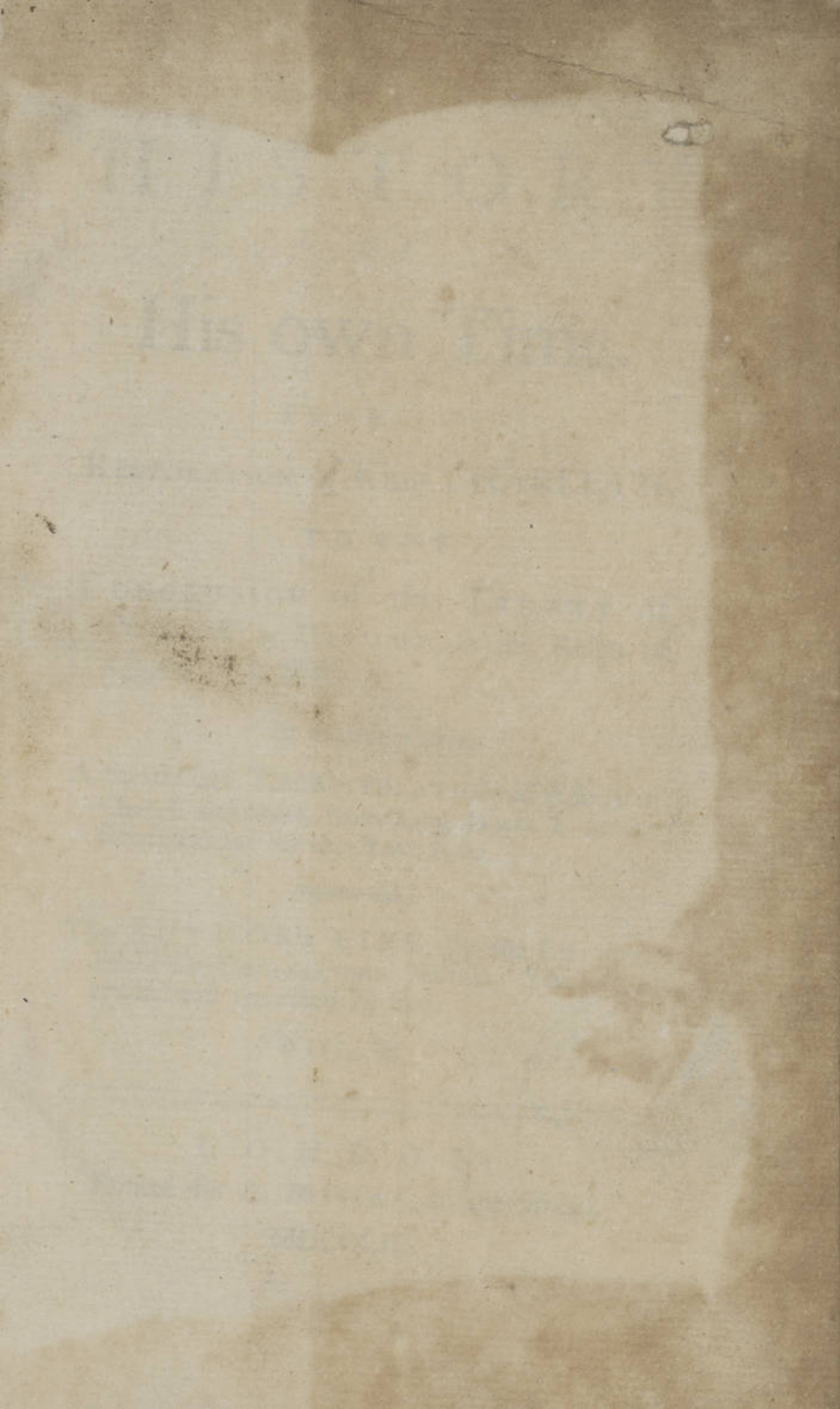




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THE GREAT

BISHOP BURNET'S

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H I S T O R Y

O F

His own Time.

FROM THE

RESTORATION of King CHARLES II.

TO THE

CONCLUSION of the TREATY of
PEACE at UTRECHT, in the Reign of
Queen ANNE.

To which is prefixed,

A SUMMARY RECAPITULATION of Affairs in
Church and State, from King JAMES I. to the
RESTORATION in the Year 1660.

Together with

The AUTHOR'S LIFE, by the EDITOR.
And some EXPLANATORY NOTES. The whole
revised and corrected by him.

VOL. II.



L O N D O N :

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MDCCLIII.

C O N T E N T S

O F T H E

S E C O N D V O L U M E.

	1677.	The Queen was charged as in the plot	49
A	Question raised in England about the legality of a prorogation	A law pass'd for the test to be taken by both Houses	51
The	Lords that moved it sent to the Tower	With a proviso for the Duke	ib.
Proceedings	in Parliament	Coleman's trial	52
Affairs	in Flanders	And execution	53
The	French King declined a battel when offered by the Prince of Orange	The King's thoughts of this whole matter	54
Cambray	and St. Omer taken	Danby's letters to Mountague are brought out	57
The	House of Commons pressed the King to engage in the war	And he was impeached of high treason	59
Danby	declared against France	The Parliament was prorogued	60
The	Prince of Orange came into England	The trial of F. Ireland and some others	62
He	married the Duke's daughter	Dugdale's evidence	63
	1678.	Prance discovers Godfrey's murder	64
Supplies	given towards the war	Some condemned for it, who died denying it	67
The	French take Ghent	Scroggs was then Lord Chief Justice	69
The	affairs of Scotland	Jennifon's evidence	ib.
Mitchell's	trial	Practices with the witnesses discovered	71
And	condemnation	Reflections upon the whole evidence	73
The	administration there grew very violent and illegal		1679.
An	army of Highlanders sent to the West upon free quarter	A new Parliament	75
Many	of the Nobility came up to complain to the King	The Duke sent beyond sea	ib.
But	the King would not see them	Danby pardoned by the King, but prosecuted by the House of Commons	77
A	Convention of Estates gives money, and justifies the administration	A new Council	79
Affairs	in England	Debates concerning the Exclusion	80
The	House of Commons grew jealous of the Court	Arguments used for and against the Exclusion	83
Affairs	abroad	Danby's prosecution	88
The	Popish plot	A great heat raised against the Clergy	89
Oates's	character	The occasions that fomented that heat	90
His	discovery	Arguments for and against the bishops voting in the preliminaries, in trials of treason	91
Coleman	and his papers seized	Stillingsfleet wrote on this point	93
Coleman's	letters confirm it	The trial of five Jesuits	ib.
Godfrey	is murdered	Langhorn's trial	95
His	body was found	And death	96
Oates	made a new discovery	Wakeman's trial	97
Bedlow's	evidence	He was acquitted	99
Other	proofs that seemed to support the discovery	Debates about dissolving the Parliament	100
Carstairs's	practices		ib.
Staley's	trial		ib.

CONTENTS OF THE

The affairs of Scotland	100		
The Archbishop of St. Andrews is murder'd	102	Turbervill's death	155
A rebellion in Scotland	103	The affairs of Scotland	156
Monmouth sent down to suppress it	105	A Parliament in Scotland	158
They were soon broken	ib.	Several accusations of perjury stifled by the Duke	161
The King taken ill, and the Duke comes to Court	107	A test enacted in Parliament	163
The many false stories spread to raise jealousy	ib.	Objections made to the test	166
A pretended plot discovered, call'd the Meal-tub plot	109	Many turned out for not taking it	167
Great jealousies of the King	110	Argile's explanation	168
Monmouth's disgrace	111	He was committed upon it	169
Petitions for a Parliament	112	Argile is tried and condemned	170
Great discontents on all sides	113	He made his escape	171
Godolphin's character	ib.	The Duke comes to Court	173
1680.		A new Ministry in Scotland	ib.
An alliance projected against France	114	They proceeded with great severity	174
The election of the Sheriffs of London	ib.	Affairs in England	178
The bill of Exclusion taken up again	116	All Charters of Towns were surrendered to the King	ib.
Pass'd by the Commons	118	The dispute concerning the Sheriffs of London	179
But rejected by the Lords	ib.	Carried by the Court	182
The House of Commons proceeded against some with severity	120	Changes in the Ministry, and quarrels among them	183
An Association proposed	122	The arguments for and against the Charter of London	185
Expedients offered in the House of Lords	123	Judgment given in the matter	188
1681.		Some other severe Judgments	189
Dutcheffs of Portsmouth's conduct in this matter little understood	124	1683.	
Stafford's trial	125	All people possessed with great fears	190
He was condemned	131	Monmouth and Ruffel at Shepherd's	191
He sent for me, and employed me to do him service	132	Monmouth and some others meet often together	192
His execution	134	They treat with some of the Scottish Nation	194
1681.		Other conspirators meet at the same time on designs of assassinating the King	197
Motions in favour of the Nonconformists	ib.	A plot is discovered	200
The Parliament was dissolved	136	A forged story laid by Rumsey and West	201
A new expedient of a Prince Regent	137	Ruffel and some others were put in prison upon it	204
Fitzharris was taken	138	Monmouth and others escaped	206
The Parliament of Oxford was soon dissolved	139	Howard's confession	209
A great change in affairs	140	The Earl of Essex was sent to the Tower	211
The King's Declaration	142	The Lord Ruffel's trial	212
Addresses to the King from all parts of England	ib.	He was condemned	216
Fitzharris's trial	144	His preparation for death	218
Plunket an Irish Bishop condemned and executed	145	The trial and execution of Walcot and others	220
Practices on Fitzharris at his death	147	Ruffel's execution	221
A Protestant plot	148	Ruffel's last speech	222
Colledge condemned and died upon it	149	Prince George of Denmark married the Princess Anne	225
Shaftsbury sent to the Tower	150	The siege of Vienna	ib.
Practices upon witnesses	ib.	The Author went to the Court of France	227
I was then offered preferment	151	Characters of some he knew there	ib.
Halifax carried me to the King	152	Affairs	
Shaftsbury was acquitted by the Grand Jury	153		

SECOND VOLUME.

Affairs in England	231	Customs and Excise levied against Law	299
Jefferies and other Judges preferred	ib.	The King's coldness to those who had been for the Exclusion	300
1684.		He seem'd to be on equal terms with the French King	ib.
The calling a Parliament propos'd, but rejected	232	The King's course of life	302
Suspicious of Effex's being murdered	234	The Prince of Orange sent away the Duke of Monmouth	303
Sidney's trial	235	Some in England began to move for him	304
His execution and last paper	238	Strange practices in elections of Parliament men	ib.
Monmouth came in, and was pardoned	239	Evil prospect from an ill Parliament	306
But soon after disgraced	241	The Prince of Orange submits in every thing to the King	307
Hambden's trial	242	The King was crown'd	308
Halloway's execution	243	I went out of England	309
Armstrong's death	244	Argile design'd to invade Scotland	ib.
Great Severity in Scotland	248	The Duke of Monmouth forc'd upon an ill-timed invasion	310
A breach in the Ministry there	249	These designs were carried with secrecy	312
The Duke governed all affairs	251	Argile landed in Scotland	313
The cruelty of the Duke, and of his Ministers, in torturing	252	But was defeated, and taken	ib.
Proceedings against Baillic	254	Argile's execution	314
And his execution	256	Rumbold at his death denied the Rye Plot	315
Leightoun's death	258	A Parliament in Scotland	317
The promotion of some Bishops	260	Granted all that the King desired	318
Danby and the Popish Lords bail'd	262	Severe laws were pass'd	319
Some removes made at Court	263	Oates convicted of perjury	320
The bombarding of Genoa	264	And cruelly whipt	ib.
Tangier abandoned	ib.	Dangerfield kill'd	321
Affairs beyond sea	265	A Parliament in England	ib.
The hardships the Author met with	267	Grants the revenue for life	ib.
Trials for treason of Roswell and Haies	270	And trusts to the King's promise	322
Strange Practices, and very unbecoming a King	273	The Parliament was violent	323
Papists employed in Ireland	274	The Lords were more cautious	324
Suspicious of the King's declaring himself a Papist	276	The Duke of Monmouth landed at Lime	ib.
1685.		An Act of attainder pass'd against him	325
A new scheme of Government	278	A rabble came and joined him	326
The King's sickness	280	Lord Grey's cowardice	ib.
He receiv'd the Sacraments from a Popish Priest	281	The Earl of Feverham commanded the King's army	328
His death	284	The Duke of Monmouth defeated	329
His character	286	And taken	ib.
BOOK IV.		Soon after executed	330
A Reign happily begun, but inglorious all over	ib.	He died with great calmness	331
The King's first education	295	Lord Grey pardoned	332
He learned war under Turenne	296	The King was lifted up with his successes	333
He was Admiral of England	297	But it had an ill effect on his affairs	ib.
He was proclaimed King	ib.	Great cruelties committed by his soldiers	334
His first speech	ib.	And much greater by Jefferies	ib.
Well received	298	With	
Addresses made to him	ib.		
The Earl of Rochester made Lord Treasurer	299		
The Earl of Sunderland in favour	ib.		

CONTENTS OF THE

With which the King was well pleased	335	Which refused to comply with the King's desire	377
The execution of two women	ib.	A zeal appeared there against Popery	378
The behaviour of those who suffered	338	Affairs in Ireland	ib.
The Nation was much changed by this management	339	The King made his Mistress Countess of Dorchester	379
Great disputes for and against the Tests	ib.	Attempts made on many to change their religion	380
Some change their religion	340	Particularly on the Earl of Rochester	381
The Duke of Queensborough disgraced	341	He was turned out	383
The King declared against the Tests	342	Designs talked of against Holland	384
Proceedings in Ireland	343	I staid some time at Geneva	ib.
The persecution in France	ib.	The state and temper I observed among the Reformed	385
A fatal year to the Protestant religion	344	I was invited by the Prince of Orange to come to the Hague	387
Rouvigny's behaviour	345	A character of the Prince and Princess of Orange	389
He came over to England	347	I was much trusted by them	391
Dragoons sent to live on discretion upon the Protestants	348	The Prince's sense of our affairs	ib.
Many of them yielded thro' fear	ib.	The Princess's resolution with respect to the Prince	393
Great cruelty every where	349	Pen sent over to treat with the Prince	394
I went into Italy	351	Some Bishops died in England	396
And was well received at Rome	ib.	Cartwright and Parker promoted	398
Cardinal Howard's freedom with me	352	The King's letter refused in Cambridge	400
Cruelties in Orange	354	The Vice Chancellor turn'd out by the Ecclesiastical Commissioners	401
Another Session of Parliament	355	An attempt to impose a Popish President on Magdalen College	402
The King's speech against the Test	356	They disobey, and are censured for it	404
Jefferies made Lord Chancellor	357	1687.	
The House of Commons address the King for observing the Law	358	And were all turned out	405
The King was much offen'd with it	359	The Dissenters were much courted by the King	406
The Parliament was prorogued	360	Debates and resolutions among them	407
The Lord de la Meer tried and acquitted	ib.	The army encamped at Hounslow-Heath	408
1686.		An Embassador sent to Rome	409
A trial upon the Act for the Test	362	He managed every thing unhappily	410
Many Judges turned out	ib.	Pope Innocent's character	412
Herbert, Chief Justice, gives Judgment for the King's dispensing power	363	Disputes about the Franchises	413
Admiral Herbert's firmness	365	Queen Christina's character of some Popes	414
Father Petre, a Jesuite, in high favour	366	D'Albeville sent Envoy to Holland	415
The King declared for a toleration	ib.	I was upon the King's pressing instances forbid to see the Prince and Princess of Orange	ib.
The Clergy managed the points of con- trovery with great zeal and success	367	Dykvelt sent to England	416
The persons who were chiefly engaged in this	368	The negotiations between the King and the Prince	417
Dr. Sharp in trouble	369	A letter writ by the Jesuites of Leige, that discovers the King's designs	420
The Bishop of London required to suspend him	370	Dykvelt's conduct in England	421
Which he could not obey	ib.	A Proclamation of indulgence sent to Scotland	422
An Ecclesiastical Commission set up	ib.	Which was much censured	ib.
The Bishop of London brought before it	371		
And was suspended by it	373		
Affairs in Scotland	374		
A tumult at Edinburgh	ib.		
A Parliament held there	375		

SECOND VOLUME.

A Declaration for toleration in England	424	he child, as was believed, died, and another was put in his room	479
Addresses made upon it	425	The Prince and Princess of Orange sent to congratulate	481.
The King's indignation against the Church party	426	The Prince designs an expedition to England	ib.
The parliament was dissolved	427	Sunderland advised more moderate proceedings	482
The reception of the Pope's Nuntio	ib.	And he turned Papist	483
The King made a progress thro' many parts of England	428	The Prince of Orange treats with some of the Princes of the Empire	484
A change in the Magistracy in London, and over England	429	The affairs of Colen	486
Questions put about elections of Parliament	431	Merbert came over to Holland	491
The King wrote to the Princess of Orange about religion	433	The advices from England	492
Which she answered	436	The Lord Mordaunt's character	ib.
Reflections on these letters	440	The Earl of Shrewsbury's character	ib.
A prosecution set on against me	441	Ruffel's character	493
Albeville's memorial to the States	443	Sidney's character	494
The States's answer to what related to me	446	Many engaged in the design	ib.
Other designs against me	447	Lord Churchill's character	495
Pensioner Fagel's letter	448	The Court of France gave the alarm	496
Father Petre made a Privy Counsellor	451	Recruits from Ireland refused	ib.
The confidence of the Jesuits	ib.	Offers made by the French	499
The Pensioner's letter was printed	452	Not entertain'd at that time	500
The King asked the regiments of his subjects in the States service	453	The French own an alliance with the King	501
Which was refused, but the officers had leave to go	454	The strange conduct of France	502
A new Declaration for toleration	455	A manifesto of war against the Empire	503
Which the Clergy were ordered to read	456	Reflections made upon it	505
To which they would not give obedience	458	Another against the Pope	506
The Archbishop and six Bishops petition the King	459	Censures that pass upon it	507
The King ordered the Bishops to be prosecuted for it	462	Marshal Schomberg sent to Cleve	508
They were sent to the Tower	ib.	The Dutch fleet at sea	510
But soon after discharged	463	The Prince of Orange's Declaration	ib.
They were tried	464	I was desired to go with the Prince	512
And acquitted	466	Advices from England	ib.
To the great joy of the Town and Nation	ib.	Artifices to cover the design	514
The Clergy was next designed against	467	The Dutch put to sea	517
The effect this had every where	ib.	Some factious motions at the Hague	ib.
Ruffel pressed the Prince	469	The army was shipped	519
The Prince's answer	ib.	The Princess's sense of things	520
The Elector of Brandenburg's death	470	The Prince took leave of the States	ib.
The Queen gave out that she was with child	472	We sailed out of the Maes	521
The Queen's reckoning changed	476	But were forc'd back	ib.
The Queen said to be in labour	477	Consultations in England	522
And delivered of a son	ib.	Proofs brought for the birth of the Prince of Wales	524
Great grounds of jealousy appeared	478	We sailed out more happily a second time	528
		We landed at Torbay	529
		The King's army began to come over to the Prince	532
		An Association among those who came to the Prince.	535
		The Heads of Oxford sent to him	536
		Great disorders in London	537
		A treaty	

CONTENTS.

A treaty begun with the Prince	537	The convention met	559
The King left the Kingdom	539	Some are for a Prince Regent	ib.
He is much censured	540	Others are for another King	562
But is brought back	541	And against a Regency	564
The Prince is desired to come and take the government into his Hands	542	Some moved to examine the birth of the Prince of Wales	569
Different advice given to the Prince con- cerning the King's person	544	But it was rejected	570
The Prince came to London, and the King went to Rochester	548	Some were for making the Prince King	571
The Prince was welcomed by all sorts of people	549	The Prince declared his mind after long silence	574
Consultations about the settlement of the Nation	550	It was resolved to put the Prince and Princes both in the Throne	575
The King went over to France	551	They drew an instrument about it	577
The affairs of Scotland	552	The Oaths were altered	578
The affairs of Ireland	553	The ill Sense that was put on the new Oath	580
1689.		The Princes came to England	581
The Prince in treaty with the Earl of Tyrconnel	556	The Conclusion	582



THE
HISTORY
OF
My Own Times.



THE Parliament of England had ^{1677.} been prorogued for about a year and some months, by two different prorogations. One of these was for more than a year. So upon that it was made a question, whether by that the Parliament was not dissolved. The argument for it was laid thus. By the ancient laws a Parliament was to be held “once a year, and oftener “if need be:” It was said, the words, “if need be,” in one act, which were not in another that enacted an annual Parliament without that addition, did not belong to the whole period, by which a session was only to be held once a year if it was needful; but belonged only to the word “oftener:” So that the law was positive for a Parliament once a year: And if so, then any act contrary to that law was an unlawful act: By consequence, it could have no operation: From whence it was inferred, that the prorogation, which did run beyond a year, and

A question raised in England about the legality of a prorogation.

1677.

by consequence made that the Parliament could not sit that year, was illegal; and that therefore the Parliament could not sit by virtue of such an illegal act. Lord Shaftsbury laid hold on this with great joy, and he thought to work his point by it. The Duke of Buckingham was for every thing that would embroil matters. The Earl of Salisbury was brought into it, who was a high spirited man, and had a very ill opinion of the Court. Lord Wharton went also into it. And Lord Hollis writ a book for it: But a fit of the gout kept him out of the way. All the rest of the party was against it. They said, it was a subtilty: And it was very dangerous to hang so much weight upon such weak grounds. The words, "if need be," had been understood to belong to the whole act: And the long Parliament did not pretend to make annual Parliaments necessary, but insisted only on a triennial Parliament: If there had been need of a Parliament during that long prorogation, the King by proclamation might have dissolved it, and called a new one. All that knew the temper of the House of Commons were much troubled at this dispute, that was like to rise on such a point. It was very certain the majority of both Houses, who only could judge it, would be against it. And they thought such an attempt to force a dissolution, would make the Commons do every thing that the Court desired. Lord Hallifax set himself much against this; and did it not without expressing great sharpness against Lord Shaftsbury, who could not be managed in this matter. So, upon the first opening the session, the debate was brought on: And these Lords stood against the whole House. That matter was soon decided by a question.

But then a second debate arose, which held for two days, whether these Lords were not liable to censure, for offering a debate, that might create great distractions in the subjects minds, concerning

1677.

ing the legality of Parliament. Lord Hallifax with the rest of the party argued against it strongly. They said, if an idle motion was made, and checked at first, he that made it might be censured for it, tho' it was seldom, if ever, to be practised in a free Council, where every man was not bound to be wise, nor to make no impertinent motion: But when the motion was entertained, and a debate followed, and a question was put upon it, it was destructive to the freedom of publick Councils, to call any one to an account for it: They might with the same justice call them to an account for their debates and votes: So that no man was safe, unless he could know where the majority would be: Here would be a precedent to tip down so many Lords at a time, and to garboil the House, as often as any party should have a great majority. It was said on the other hand, here was a design to put the Nation into great disorder, and to bring the legality of a Parliament into dispute. So it was carried to oblige them to ask pardon as delinquents: Otherwise it was resolved to send them to the Tower. They refused to ask pardon; and so were sent thither. The Earl of Salisbury was the first that was called on: For the Duke of Buckingham went out of the House. He desired, he might have his servants to wait on him: And the first he named was his cook; which the King resented highly, as carrying in it an insinuation of the worst sort. The Earl of Shaftsbury made the same demand. But the Lord Wharton did not ask for his cook. The Duke of Buckingham came in next day; and was sent after them to the Tower. And they were ordered to continue prisoners during the pleasure of the House, or during the King's pleasure. They were much visited. So to check that, tho' no complaint was made of their behaviour, they were made close prisoners, not to be visited without leave from the King, or the House: And particular

The Lords
that mov-
ed it sent
to the
Tower.

1677.

particular observations were made of all those that asked leave. This was much cried out on: And the Earl of Danby's long imprisonment afterwards, was thought a just retaliation for the violence with which he drove this on. Three of the lords lay in the Tower for some months: But they were set at liberty upon their petitioning the King. Lord Shaftsbury would not petition: But he moved in the King's Bench that he might be discharged. The King's justice, he said, was to be dispensed in that Court. The Court said, he was committed by an order from the House of Lords, which was a Court superior to them: So they could take no cognizance of the matter. Lord Danby censured this motion highly, as done in contempt of the House of Lords; and said, he would make use of it against him next session of Parliament. Yet he was often forced to make the same motion at that bar: And he complained of the injustice of the Court for refusing to bail or discharge him, tho' in that they followed the precedent which at this time was directed by himself.

Proceed-
ings in
Parlia-
ment.

The debate about the dissolution of the Parliament, had the effect in the House of Commons that was foreseen: For the Commons were much inflamed against Lord Shaftsbury, and his party. They at first voted 600,000*l.* for the building thirty ships: For they resolved to begin with a popular bill. A clause was put in the bill by the Country party, that the money should be accounted for to the Commons, in hope that the Lords would alter that clause, and make it accountable to both Houses; which was done by the Lords, and conferences were held upon it. The Lords thought, that, since they paid their share of the tax, it was not reasonable to exclude them from the accounts. The Commons adhered to their clause: And the bill was in great danger of being lost. But the King prevailed with the Lords to recede. An additional excise, that had been formerly given, was

now

1677.

now falling: So they continued that for three years longer. And they were in all things so compliant, that the Court had not for many years had so hopeful a session as this was. But all was changed of a sudden.

The King of France was then making one of his early campaigns in Flanders; in which he at first took Valenciennes, and then divided his Army in two. He with one besieged Cambray: And the other commanded by his brother besieged St. Omer. But, tho' I intend to say little of foreign affairs, yet where I came to the knowledge of particulars that I have not seen in any printed relations, I will venture to set them down. Turenne's death was a great blow to the King of France; but not to his Ministers, whom he despised, and who hated him. But the King had such a personal regard to him, that they were afraid of opposing him too much. He was both the most cautious, and the most obliging General that ever commanded an Army. He had the art of making every man love him, except those that thought they came in some competition with him: For he was apt to treat them with too much contempt. It was an extraordinary thing that a random cannon shot should have killed him. He sat by the balance of his body a while on the saddle, but fell down dead in the place: And a great design he had, which probably would have been fatal to the German Army, died with him. The Prince of Condé was sent to command the Army to his great affliction: For this was a declaration, that he was esteemed inferior to Turenne, which he could not well bear, tho' he was inferior to him in all that related to the command; unless it was in a day of battle, in which the presence of mind, and vivacity of thought, which were wonderful in him, gave him some advantage. But he had too much pride, to be so obliging as a General ought to be. And he was too much a slave to pleasure, and gamed too

Affairs in
Flanders.

The
French
King
did
not
win
the
battle
of
Marsden

1677.

much, to have that constant application to his business that the other had. He was entirely lost in the King's good opinion, not only by reason of his behaviour during his minority: But, after that was forgiven, once when the King was ill, not without apprehensions, he sent for him, and recommended his son to his care, in case he should die at that time. But he, instead of receiving this, as a great mark of confidence, with due acknowledgements, expostulated upon the ill usage he had met with. The King recovered; but never forgot that treatment, and took all occasions to mortify him; which the Ministers knew well, and seconded him in it: So that, bating the outward respect due to his birth, they treated him very hardly in all his pretensions.

The French King declined a battle when offered by the Prince of Orange.

The French King came down to Flanders in 76, and first took Condè, and then besieged Bouchain. The siege went on in form: And the King lay with an Army covering it, when on a sudden the Prince of Orange drew his Army together, and went up almost to the King's camp, offering him battle. All the Marshals and Generals concluded that battle was to be given, and that the war would be that day ended. The King heard all this coldly. Schomberg was newly made a Marshal, and had got great honour the year before against the Prince of Orange, in raising the siege of Maestricht. He commanded in a quarter at some distance. The King said, he would come to no resolution, till he heard his opinion. Louvoy sent for him by a confident person, whom he ordered to tell him what had happened; and that, in any opinion he was to give, he must consider the King's person. So, when he came to the King's tent, a council of war was called: And Schomberg was ordered to deliver his opinion first. He said, the King was there on design to cover the siege of Bouchain: A young General was come up on a desperate humour to offer him battle.

battle: He did not doubt, but it would be a glorious decision of the war: But the King ought to consider his own designs, and not to be led out of these by any bravado, or even by the great hope of success: The King ought to remain in his post, till the place was taken: Otherwise he suffered another man to be the master of his counsels and actions. When the place was taken, then he was to come to new counsels: But till then he thought he was to pursue his first design. The King said Schomberg was in the right: And he was applauded that day, as a better Courtier than a General. I had all this from his own mouth.

To this I will add a pleasant passage, that the Prince of Condè told young Rouvigny, now Earl of Galloway. The King of France has never yet fought a battle; and has a mighty notion of that matter: And, it seems, he apprehends the danger of it too much. Once he was chiding the Prince of Conti for his being about to fight a combat with a Man of quality. The King told him, he ought to consider the dignity of his blood, and not put himself on the level with other subjects; and that his uncle had declined fighting on that very account. The Prince of Conti answered, my uncle might well have done so, after he had won two battles; but I, who have yet done nothing, must pretend to no such distinction. The King told this answer to the Prince of Condè, who saw he was nettled with it. So he said to him, that his nephew had in that spoke like a young man: For winning of a battle was no great matter; since, tho' he who commanded had the glory of it, yet it was the subalterns that did the business: In which he thought he pleased the King; and for which he laughed heartily at him, when he told the story. The late King told me, that in these campaigns the Spaniards were both so ignorant and so backward, so proud and yet so weak, that they would never own their feebleness, or their

1677.

wants, to him. They pretended they had stores, when they had none; and thousands, when they scarce had hundreds. He had in their counsels often desired, that they would give him only a true state of their garrisons and magazines. But they always gave it false. So that for some campaigns all was lost, merely because they deceived him in the strength they pretended they had. At last he believed nothing they said, but sent his own officers to examine every thing. Monterey was a wise man, and a good Governor, but was a coward. Villa Hermosa was a brave man, but ignorant and weak. Thus the Prince had a sad time of it every campaign. But none was so unhappy as this: In which, upon the loss of Valenciennes, he looking on St. Omer as more important than Cambray, went thither, and ventured a battle too rashly. Luxembourg, with a great body of horse, came into the Duke of Orleans's Army, just as they were engaging. Some regiments of marines, on whom the Prince depended much, did basely run away. Yet the other bodies fought so well, that he lost not much, besides the honour of the day. But upon that St. Omer did immediately capitulate, as Cambray did some days after. It was thought, that the King was jealous of the honour his brother had got in that action; for he never had the command of an army after that time: And, courage being the chief good quality that he had, it was thought his having no occasion given him to shew it flowed from some particular reason.

Cambray
and St.
Omer ta-
ken.

The
House of
Commons
pressed
the King
to engage
in the war.

These things happening during this Session of Parliament, made great impression on all peoples minds. Sir W. Coventry opened the business in the House of Commons; and shewed the danger of all these Provinces falling under the power of France; which must end in the ruin of the United Provinces, if a timely stop were not put to the progress the French were making. He demon-
strated,

1677.

frated, that the interest of England made it necessary for the King to withdraw his mediation, and enter into the alliance against France: And the whole House went into this. There were great complaints made of the regiments that the King kept in the French army, and of the great service that was done by them. It is true, the King suffered the Dutch to make levies. But there was another sort of encouragement given to the levies for France, particularly in Scotland; where it looked liker a press than a levy. They had not only the publick jails given them to keep their men in: But, when these were full, they had the castle of Edinburgh assigned them, till ships were ready for their transport. Some, that were put in prison for Conventicles, were, by order of Council, delivered to their officers. The Spanish Embassador heard of this, and made great complaints upon it. So a Proclamation was ordered, prohibiting any more levies. But Duke Lauderdale kept it up some days, and writ down to hasten the levies away; for a Proclamation was coming down against them. They were all shipped off, but had not sailed, when the Proclamation came down: Yet it was kept up, till they sailed away. One of the ships was driven back by stress of weather: But no care was taken to execute the Proclamation. So apparently was that Kingdom in a French management.

The House of Commons pressed the King, by repeated addresses, to fall into the interest of Europe, as well as his own. The King was uneasy at this, and sent them several angry messages. Peace and war, he said, were undoubtedly matters within his prerogative, in which they ought not to meddle. And the King in common discourse remembered often the Parliament's engaging his father and grandfather in the affairs of Germany, and to break the match with Spain, which proved fatal to them; And he resolved not to be served in
such

1677.

such a manner. Upon this occasion, Lord Danby saw his error, of neglecting the leading men, and reckoning upon a majority, such as could be made: For these leading men did so entangle the debates, and over-reached those on whom he had practised, that they, working on the aversion that the English Nation naturally has to a French interest, spoiled the hopefullest Session the Court had had of a great while, before the Court was well aware of it. The King, who was yet firmly united with France, dismissed them with a very angry speech, checking them for going so far in matters that were above them, and that belonged only to him: Tho' they brought to him many precedents in the Reigns of the highest spirited of all our Kings, in which Parliaments had not only offered general advices, about the entering into wars, but even special ones, as to the conduct that was to be held in them. The whole Nation thought it a great happiness, to see a Session, that Lord Shaftsbury's willfulness had, as it were, driven in to the Court, end with doing so little mischief; far contrary to all mens expectations.

Danby declared against France.

When the Session was over, Lord Danby saw his ruin was inevitable, if he could not bring the King off from a French interest: Upon which he set himself much to it. And, as he talked with an extraordinary zeal against France on all occasions, so he pressed the King much to follow the advices of his Parliament. The King seemed to insist upon this, that he would once have a peace made, upon the grounds that he had concerted with France: And, when that was done, he would enter next day into the Alliance. But he stood much upon this; that having once engaged with France in the war, he could not with honour turn against France, till it was at an end. This was such a refining in a point of honour, which that King had not on all other occasions considered so much, that all men believed there was somewhat else at
the

1677.

the bottom. The Earl of Danby continued to give, by Sir William Temple, all possible assurances to the Prince of Orange, pressing him likewise to make some compliances on his side. And he gave him great hopes of bringing about a marriage with the Duke's Daughter; which was universally desired by all the Protestant party, both at home and abroad. Great offers were made to the Duke to draw him into the Alliance. He was offered the command of the whole force of the Allies. And he seemed to be wrought on by the prospect of so great an authority. There was a party that were still very jealous of Lord Danby in all this matter. Some thought, all this was artifice; that a war would be offered to the next Session, only to draw money from the Parliament, and thereby to raise an army; and that, when the army was raised, and much money given to support it, all would be sold to France for another great sum; and that the Parliament would be brought to give the money to pay an army for some years, till the Nation should be subdued to an entire compliance with the Court. It was given out, that this must be the scheme by which he maintained himself in the King and the Duke's confidence, even when he declared himself an open enemy to that which they were still supporting. This he did with so little decency, that at Sancroft's consecration dinner, he began a health, to the confusion of all that were not for a war with France. He got the Prince of Orange to ask the King's leave to come over at the end of the campaign: With which the Court of France was not pleased; for they suspected a design for the marriage. But the King assured Barillon, who was lately sent over Embassador in Courtin's place, that there was not a thought of that; and that the Prince of Orange had only a mind to talk with him: And he hoped, he should bring him into such measures, as should produce a speedy peace.

The

1677.
 The
 Prince of
 Orange
 came into
 England.

The campaign ended unsuccessfully to the Prince; For he sat down before Charleroy, but was forced to raise the siege. When that was over, he came to England, and staid some time in it, talking with his two uncles about a peace. But they could not bring him up to their terms. After a fruitless stay for some weeks, he intended to go back without proposing marriage. He had no mind to be denied: And he saw no hope of succeeding, unless he would enter more entirely into his uncle's measures. Lord Danby pressed his staying a few Days longer, and that the management of that matter might be left to him. So next Monday morning, after he had taken care, by all his creatures about the King, to put him in a very good humour, he came to the King, and told him, he had received Letters from all the best friends his Majesty had in England, and shewed a bundle of them; (which he was pretty sure the King would not trouble himself to read; probably they were written as he had directed.) They all agreed, he said, in the same advice, that the King should make a marriage between the Prince of Orange and the Duke's Daughter: For they all believed he came over on that Account: And, if he went away without it, no body would doubt, but that he had proposed it, and had been denied. Upon which the Parliament would certainly make addressees to the King for it. And if the marriage was made upon that, the King would lose the grace and thanks of it: But if it was still denied, even after the addressees of both Houses, it would raise jealousies that might have very ill consequences. Whereas, if the King did it of his own motion, he would have the honour of it: And, by so doing, he would bring the Prince into a greater dependence on himself, and beget in the Nation such a good opinion of him, as would lay a foundation for a mutual confidence. This he enforced with all the topicks he could think

on,

1677.

on. The King said, the Prince had not so much as proposed it: Lord Danby owned he had spoke of it to himself; and said, that his not moving it to the King was only, because he apprehended he was not like to succeed in it. The King said next, my brother will never consent to it. Lord Danby answered, perhaps not, unless the King took it upon him to command it: And he thought it was the Duke's interest to have it done, even more than the King's: All People were now possessed of his being a Papist, and were very apprehensive of it: But if they saw his daughter given to one that was at the head of the Protestant interest, it would very much soften those apprehensions, when it did appear that his religion was only a personal thing, not to be derived to his children after him. With all this the King was convinced. So he sent for the Duke, Lord Danby staying still with him. When the Duke came, the King told him he had sent for him, to desire he would consent to a thing that he was sure was as much for his interest, as it was for his own quiet and satisfaction. The Duke, without asking what it was, said, he would be ready always to comply with the King's pleasure in every thing. So the King left it to the Lord Danby to say over all he had said on that head to himself. The Duke seemed much concerned. But the King said to him; Brother, I desire it of you for my sake, as well as your own: And upon that the Duke consented to it. So Lord Danby sent immediately for the Prince, and in the King's name ordered a Council to be presently summoned. Upon the Prince's coming, the King, in a very obliging way, said to him; Nephew, it is not good for man to be alone, I will give you a help meet for you: And so he told him he would bestow his niece on him. And the Duke, with a seeming heartiness, gave his consent in very obliging terms: The King adding, Nephew, remember that love and war do not agree well together. In the

1677.

He married the Duke's daughter.

the mean while the news of the intended marriage went over the Court and Town. All, except the French and the Popish party, were much pleased with it. Barillon was amazed. He went to the Dutches of Portsmouth; and got her to send all her creatures to desire to speak to the King: She writ him likewise several Billets to the same purpose. But Lord Danby had ordered the Council to be called: And he took care, that neither the King nor the Duke should be spoke to, till the matter was declared in council. And when that was done, the King presented the Prince to the young Lady, as the person he designed should be her husband. When Barillon saw it was gone so far, he sent a courier to the Court of France with the news: Upon whose arrival Montague, that was then our Embassador there, was sent for. When he came to Versailles, he saw the King the most moved, that he had ever observed him to be. He asked him, when was the marriage to be made? Montague understood not what he meant. So he explained all to him. Montague protested to him, that he knew nothing of the whole matter. That King said, he always believed the journey would end in this: And he seemed to think that our Court had now forsaken him. He spoke of the King's part in it more decently; but expostulated severely on the Duke's part, who had now given his daughter to the greatest enemy he had in the world. To all this Montague had no answer to make. But next night he had a courier with letters, from the King, the Duke, and the Prince, to the King of France. The Prince had no mind to this piece of courtship: But his uncle obliged him to it, as a civility due to kindred and blood. The King assured the King of France, that he had made the match on design to engage the Prince to be more tractable in the treaty, that was now going on at Nimeguen. The King of France received these letters civilly; but did not seem much satisfied

fatisfied with them. Montague was called over soon after this, to get new instructions. And Lord Danby asked him, how the King of France received the news of the marriage. He answered, as he would have done the loss of an army; and that he had spoke very hardly of the Duke, for consenting to it, and not at least acquainting him with it. Lord Danby answered, he wronged him; for he did not know of it an hour before it was published, and the King himself not above two hours. All this relation I had from Montague himself. It was a master-piece indeed, and the chief thing in the Earl of Danby's ministry, for which the Duke never forgave him.

1677.

Upon the general satisfaction that this marriage gave the whole Nation, a new session of Parliament was called in the beginning of the year 78: To which the King declared the sense he had of the dangerous state their neighbours were in, and that it was necessary he should be put in a posture to bring things to a balance. So the House was pressed to supply the King in so plentiful a manner, as the occasion did require. The Court asked money, both for an army and a fleet. Sir William Coventry shewed the great inconvenience of raising a land army, the danger that might follow on it, the little use could be made of it, and the great charge it must put the Nation to: He was for hiring bodies from the German Princes, and for assisting the Dutch with money: And he moved to recal our troops from France, and to employ them in the Dutch Service: He thought, that which did more properly belong to England, was to set out a great fleet, and to cut off the French trade every where; for they were then very high in their manufactures and trade; their people were ingenious as well as industrious; they wrought hard, and lived low; so they sold cheaper than others could do; and it was found, that we sent very near a million of our Money in specie every

1678.

year

1678. year for the balance of our trade with them. But the King had promised so many Commissions to men of quality in both Houses, that this carried it for a land army. It was said, what hazard could there be from an army commanded by men of estates, as this was to be? A severe act pass'd prohibiting all importation of the French manufactures or growth for three years, and to the next session of Parliament after that. This was made as strict as was possible: And for a year after it was well look'd to. But the merchants found ways to evade it: And the Court was too much French, not to connive at the breach of it. In the preamble of this Act it was set forth, that we were in an actual war with France. This was excepted to, as not true in fact. But the ministry affirmed we were already engaged so far with the Allies, that it was really a war, and that our troops were already called from France. Coventry in some heat said, the King was engaged, and he would rather be guilty of the murder of forty men, than to do any thing to retard the progress of the war. The oddness of the expression made it to be often objected afterwards to him. A poll bill was granted, together with the continuance of the additional customs, that were near falling off. Six hundred thousand pound was also given for a land army, and for a fleet. All the Court party magnified the design of raising an army. They said, the employing hired troops was neither honourable nor safe. The Spaniards were willing to put Ostend and Newport in our hands: And we could not be answerable for these places, if they were not kept by our own people.

Supplies
given to-
wards the
war.

The
French
take
Ghent.

At this time the King of France made a step that struck terror into the Dutch, and enflamed the English out of measure. Louvoy till then was rather his father's assistant, than a minister upon his own foot. He at this time gained the credit with the King, which he maintained so long afterwards.

1678.



afterwards. He proposed to him the taking of Ghent; and thought that the King's getting into such a place, so near the Dutch, would immediately dispose them to a peace. But it was not easy to bring their army so soon about it, without being observed: So the execution seemed impossible. He therefore laid such a scheme of marches and countermarches, as did amuse all the Allies. Sometimes the design seemed to be on the Rhine: Sometimes on Luxemburgh. And while their forces were sent to defend those places, where they apprehended the design was laid, and that none of the French Generals themselves did apprehend what the true design was, all on the sudden Ghent was invested: and both town and citadel were quickly taken. This was Louvoy's master-piece. And it had the intended effect. It brought the Dutch to resolve on a peace. The French King might have taken Bruges, Ostend, and Newport. But he only took Ypres; for he had no mind to provoke the English. He was sure of his point by the fright this put the Dutch in. We were much alarmed at it. And the Duke of Monmouth was immediately sent over with some of the Guards.

But the Parliament grew jealous, as they had great cause given them, both by what was then doing in Scotland, and by the management they observed at Court. And now I must look Northward to a very extraordinary scene that opened there. Duke Lauderdale and his Duchefs went to Scotland the former year. Her design was to marry her Daughters into two of the great families of Scotland, Argile and Murray, which she did. But, things being then in great disorder, by reason of the numbers and desperate tempers of those who were intercommoned, Sharp pretended, he was in great danger of his life; and that the rather, because the person that had made the attempt on him was let live still. Upon this, I must

The affairs
of Scot-
land.

Mitchell's
trial.

1678.

tell what had past three years before this. Sharp had observed a man that kept shop at his door, who look'd very narrowly at him always as he pass'd by: And he fancied, he was the man that shot at him six years before. So he ordered him to be taken up and examined. It was found, he had two pistols by him, that were deeply charged, which increased the suspicion. Yet the man denied all. But Sharp got a friend of his to go to him, and deal with him to make a full confession: And he made solemn promises, that he would procure his pardon. His friend answered, he hoped he did not intend to make use of him to trepan a man to his ruin. Upon that, with lifted up hands, Sharp promised by the living God, that no hurt should come to him, if he made a full discovery. The person came again to him, and said, if a promise was made in the King's name, the prisoner would tell all. So it was brought before the Council. Lord Rothes, Halton, and Primrose were ordered to examine him. Primrose said it would be a strange force of eloquence, to persuade a man to confess, and be hanged. So Duke Lauderdale, being the King's Commissioner, gave them power to promise him his life. And as soon as these Lords told him this, he immediately kneeled down, and confessed the fact, and told the whole manner of it. There was but one person privy to it, who was then dead. Sharp was troubled to see so small a discovery made: Yet they could not draw more from him. So then it was considered, what should be done to him. Some moved the cutting off his right hand. Others said, he might learn to practise with his left hand, and to take his revenge; therefore they thought both hands should be cut off. Lord Rothes, who was a pleasant man, said, how shall he wipe his breech then. This is not very decent to be mentioned in such a work, if it were not necessary; for when the truth of the promise now

given

given was afterwards called in question, this jest was called to mind, and made the whole matter to be remembered. But Primrose moved, that since life was promised, which the cutting off a limb might endanger, it was better to keep him prisoner during life in a castle they had in the Bass, a rock in the mouth of the Frith: And thither he was sent. But it was thought necessary to make him repeat his confession in a Court of Judicature: So he was brought into the Justiciary Court upon an indictment for the crime to which it was expected he should plead guilty. But the Judge, who hated Sharp, as he went up to the bench, passing by the prisoner said to him, Confess nothing, unless you are sure of your limbs as well as of your life. Upon this hint he, apprehending the danger, refused to confess: Which being reported to the Council, an act was past mentioning the promise and his confession, and adding, that since he had retracted his confession, they likewise recalled the promise of pardon: The meaning of which was this, that, if any other evidence was brought against him, the promise should not cover him: But it still was understood, that this promise secured him from any ill effect by his own confession. The thing was almost forgot after four years, the man being in all respects very inconsiderable. But now Sharp would have his life. So Duke Lauderdale gave way to it: And he was brought to Edinburgh in order to his trial. Nisbit, who had been the King's Advocate, and was one of the worthiest and learnedest men of the age, was turned out. And Mackenzie was put in his place, who was a man of much life and wit, but he was neither equal nor correct in it: He has published many books, some of law, but all full of faults; for he was a slight and superficial man. Lockhart was assigned counsel for the prisoner. And now that the matter came again into peoples memory, all were amazed at the proceeding.

1678. Primrose was turned out of the place of Lord Register, and was made Justice General. He fancied orders had been given to raze the Act that the Council had made: So he turned the books, and he found the Act still on record. He took a copy of it, and sent it to Mitchell's Counsel: That was the prisoner's name. And, a day or two before the trial, he went to Duke Lauderdale, who, together with Sharp, Lord Rothes, and Lord Halton, were summoned as the prisoner's witnesses. He told him, many thought there had been a promise of life given. Duke Lauderdale denied it stiffly. Primrose said, he heard there was an Act of Council made about it, and he wished that might be looked into. Duke Lauderdale said, he was sure it was not possible, and he would not give himself the trouble to turn over the books of Council. Primrose, who told me this, said his conscience led him to give Duke Lauderdale this warning of the matter, but that he was not sorry to see him thus reject it. The trial was very solemn. The confession was brought against him, as full evidence: To which Lockhart did plead, to the admiration of all, to shew that no extrajudicial confession could be allowed in a Court. The hardships of a prison, the hopes of life, with other practises, might draw confessions from men, when they were perhaps drunk, or out of their senses. He brought upon this a measure of learning, that amazed the audience, out of the lawyers of all civilized Nations. And, when it was opposed to this, that the Council was a Court of Judicature, he shewed, that it was not the proper Court for crimes of this nature, and that it had not proceeded in this as a Court of Judicature. And he brought out likewise a great deal of learning upon those heads. But this was over-ruled by the Court, and the confession was found to be judicial. The next thing pleaded for him was, that it was drawn from him upon hope and promise of life: And

1678.

And to this Sharp was examined. The person he had sent to Mitchell gave a full evidence of the promises he had made him: But Sharp denied them all. He also denied he heard any promise of life made him by the Council: So did the Lords Lauderdale, Rothes, and Halton, to the astonishment of all that were present. Lockhart upon that produced a copy of the Act of Council, that made express mention of the promise given, and of his having confessed upon that. And the prisoner prayed that the books of Council, which lay in a room over that in which the Court sat, might be sent for. Lockhart pleaded, that since the Court had judged that the Council was a Judicature, all people had a right to search into their registers; and the prisoner, who was like to suffer by a confession made there, ought to have the benefit of those books. Duke Lauderdale, who was in the Court only as a witness, and so had no right to speak, stood up, and said, he and those other noble persons were not brought thither to be accused of perjury; and added, that the books of Council were the King's secrets, and that no Court should have the perusing of them. The Court was terrified with this, and the Judges were divided in opinion. Primrose, and one other, was for calling for the books. But three were of opinion, that they were not to furnish the prisoner with evidence, but to judge of that which he brought. And here was only a bare copy, not attested upon oath, which ought not to have been read. So, this defence being rejected, he was cast and condemned.

As soon as the court broke up, the Lords went up stairs, and to their shame found the Act recorded, and signed by Lord Rothes, as President of the Council. He pretended, he signed every thing that the clerk of Council put in the book without reading it. And it was intended to throw it on him. But he, to clear himself,

And condemnation

1678.

searched among his papers, and found a draught of the Act in Nisbit's hand. So, he being rich, and one they had turned out, they resolved to put it upon him, and to fine him deeply. But he examined the Sederunt in the book, and spoke to all who were there at the board, of whom nine happened to be in Town, who were ready to depose upon oath, that when the Council had ordered this Act to be drawn, the clerk of the Council desired the help of the King's Advocate in penning it, which he gave him; and his draught was approved by the Council. And now Lord Rothes's jest was remembred. Yet Duke Lauderdale still stood to it, that the promise could only be for interceeding with the King for his pardon, since the Council had not the power of pardoning in them. Lord Kincardin acted in this the part of a Christian to an enemy. Duke Lauderdale had writ to him, he being then serving for him at Court, that he referred the account of Mitchell's business to his brother's letters; in which the matter was truly related, that upon promise of life he had confessed the fact; and he concluded, desiring him to ask the King, that he would be pleased to make good the promise. These letters I saw in Lord Kincardin's hand. Before the trial he sent a Bishop to Duke Lauderdale, desiring him to consider better of that matter, before he would upon oath deny it: For he was sure he had it under his, and his brother's hand, though he could not yet fall upon their letters. But Duke Lauderdale despised this. Yet, before the execution he went to his house in the country, and there found the letters, and brought them in with him, and shewed them to that Bishop. All this made some impression on Duke Lauderdale: And he was willing to grant a reprieve, and to refer the matter to the King. So a petition was offered to the Council: And he spoke for it. But Sharp said, that was upon the matter the exposing his person to any man that would

1678.

would attempt to murder him, since favour was to be shewed to such an assassin. Then said Duke Lauderdale, in an impious jest, Let Mitchell glorify God in the grass market, which was the place where he was to be hanged. This action, and all concerned in it, were look'd at by all people with horror. And it was such a complication of treachery, perjury, and cruelty, as the like had not perhaps been known. Yet Duke Lauderdale had a Chaplain, Hickes, afterwards Dean of Worcester, who published a false and partial relation of this matter, in order to the justifying of it. Primrose not only gave me an account of this matter, but sent me an authentick record of the trial, every page signed by the clerk of the Court; of which I have here given an abstract. This I set down the more fully, to let my readers see to what a height in wickedness men may be carried, after they have once thrown off good principles. What Sharp did now to preserve himself from such practices was probably that which, both in the just judgment of God, and the enflamed fury of wicked men, brought him two years after to such a dismal end.

This made way to more desperate undertakings. Conventicles grew in the West to a very unsufferable pitch: They had generally with them a troop of armed and desperate men, that drew up, and sent parties out to secure them. Duke Lauderdale upon this threatned he would extirpate them, and ruin the whole country, if a stop was not put to those meetings. The chief men of those parts upon that went into Edinburgh: They offered to guard and assist any that should be sent to execute the laws against all offenders; and offered to leave some as Hostages, who should be bound body for body for their security: They confessed there were many Conventicles held among them in a most scandalous manner: But, tho' they met in the fields, and many of them were armed, yet, when

1678. their sermons were done, they dispersed themselves : And there was no violent opposition made at any time to the execution of the law : So, they said, there was no danger of the publick peace of the country. Those conventicling people were become very giddy and furious : And some hot and hair-brained young preachers were chiefly followed among them, who infused wild principles into their hearers, which were disowned by the chief men of the party. The truth was, the country was in a great distraction : And that was chiefly occasioned by the strange administration they were then under. Many grew weary of their country, and even of their lives. If Duke Lauderdale, or any of his party, brought a complaint against any of the other side, how false or frivolous soever, they were summoned upon it to appear before the Council, as fowers of sedition, and as men that spread lies of the Government : And upon the slightest pretences they were fined and imprisoned. When very illegal things were to be done, the common method was this : A letter was drawn for it to be signed by the King, directing it upon some colour of law or ancient practice : The King signed whatsoever was thus sent to him : And when his letter was read in Council, if any of the lawyers or others of the board offered to object to it, he was brow-beaten, as a man that opposed the King's service, and refused to obey his orders. And by these means things were driven to great extremities.

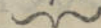
The administration there grew very violent and illegal.

Upon one of those letters, a new motion was set on foot, that went beyond all that had been yet made. All the landlords in the Western Counties were required to enter into bonds for themselves, their wives, children, servants, tenants, and all that lived upon their estates, that they should not go to Conventicles, nor harbour any vagrant teachers, or any Intercommuned persons ; and that they should live in all points according
to

to law under the penalties of the laws. This was generally refused by them: They said, the law did not impose it on them: They could not be answerable for their servants, much less for their tenants: This put it in the power of every servant or tenant to ruin them. Upon their refusing this, Duke Lauderdale writ to the King, that the country was in a state of rebellion, and that it was necessary to proceed to hostilities for reducing them. So by a letter, such as he sent up, the King left it to him and the Council to take care of the publick peace in the best way they could.

Upon this all the force the King had was sent into the west country, with some cannon, as if it had been for some dangerous expedition: And letters were writ to the Lords in the Highlands, to send all the strength they could to assist the King's army. The Marquis of Athol, to shew his greatness, sent 2400 men. The Earl of Braidalbir sent 1700. And in all, 8000 men were brought into the country, and let loose upon free quarter. A Committee of Council was sent to give necessary orders. Here was an Army. But no enemy appeared. The Highlanders were very unruly, and stole, and robbed every where. The gentlemen of the country were required to deliver up their arms upon oath, and to keep no horse above four pound price. The gentlemen looked on, and would do nothing. This put Duke Lauderdale in such a frenzy, that at Council table he made bare his arms above his elbow, and swore by Jehovah he would make them enter into those bonds. Duke Hamilton, and others, who were vexed to see such waste made on their estates, in plowing time especially, came to Edinburgh to try if it was possible to mollify him. But a Proclamation was issued out, requiring all the inhabitants of those Counties to go to their houses, to be assistant to the King's host, and to obey such orders as should be sent them. And by another proclamation

1678.



An army of Highlanders sent to the West upon free quarter.

1678. clamation all men were forbidden to go out of the Kingdom without leave from the Council, on pretence that their stay was necessary for the King's service. These things seemed done on design to force a rebellion; which they thought would be soon quash'd, and would give a good colour for keeping up an army. And Duke Lauderdale's party depended so much on this, that they began to divide in their hopes the confiscated estates among them: So that on Valentine's day, instead of drawing mistresses, they drew estates. And great joy appeared in their looks upon a false alarm that was brought them of an insurrection: And they were as much dejected, when they knew it was false. It was happy for the publick peace, that the people were universally possessed with this opinion: For when they saw a rebellion was desired, they bore the present oppression more quietly, than perhaps they would have done, if it had not been for that. All the chief men of the country were summoned before the Committee of Council, and charged with a great many crimes, of which they were required to purge themselves by oath: Otherwise they would hold them guilty, and proceed against them as such. It was in vain to pretend, that this was against all law, and was the practice only of the Courts of Inquisition. Yet the gentlemen, being thus forced to it, did purge themselves by oath. And, after all the enquiries that were made, there did not appear one single circumstance to prove that any rebellion was intended. And when all other things failed so evidently, recourse was had to a writ, which a man who suspects another of ill designs towards him may serve him with: And it was called Law-Boroughs, as most used in Boroughs. This lay against a whole family: The master was answerable, if any one of his household broke it. So, by a new practice, this writ was served upon the whole country at the King's suit: And, upon serving the

the writ, security was to be given, much like the binding men to their good behaviour. Many were put in prison for refusing to give this security.

1678.



Duke Hamilton had intimation sent him, that it was designed to serve this on him. So he, and ten or twelve of the Nobility, with about fifty gentlemen of quality, came up to complain of all this; which looked like French, or rather like Turkish government. The Lords of Athol and Perth, who had been two of the Committee of Council, and had now fallen off from Duke Lauderdale, came up with them to give the King an account of the whole progress of this matter. The clamour this made was so high, that Duke Lauderdale saw he could not stand under it. So the Highlanders were sent home, after they had wasted the country near two months. And he magnified this as an act of his compassion, that they were so soon dismissed. Indeed all his own party were against him in it. Lord Argyle sent none of his men down with the other Highlanders. And Lord Stairs pretended that by a fall his hand was out of joint: So he signed none of these wild orders.

Many of the Nobility came up to complain to the King.

When the Scotch Nobility came to London, the King would not see them, because they were come out of the Kingdom in contempt of a Proclamation; tho' they said, that Proclamation, being intended to hinder them from bringing their complaints to the King, was one of their greatest grievances. But it was answered, they ought to have asked leave: And if it had been denied them, they were next to have asked the King's leave: And the King insisted still on this. Only he saw the Lords of Athol and Perth. The madness of this proceeding made him conclude, that Duke Lauderdale's head was turned. Yet he would not disown, much less punish him for what he had done. But he intended to put Scotland in another management,

But the King would not see them.

1678. management, and to set the Duke of Monmouth at the head of it. So he suffered him to go to the Scotch Lords, and be their intercessor with him. They were all much charmed with the softness of his temper and behaviour. But, tho' he assured them the King would put their affairs in other hands, they looked on that as one of the King's artifices to get rid of them. The matter made great noise: And it was in the time of the session of Parliament here. And all people said, that by the management in Scotland it appeared what was the spirit of the Government; and what would be done here, as soon as the designs of the Court were brought to a greater perfection. The Earl of Danby, by supporting Duke Lauderdale, heightened the prejudices that himself lay under. The Duke did also justify his conduct; which raised higher jealousies of him, as being pleased with that method of government. The chief of the Scotch Nobility were heard before the Cabinet-Council. And the Earl of Nottingham held them chiefly to the point of coming out of the Kingdom in the face of a Proclamation. They said, such Proclamations were anciently legal, when we had a King of our own among ourselves: But now it was manifestly against law, since it barred them from access to the King, which was a right that was never to be denied them. Lord Nottingham objected next to them a practice of making the heads of the families or clans in the Highlands to bind for their whole name; and why by a parity of reason might they not be required to bind for their tenants? It was answered, that anciently estates were let so low, that service and the following the landlords was instead of a rent; and then, in the inroads that were made into England, landlords were required to bring their tenants along with them: But now lands were let at rack: And so an end was put to that service: In the Highlands the feuds among the families were still so high, that every name came

came under such a dependance on the head or chief of it for their own security, that he was really the master of them all, and so might be bound for them: But even this was only to restrain depre-dations and murthers: And it was an unheard of stretch, to oblige men to be bound for others in matters of Religion and Conscience, whether real or pretended. 1678.

The whole matter was at that time let fall. And Duke Lauderdale took advantage from their absence to desire leave from the King to summon a Convention of Estates; from whom he might more certainly understand the sense of the whole Kingdom. And, what by corrupting the Nobility, what by carrying elections, or at least disputes about them, which would be judged as the majority should happen to be at first, he hoped to carry his point. So he issued out the writs, while they were at London, knowing nothing of the design. And these being returnable in three weeks, he laid the matter so, that before they could get home, all the elections were over: And he was master of above four parts in five of that Assembly. So they granted an assessment for three years, in order to the maintaining a greater force. And they wrote a letter to the King, not only justifying, but highly magnifying Duke Lauderdale's government. This was so base and so abject a thing, that it brought the whole Nation under great contempt. A Con-vention of Estates gives mo-ney, and justifies the admi-nistration.

And thus I leave the affairs of Scotland, which had a very ill influence on the minds of the English; chiefly on the House of Commons then sitting, who upon it made a new address against Duke Lauderdale. And that was followed by another of a higher strain, representing to the King the ill effects of his not harkning to their address the former year with relation to foreign affairs; and desiring him to change his Ministry, and to dismiss all those that had advised the prorogation at that Affairs in England.

1678. that time, and his delaying so long to assist the Allies. This was carried only by a small majority of two or three. So Lord Danby brought up all his creatures, the aged and infirm not excepted: And then the majority lay the other way: And by short adjournments the Parliament was kept sitting till Midsummer. Once Lord Danby, thinking he had a clear majority, got the King to send a message to the House, desiring an additional Revenue of 300,000 l. during life. This set the House all in a flame. It was said, here was no demand for a war, but for a revenue, which would furnish the Court so well, that there would be no more need of Parliaments. The Court party thought such a gift as this would make them useless. So the thing was upon one debate rejected without a division. Lord Danby was much censured for his rash attempt, which discovered the designs of the Court too barefacedly. At the same time he ordered Montague to treat with the Court of France for a peace, in case they would engage to pay the King 300,000 l. a year for three years. So, when that came afterwards to be known, it was then generally believed, that the design was to keep up and model the army now raised, reckoning there would be money enough to pay them till the Nation should be brought under a military government. And the opinion of this prevailed so, that Lord Danby became the most hated Minister that had ever been about the King. All people said now, they saw the secret of that high favour he had been so long in, and the black designs that he was contriving. At this time exprestes went very quick between England and France: And the state of foreign affairs varied every post. So that it was visible we were in a secret negotiation: Of which Temple has given so particular an Account, that I refer my reader wholly to him. But I shall add one particular, that he has not mentioned: Montague, who was a man of pleasure, was in an intrigue

The
House of
Commons
grew jea-
lous of the
Court.

intrigue with the Duchefs of Cleveland, who was quite caft off by the King, and was then at Paris. The King had ordered him to find out an aftrologer, of whom it was no wonder he had a good opinion; for he had, long before his Reftoration, foretold he fhould enter London on the 29th of May 60. He was yet alive, and Montague found him; and faw he was capable of being corrupted. So he refolved to prompt him, to fend the King fuch hints as fhould ferve his own ends. And he was fo bewitched with the Duchefs of Cleveland, that he trusted her with this fecret. But ſhe, growing jealous of a new amour, took all the ways ſhe could think on to ruin him, referving this of the aftrologer for her laft ſhift. And by it ſhe compaffed her ends: For Montague was entirely loſt upon it with the King, and came over without being recalled. The Earl of Sunderland was ſent Embaffador in his room.

The treaty went on at Nimeguen, where Temple Affairs and Jenkins were our Plenipotentiaries. The States a road. were refolved to have a peace. The Prince of Orange did all he could to hinder it. But De Wit's party began to gather ſtrength again. And they infuſed a jealousy in all people, that the Prince intended to keep up the war for his own ends. A peace might be now had by reſtoring all that belonged to the States, and by a tolerable barrier in Flanders. It is true, the great difficulty was concerning their allies, the King of Denmark, and the Elector of Brandenburgh; who had fallen on the Swede, upon the King's declaring for France, and had beat him out of Germany. No peace could be had, unleſs the Swede was reſtored. Thoſe Princes who had been quite exhausted by that war, would not conſent to this. So they, who had adhered ſo faithfully to the States in their extremity, preſſed them to ſtick by them. And this was the Prince of Orange's conſtant topick: How could they expect any of their allies ſhould
ſtick

1678.

stick to them, if they now forsook such faithful friends? But nothing could prevail. It was given out in Holland, that they could not depend on England, that Court being so entirely in a French interest, that they suspected they would, as they had once done, sell them again to the French. And this was believed to be let out by the French ministers themselves, who, to come at their ends, were apt enough to give up even those who sacrificed every thing to them. It was said, the Court of France would consider both Denmark and Brandenburg, and repay the charge of the war against Sweden. This, it was said, was to force those Princes into a dependence on France, who would not continue those payments so much for past as for future services. In the mean while the French had blocked up Mons. So the Prince of Orange went to force them from their posts. Luxemburg commanded there, and seemed to be in full hope of a peace, when the Prince came and attacked him. And, notwithstanding the advantage of his situation, it appeared how much the Dutch army was now superior to the French, for they beat them out of several posts. The Prince had no order to stop. He indeed knew that the peace was upon the matter concluded. But no intimation was yet made to him. So it was lawful for him to take all advantages. And he was not apprehensive of a new embroilment, but rather wished it. The French treasure was so exhausted, and their King was so weary of the war, that no notice was taken of the business of Mons. The treaty at Nimeguen was finished, and ratified. Yet new difficulties arose, upon the French King's refusing to evacuate the places that were to be restored till the Swede was restored to all his dominions. Upon this the English struck in again: And the King talked so high, as if he would engage in a new war. But the French prevented that, and did evacuate the places. And then they got Denmark
and

and Brandenburgh into their dependence, under the pretence of repaying the charge of the war. But it was more truly, the engaging them into the interests of France by great pensions. So a general peace quickly followed. And there was no more occasion for our troops beyond sea. The French were so apprehensive of them, that Rouvigny, now Earl of Gallway, was sent over to negotiate matters. That which France insisted most on, was the disbanding the army. And the force of money was so strong, that he had orders to offer six millions of their money, in case the army should be disbanding in August. Rouvigny had such an ill opinion of the designs of our Court, if the army was kept up, that he insisted on fixing the day for disbanding it; at which the Duke was very uneasy. And matters were so managed, that the army was not disbanding by the day prefixed for it. So the King of France sav'd his money. And for this piece of good management Rouvigny was much commended. The troops were brought into England, and kept up, under the pretence that there was not money to pay them off. So all people looked on the next session as very critical. The party against the Court gave all for lost. They believed the Lord Danby, who had so often brought his party to be very near the majority, would now lay matters so well as to be sure to carry the Session. And many did so despair of being able to balance his numbers, that they resolved to come up no more, and reckoned that all opposition would be fruitless, and serve only to expose themselves to the fury of the Court. But of a sudden an unlook'd for accident changed all their measures, and put the Kingdom into so great a fermentation, that it well deserves to be opened very particularly. I am so well instructed in all the steps of it, that I am more capable to give a full account of it than any man I know. And I will do it so impartially, that no party shall have

1678. caufe to censure me for concealing, or altering the truth in any one instance. It is the History of that called the Popish Plot.

The Popish Plot.

Three days before Michaelmas Dr. Tonge came to me. I had known him at Sir Robert Murray's. He was a gardiner and a chymist, and was full of projects and notions. He had got some credit in Cromwell's time: And that kept him poor. He was a very mean Divine, and seemed credulous and simple. But I had always look'd on him as a sincere man. At this time he told me of strange designs against the King's person; and that Coniers, a Benedictin, had provided himself of a poniard, with which he undertook to kill him. I was amazed at all this; and did not know whether he was crazed, or had come to me on design to involve me in a concealing of treason. So I went to Dr. Lloyd, and sent him to the Secretary's office with an account of that discourse of Tonge's, since I would not be guilty of misprision of treason. He found at the office, that Tonge was making discoveries there; of which they made no other account, but that he intended to get himself to be made a Dean. I told this next morning to Littleton and Powel. And they looked on it as a design of Lord Danby's, to be laid before the next Session, thereby to dispose them to keep up a greater force, since the Papists were plotting against the King's life: This would put an end to all jealousies of the King, now the Papists were conspiring against his life. But Lord Hallifax, when I told him of it, had another apprehension of it. He said, considering the suspicions all people had of the Duke's Religion, he believed every discovery of that sort would raise a flame, which the Court would not be able to manage.

Oates's character.

The day after that Titus Oates was brought before the Council. He was the son of an Anabaptist teacher, who afterwards conformed, and got into orders, and took a benefice, as this his son did.

1678.

did. He was proud and ill-natured, haughty, but ignorant. He had been complained of for some very indecent expressions concerning the mysteries of the Christian Religion. He was once presented for perjury. But he got to be a Chaplain in one of the King's ships, from which he was dismissed upon complaint of some unnatural practices, not to be named. He got a qualification from the Duke of Norfolk as one of his Chaplains: And there he fell into much discourse with the Priests that were about that family. He seemed inclined to be instructed in the Popish Religion. One Hutchinson, a Jesuit, had that work put on him. He was a weak and light-headed man, and afterwards came over to the Church of England. Hutchinson was a Curate about the City near a year, and came oft to me, and preached once for me. He seemed to be a sincere devout man, who did not at all love the Order, for he found they were a deceitful and meddling sort of people. They never trusted him with any secrets, but employed him wholly in making converts. He went afterwards back to that Church. So all this was thought a juggle only to cast an odium upon Oates. He told me, that Oates and they were always in ill terms. They did not allow Oates above nine pence a day, of which he complained much. And Hutchinson relieved him often. They wished they could be well rid of him; and sent him beyond sea, being in very ill terms with him. This made Hutchinson conclude, that they had not at that time trusted Oates with their secrets. Oates was kept for some time at St. Omers; and from thence sent thro' France into Spain; and was now returned into England. He had been long acquainted with Tonge; and made his first discovery to him. And he, by the means of one Kirby, a Chymist, that was sometimes in the King's laboratory, signified the thing to the King. So Tonge had an audience; and told the King a long thread

1678. of many passages, all tending to the taking away his life; which the King, as he afterwards told me, knew not what to make of: Yet among so many particulars, he did not know but there might be some truth. So he sent him to Lord Danby, who intended to make some use of it, but could not give much credit to it, and handled the matter too remissly: For, if at first the thing had been traced quick, either the truth or the imposture of the whole affair might have been made appear. The King ordered Lord Danby to say nothing of it to the Duke. In the mean while some letters of an odd strain, relating to plots and discoveries, were sent by the post to Windsor, directed to Beddingfield, the Duke's Confessor; who, when he had read them, carried them to the Duke, and protested he did not know what they meant, nor from whom they came. The Duke carried them to the King. And he fancied they were writ either by Tonge or Oates, and sent on design to have them intercepted, to give the more credit to the discovery. The Duke's enemies on the other hand gave out, that he had got some hints of the discovery, and brought these as a blind to impose on the King. The matter lay in a secret and remiss management for six weeks.

His discovery.

At last, on Michaelmas Eve, Oates was brought before the Council; and entertained them with a long relation of many discourses he had heard among the Jesuits, of their design to kill the King. He named persons, places, and times, almost without number. He said, many Jesuits had disguised themselves, and were gone to Scotland, and held Field Conventicles, on design to distract the Government there. He said, he was sent first to St. Omers, thence to Paris, and from thence to Spain, to negotiate this design; and that upon his return, when he brought many letters and directions from beyond sea, there was a great meeting of the Jesuits held in London, in April last, in different

1678.

different rooms in a tavern near St. Clements; and that he was employed to convey the resolutions of those in one room to those in another, and so to hand them round. The issue of the consultation was, that they came to a resolution to kill the King by shooting, stabbing, or poisoning him; that several attempts were made, all which failed in the execution, as shall be told when the trials are related. While he was going on, waiting for some certain evidence to accompany his discovery, he perceived they were jealous of him: And so he durst not trust himself among them any more. In all this there was not a word of Coniers, of whom Tonge had spoke to me. So that was dropt. This was the substance of what Oates told the first day. Many Jesuits were upon this seized on that night, and the next day. And their Papers were sealed up next day. He accused Coleman of a strict correspondence with P. de la Chaise; (whose name he had not right, for he called him Father Le Shee :) And he said in general, that Coleman was acquainted with all their designs.

Coleman had a whole day free to make his escape, if he thought he was in any danger. And he had conveyed all his papers out of the way: Only he forgot a drawer under the table, in which the papers relating to 74, 75, and a part of 76 were left. And from these I drew the negotiations, that I have formerly mentioned as directed by him. If he had either left all his papers, or withdrawn all, it had been happy for his party. Nothing had appeared, if all his papers had been put out of the way. But, if all had been left, it might have been concluded, that the whole secret lay in them. But he left enough to give great jealousy. And, no more appearing, all was believed that the witnesses had deposed. Coleman went out of the way for a day, hearing that there was a warrant out against him. But he delivered himself the next day to the Secretary of State. When

Coleman
and his
papers
seized.

1678. Oates and he were confronted, Oates did not know him at first: But he named him, when he heard him speak. Yet he only charged him upon hearsay. So he was put in a messenger's hands. Oates named Wakeman, the Queen's physician; but did not know him at all. And being asked, if he knew any thing against him, he answered he did not; adding, God forbid, he should say any thing more than he knew, he would not do that for all the world. Nor did he name Langhorn the famous Lawyer, that indeed managed all their concerns. The King found him out in one thing. He said, when he was in Spain, he was carried to Don John, who promised great assistance in the execution of their designs. The King, who knew Don John well, asked him what sort of a man he was: He answered, he was a tall lean man: Now Don John was a little fat man. At first he seemed to design to recommend himself to the Duke and the Ministers: For he said, he heard the Jesuits oft say, that the Duke was not sure enough to them: And they were in doubt, whether he would approve of their killing the King: But they were resolved, if they found him stiff in that matter, to dispatch him likewise. He said, they had oft made use of his name, and counterfeited his hand and seal, without his knowledge. He said, the Jesuits cherished the faction in Scotland against Duke Lauderdale; and intended to murder the Duke of Ormond, as a great enemy to all their designs. And he affirmed, he had seen many letters, in which these things were mentioned, and had heard them oft spoke of. He gave a long account of the burning of London, at which they intended to have killed the King: But they relented, when they saw him so active in quenching the fire, which, as he said, they had kindled.

Coleman's letters confirm it.

The whole town was all over enflamed with this discovery. It consisted of so many particulars, that it was thought to be above invention.

But

1678.

But when Coleman's letters came to be read and examined, it got a great confirmation; since by these it appeared, that so many years before they thought the design for the converting the Nation, and rooting out the pestilent heresy that had reigned so long in these northern Kingdoms, was very near its being executed: Mention was oft made of the Duke's great zeal for it: And many indecent reflections were made on the King, for his inconstancy, and his disposition to be brought to any thing for money: They depended on the French King's assistance: And therefore were earnest in their endeavours to bring about a general peace, as that which must finish their design.

On the second day after this discovery, the King went to Newmarket. This was censured, as a very indecent levity in him, to go and see horse-races, when all people were so much possessed with this extraordinary discovery, to which Coleman's letters had gained an universal credit. While the King was gone, Tonge desired to speak with me. So I went to him to Whitehall, where both he and Oates were lodged under a guard. I found him so lifted up, that he seemed to have lost the little sense he had. Oates came in; and made me a compliment, that I was one that was mark'd out to be kill'd. He had before said the same to Stillingfleet of him. But he made that honour which he did us too cheap, when he said Tonge was to be served in the same manner, because he had translated the Jesuits morals into English. He broke out into great fury against the Jesuits; and said, he would have their blood. But I, to divert him from that strain, asked him, what were the arguments that prevailed on him to change his Religion, and to go over to the Church of Rome. He upon that stood up, and laid his hands on his breast; and said, God and his holy Angels knew, that he had never changed, but that he had gone among them on purpose to betray them. This gave

1678. gave me such a character of him, that I could have no regard to any thing he either said or swore after that.

Godfrey
is mur-
thered.

A few days after this, a very extraordinary thing happened, that contributed more than any other thing to the establishing the belief of all this evidence. Sir Edmondbury Godfrey was an eminent Justice of Peace, that lived near Whitehall. He had the courage to stay in London, and keep things in order during the plague; which gained him much reputation, and upon which he was knighted. He was esteemed the best Justice of Peace in England; and kept the Quarter where he lived in very good order. He was then entering upon a great design of taking up all beggars and putting them to work. He was thought vain, and apt to take too much upon him. But there are so few men of a publick spirit, that small faults, tho' they lessen them, yet ought to be gently censured. I knew him well, and never had reason to think him faulty that way*. He was a zealous Protestant, and loved the Church of England; but had kind thoughts of the Nonconformists, and was not forward to execute the laws against them. And he, to avoid being put on doing that, was not apt to search for Priests or Mass-houses. So that few men of his zeal lived in better terms with the Papists than he did. Oates went to him the day before he appeared at the Council board; and made oath of the narrative he intended to make, which he afterwards published. This seemed to be done in distrust of the Privy Council, as if they might stifle his evidence; which to prevent he put it in safe hands. Upon that Godfrey was chid for his presuming to meddle in so tender a matter. And it was generally believed, that Coleman and he were long in a private conversation, between the time of his (Coleman's) being put in the messenger's hands, and his being made a close prisoner:

* That is, in taking too much upon him.

Which

Which was done as soon as report was made to the Council of the contents of his letters. It is certain, Godfrey grew apprehensive and reserved: For meeting me in the street, after some discourse of the present state of affairs, he said, he believed he himself should be knocked on the head. Yet he took no care of himself, and went about according to his own maxim, still without a servant: For he used to say, that the servants in London were corrupted by the idleness and ill company they fell into, while they attended on their masters. On the day fortnight from that in which Oates had made his discovery, being Saturday, he went abroad in the morning, and was seen about one o'clock near St. Clement's Church; but was never seen any more. He was a punctual man to good hours: So his servants were amazed when he did not come home. Yet, he having an ancient mother that lived at Hamersmith, they fancied, he had heard she was dying, and so was gone to see her. Next morning they sent thither, but heard no news of him. So his two brothers, who lived in the City, were sent to. They were not acquainted with his affairs: So they did not know whether he might not have slept aside for debt; since at that time all people were calling in their money, which broke a great many. But, no creditors coming about the house, they on Tuesday published his being thus lost. The Council sat upon it, and were going to order a search of all the houses about the town; but were diverted from it, by many stories that were brought them by the Duke of Norfolk. Sometimes it was said, he was indecently married: And the scene was often shifted of the places where it was said he was. The Duke of Norfolk's officiousness in this matter, and the last place he was seen at, being near Arundel house, brought him under great suspicion. On Thursday one came into a Bookseller's shop after dinner, and said, he was found thrust thro' with a sword,

1678. sword. That was presently brought as news to me: But the reporter of it was not known. That night late his body was found in a ditch, about a mile out of the town, near St. Pancras Church. His sword was thrust thro' him. But no blood was on his clothes, or about him. His shoes were clean. His money was in his pocket. But nothing was about his neck. And a mark was all round it, an inch broad, which shewed he was strangled. His breast was likewise all over marked with bruises: And his neck was broken. All this I saw; for Dr. Lloyd and I went to view his body. There were many drops of white wax-lights on his breeches, which he never used himself. And since only persons of quality, or Priests, use those lights, this made all people conclude in whose hands he must have been. And it was visible he was first strangled, and then carried to that place, where his sword was run thro' his dead body. For a while it was given out, that he was a hypocondriacal man, and had killed himself. Of this the King was possessed, till Dr. Lloyd went and told him what he had seen. The body lay two days exposed, many going to see it, who went away much moved with the sight. And indeed mens spirits were so sharpened upon it, that we all looked on it as a very great happiness, that the people did not vent their fury upon the Papists about the town.

Oates made a new discovery.

The Session of Parliament was to be opened within three days: And it may be easily imagined in what a temper they met. The Court party were out of countenance. So the Country party were masters this session. All Oates's evidence was now so well believed, that it was not safe for any man to seem to doubt of any part of it. He thought he had the Nation in his hands, and was swelled up to a high pitch of vanity and insolence. And now he made a new edition of his discovery at the bar of the House of Commons. He said, the Pope had declared that England was his Kingdom, and that

1678.

that he had sent over commissions to several persons: And had by these made Lord Arundel of Wardour Chancellor, Lord Powis Treasurer, Sir William Godolphin, then in Spain, Privy Seal, Coleman Secretary of State, Bellasis General, Petre Lieutenant General, Ratcliffe Major General, Stafford Paymaster General, and Langhorn Advocate General; besides many other commissions for subaltern officers. These, he said, he saw in Langhorn's chamber; and that he had delivered out many of them himself, and saw many more delivered by others. And he now swore, upon his own knowledge, that both Coleman and Wakeman were in the plot; that Coleman had given eighty Guineas to four ruffians, that went to Windsor last summer, to stab the King; that Wakeman had undertaken to poison him, for which 10000 l. was offered him, but that he got the price raised to 15000 l. He excused his not knowing them, when confronted with them; and said, that he was then so spent by a long examination, and by not sleeping for two nights, that he was not then master of himself; tho' it seemed very strange, that he should then have forgot that which he made now the main part of his evidence, and should have then objected to them only reports upon hearsay, when he had such matter against them, as he now said, upon his own knowledge. And it seemed not very congruous, that those who went to stab the King had but twenty guineas apiece, when Wakeman was to have 15000 l. for a safer way of killing him. Many other things in the discovery made it seem ill digested, and not credible. Bellasis was almost perpetually ill of the gout. Petre was a weak man, and had never any military command. Ratcliffe was a man that lived in great state in the North, and had not stirred from home all the last summer. Oates also swore, he delivered a commission to be a Colonel, in May last, to Howard, the Earl of Carlisle's brother,

1678.

ther, that had married the Duchefs of Richmond. But a friend of mine told me, he was all that month at Bath, lodged in the fame houfe with Howard, with whom he was every day engaged at play. He was then miferably ill of the gout, of which he died foon after. Oates did alfo charge General Lambert, as one engaged in the defign, who was to have a great poft, when fet at liberty. But he had been kept in prifon ever fince the Ref-toration; and by that time had loft his memory and fenfe. But it was thought ftrange, that fince Oates had fo often faid, what I once heard him fay, that he had gone in among them on defign to betray them, that he had not kept any one of all thefe commiffions to be real proof in fupport of his evidence. He had alfo faid to the King, that whereas others ventured their lives to ferve him, he had ventured his foul to ferve him: And yet he did fuffer the four ruffians to go to Windfor to kill him, without giving him any notice of his danger. Thefe were characters ftrong enough to give fufpicion, if Coleman's letters, and Godfrey's murder, had not feemed fuch authentick confirmations, as left no room to doubt of any thing. Tillotfon indeed told me, that Langhorn's wife, who was ftill as zealous a Proteftant as he was a Papift, came oft to him, and gave him notice of every thing fhe could difcover among them; tho' fhe continued a faithful and dutiful wife to the laft minute of her husband's life. Upon the firft breaking out of the plot, before Oates had fpoke a word of commiffions, or had accused Langhorn, fhe engaged her fon into fome difcourfe upon thofe matters, who was a hot indiscreet Papift. He faid, their defigns were fo well laid, it was impoffible they could mifcarry: And that his father would be one of the greateft men of England; for he had feen a commiffion from the Pope, conftituting him Advocate General. This he told me in Stillingfleet's hearing,

1672.



The Earl of Shaftsbury had got out of the Tower in the former Session, upon his submission, to which it was not easy to bring him. But when he saw an army raised, he had no mind to lie longer in prison. The matter bore a long debate, the motion he had made in the King's bench being urged much against him. But a submission always takes off a contempt. So he got out. And now the Duke of Buckingham and he, with the Lords Essex and Hallifax, were the governing men among the Lords. Many hard things were said against the Duke. Yet when they tried to carry an Address to be made to the King to send him away from Court, the majority was against them.

While things were thus in a ferment at London, Bedlow delivered himself to the magistrates of Bristol, pretending he knew the secret of Godfrey's murder. So he was sent up to London. The King told me, that when the Secretary examined him in his presence, at his first coming he said he knew nothing of the plot; but that he had heard that 40000 men were to come over from Spain, who were to meet as pilgrims at St. Jago's, and were to be ship'd for England: But he knew nothing of any fleet that was to bring them over. So this was looked on as very extravagant. But he said, he had seen Godfrey's body at Somersets house; and that he was offered 4000l. by a servant of the Lord Bellasis, to assist in carrying it away: But upon that he had gone out of town to Bristol, where he was so pursued with horror, that it forced him to discover it. Bedlow had led a very vicious life. He had gone by many false names, by which he had cheated many persons. He had gone over many parts of France and Spain, as a man of quality. And he had made a shift to live on his wits, or rather by his cheats. So a tenderness of conscience did not seem to be that to which he was much subject. But the very next day after this,

1678. this, when he was brought to the bar of the House of Lords, he made a full discovery of his knowledge of the plot, and of the Lords in the tower: For all those against whom Oates had informed were now prisoners. The King was upon this convinced, that some had been with Bedlow after he had been before him, who had instructed him in this narration, of which he had said the night before that he knew nothing: And yet he not only confirmed the main parts of Oates's discoveries, but added a great deal to them. And he now pretended, that his rambling over so many places of Europe was all in order to the carrying on this design; that he was trusted with the secret, and had opened many of the letters, which he was employed to carry.

Other proofs that seemed to support the discovery.

Here were now two witnesses to prove the plot, as far as swearing could prove it. And among the papers of the Jesuits, that were seized on when they were clapt up, two letters were found that seemed to confirm all. One from Rome mentioned the sending over the patents; of which it was said in the letter, that they guessed the contents, tho' their patrons there carried their matters so secretly, that nothing was known, but as they thought fit. The Jesuits, when examined upon this, said, these were only patents with relation to the offices in their order. Another letter was writ to a Jesuit in the country, citing him to come to London by the 24th of April; which was the day in which Oates swore they held their consult, and that fifty of them had signed the resolution of killing the King, which was to be executed by Grove and Pickering. In the end of that letter it was added, I need not enjoin secrecy, for the nature of the thing requires it. When the Jesuit was examined to this, he said, it was a summons for a meeting according to the rule of their order: And they being to meet during the sitting of the Parliament, that was the particular reason for enjoining

secrecy.

secrecy. Yet, while mens minds were strongly possessed, these answers did not satisfy, but were thought only shifts.

At this time Carstairs, of whose behaviour in Scotland mention has been made, not having met with those rewards that he expected, came up to London, to accuse Duke Lauderdale, as designing to keep up the opposition that was made to the laws in Scotland, even at the time that he seemed to prosecute Conventicles with the greatest fury; for that he had often drawn the chief of their teachers into such snares, that upon the advertisements that he gave, they might have been taken, but that Duke Lauderdale had neglected it: So he saw, he had a mind that Conventicles should go on, at the same time that he was putting the country in such a flame to punish them. This he undertook to prove, by those witnesses of whom on other occasions he had made use. He also confessed the false date of that warrant upon which Baillie had been censured. He put all this in writing, and gave it to the Marquis of Athol; and pressed him to carry him to Duke Hamilton, and the Earl of Kincardin, that he might beg their pardon, and be assured of their favour. I was against the making use of so vile a man, and would have nothing to do with him. He made application to Lord Cavendish, and to some of the House of Commons, to whom I gave such a character of him, that they would see him no more.

While he was thus looking about where he could find a lucky piece of villany, he happened to go into an eating house in Covent garden, that was over against the shop of one Staley, the Popish Banker, who had been in great credit, but was then under some difficulties; for all his creditors came to call for their money. Staley happening to be in the next room to Carstairs, Carstairs pretended he heard him say in French, that the King was a rogue, and persecuted the people of God; and

1678.

Carstairs's
Practices.Staley's
trial.

1678. and that he himself would stab him, if no body else would. The words were writ down, which he resolv'd to swear against him. So next morning he and one of his witness'es went to him, and told him what they would swear against him, and asked a sum of money of him. He was in much anxiety, and saw great danger on both hands. Yet he chose rather to leave himself to their malice, than be prey'd on by them. So he was seiz'd on: And they swore the words against him: And he was appointed to be tried within five days. When I heard who the witness'es were, I thought I was bound to do what I could to stop it. So I sent both to the Lord Chancellor, and to the Attorney General, to let them know what profligate wretches these witness'es were. Jones, the Attorney General, took it ill of me, that I should disparage the King's evidence. The thing grew publick, and rais'd great clamour against me. It was said, I was taking this method to get into favour at Court. I had likewise observ'd to several persons of weight, how many incredible things there were in the evidence that was given: I wish'd they would make use of the heat the Nation was in to secure us effectually from Popery: We saw certain evidence to carry us so far, as to graft that upon it: But I wish'd they would not run too hastily to the taking mens lives away upon such testimonies. Lord Hollis had more temper, than I expected from a man of his heat. Lord Hallifax was of the same mind. But the Earl of Shaftsbury could not bear the discourse. He said, we must support the evidence; and that all those who undermined the credit of the witness'es were to be look'd on as publick enemies. And so inconstant a thing is popularity, that I was most bitterly rail'd at by those who seem'd formerly to put some confidence in me. It went so far, that I was advis'd not to stir abroad for fear of publick affronts. But these things did not daunt me. Staley was brought to his trial, which did

did not hold long. The witnesses gave a full evidence against him: And he had nothing to offer to take away their credit. He only shewed how improbable it was, that in a publick house he should talk such things with so loud a voice as to be heard in the next room, in a quarter of the town where almost every body understood French. He was cast: And he prepared himself very seriously for death. Dr. Lloyd went to see him in prison. He was offered his life, if he would discover their plots. He protested, he knew of none; and that he had not said the words sworn against him, nor any thing to that purpose. And he died the first of those who suffered on the account of the plot. Duke Lauderdale, having heard how I had moved in this matter, railed at me with open mouth. He said, I had studied to save Staley, for the liking I had to any one that would murder the King. And he infused this into the King, so that he repeated it in the House of Lords to a company that were standing about him.

Yet so soon could the King turn to make use of a man whom he had censured so unmercifully, that two days after this he sent the Earl of Dunbarton, that was a Papist, and had been bred in France, and was Duke Hamilton's brother, to me, to desire me to come to him secretly, for he had a mind to talk with me. He said, he believed I could do him service, if I had a mind to it. And the See of Chichester being then void, he said, he would not dispose of it, till he saw whether I would deserve it, or not. I asked, if he fancied I would be a spy, or betray any body to him. But he undertook to me, that the King should ask me no question, but should in all points leave me to my liberty.

An accident fell in, before I went to him, which took off much from Oates's credit. When he was examined by the House of Lords, and had made the same narrative to them that he had offered to the Queen was charged as in the the plot.

1678.

the Commons, they asked him, if he had now named all the persons whom he knew to be involved in the plot? He said, there might be some inferior persons whom he had perhaps forgot, but he had named all the persons of note. Yet, it seems, afterwards he bethought himself: And Mrs. Elliot, wife to Elliot of the bedchamber, came to the King, and told him, Oates had somewhat to swear against the Queen, if he would give way to it. The King was willing to give Oates line enough, as he expressed it to me, and seemed to give way to it. So he came out with a new story, that the Queen had sent for some Jesuits to Somerset house; and that he went along with them, but staid at the door, when they went in; where he heard one, in a woman's voice, expressing her resentments of the usage she had met with, and assuring them she would assist them in taking off the King: Upon that he was brought in, and presented to her: And there was then no other woman in the room but she. When he was bid describe the room, it proved to be one of the publick rooms of that Court, which are so great, that the Queen, who was a woman of a low voice, could not be heard over it, unless she had strained for it. Oates, to excuse his saying that he could not lay any thing to the charge of any besides those he had already named, pretended, that he thought then it was not lawful to accuse the Queen. But this did not satisfy people. Bedlow, to support this, swore, that being once at chapel at Somerset house, he saw the Queen, the Duke, and some others very earnest in discourse in the closet above; and that one came down with much joy, and said, the Queen had yielded at last; and that one explained this to him beyond sea, and said, it was to kill the King. And, besides Bedlow's oath that he saw Godfrey's body in Somerset house, it was remembered, that at that time the Queen was for some days in so close a retirement, that no person

was admitted. Prince Rupert came then to wait on her, but was denied access. This raised a strange suspicion of her. But the King would not suffer that matter to go any farther.

1678.

While examinations were going on, and preparation was making for the trial of the prisoners, a bill was brought into the House of Commons, requiring all members of either House, and all such as might come into the King's Court, or presence, to take a test against Popery; in which, not only Transubstantiation was renounced, but the worship of the Virgin Mary, and the Saints, as it was practised in the Church of Rome, was declared to be idolatrous. This passed in the House of Commons without any difficulty. But in the House of Lords, Gunning, Bishop of Ely, maintained, that the Church of Rome was not idolatrous. He was answered by Barlow, Bishop of Lincoln. The Lords did not much mind Gunning's arguments, but passed the bill. And tho' Gunning had said, that he could not take that test with a good conscience, yet, as soon as the bill was past, he took it in the croud with the rest. The Duke got a proviso to be put in it for excepting himself. He spoke upon that occasion with great earnestness, and with tears in his eyes. He said, he was now to cast himself upon their favour in the greatest concern he could have in this world. He spoke much of his duty to the King, and of his zeal for the Nation: And solemnly protested, that, whatever his religion might be, it should only be a private thing between God and his own soul, and that no effect of it should ever appear in the government. The proviso was carried for him by a few voices. And, contrary to all mens expectations, it past in the House of Commons. There was also a proviso put in, excepting nine ladies about the Queen. And she said, she would have all the Ladies of that religion cast lots, who should be comprehended. Only she named the Duchefs of Port-

A law
past for
the Test
to be
taken by
both
Houses.

With a
proviso
for the
Duke.

1678.

mouth, as one whom she would not expose to the uncertainty of a lot; which was not thought very decent in her, tho' her circumstances at that time required an extraordinary submission to the King in every thing.

Cole-
man's
trial.

Coleman was brought to his trial. Oates and Bedlow swore flatly against him, as was mentioned before. He denied, that he had ever seen either the one or the other of them in his whole life: And defended himself by Oates's not knowing him, when they were first confronted, nor objecting those matters to him for a great while after. He also pressed Oates to name the day in August, in which he had sent the fourscore guineas to the four ruffians. But Oates would fix on no day, tho' he was very punctual in matters of less moment. Coleman had been out of town almost that whole month. But, no day being named, that served him in no stead. He urged the improbability of his talking to two such men, whom he had by their own confession never seen before. But they said, he was told that they were trusted with the whole secret. His letters to P. de la Chaise was the heaviest part of the evidence. He did not deny, that there were many impertinent things in his letters: But, he said, he intended nothing in them, but the King's service and the Duke's: He never intended to bring in the Catholick religion, by rebellion, or by blood, but only by a toleration: And the aid, that was pray'd from France, was only meant the assistance of money, and the interposition of that Court. After a long trial, he was convicted: And sentence passed upon him to die as a traitor. He continued to his last breath denying every tittle of that which the witnesses had sworn against him. Many were sent to him from both Houses, offering to interpose for his pardon, if he would confess. He still protested his innocence, and took great care to vindicate the Duke. He said, his own heat might make him too forward:
For,

1678.

For, being persuaded of the truth of his religion, he could not but wish, that all others were not only almost, but altogether, such as he was, except in that chain; for he was then in irons: He confessed, he had mixed too much interest for raising himself in all he did; and that he had received 2500 Guineas from the French Ambassador, to gain some friends to his master, but that he had kept them to himself: He had acted by order in all that he had done: And he believed the King knew of his employment, particularly that at Brussels. But, tho' he seemed willing to be questioned concerning the King, the Committee did not think fit to do it, nor to report what he said concerning it: Only in general they reported, that he spoke of another matter, about which they did not think fit to interrogate him, nor to mention it. Littleton was one of the Committee; and gave me an account of all that pass'd that very night. And I found his behaviour made great impression on them all. He suffered with much composedness and devotion; and died much better than he had lived. It was given out at that time, to make the Duke more odious, that Coleman was kept up from making confessions, by the hopes the Duke sent him of a pardon at Tyburn. But he could not be so ignorant, as not to know that, at that time, it was not in the King's power to pardon him, while the tide went so high.

And execution.

The Nation was now so much alarmed, that all people were furnishing themselves with arms, which heightened the jealousy of the Court. A bill pass'd in both Houses for raising all the Militia, and for keeping it together for six weeks: A third part, if I remember right, being to serve a fortnight, and so round. I found, some of them hoped when that bill pass'd into a law, they would be more masters; and that the Militia would not separate, till all the demands of the two Houses should be granted.

1678. ed. The King rejected the bill, when offered to him for his assent.

The King's thoughts of this whole matter.

I waited often on him all the month of December. He came to me to Chiffinch's, a Page of the back stairs; and kept the time he assigned me to a minute. He was alone, and talked much, and very freely with me. We agreed in one thing, that the greatest part of the evidence was a contrivance. But he suspected, some had set on Oates, and instructed him: And he named the Earl of Shaftsbury. I was of another mind. I thought the many gross things in his narrative shewed, there was no abler head than Oates, or Tonge, in the framing it: And Oates in his first story had covered the Duke, and the Ministers so much, that from thence it seemed clear that Lord Shaftsbury had no hand in it, who hated them much more than he did Popery. He fancied, there was a design of a rebellion on foot. I assured him, I saw no appearances of it. I told him, there was a report breaking out, that he intended to legitimate the Duke of Monmouth. He answered quick, that, as well as he lov'd him, he had rather see him hanged. Yet he apprehended a rebellion so much, that he seemed not ill pleased that the party should flatter themselves with that imagination, hoping that would keep them quiet in a dependence upon himself: And he suffered the Duke of Monmouth to use all methods to make himself popular, reckoning that he could keep him in his own management. He was surpris'd, when I told him that Coleman had insinuated that he knew of all their foreign negotiations; or at least he seemed so to me. I pressed him much to oblige the Duke to enter into conferences with some of our Divines, and to be present at them himself. This would very much clear him of jealousy, and might have a good effect on his brother: At least it would give the world some hopes; like what Henry IV. of France, his grandfather, did, which kept a party firm to him for

some time before he changed. He answered, that his brother had neither Henry IV.'s understanding, nor his conscience: For he believed, that King was always indifferent as to those matters. He would not hearken to this, which made me incline to believe a report I had heard, that the Duke had got a solemn promise of the King, that he would never speak to him of religion. The King spoke much to me concerning Oates's accusing the Queen, and acquainted me with the whole progress of it. He said, she was a weak woman, and had some disagreeable humours, but was not capable of a wicked thing: And, considering his faultiness towards her in other things, he thought it a horrid thing to abandon her. He said, he looked on falsehood and cruelty as the greatest crimes in the sight of God: He knew, he had led a bad life; (of which he spoke with some sense:) But he was breaking himself of all his faults: And he would never do a base and a wicked thing. I spoke on all these subjects what I thought became me, which he took well. And I encouraged him much in his resolution of not exposing the Queen to perish by false swearing. I told him, there was no possibility of laying the heat that was now raised, but by changing his Ministry. And I told him how odious the Earl of Danby was, and that there was a design against him: But I knew not the particulars. He said, he knew that lay at bottom. The Army was not yet disbanded: And the King was in great straits for money. The House of Commons gave a money bill for this. Yet they would not trust the Court with the disbanning the Army: But ordered the money to be brought into the chamber of London, and named a Committee for paying off, and breaking the Army. I perceived the King thought I was reserved to him, because I would tell him no particular stories, nor name persons. Upon which I told him, since he had that opinion of me, I saw I could do him no service, and would trouble him no more;

1678. but he should certainly hear from me, if I came to know any thing that might be of any consequence to his Person or Government.

This favour of mine lasted all the month of December 78. I acquainted him with Carstairs's practice against Duke Lauderdale, and all that I knew of that matter; which was the ground on which I had gone with relation to Staley. The King told Duke Lauderdale of it, without naming me. And he sent for Carstairs, and charged him with it. Carstairs denied it all; but said, that Duke Hamilton and Lord Kincardin had press'd him to do it: And he went to the King and affirmed it confidently to him. He did not name Lord Athol, hoping that he would be gentle to him for that reason. The King spoke of this to Duke Hamilton, who told him the whole story, as I had done. Lord Athol upon that sent for Carstairs, and charged him with all this foul dealing, and drew him near a closet, where he had put two witnesses. Carstairs said, that somebody had discovered the matter to Duke Lauderdale, that he was now upon the point of making his fortune, and that if Duke Lauderdale grew to be his enemy, he was undone. He confessed, he had charged Duke Hamilton and Lord Kincardin falsely: But he had no other way to save himself. After the Marquis of Athol had thus drawn every thing from him, he went to the King with his two witnesses, and the paper that Carstairs had formerly put in his hand. Carstairs was then with the King, and was, with many imprecations, justifying his charge against the two Lords: But he was confounded, when he saw Lord Athol. And upon that his villany appeared so evidently, that the part I had acted in that matter was now well understood, and approved of. Carstairs died, not long after, under great horror; and ordered himself to be cast into some ditch as a dog; for he said he was no better. But I could never hear what he said of Staley's business.

While

While all matters were in this confusion, a new incident happened that embroiled them yet more. The Earl of Danby had broke with Mountague; But he knew what letters he had writ to him, and with what secrets he had trusted him. He apprehended Mountague might accuse him: So he resolved to prevent him. Jenkins, who was then at Nimeguen, writ over, according to a direction sent him, as was believed, that he understood that Mountague had been in a secret correspondence, and in dangerous practices with the Pope's Nuntio at Paris. This was meant of one Con, whom I knew well, who had been long in Rome: And most of the letters between England and Rome past thro' his hands: He was a crafty man, and knew news well, and loved money: So Mountague made use of him, and gave him money for such secrets as he could draw from him. Upon Jenkins's letter the King sent a message to the House of Commons, letting them know that he was resolved to bring Mountague to a trial, for being a confederate with Rome, and in the plot to bring in Popery: And at the same time he sent to secure his cabinets and papers. This was a device of Lord Danby's to find his own letters, and destroy them; and then to let the prosecution fall: For they knew they had nothing against Mountague. But Mountague understood the arts of a Court too well to be easily caught; and had put a box, in which those letters were, in sure hands out of the way. A great debate rose upon this matter in the House of Commons. It was thought a high breach of privilege to seize on the papers of a Member of their House, when there was nothing of treason sworn against him. After some hours spent in the debate, during which Mountague sat silent very long; at last, when the box was brought to him from the person to whom he had trusted it, he opened it, and took out two of Lord Danby's letters, that contained instructions to him to treat

with

1678.
Danby's
letters to
Mountague
are
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1678. with the King of France for 300000l. a year for three years, if a peace succeeded, since it would not be convenient for the King to meet a Parliament in all that time, and he was charged to mention no part of this to the Secretary of State. Winnington, who from small beginnings, and from as small a proportion of learning in his profession, in which he was rather bold and ready than able, was now come to be Solicitor General, fell severely upon those letters. He said, here was a Minister, who, going out of the affairs of his own province, was directing the King's Embassadors, and excluding the Secretary of State, whose office it was, from the knowledge of it: Here was the faith of England to our Allies, and our interest likewise, set to sale for French money, and that to keep off a Session of Parliament: This was a design to sell the Nation, and to subvert the Government: And he concluded, that was high treason. Upon which he moved, that Lord Danby should be impeached of high treason. The Earl of Danby's party was much confounded. They could neither deny nor justify his letters. But they argued, that they could not be high treason, since no such fact was comprehended in any of the statutes of treason. The letters seemed to be writ by the King's order, who certainly might appoint any person he pleased to send his orders to his Ministers abroad: They reflected on the business of the Earl of Strafford, and on constructive treason, which was a device to condemn a man for a fact against which no law did lie. Mainard, an ancient and eminent lawyer, explained the words of the Statute of 25 Edward III. that the Courts of law could not proceed but upon one of the crimes there enumerated: But the Parliament had still a power, by the clause in that act, to declare what they thought was treason: So an act pass'd, declaring poisoning treason, in King Henry VIII.'s time: And, tho' by the Statute it was only treason to conspire

against

against the Prince of Wales; yet if one should conspire against the whole Royal Family, when there was no Prince of Wales, they would without doubt declare that to be high treason.

1678.

After a long debate it was voted by a majority of above seventy voices, that Lord Danby should be impeached of high treason. And the impeachment was next day carried up to the Lords. The Earl of Danby justified himself, that he had served the King faithfully, and according to his own orders. And he produced some of Mountague's letters, to shew that at the Court of France he was looked on as an enemy to their interest. He said, they knew him well that judged so of him; for he was indeed an enemy to it: And, among other reasons, he gave this for one, that he knew the French King held both the King's person and government under the last degree of contempt. These words were thought very strange with relation to both Kings. A great debate arose in the House of Lords concerning the impeachment; whether it ought to be received as an impeachment of high treason, only because the Commons added the word high treason in it. It was said, the utmost that could be made of it, was to suppose it true: But even in that case they must needs say plainly, that it was not within the Statute. To this it was answered, that the House of Commons, that brought up the impeachment, were to be heard to two points: The one was, to the nature of the crime: The other was, to the trial of it: But the Lords could not take upon them to judge of either of these, till they heard what the Commons could offer to support the charge: They were bound therefore to receive the charge, and to proceed according to the rules of Parliament, which was to commit the person so impeached, and then give a short day for his trial: So it would be soon over, if the Commons could not prove the matter charged to be high treason. The debate went on with

And he
was im-
peached
of high
treason.

great

1678. great heat on both sides; But the majority was against the commitment. Upon this, it was visible, the Commons would have complained that the Lords denied them justice. So there was no hope of making up the matter. And upon that the Parliament was prorogued.

The Parliament was prorogued.

This was variously censured. The Court condemned Mountague for revealing the King's secrets. Others said, that, since Lord Danby had begun to fall on him, it was reasonable and natural for him to defend himself. The letters did cast a very great blemish, not only on Lord Danby, but on the King; who, after he had entred into alliances, and had received great supplies from his people to carry on a war, was thus treating with France for money, which could not be asked or obtained from France on any other account, but that of making the Confederates accept of lower terms, than otherwise they would have stood on; which was indeed the selling of the Allies and of the publick faith. All that the Court said in excuse for this was, that, since the King saw a peace was resolved on, after he had put himself to so great a charge to prepare for war, it was reasonable for him to be reimbursed as much as he could from France: This was ordinary in all treaties, where the Prince that desired a peace was made to buy it. This indeed would have justified the King, if it had been demanded above board: But such underhand dealing was mean and dishonourable: And it was said, that the States went into the peace with such unreasonable earnestness upon the knowledge, or at least the suspicion, that they had of such practices. This gave a new wound to the King's credit abroad, or rather it opened the old one: For indeed after our breaking both the treaty of Breda, and the Tripple Alliance, we had not much credit to lose abroad. None gained so much by this discovery, as Secretary Coventry; since now it appeared, that he was not trusted with

with those ill practices. He had been severely fallen on for the fam'd saying of the murder of forty men. Birch aggravated the matter heavily; and said, it seem'd he thought the murder of forty men a very small matter, since he would rather be guilty of it, than oppose an Alliance made upon such treacherous views. Coventry answered, that he always spoke to them sincerely, and as he thought; and that if an Angel from Heaven should come and say otherwise, (at this they were very attentive to see how he could close a period so strangely begun,) he was sure, he should never get back to Heaven again, but would be a fallen and a lying angel. Now the matter was well understood, and his credit was set on a sure foot.

After the prorogation, the Earl of Danby saw the King's affairs, and the state of the Nation required a speedy Session. He saw little hope of recovering himself with that Parliament, in which so great a majority were already so deeply engaged. So he entred into a treaty with some of the Country party for a new Parliament. He undertook to get the Duke to be sent out of the way against the time of its meeting. Lord Hollis, Littleton, Boscawen, and Hambden were spoke to. They were all so apprehensive of the continuance of that Parliament, and that another set of Ministers would be able to manage them as the Court pleas'd, that they did undertake to save him if he could bring these things about. But it was understood, that he must quit his post, and withdraw from affairs. Upon which they promis'd their assistance to carry off his impeachment with a mild censure. The Duke went into the advice of a dissolution upon other grounds. He thought, the House of Commons had engaged with so much heat in the matter of the Plot, that they could never be brought off, or be made more gentle in the matter of religion. He thought, a new Parliament would act in a milder strain, and

1678.

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1678. not fly so high; or that they would give no money, and so the King and they would break: For he dreaded nothing so much as the bargains that were made with the present Parliament, in which Popery was always to be the sacrifice. Thus both the Duke and Lord Danby joined in advancing a dissolution, which was not resolved on till the January following.

The trial
of F. Ire-
land and
some
others.

In December, Ireland, Whitebread, and Fenwick, three Jesuits; and Grove and Pickering, two of the servants in the Queen's chapel, were brought to their trial. Oates and Bedlow swore home against Ireland, that in August last he had given particular orders about killing the King. Oates swore the same against the other two Jesuits. But Bedlow swore only upon hear-say against them. So, tho' they had pleaded to their inditement, and the jury was sworn, and the witnesses examined; yet, when the evidence was not found full, their trial was put off to another time, and the jury was not charged with them. This looked as if it was resolved that they must not be acquitted. I complained of this to Jones: But he said, they had precedents for it. I always thought, that a precedent against reason signified no more, but that the like injustice had been done before. And the truth is, the Crown has, or at least had, such advantages in trials of treason, that it seems strange how any person was ever acquitted. Ireland, in his own defence, proved by many witnesses, that he went from London on the second of August to Staffordshire, and did not come back till the twelfth of September. Yet, in opposition to that, a woman swore that she saw him in London about the middle of August. So, since he might have come up post in one day, and gone down in another, this did not satisfy. Oates and Bedlow swore against Grove and Pickering, that they undertook to shoot the King at Windsor; that Grove was to have 1500 l. for it; and that Pickering chose
thirty

1678.

thirty thousand masses, which at a shilling a mass, amounted to the same sum: They attempted it three several times with a pistol: Once the flint was loose: At another time there was no powder in the pan: And the third time the pistol was charged only with bullets. This was strange stuff. But all was imputed to a special Providence of God: And the whole evidence was believed. So they were convicted, condemned and executed. But they denied to the last every particular that was sworn against them.

This began to shake the credit of the evidence, when a more composed and credible person came in to support it. One Dugdale, that had been the Lord Aston's bailiff, and lived in a fair reputation in the country, was put in prison for refusing the oaths of allegiance and supremacy. He did then, with many imprecations on himself, deny, that he knew of any plot. But afterwards he made a great discovery of a correspondence that Evers, the Lord Aston's Jesuit, held with the Jesuits in London; who had writ to Evers of the design of killing the King, and desired him to find out men proper for executing it, whether they were gentlemen or not. This, he swore, was writ plain in a letter from Whitebread, the Provincial, directed to himself: But he knew it was meant for Evers. Evers, and Govan, another Jesuit, pressed this Dugdale to undertake it: They promised he should be canonized for it: And the Lord Stafford offered him 500 l. if he would set about it. He was a man of sense and temper; and behaved himself decently; and had somewhat in his air and deportment that disposed people to believe him: So that the King himself began to think there was somewhat in the Plot, though he had very little regard either to Oates or Bedlow. Dugdale's evidence was much confirmed by one circumstance. He had talked of a Justice of Peace in Westminster that was killed, on the Tuesday after

Dugdale's
evidence.

Godfrey

1678. Godfrey was mis'd: So that the news of this must have been writ from London on the Saturday night's post. He did not think it was a secret: And so he talked of it as news in an alehouse. The two persons, he said he spoke it to, remembered nothing of it, the one being the minister of the parish: But several others swore they had heard it. He saw this, as he swore, in a letter writ by Harcourt the Jesuit to Evers, in which Godfrey was named. But he added a strange story to this, which he said Evers told him afterwards; that the Duke had sent to Coleman, when he was in Newgate, to persuade him to discover nothing, and that he desired to know of him, whether he had ever discovered their designs to any other person; and that Coleman sent back answer, that he had spoke of them to Godfrey, but to no other man: Upon which the Duke gave order to kill him. This was never made publick, till the Lord Stafford's trial. And I was amazed to see such a thing break out after so long a silence. It looked like an addition to Dugdale's first evidence; tho' he had been noted for having brought out all his discoveries at once. The Earl of Essex told me, he swore it in his first examination: But, since it was only upon hear-say from Evers, and so was nothing in law, and yet would heighten the fury against the Duke, the King charged Dugdale to say nothing of it.

Prance
discovers
Godfrey's
murder.

At the same time a particular discovery was made of Godfrey's murder. Prance, a goldsmith, that wrought for the Queen's chapel, had gone from his house for two or three days, the week before the murder. And one that lodged in his house, calling that to mind, upon Bedlow's swearing he saw the body in Somersset-house, fancied that this was the time in which he was from home, and that he might be concerned in that matter; tho' it appeared afterwards, that his absence was the week before. He said, he went from his own

1678.

house, fearing to be put in prison, as many were, upon suspicion, or on the account of his religion. Yet upon this information he was seized on, and carried to Westminster. Bedlow accidentally pass'd by, not knowing any thing concerning him: And at first sight he charged somebody to seize on him; for he was one of those whom he saw about Godfrey's body. Yet he denied every thing for some days. Afterwards he confessed, he was concerned in it: And he gave this account of it: Gerald and Kelly, two priests, engaged him and three others into it; who were Green, that belonged to the Queen's chapel, Hill that had served Godden, the most celebrated writer among them, and Berry, the porter of Somerset-house. He said, these all, except Berry, had several meetings, in which the priests persuaded them it was no sin, but a meritorious action to dispatch Godfrey, who had been a busy man in taking depositions against them, and that the taking him off would terrify others. Prance named an alehouse, where they used to meet: And the people of that house did confirm this of their meeting there. After they had resolved on it, they followed him for several days. The morning before they killed him, Hill went to his house to see if he was yet gone out, and spoke to his maid. And, finding he was yet at home, they staid for his coming out. This was confirmed by the maid, who, upon Hill's being taken, went to Newgate, and in a croud of prisoners, distinguished him, and said, he was the person that asked for her master the morning before he was lost. Prance said, they dogged him into a place near St. Clement's Church, where he was kept till night. Prance was appointed to be at Somerset-house at night. And, as Godfrey went by the water-gate, two of them pretended to be hot in a quarrel. And one run out to call a Justice of peace, and so pressed Godfrey to go in and part them. He was not easily prevailed on to do it. Yet he did at last.

1678. Green then got behind him, and pulled a cravat about his neck, and drew him down to the ground, and strangled him. Upon that Girald would have run him through: But the rest diverted him from that, by representing the danger of a discovery by the blood's being seen there. Upon that they carried his body up to Godden's room, of which Hill had the key, Godden being then in France. Two days after that they removed it to a room cross the upper court, which Prance could never describe particularly. And, that not being found a convenient place, they carried it back to Godden's lodgings. At last it was resolved to carry it out in the night in a sedan to the remote parts of the town, and from thence to cast it into some ditch. On Wednesday a sedan was provided. And one of the centinels swore he saw a sedan carried in: But none saw it brought out. Prance said, they carried him out, and that Green had provided a horse, on whose back he laid him, when they were got clear of the town: And then he carried him, as he believed, to the place where his body was found. This was a consisting story, which was supported in some circumstances by collateral proofs. He added another particular, that, some days after the fact, those who had been concerned in it, and two others, who were in the secret, appointed to meet at Bow, where they talked much of that matter. This was confirmed by a servant of that house, who was coming in and out to them, and heard them often mention Godfrey's name. Upon which he stood at the door out of curiosity to hearken: But one of them came out, and threatened him for it. The priests were not found: But Green, Hill, and Berry, were apprehended upon it. Yet some days after this, Prance desired to be carried to the King, who would not see him, but in Council: And he denied all that he had formerly sworn, and said it was all a fiction. But as soon as he was carried back to prison, he sent the

the keeper of Newgate to the King to tell him, that all he had sworn was true, but that the horror and confusion he was in put him on denying it. Yet he went off from this again, and denied every thing. Dr. Lloyd was upon this sent to him to talk with him. At first he denied every thing to him. But Dr. Lloyd said to me, that he was almost dead through the disorder of his mind, and with cold in his body. But after that Dr. Lloyd had made a fire, and caused him to be put in a bed, and began to discourse the matter with him, he returned to his confession; which he did in such a manner, that Lloyd said to me, it was not possible for him to doubt of his sincerity in it.

1678.

So, he persisting in his first confession, Green, Hill and Berry were brought to their trial. Bedlow and Prance, with all the circumstances formerly mentioned, were the evidence against them. On the other hand they brought witnesses to prove, that they came home in a good hour on the nights, in which the fact was said to be done. Those that lived in Godden's lodgings deposed, that no dead body could be brought thither, for they were every day in the room that Prance had named. And the centinels of that night of the carrying him out said, they saw no sedan brought out. They were, upon a full hearing, convicted and condemned. Green, and Hill, died, as they had lived, Papists; and, with solemn protestations, denied the whole thing. Berry declared himself a Protestant; and that tho' he had changed his religion for fear of losing his place, yet he had still continued to be one in his heart. He said, he looked on what had now befallen him, as a just judgment of God upon him for that dissimulation. He denied the whole matter charged on him. He seemed to prepare himself seriously for death: And to the last minute he affirmed he was altogether innocent. Dr. Lloyd attended on him, and was much persuaded of his sincerity. Prance swore nothing against him, but

Some condemned for it, who died denying it.

1678.

that he assisted in the fact, and in carrying about the dead body. So Lloyd reckoned, that those things being done in the night, Prance might have mistaken him for some other person, who might be like him, considering the confusion that so much guilt might have put him in. He therefore believed, Prance had sworn rashly with relation to him, but truly as to the main of the fact. The Papiſts took great advantage from Berry's dying Protestant, and yet denying all that was sworn against him, tho' he might have had his life if he would have confessed it. They said, this shewed it was not from the doctrine of equivocation, or from the power of absolution, or any other of their tenets, that so many died, denying all that was sworn against them, but from their own conviction. And indeed this matter came to be charged on Dr. Lloyd, as if he had been made a tool for bringing Berry to this seeming conversion, and that all was done on design to cover the Queen. But I saw him then every day, and was well assured that he acted nothing in it, but what became his profession, with all possible sincerity. Prance began, after this, to enlarge his discoveries. He said, he had often heard them talk of killing the King, and of setting on a general massacre, after they had raised an Army. Dugdale also said, he had heard them discourse of a massacre. The memory of the Irish massacre was yet so fresh, as to raise a particular horror at the very mention of this; tho' where the numbers were so great as in Ireland, that might have been executed, yet there seemed to be no occasion to apprehend the like, where the numbers were in so great an inequality, as they were here. Prance did also swear, that a servant of the Lord Powis had told him that there was one in their family who had undertaken to kill the King; but that some days after he told him, they were now gone off from that design. It looked very strange, and added

no credit to his other evidence, that the Papists should be thus talking of killing the King, as if it had been a common piece of news. But there are seasons of believing, as well as of disbelieving: And believing was then so much in season, that improbabilities or inconsistencies were little considered. Nor was it safe so much as to make reflections on them. That was called the blasting of the plot, and disparaging the King's evidence: Tho' indeed Oates and Bedlow did, by their behaviour, detract more from their own credit, than all their enemies could have done. The former talked of all persons with insufferable insolence: And the other was a scandalous libertine in his whole deportment.

The Lord Chief Justice at that time was Sir William Scroggs, a man more valued for a good readiness in speaking well, than either for learning in his profession, or for any moral virtue. His life had been indecently scandalous, and his fortunes were very low. He was raised by the Earl of Danby's favour, first to be a Judge, and then to be the Chief Justice. And it was a melancholy thing to see so bad, so ignorant, and so poor a man raised up to that great post. Yet he, now seeing how the stream run, went into it with so much zeal and heartiness, that he was become the favourite of the people. But, when he saw the King had an ill opinion of it, he grew colder in the pursuit of it. He began to neglect and check the witnesses: Upon which, they, who behaved themselves as if they had been the Tribunes of the people, began to rail at him. Yet in all the trials he set himself, even with indecent earnestness, to get the prisoners to be always cast.

Another witness came in soon after these things, Jennison's evidence.
Jennison, the younger brother of a Jesuit, and a gentleman of a family and estate. He, observing that Ireland had defended himself against Oates chiefly by this, that he was in Staffordshire from

Scroggs
was then
Lord
Chief
Justice.

1678. the beginning of August till the 12th of September, and that he had died affirming that to be true, seemed much surprized at it; and upon that turned Protestant. For he said he saw him in London on the 19th of August, on which day he fixed upon this account, that he saw him the day before he went down in the stage coach to York, which was proved by the books of that office to be the 20th of August. He said, he was come to town from Windsor: And hearing that Ireland was in town, he went to see him, and found him drawing off his boots. Ireland asked him news, and in particular, how the King was attended at Windsor? And when he answered, that he walked about very carelessly with very few about him, Ireland seemed to wonder at it, and said, it would be easy then to take him off: To which Jennison answered quick, God forbid: But Ireland said, he did not mean that it could be lawfully done. Jennison, in the letter in which he writ this up to a friend in London, added, that he remembered an inconsiderable passage or two more, and that perhaps Smith (a Priest that had lived with his Father) could help him to one or two more circumstances relating to those matters: But he protested, as he desired the forgiveness of his sins, and the salvation of his soul, that he knew no more; and wished he might never see the face of God, if he knew any more. This letter was printed. And great use was made of it, to shew how little regard was to be had to those denials, with which so many had ended their lives. But this man in the summer thereafter published a long narrative of his knowledge of the plot. He said, himself had been invited to assist in killing the King. He named the four ruffians that went to Windsor to do it. And he thought to have reconciled this to his letter, by pretending these were the circumstances, that he had not mentioned in it. Smith did also change his religion; and deposed, that, when he was at
Rome,

1678.

Rome, he was told in general of the design of killing the King. He was afterwards discovered to be a vicious man. Yet he went no farther than to swear, that he was acquainted with the design in general, but not with the persons that were employed in it. By these witnesses the credit of the plot was universally established. Yet, no real proofs appearing, besides Coleman's letters and Godfrey's murder, the King, by a proclamation, did offer both a pardon and 200 l. to any one that would come in, and make further discoveries. This was thought too great a hire to purchase witnesses. Money had been offered to those who should bring in criminals. But it was said to be a new and indecent practice to offer so much money to men, that should merit it by swearing: And it might be too great an encouragement to perjury.

While the witnesses were weakning their own credit, some practices were discovered, that did very much support it. Reading, a lawyer of some subtilty, but of no virtue, was employed by the Lords in the Tower to solicit their affairs. He insinuated himself much into Bedlow's confidence, and was much in his company: And, in the hearing of others, he was always pressing him to tell all he knew. He lent him money very freely, which the other wanted often. And he seemed at first to design only to find out somewhat that should destroy the credit of his testimony. But he ventured on other practices; and offered him much money, if he would turn his evidence against the Popish Lords only into a hear-say, so that it should not come home against them. Reading said, Bedlow began the proposition to him; and employed him to see how much money these Lords could give him, if he should bring them off: Upon which, Reading, as he pretended afterwards, seeing that innocent blood was like to be shed, was willing, even by indecent means, to endeavour to prevent it. Yet he freed the Lords in

Practices
with the
witnesses
discovered.

1678. the Tower. He said, they would not promise a farthing: Only the Lord Stafford said, he would give Reading two or three hundred pounds, which he might dispose of as he pleased. While Reading was driving the bargain, Bedlow was too hard for him at his own trade of craft: For, as he acquainted both Prince Rupert, and the Earl of Essex, with the whole negotiation, from the first step of it, so he placed two witnesses secretly in his chamber, when Reading was to come to him; and drew him into those discourses, which discovered the whole practice of that corruption. Reading had likewise drawn a paper, by which he shewed him with how few and small alterations he could soften his deposition, so as not to affect the Lords. With these witnesses, and this paper, Bedlow charged Reading. The whole matter was proved beyond contradiction. And, as this raised his credit, so it laid a heavy load on the Popish Lords; tho' the proofs came home only to Reading, and he was set in the pillory for it. Bedlow made a very ill use of this discovery, which happened in March, to cover his having sworn against Whitebread and Fenwick only upon hear-say in December: For, being resolved to swear plain matter upon his own knowledge against them, when they should be brought again on their trial, he said, Reading had prevailed on him to be easy to them, as he called it; and that he had said to him that the Lords would take the saving of these Jesuits, as an earnest of what he would do for themselves; tho' it was not very probable, that these Lords would have abandoned Ireland, when they took such care of the other Jesuits. The truth was, he ought to have been set aside from being a witness any more, since now by his own confession he had sworn falsely in that trial: He had first sworn, he knew nothing of his own knowledge against the two Jesuits, and afterwards he swore copiously against them, and upon his own knowledge. Wyld, a worthy and ancient Judge,

Judge, said upon that to him, that he was a perjured man, and ought to come no more into Courts, but to go home, and repent. Yet all this was past over, as if it had been of no weight: And the Judge was turned out for his plain freedom. There was soon after this another practice discovered concerning Oates. Some that belonged to the Earl of Danby conversed much with Oates's servants. They told them many odious things that he was daily speaking of the King, which looked liker one that intended to ruin than to save him. One of these did also affirm, that Oates had made an abominable attempt upon him not fit to be named. Oates smelled this out, and got his servants to deny all that they had said, and to fasten it upon those who had been with them, as a practice of theirs: And they were upon that likewise set on the pillory. And, to put things of a sort together, tho' they happen'd not all at once: One Tasborough, that belonged to the Duke's court, entred into some correspondence with Dugdale, who was courting a kinswoman of his. It was proposed, that Dugdale should sign a paper, retracting all that he had formerly sworn, and should upon that go beyond sea, for which he was promised, in the Duke's name, a considerable reward. He had written the paper, as was desired: But he was too cunning for Tasborough, and he proved his practices upon him. He pretended he drew the paper only to draw the other further on, that he might be able to penetrate the deeper into their designs. Tasborough was fined, and set in the pillory for tampering thus with the King's evidence.

This was the true state of the plot, and of the witnesses that proved it; which I have open'd as fully as was possible for me: And I had particular occasions to be well instructed in it. Here was matter enough to work on the fears and apprehensions of the Nation: So it was not to be wondered at, if Parliaments were hot, and Juries were easy

Reflections upon the whole evidence.

1678. easy in this prosecution. The visible evidences that appeared, made all people conclude there was great plotting among them. And it was generally believed, that the bulk of what was sworn by the witnesses was true, tho' they had by all appearance dressed it up with incredible circumstances. What the men of learning knew concerning their principles, both of deposing of Kings, and of the lawfulness of murdering them when so deposed, made them easily conclude, that since they saw the Duke was so entirely theirs, and that the King was so little to be depended on, they might think the present conjuncture was not to be lost. And since the Duke's eldest daughter was already out of their hands, they might make the more haste to set the Duke on the throne. The tempers, as well as the morals, of the Jesuits, made it reasonable to believe, that they were not apt to neglect such advantages, nor to stick at any sort of falshood in order to their own defence. The doctrine of probability, besides many other maxims that are current among them, made many give little credit to their witnesses, or to their most solemn denials, even at their execution. Many things were brought to shew, that by the casuistical divinity taught among them, and published by them to the world, there was no practice so bad, but that the doctrines of probability, and of ordering the intention, might justify it. Yet many thought, that, what doctrines soever men might by a subtilty of speculation be carried into, the approaches of death, with the seriousness that appeared in their deportment, must needs work so much on the probity and candor which seemed rooted in human nature, that even immoral opinions, maintained in the way of argument, could not then resist it. Several of our Divines went far in this charge, against all regard to their dying speeches; of which some of our own Church complained, as inhuman and indecent,

In January a new Parliament was summoned. The elections were carried with great heat, and went almost every where against the Court. Lord Danby resolved to leave the Treasury at Lady-day. And in that time he made great advantage by several payments which he got the King to order, that were due upon such slight pretences, that it was believed he had a large share of them to himself: So that he left the Treasury quite empty. He persuaded the King to send the Duke beyond sea, that so there might be no colour for suspecting that the counsels were influenced by him. He endeavoured to persuade the Duke, that it was fit for him to go out of the way. If the King and the Parliament came to an agreement, he might depend on the promise that the King would make him, of recalling him immediately: And if they did not agree, no part of the blame could be cast on him; which must happen otherwise, if he staid still at Court. Yet no rhetorick would have prevailed on him to go, if the King had not told him positively, it was for both their service, and so it must be done.

1679.
A new
Parliament.

Before he went away, the King gave him all possible satisfaction with relation to the Duke of Monmouth, who was become very popular, and his creatures were giving it out, that he was the King's lawful son. So the King made a solemn declaration in Council, and both signed it and took his oath on it, that he was never married, nor contracted to that Duke's mother; nor to any other woman, except to his present Queen. The Duke was sent away upon very short warning, not without many tears shed by him at parting, tho' the King shed none. He went first to Holland, and then to Brussels, where he was but coldly received.

The
Duke sent
beyond
sea.

At the opening the Parliament in March, the parting with an only brother, to remove all jealousy, was magnified with all the pomp of the
Earl

1679. Earl of Nottingham's eloquence. Lord Danby's friends were in some hopes, that the great services which he had done would make matters brought against him to be handled gently. But in the management he committed some errors, that proved very unhappy to him.

Seimour and he had fallen into some quarrellings, both being very proud and violent in their tempers. Seimour had in the last session struck in with the heat against Popery, that he was become popular upon it. So he managed the matter in this new Parliament, that tho' the Court named Meres yet he was chosen Speaker. The nomination of the Speaker was understood to come from the King, tho' he was not named as recommending the person. Yet a Privy Counsellor named one: And it was understood to be done by order. And the person thus named was put in the chair, and was next day presented to the King, who approved the choice. When Seimour was next day presented as the Speaker, the King refused to confirm the election. He said, he had other occasions for him, which could not be dispensed with. Upon this, great heats arose, with a long and violent debate. It was said, the House had the choice of their Speaker in them, and that their presenting the Speaker was only a solemn shewing him to the King, such as was the presenting the Lord Mayor and Sheriffs of London in the Exchequer; but that the King was bound to confirm their choice. This debate held a week, and created much anger.

A temper was found at last. Seimour's election was let fall: But the point was settled, that the right of electing was in the House, and that the confirmation was a thing of course. So another was chosen Speaker. And the House immediately fell on Lord Danby. Those who intended to serve him said, the heat this dispute had raised, which was imputed wholly to him, had put it

1679.

out of their power to do it. But he committed other errors. He took out a pardon under the Great Seal. The Earl of Nottingham durst not venture to pass it. So the King ordered the Seal to be put to the pardon in his own presence. And thus, according to Lord Nottingham's figure, when he was afterwards questioned about it, it did not pass thro' the ordinary methods of production, but was an immediate effect of his Majesty's power of creating. He also took out a warrant to be Marquis of Caermarthen. And the King, in a speech to the Parliament, said, he had done nothing but by his order; and therefore he had pardoned him; and, if there was any defect in his pardon, he would pass it over and over again, till it should be quite legal.

Upon this a great debate was raised. Some questioned whether the King's pardon, especially when passed in bar to an impeachment, was good in law; This would encourage ill Ministers, who would be always sure of a pardon, and so would act more boldly, if they saw so easy a way to be secured against the danger of impeachments: The King's pardon did indeed secure one against all prosecution at his suit: But, as in the case of murder an appeal lay, from which the King's pardon did not cover the person, since the King could no more pardon the injuries done his people, than he could forgive the debts that were owing to them; so from a parity of reason it was inferred, that since the offences of Ministers of State were injuries done the publick, the King's Pardon could not hinder a prosecution in Parliament, which seemed to be one of the chief securities, and most essential parts of our constitution. Yet on the other hand it was said, that the power of pardoning was a main article of the King's Prerogative: None had ever yet been annulled: The law had made this one of the trusts of the Government, without any limitation upon it: All arguments

Danby
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1679.

against it might be good reasons for the limiting it for the future: But what was already past was good in law, and could not be broke thro'. The temper proposed was, that, upon Lord Danby's going out of the way, an Act of banishment should pass against him, like that which had passed against the Earl of Clarendon. Upon that, when the Lords voted that he should be committed, he withdrew. So a bill of banishment passed in the House of Lords, and was sent down to the Commons. Winnington fell on it there in a most furious manner. He said, it was an Act to let all Ministers see what was the worst thing that could happen to them, after they had been engaged in the blackest designs, and had got great rewards of wealth and honour: All they could suffer was, to be obliged to live beyond sea. This enflamed the House so, that those, who intended to have moderated that heat, found they could not stop it. Littleton sent for me that night, to try if it was possible to mollify Winnington. We laid before him, that the King seemed brought near a disposition to grant every thing that could be desired of him: And why must an attainder be brought on, which would create a breach that could not be healed? The Earl of Danby was resolved to bear a banishment; but would come in, rather than be attainted, and plead his pardon: And then the King was upon the matter made the party in the prosecution, which might ruin all: We knew how bad a Minister he had been, and had felt the ill effects of his power: But the publick was to be preferred to all other considerations. But Winnington was then so entirely in Mountague's management, and was so blown up with popularity, and so much provoked by being turned out of the place of Solicitor General, that he could not be prevailed on. It was offered afterwards from the Court, as Littleton told me, both that Lord Danby should by Act of Parliament be degraded from his

his

his Peerage, as well as banished, and that an Act should pass declaring, for the future no pardon should be pleaded in bar to an impeachment. But the fury of the time was such, that all offers were rejected. And so a very probable appearance of settling the Nation was lost: For the bill for banishing Lord Danby was thrown out by the Commons. And instead of it a bill of attainder was brought in. The Treasury was put in commission. The Earl of Essex was put at the head of it. And Hyde and Godolphin were two of the commission. The Earl of Sunderland was brought over from France, and made Secretary of State. And Lord Essex and Lord Sunderland joined with the Duke of Monmouth, to press the King to change his counsels, and to turn to another method of government, and to take the men of the greatest credit into his confidence. Lord Essex was much blamed for going in so early into the Court, before the rest were brought in. He said to me, he did it in the prospect of working the change that was afterwards effected. Lord Sunderland also told me, that the King was easy in the bringing in Lord Shaftsbury; for he thought he was only angry in revenge, because he was not employed; but that he had so ill an opinion of Lord Halifax, that it was not easy to get over that. The Duke of Monmouth told me, that he had as great difficulty in overcoming that, as ever in any thing that he studied to bring the King to.

At last the King was prevailed on to dismiss the whole Council, which was all made up of Lord Danby's creatures. And the chief men of both Houses were brought into it. This was carried with so much secrecy, that it was not so much as suspected, till the day before it was done. The King was weary of the vexation he had been long in, and desired to be set at ease. And at that time he would have done any thing to get an end put to the Plot, and to the fermentation that was

now

1679.

A new Council.

1679.

now over the whole Nation: So that, if the House of Commons would have let the matter of Lord Danby's pardon fall, and have accepted of limitations on his brother, instead of excluding him, he was willing to have yielded in every thing else. He put likewise the Admiralty and Ordnance into commissions: Out of all which the Duke's creatures were so excluded, that they gave both him and themselves for lost. But the hatred that Mountague bore Lord Danby, and Lord Shaftsbury's hatred to the Duke, spoiled all this. There were also many in the House of Commons, who finding themselves forgot, while others were preferred to them, resolved to make themselves considerable. And they infused into a great many a mistrust of all that was doing. It was said, the King was still what he was before. No change appeared in him. And all this was only an artifice to lay the heat that was in the Nation, to gain so many over to him, and so to draw money from the Commons. So they resolved to give no money, till all other things should be first settled. No part of the change that was then made was more acceptable than that of the Judges: For Lord Danby had brought in some sad creatures to those important posts. And Jones had the new modelling of the Bench. And he put in very worthy men, in the room of those ignorant Judges that were now dismiss'd.

Debates
concern-
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Exclusion.

The main point in debate was, what security the King should offer to quiet the fears of the Nation upon the account of the Duke's succession. The Earl of Shaftsbury propos'd the excluding him simply, and making the succession to go on, as if he was dead, as the only mean that was easy and safe both for the Crown and the people: This was nothing but the disinheriting the next heir, which certainly the King and Parliament might do, as well as any private man might disinherit his next heir, if he had a mind to it.

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The King would not consent to this. He had faithfully promised the Duke, that he never would. And he thought, if Acts of Exclusion were once begun, it would not be easy to stop them; but that upon any discontent at the next heir, they would be set on: Religion was now the pretence: But other pretences would be found out, when there was need of them: This insensibly would change the nature of the English Monarchy: So that from being hereditary it would become elective. The Lords of Essex and Hallifax upon this proposed such limitations of the Duke's authority, when the Crown should devolve on him, as would disable him from doing any harm, either in Church or State: Such as the taking out of his hand all power in Ecclesiastical matters, the disposal of the publick money, with the power of peace and war, and the lodging these in both Houses of Parliament; and that whatever Parliament was in being, or the last that had been in being at the King's death, should meet, without a new summons, upon it, and assume the administration of affairs. Lord Shaftsbury argued against this, as much more prejudicial to the Crown than the exclusion of one heir: For this changed the whole Government, and set up a Democracy instead of a Monarchy. Lord Hallifax's arguing now so much against the danger of turning the Monarchy to be elective, was the more extraordinary in him, because he had made an hereditary Monarchy the subject of his mirth; and had often said, who takes a coachman to drive him, because his father was a good coachman? Yet he was now jealous of a small slip in the succession. But at the same time he studied to infuse into some a zeal for a Commonwealth. And to these he pretended, that he preferred limitations to an exclusion: Because the one kept up the Monarchy still, only passing over one person; whereas the other brought us really into a Commonwealth, as soon as we

1679. had a Popish King over us. And it was said by some of his friends, that the limitations proposed were so advantageous to publick liberty, that a man might be tempted to wish for a Popish King, to come at them.

Upon this great difference of opinion, a faction was quickly formed in the new Council. The Lords Essex, Sunderland and Halifax declaring for limitations, and against the Exclusion; while Lord Shaftsbury, now made president of the Council, declared highly for it. They took much pains on him to moderate his heat: But he was become so intolerably vain, that he would not mix with them, unless he might govern. So they broke with him: And the other three were called the Triumvirate. Lord Essex applied himself to the business of the Treasury, to the regulating the King's expence, and the improvement of the Revenue. His clear, tho' slow, sense made him very acceptable to the King. Lord Halifax studied to manage the King's spirit, and to gain an ascendant there by a lively and libertine conversation. Lord Sunderland managed foreign affairs, and had the greatest credit with the Dutcheffs of Portsmouth. After it was agreed on to offer the limitations, the Lord Chancellor by order from the King made the proposition to both Houses. The Duke was struck with the news of this, when it came to him to Brussels. I saw a letter writ by his Dutcheffs the next post: In which she wrote, that as for all the high things that were said by their enemies they looked for them, but that speech of the Lord Chancellor's was a surprize, and a great mortification to them. Their apprehensions of that did not hang long upon them. The Exclusion was become the popular expedient. So after much debating, a bill was ordered for excluding the Duke of York. I will give you here a short abstract of all that was said, both within and without doors, for and against the Exclusion.

Those who argued for it laid it down for a foundation, that every person, who had the whole right of any thing in him, had likewise the power of transferring it to whom he pleased. So the King and Parliament, being entirely possessed of the whole authority of the Nation, had a power to limit the succession, and every thing else relating to the Nation, as they pleased. And by consequence there was no such thing as a fundamental law, by which the power of Parliament was bound up: For no King and Parliament in any former age had a power over the present King and Parliament; otherwise the Government was not entire, nor absolute. A father, how much soever determined by nature to provide for his children, yet had certainly a power of disinheriting them, without which, in some cases, the respect due to him could not be preserved. The life of the King on the throne was not secure, unless this was acknowledged. For if the next heir was a traitor, and could not be seized on, the King would be ill served in opposition to him, if he could not bar his succession by an exclusion. Government was appointed for those that were to be governed, and not for the sake of Governors themselves: Therefore all things relating to it were to be measured by the publick interest, and the safety of the people. In none of God's appointments in the Old Testament regard was had to the eldest. Isaac, Jacob, Judah, Ephraim, and more particularly Solomon, were preferred without any regard to the next in line. In the several Kingdoms of Europe the succession went according to particular laws, and not by any general law. In England, Spain and Sweden, the heir general did succeed: Whereas it was only the heir male in France and Germany. And whereas the oath of allegiance tied us to the King and his heirs, the word heir was a term that imported that person who by law ought to succeed: And so it fell by law to any person

1679.

Arguments
for and
against
the Ex-
clusion.

1679. who was declared next in the succession. In England the heir of the King that reigned had been sometimes set aside, and the right of succession transferred to another person. Henry VII. set up his title on his possessing the Crown. Henry VIII. got his two daughters, while they were by acts of Parliament illegitimated, put in the succession: And he had a power given him to devise it after them, and their issue, at his pleasure. Queen Elizabeth, when she was in danger from the practices of the Queen of Scots, got an Act to pass asserting the power of the Parliament to limit the succession of the Crown. It was high treason to deny this during her life, and was still highly penal to this day. All this was laid down in general, to assert a power in the Parliament to exclude the next heir, if there was a just cause for it. Now, as to the present case, the Popish religion was so contrary to the whole frame and constitution of our Government, as well as to that dignity inherent in the Crown, of being the head of the Church, that a Papist seemed to be brought under a disability to hold the Crown. A great part of the property of the Nation, the Abbey lands, was shaken by the prospect of such a succession. The perfidy and the cruelty of that religion made the danger more sensible. Fires, and Courts of Inquisition, were that which all must reckon for, who would not redeem themselves by an early and zealous conversion. The Duke's own temper was much insisted on. It appeared by all their letters, how much the Papists depended on him: And his own deportment shewed, there was good reason for it. He would break thro' all limitations, and call in a foreign power, rather than submit to them. Some mercenary lawyers would give it for law, that the prerogative could not be limited, and that a law limiting it was void of itself. Revenges for past injuries, when join'd to a bigotry in religion, would be probably very violent.

On the other hand, some argued against the Exclusion: That it was unlawful in itself, and against the unalterable law of succession; (which came to be the common phrase.) Monarchy was said to be by divine right: So the law could not alter what God had settled. Yet few went at first so high. Much weight was laid on the oath of allegiance, that tied us to the King's heirs: And who so was the heir when any man took that oath, was still the heir to him. All lawyers had great regard to fundamental laws. And it was a maxim among our lawyers, that even an Act of Parliament against Magna Charta was null of itself. There was no arguing from the changes in the course of the Succession. These had been the effects of prosperous rebellions. Nor from Henry VII.'s reigning in the right of his Queen, and yet not owning it to be so. Nor was it strange, if in so violent a reign as Henry VIII.'s acts were made in prejudice of the right of blood. But tho' his daughters were made bastards by two several acts, yet it was notorious they were both born in a state of marriage. And when unlawful marriages were annulled, yet such issue as descended from them bona fide used not to be illegitimated. But tho' that King made a will pursuant to an act of Parliament, excluding the Scottish line, yet such regard the Nation had to the next in blood, that, without examining the will, the Scottish line was received. It is true, Queen Elizabeth, out of her hatred to the Queen of Scots, got the famed act to pass, that declares the Parliament's power of limiting the succession. But since that whole matter ended so fatally, and was the great blemish of her reign, it was not reasonable to build much on it. These were the arguments of those, who thought the Parliament had not the power to enact an exclusion of the next heir: Of which opinion the Earl of Essex was at this time. Others did not go on these grounds: But they said, that tho'

1679.

a father has indeed a power of disinheriting his son, yet he ought never to exert it but upon a just and necessary occasion. It was not yet legally certain, that the Duke was a Papist. This was a condemning him unheard. A man's conscience was not even in his own power. It seemed therefore to be an unjustifiable severity, to cut off so great a right only for a point of opinion. It is true, it might be reasonable to secure the Nation from the ill effects that opinion might have upon them, which was fully done by the limitations. But it was unjust to carry it further. The Protestants had charged the Church of Rome heavily for the League of France, in order to the excluding the House of Bourbon from the succession to the Crown of France, because of heresy: And this would make the charge return back upon us, to our shame. In the case of infancy, or lunacy, guardians were assigned: But the right was still in the true heir. A Popish Prince was considered as in that state: And these limitations were like the assigning him guardians. The Crown had been for several ages limited in the power of raising money; to which it may be supposed a high spirited King did not easily submit, and yet we had long maintained this: And might it not be hoped, the limitations proposed might be maintained in one reign; chiefly considering the zeal and the number of those who were concerned to support them? Other Princes might think themselves obliged in honour and religion to assist him, if he was quite excluded: And it might be the occasion of a new Popish League, that might be fatal to the whole Protestant interest. Whereas, if the limitations pass, other Princes would not so probably enter into the laws and establishment settled among us. It was said, many in the Nation thought the Exclusion unlawful: But all would jointly concur in the limitations: So this was the securest way, that comprehended the greatest part of the Nation: And probably

Scotland would not go into the Exclusion, but merit at the Duke's hands by asserting his title. So here was a foundation of war round about us, as well as of great distractions among ourselves: Some regard was to be had to the King's honour, who had so often declared, he would not consent to an Exclusion; but would to any limitations, how hard soever.

These were the chief arguments upon which this debate was managed. For my own part, I did always look on it as a wild and extravagant conceit, to deny the lawfulness of an Exclusion in any case whatsoever. But for a great while I thought the accepting the limitations was the wisest and best method. I saw the driving on the Exclusion would probably throw us into great confusions. And therefore I made use of all the credit I had with many in both Houses, to divert them from pursuing it, as they did, with such eagerness, that they would hearken to nothing else. Yet, when I saw the party so deeply engaged, and so violently set upon it, both Tillotson and I, who thought we had some interest in Lord Halifax, took great pains on him, to divert him from opposing it so furiously as he did: For he became as it were the champion against the Exclusion. I foresaw a great breach was like to follow. And that was plainly the game of Popery, to keep us in such an unsettled state. This was like either to end in a rebellion, or in an abject submission of the Nation to the humours of the Court. I confess, that which I apprehended most was rebellion, tho' it turned afterwards quite the other way. But men of more experience, who had better advantages to make a true judgment of the temper of the Nation, were mistaken as well as myself. All the progress that was made in this matter in the present Parliament was, that the bill of Exclusion was read twice in the House of Commons. But the

1679. Parliament was dissolved before it came to a third reading.

Danby's
prosecution.

The Earl of Danby's prosecution was the point on which the Parliament was broken. The bill of attainder for his wilful absence was pass'd by the Commons, and sent up to the Lords. But, when it was brought to the third reading, he delivered himself; and was upon that sent to the Tower: Upon which he moved for his trial. The man of the law he depended most upon was Pollexfen, an honest, and learned, but perplexed lawyer. He advised him positively to stand upon his pardon. It was a point of prerogative never yet judged against the Crown: So he might in that case depend upon the House of Lords, and on the King's interest there. It might perhaps produce some Act against all pardons for the future. But he thought he was secure in his pardon. It was both wiser, and more honourable, for the King, as well as for himself, to stand on this, than to enter into the matter of the letters, which would occasion many indecent reflections on both. So he settled on this, and pleaded his pardon at the Lord's bar: To which the Commons put in a reply, questioning the validity of the pardon, on the grounds formerly mentioned. And they demanded a trial and judgment.

Upon this a famous debate arose, concerning the Bishops right of voting in any part of a trial for treason. It was said, that, tho' the Bishops did not vote in the final judgment, yet they had a right to vote in all preliminaries. Now the allowing, or not allowing the pardon to be good, was but a preliminary: And yet the whole matter was concluded by it. The Lords Nottingham and Roberts argued for the Bishops voting. But the Lords Essex, Shaftsbury, and Hollis, were against it. Many books were writ on both sides, of which an account shall be given afterwards. But upon this debate it was carried by the majority, that the
Bishops

Bishops had a right to vote. Upon which the Commons said, they would not proceed, unless the Bishops were obliged to withdraw during the whole trial. And upon that breach between the two Houses the Parliament was prorogued: And soon after it was dissolved. And the blame of this was cast chiefly on the Bishops. The truth was, they desired to have withdrawn, but the King would not suffer it. He was so set on maintaining the pardon, that he would not venture such a point on the votes of the temporal Lords. And he told the Bishops, they must stick to him, and to his prerogative, as they would expect that he should stick to them, if they came to be push'd at. By this means they were exposed to the popular fury.

1679.

Hot people began every where to censure them, as a set of men that for their own ends, and for every punctilio that they pretended to, would expose the Nation and the Protestant Religion to ruin. And in revenge for this many began to declare openly in favour of the Non-conformists: And upon this the Non-conformists behaved themselves very indecently. For, tho' many of the more moderate of the Clergy were trying if an advantage might be taken from the ill state we were in to heal those breaches that were among us, they on their part fell very severely upon the body of the Clergy. The act that restrained the press was to last only to the end of the first session of the next Parliament that should meet after that was dissolved. So now, upon the end of the session, the act not being revived, the press was open: And it became very licentious, both against the Court and the Clergy. And in this the Non-conformists had so great a hand, that the Bishops and Clergy, apprehending that a rebellion, and with it the pulling the Church to pieces, was designed, set themselves on the other hand to write against the late times, and to draw

A great heat raised against the Clergy.

1679. a parallel between the present times and them: Which was not decently enough managed by those who undertook the argument, and who were believed to be set on, and paid by the Court for it. The chief manager of all those angry writings was one Sir Roger L'Estrange, a man who had lived in all the late times, and was furnished with many passages, and an unexhausted copiousness in writing: So that for four years he published three or four sheets a week under the title of the *Observer*, all tending to defame the contrary party, and to make the Clergy apprehend that their ruin was designed. This had all the success he could have wished, as it drew considerable sums that were raised to acknowledge the service he did. Upon this the greater part of the Clergy, who were already much prejudiced against that party, being now both sharpened and furnished by these papers, delivered themselves up to much heat and indiscretion, which was vented both in their pulpits and common conversation, and most particularly, at the elections of parliament men: And this drew much hatred and censure upon them. They seemed now to lay down all fears and apprehensions of Popery: And nothing was so common in their mouths as the year forty one, in which the late wars began, and which seemed now to be near the being acted over again. Both City and Country were full of many indecencies that broke out on this occasion. But, as there were too many of the Clergy whom the heat of their tempers, and the hope of preferment drove to such extravagancies, so there were still many worthy and eminent men among them, whose lives and labours did in a great measure rescue the Church from those reproaches that the follies of others drew upon it. Such were, besides those whom I have often named, *Tennison, Sharp, Patrick, Sherlock, Fowler, Scot, Calamy, Claget, Cudworth, two Mores, Williams*, and many others, whom tho' I knew

not

not so particularly as to give all their Characters, yet they deserved a high one; and were indeed an honour, both to the Church, and to the age in which they lived.

1679.

I return from this digression to give an account of the arguments by which that debate concerning the Bishops voting in preliminaries was maintained. It was said, the Bishops were one of Three Estates of which the Parliament was composed, and that therefore they ought to have a share in all parliamentary matters: That as the temporal Lords transmitted their honours and fees to their heirs, so the Bishops did transmit theirs to their successors: And they sat in Parliament, both as they were the Prelates of the Church and Barons of the Realm: But in the time of Popery, when they had a mind to withdraw themselves wholly from the King's Courts, and resolved to form themselves into a state apart, upon this attempt of theirs, our Kings would not dispense with their attendance: And then several regulations were made, chiefly the famed ones at Clarendon; not so much intended as restraints on them in the use of their rights as they were Barons, as obligations on them to perform all, but those that in compliance with their desires were then excepted: The Clergy, who had a mind to be excused from all parliamentary attendance, obtained leave to withdraw in judgments of life and death, as unbecoming their profession and contrary to their Canons. Princes were the more inclinable to this, because Bishops might be more apt to lean to the merciful side: And the judgments of Parliament in that time were commonly in favour of the Crown against the Barons: So the Bishops had leave given them to withdraw from these: But they had a right to name a proxy for the Clergy, or to protest for saving their rights in all other points as Peers: So that this was rather a concession in their favour than a restraint imposed on them: And they did

Argu-
ments for
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of treason.

1679. it on design to get out of these Courts as much as they could: At the Reformation all such practices as were contrary to the King's prerogative were condemned: So it was said, that the King having a right by his prerogative to demand justice in Parliament against such as he should accuse there, none of the Peers could be excused from that by any of the constitutions made in the time of Popery, which were all condemned at the Reformation: The protestation they made in their asking leave to withdraw shewed it was a voluntary act of theirs, and not imposed on them by the law of Parliament: The words of the article of Clarendon seemed to import, that they might sit during the trial, till it came to the final judgment and sentence of life or limb; and by consequence that they might vote in the preliminaries.

On the other hand it was argued, that Bishops could not judge the temporal Lords as their Peers: For if they were to be tried for high treason, they were to be judged only by a jury of Commoners: And since their honour was not hereditary, they could not be the Peers of those whose blood was dignified: And therefore, tho' they were a part of that House with relation to the legislature and judicature, yet the difference between a personal and hereditary Peerage made that they could not be the judges of the temporal Lords, as not being to be tried by them: The custom of Parliament was the law of Parliament: And since they had never judged in these cases, they could not pretend to it: Their protestation was only in barr to the Lords doing any thing besides the trial during the time that they were withdrawn: The words of the article of Clarendon must relate to the whole trial as one complicated thing, tho' it might run out into many branches: And since the final sentence did often turn upon the preliminaries, the voting in these was upon the matter the voting in the final sentence: Whatever might be

1679.

be the first inducements to frame those articles of the Clergy, which at this distance must be dark and uncertain, yet the laws and practice pursuant to them were still in force: By the act of Henry the eighth it was provided, that, till a new body of canon law should be formed, that which was then received should be still in force, unless it was contrary to the King's prerogative or the law of the land: And it was a remote and forced inference to pretend that the prerogative was concerned in this matter.

Thus the point was argued on both sides. Dr. Stillingfleet gave upon this occasion a great proof of his being able to make himself the master of any argument which he undertook: For after the lawyers, and others conversant in Parliament records, in particular the Lord Hollis, who undertook the argument with great vehemence, had writ many books about it, he published a treatise that discovered more skill and exactness in judging those matters than all that had gone before him. And indeed he put an end to the controversy in the opinion of all impartial men. He proved the right that the Bishops had to vote in those preliminaries, beyond contradiction in my opinion, both from our records, and from our constitution. But now in the interval of Parliament other matters come to be related.

The King upon the prorogation of the Parliament became sullen and thoughtful: He saw, he had to do with a strange sort of people, that could neither be managed nor frightened: And from that time his temper was observed to change very visibly. He saw the necessity of calling another Parliament, and of preparing matters in order to it: Therefore the prosecution of the plot was still carried on. So five of the Jesuits that had been accused of it were brought to their trial: They were Whitebread their Provincial, Fenwick, Harcourt, Govan, and Turner. Oates repeated against them


Dr. Stillingfleet wrote on this point.

The trial of five Jesuits.

1679. them his former evidence: And they prepared a great defence against it: For sixteen persons came over from their House at St. Omers, who testified that Oates had staid among them all the while from December seventy seven, till June seventy eight; so that he could not possibly be at London in the April between at those consultations, as he had sworn. They remembered this the more particularly, because he sat at the table by himself in the refectory, which made his being there to be the more observed; for as he was not mixed with the scholars, so neither was he admitted to the Jesuits table. They said, he was among them every day, except one or two in which he was in the infirmary: They also testified, that some of those who he swore came over with him into England in April, had staid all that summer in Flanders. In opposition to this, Oates had found out seven or eight persons who deposed that they saw him in England about the beginning of May; and that he being known formerly to them in a Clergyman's habit, they had observed him so much the more by reason of that change of habit. With one of these he dined; and he had much discourse with him about his travels. An old Dominican Frier, who was still of that Church and Order, swore also that he saw him, and spoke frequently with him at that time: By this the credit of the St. Omers scholars was quite blasted. There was no reason to mistrust those who had no interest in the matter, and swore that they saw Oates about that time; whereas the evidence given by scholars bred in the Jesuits college, when it was to save some of their Order, was liable to a very just suspicion. Bedlow now swore against them all, not upon hearsay as before, but on his own knowledge; and no regard was had to his former Oath mentioned in Ireland's trial. Dugdale did likewise swear against some of them: One part of his evidence seemed scarce credible. He swore, that Whitebread did

in a letter that was directed to himself, tho' intended for F. Evers, and that came to him by the common post, and was signed by Whitebread, desire him to find out men proper to be made use of in killing the King, of what quality soever they might be. This did not look like the cunning of Jesuits in an age, in which all people made use either of cyphers, or of some disguised cant. But the overthrowing the St. Omers evidence was now such an additional load on the Jesuits, that the jury came quickly to a verdict; and they were condemned. At their execution they did with the greatest solemnity, and the deepest imprecations possible, deny the whole evidence upon which they were condemned: And protested, that they held no opinions either of the lawfulness of assassinating Princes, or of the Pope's power of deposing them, and that they counted all equivocation odious and sinful. All their speeches were very full of these heads. Govan's was much laboured, and too rhetorical. A very zealous Protestant, that went oft to see them in prison, told me, that they behaved themselves with great decency, and with all the appearances both of innocence and devotion.

Langhorn, the lawyer, was tried next: He made use of the St. Omers scholars: But their evidence seemed to be so baffled, that it served him in no stead. He insisted next on some contradictions in the several depositions that Oates had given at several trials: But he had no other evidence of that besides the printed trials, which was no proof in law. The Judges said upon this, (that which is perhaps good in law, but yet does not satisfy a man's mind,) that great difference was to be made between a narrative upon oath, and an evidence given in Court. If a man was false in any one oath, there seemed to be just reason to set him aside, as no good witness. Langhorn likewise urged this, that it was six weeks after Oates's first discovery before he named him: Whereas, if the commissi-

1679.  ons had been lodged with him, he ought to have been seized on and searched first of all. Bedlow swore, he saw him enter some of Coleman's treasonable letters in a register, in which express mention was made of killing the King. He shewed the improbability of this, that a man of his business could be set to register letters. Yet all was of no use to him; for he was cast. Great pains was taken to persuade him to discover all he knew; and his execution was delayed for some weeks, in hopes that somewhat might be drawn from him. He offered a discovery of the estates and stock that the Jesuits had in England, the secret of which was lodged with him: But he protested, that he could make no other discovery; and persisted in this to his death. He spent the time, in which his execution was respited, in writing some very devout and well composed meditations. He was in all respects a very extraordinary man: He was learned, and honest in his Profession; but was out of measure bigotted in his religion. He died with great constancy.

And
death.

These executions, with the denials of all that suffered, made great impressions on many. Several books were writ, to shew that lying for a good end was not only thought lawful among them, but had been often practised, particularly by some of those who died for the gunpowder treason, denying those very things which were afterwards not only fully proved, but confessed by the persons concerned in them: Yet the behaviour, and last words, of those who suffered made impressions which no books could carry off.

Some months after this one Serjeant, a secular Priest, who had been always in ill terms with the Jesuits, and was a zealous Papist in his own way, appeared before the Council upon security given him; and he averred, that Govan, the Jesuit, who died protesting he had never thought it lawful to murder Kings, but had always detested it, had

1679.



had at his last being in Flanders said to a very devout person, from whom Serjeant had it, that he thought the Queen might lawfully take away the King's life for the injuries he had done her, but much more because he was a heretick. Upon that Serjeant run out into many particulars, to shew how little credit was due to the protestations made by Jesuits even at their death. This gave some credit to the tenderest part of Oates's evidence with relation to the Queen. It shewed, that the trying to do it by her means had been thought of by them. All this was only evidence from second hand: So it signified little. Serjeant was much blamed for it by all his own side. He had the reputation of a sincere and good, but of an indiscreet, man. The executions were generally imputed to Lord Shaftsbury, who drove them on in hopes that some one or other to have saved himself would have accused the Duke. But by these the credit of the witnesses, and of the whole plot, was sinking apace. The building so much, and shedding so much blood, upon the weakest part of it, which was the credit of the witnesses, raised a general prejudice against it all; and took away the force of that, which was certainly true, that the whole party had been contriving a change of religion by a foreign assistance, so that it made not impression enough, but went off too fast. It was like the letting blood, (as one observed) which abates a fever. Every execution, like a new bleeding, abated the heat that the Nation was in; and threw us into a cold deadness, which was like to prove fatal to us.

Wakeman's trial came on next. Oates swore, Wake- he saw him write a bill to Ashby the Jesuit, by man's which he knew his hand: And he saw another trial. letter of his writ in the same hand, in which he directed Ashby, who was then going to the Bath, to use a milk diet, and to be pump'd at the Bath; and that in that letter he mentioned his zeal in the design of killing the King. He next repeated all

1679.

the story he had sworn against the Queen: Which he brought only to make it probable that Wakeman, who was her physician, was in it. To all this Wakeman objected, that at first Oates accused him only upon hearsay: And did solemnly protest he knew nothing against him: Which was fully made out. So he said, all that Oates now swore against him must be a forgery not thought of at that time. He also proved by his own servant, and by the apothecary at the Bath, that Ashby's paper was not writ, but only dictated by him: For he happened to be very weary when he came for it, and his man wrote it out: And that of the milk diet was a plain indication of an ill laid forgery; since it was known that nothing was held more inconsistent with the Bath water than milk. Bedlow swore against him, that he saw him receive a bill of 2000 l. from Harcourt in part of a greater sum; and that Wakeman told him afterwards that he had received the money; and that Harcourt told him for what end it was given, for they intended the King should be killed, either by those they sent to Windsor, or by Wakeman's means: And, if all other ways failed, they would take him off at Newmarket. Bedlow in the first giving his evidence deposed, that this was said by Harcourt when Wakeman was gone out of the room. But observing, by the questions that were put him, that this would not affect Wakeman, he swore afterwards, that he said it likewise in his hearing. Wakeman had nothing to set against all this, but that it seemed impossible that he could trust himself in such matters to such a person: And if Oates was set aside, he was but one witness. Three other Benedictin Priests were tried with Wakeman. Oates swore, that they were in the plot of killing the King; that one of them, being their Superior, had engaged to give 6000 l. towards the carrying it on. Bedlow swore somewhat circumstantial to the same purpose against two of them: But that

1679.

did not rise up to be treason; And he had nothing to charge the third with. They proved, that another person had been their Superior for several years; and that Oates was never once suffered to come within their house, which all their servants deposed. And they also proved, that when Oates came into their house the night after he made his discovery, and took Pickering out of his bed, and saw them, he said, he had nothing to lay to their charge. They urged many other things to destroy the credit of the witnesses: And one of them made a long declamation, in a high bombast strain, to shew what credit was due to the speeches of dying men. The eloquence was so forced and childish, that this did them more hurt than good. Scroggs summed up the evidence very favourably for the prisoners, far contrary to his former practice. The truth is, that this was looked on, as the Queen's trial, as well as Wakeman's. The prisoners were acquitted: And now the witnesses saw they were blasted. And they were enraged upon it; which they vented with much spite upon Scroggs. And there was in him matter enough to work on for such foul mouthed people as they were. The Queen got a man of great Quality to be sent over Ambassador from Portugal, not knowing how much she might stand in need of such a protection. He went next day with great state to thank Scroggs for his behaviour in this trial. If he meant well in this complement, it was very unadvisedly done: For the Chief Justice was exposed to much censure by it. And therefore some thought it was a shew of civility done on design to ruin him. For, how well pleased soever the Papists were with the success of this trial, and with Scroggs's management, yet they could not be supposed to be so satisfied with him, as to forgive his behaviour in the former trials, which had been very indecently partial and violent.

1679.

Debates
about dis-
solving
the Par-
liament.

It was now debated in Council whether the Parliament, now prorogued, should be dissolved, or not. The King prevailed on the Lords of Effex and Hallifax to be for a dissolution, promising to call another Parliament next winter. Almost all the new Counsellors were against the dissolution. They said, the Crown had never gained any thing by dissolving a Parliament in anger: The same men would probably be chosen again, while all that were thought favourable to the Court would be blasted, and for the most part set aside. The new men thus chosen, being fretted by a dissolution, and put to the charge and trouble of a new election, they thought the next Parliament would be more uneasy to the King than this if continued. Lord Effex and Hallifax on the other hand argued, that since the King was fixed in his resolutions, both with relation to the Exclusion and to the Lord Danby's pardon, his Parliament had engaged so far in both these, that they could not think that these would be let fall: Whereas a new Parliament, tho' composed of the same members, not being yet engaged, might be persuaded to take other methods. The King followed this advice, which he had directed himself: Two or three days after, Lord Hallifax was made an Earl, which was called the reward of his good counsel. And now the hatred between the Earl of Shaftsbury and him broke out into many violent and indecent instances. On Lord Shaftsbury's side more anger appeared, and more contempt on Lord Hallifax's. Lord Effex was a softer man, and bore the censure of the party more mildly: He saw how he was cried out on for his last advice: But as he was not apt to be much heated, so all he said to me upon it was, that he knew he was on a good bottom, and that good intentions would discover themselves, and be justified by all in conclusion.

The af-
fairs of
Scotland.

I now put a stop in the further relation of affairs in England, to give an account of what past in

Scotland. The party against Duke Lauderdale had lost all hopes, seeing how affairs were carried in the last convention of Estates: But they began to take heart upon this great turn in England. The Duke was sent away, and the Lord Danby was in the Tower, who were that Duke's chief supports: And when the new council was settled, Duke Hamilton and many others were encouraged to come up and accuse him. The truth was, the King found his memory was failing him; and so he resolved to let him fall gently, and bring all Scotch affairs into the Duke of Monmouth's hands. The Scotch Lords were desired, not only by the King, but by the new Ministers, to put the heads of their charge against Duke Lauderdale in writing; and the King promised to hear lawyers on both sides, and that the Earls of Essex and Hallifax should be present at the hearing. Mackenzie was sent for, being the King's advocate, to defend the administration; and Lockhart and Cunningham were to argue against it. The last of these had not indeed Lockhart's quickness, nor his talent in speaking; but he was a learned and judicious man, and had the most universal, and indeed the most deserved reputation for integrity and virtue of any man, not only of his own profession, but of the whole Nation. The hearing came on as was promised; and it was made out beyond the possibility of an answer, that the giving commissions to an Army to live on free Quarters in a quiet time was against the whole constitution, as well as the express laws of that Kingdom; and that it was never done but in an enemy's country, or to suppress a rebellion: They shewed likewise, how unjust and illegal all the other parts of his administration were. The Earls of Essex and Hallifax told me every thing was made out fully; Mackenzie having nothing to shelter himself in, but that flourish in the act against field Conventicles, in which they were called the rendezvous of rebellion;

1679. from which he inferred, that the country where these had been frequent was in a state of rebellion. Kings naturally love to hear prerogative magnified: Yet on this occasion the King had nothing to say in defence of the administration. But when May, the master of the privy purse, asked him in his familiar way what he thought now of his Lauderdale, he answered, as May himself told me, that they had objected many damned things that he had done against them, but there was nothing objected that was against his service. Such are the notions that many Kings drink in, by which they set up an interest for themselves in opposition to the interest of the people: And as soon as the people observe that, which they will do sooner or later, then they will naturally mind their own interest, and set it up as much in opposition to the Prince: And in this contest the people will grow always too hard for the Prince, unless he is able to subdue and govern them by an army. The Duke of Monmouth was beginning to form a scheme of a ministry: But now the government in Scotland was so remiss, that the people apprehended they might run into all sort of confusion. They heard that England was in such distractions that they needed fear no force from thence. Duke Lauderdale's party was losing heart, and were fearing such a new model there as was set up here in England. All this set those mad people that had run about with the field Conventicles into a frenzy: They drew together in great bodies: Some parties of the troops came to disperse them, but found them both so resolute and so strong, that they did not think fit to engage them: Sometimes they fired on one another, and some were killed of both sides.

The
Archbi-
shop of St.
Andrews
is mur-
dered.

When a party of furious men were riding thro' a moor near St. Andrews, they saw the Archbishop's coach appear: He was coming from a council day, and was driving home: He had sent some of his servants home before him, to let them know

he

1672.

he was coming, and others he had sent off on complements; so that there was no horsemen about the coach. They seeing this concluded, according to their frantick enthusiastick notions, that God had now delivered up their greatest enemy into their hands: Seven of them made up to the coach, while the rest were as scouts riding all about the moor. One of them fired a pistol at him, which burnt his coat and gown, but did not go into his body: Upon this they fancied he had a magical secret to secure him against a shot; and they drew him out of his coach, and murdered him barbarously, repeating their strokes till they were sure he was quite dead: And so they got clear off, no body happening to go cross the moor all the while. This was the dismal end of that unhappy man: It struck all people with horror, and softened his enemies into some tenderness: So that his memory was treated with decency by those who had very little respect for him during his life.

A week after that, there was a great field Conventicle held within ten miles of Glasgow: A body of the guards engaged with them, and they made such vigorous resistance, that the guards having lost thirty of their number were forced to run for it: So the Conventicle formed itself into a body and marched to Glasgow: The person that led them had been bred by me, while I lived at Glasgow, being the younger son of Sir Tho. Hamilton that had married my sister, but by a former wife: He was then a lively hopeful young man: But getting into that company, and into their notions, he became a crack-brained enthusiast. Duke Lauderdale and his party published every where that this rebellion was headed by a nephew of mine, whom I had prepared for such a work while he was in my hands: Their numbers were so magnified, that a company or two which lay at Glasgow retired in all haste, and left the town to them, tho' they were then not above four or five hundred; and these

A rebellion in Scotland.

1679. were so ill armed, and so ill commanded, that a troop of horse could have easily dispersed them. The Council at Edinburgh sent the Earl of Linlithgow against them with a thousand foot, two hundred horse, and two hundred dragoons: A force much greater than was necessary for making head against such a rabble. He marched till he came within ten miles of them; and then he pretended he had intelligence that they were above eight thousand strong; so he marched back; for he said, it was the venturing the whole force the King had upon too great an inequality: He could never prove that he had any such intelligence: Some imputed this to his fear: Others thought, that being much engaged with Duke Lauderdale, he did this on purpose to give them time to increase their numbers: And thought their madness would be the best justification of all the violences that had been committed in Duke Lauderdale's administration. Thus the country was left in their hands: And if there had been any designs or preparations made formerly for a rebellion, now they had time enough to run together and to form themselves: But it appeared that there had been no such designs, by this, that none came into it but those desperate intercommoned men, who were as it were hunted from their houses into all those extravagances that men may fall in, who wander about inflaming one another, and are heated in it with false notions of Religion. The rebels having the country left to their discretion fancied that their numbers would quickly increase: And they set out a sort of manifesto, complaining of the oppressions they lay under, asserting the obligation of the covenant: And they concluded it with the demand of a free Parliament. When the news of this came to Court, Duke Lauderdale said, it was the effect of the encouragement that they had from the King's hearkning to their complaints: Whereas all indif-

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ferent men thought it was rather to be imputed to his insolence and tyranny. 1679.

The King resolv'd to lose no time: So he sent the Duke of Monmouth down post, with full powers to command in chief: And directions were sent to some troops that lay in the north of England to be ready to march upon his orders. Duke Lauderdale apprehended that those in arms would presently submit to the Duke of Monmouth, if there was but time given for proper instruments to go among them, and that then they would pretend they had been forced into that rising by the violence of the government: So he got the King to send positive orders after him, that he should not treat with them, but fall on them immediately: Yet he march'd so slowly that they had time enough given them to dispose them to a submission. They fix'd at Hamilton, near which there is a bridge on Clide, which it was believed they intended to defend; but they took no care of it. They sent some to treat with the Duke of Monmouth: He answer'd, that if they would submit to the King's mercy, and lay down their arms, he would interpose for their pardon, but that he would not treat with them as long as they were in arms: And some were beginning to press their rendring themselves at discretion: They had neither the grace to submit, nor the sense to march away, nor the Courage to fight it out: But suffer'd the Duke of Monmouth to make himself master of the bridge. They were then four thousand men: But few of them were well armed: If they had charg'd those that came first over the bridge, they might have had some advantage: But they look'd on like men that had lost both sense and courage: And upon the first charge they threw down their arms and ran away: There were between two or three hundred killed, and twelve hundred taken prisoners; The Duke of Monmouth stop't the execution that his men were making as soon as he could, and saved

Monmouth sent down to suppress it.

They were soon broken.

1679.

saved the prisoners; for some moved, that they should be all killed upon the spot. Yet this was afterwards objected to him as a neglect of the King's service, and as a courting the people: The Duke of York talked of it in that strain: And the King himself said to him, that if he had been there they should not have had the trouble of prisoners: He answered, he could not kill men in cold blood; that was work only for butchers. Duke Lauderdale's creatures pressed the keeping the army some time in that Country, on design to have eat it up: But the Duke of Monmouth sent home the Militia, and put the troops under discipline: So that all that Country was sensible, that he had preserved them from ruin: The very fanatical party confessed that he treated them as gently as possible, considering their madness: He came back to Court as soon as he had settled matters, and moved the King to grant an indemnity for what was past, and a liberty to hold meetings under the King's license or connivance: He shewed the King that all this madness of field Conventicles flowed only from the severity against those that were held within doors. Duke Lauderdale drew the indemnity in such a manner that it carried in some clauses of it a full pardon to himself and all his party; but he clogged it much with relation to those for whom it was granted. All Gentlemen, Preachers and Officers were excepted out of it; so that the favour of it was much limited. Two of their Preachers were hanged, but the other prisoners were let go upon their signing a bond for keeping the peace: Two hundred of them were sent to Virginia, but they were all cast away at sea. Thus ended this tumultuary rebellion, which went by the name of Bothwell-Bridge, where the action was. The King soon after sent down orders for allowing meeting houses: But the Duke of Monmouth's interest sunk so soon after this, that these

were

were scarce opened when they were shut up again : 1679.
 Their enemies said, this looked like a rewarding them for their rebellion.

An accident happened soon after this that put the whole Nation in a fright, and produced very great effects : The King was taken ill at Windsor of an intermitting fever : The fits were so long and so severe, that the physicians apprehended he was in danger : Upon which he ordered the Duke to be sent for, but very secretly ; for it was communicated to none but to the Earls of Sunderland, Essex and Hallifax. The Duke made all possible haste, and came in disguise thro' Calais, as the quicker passage ; But the danger was over before he came : The fits did not return after the King took Quinquina, called in England the Jesuits powder : As he recovered it was moved, that the Duke should be again sent beyond sea : He had no mind to it : But when the King was positive in it, he moved that the Duke of Monmouth should be put out of all command, and likewise sent beyond sea. The Duke of Monmouth's friends advised him to agree to this ; for he might depend on it, that as soon as the Parliament met an address would be made to the King for bringing him back, since his being thus divested of his commissions, and sent away at the Duke's desire, would raise his interest in the Nation.

The King taken ill, and the Duke comes to Court.

At this time the party that began to be made for the Duke of York were endeavouring to blow matters up into a flame every where : Of which the Earl of Essex gave me the following instance, by which it was easy to judge what sort of intelligence they were apt to give, and how they were possessing the King and his ministers with ill grounded fears : He came once to London on some treasury business the day before the common Hall was to meet in the City : So the spies that were employed to bring news from all corners came to him, and assured him that it was resolved

The many false stories spread to raise jealousy.

1679. next day to make use of the noise of that meeting, and to seize on the Tower, and do all such things as could be managed by a popular fury. The advertisements came to him from so many hands, that he was inclined to believe there was somewhat in it: Some pressed him to send soldiers into the Tower and to the other parts of the City. He would not take the alarm so hot, but he sent to the Lieutenant of the Tower to be on his guard: And he ordered some companies to be drawn up in Covent-Garden and in Lincolns-Inn-Fields: And he had two hundred men ready, and barges prepared to carry them to the Tower, if there should have been the least shadow of tumult: But he would not seem to fear a disorder too much, lest perhaps that might have produced one: Yet after all the affrighting stories that had been brought him, the next day past over very calmly, it not appearing by the least circumstance that any thing was designed, besides the business for which the common Hall was summoned. He often reflected on this matter: Those mercenary spies are very officious, that they may deserve their pay; and they shape their story to the tempers of those whom they serve: And to such creatures, and to their false intelligence, I imputed a great deal of the jealousy that I found the King possessed with. Both the Dukes went now beyond sea: And that enmity which was more secret before, and was covered with a Court civility, did now break out open and barefaced. But it seemed that the Duke of York had prevailed with the King not to call the Parliament that winter, in hope that the heat the Nation was in would with the help of some time grow cooler, and that the party that began now to declare more openly for the right of succession would gain ground. There was also a pretended discovery now ready to break out, which the Duke might be made believe would carry off the

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the plot from the Papists, and cast it on the contrary party.

1679.

Dangerfield, a subtil and dexterous man, who had gone thro' all the shapes and practices of roguery, and in particular was a false coiner, undertook now to coin a plot for the ends of the Papists. He was in jayl for debt, and was in an ill intrigue with one Cellier a Popish midwife, who had a great share of wit, and was abandoned to lewdness. She got him to be brought out of prison, and carried him to the Countess of Powis, a zealous managing Papist. He, after he had laid matters with her, as will afterwards appear, got into all companies, and mixed with the hottest men of the Town, and studied to engage others with himself to swear, that they had been invited to accept of commissions, and that a new form of government was to be set up, and that the King and the Royal Family were to be sent away. He was carried with this story first to the Duke, and then to the King, and had a weekly allowance of money, and was very kindly used by many of that side; so that a whisper run about Town, that some extraordinary thing would quickly break out: And he having some correspondence with one Colonel Mansel, he made up a bundle of seditious but ill contrived letters, and laid them in a dark corner of his room: And then some searchers were sent from the Custom-House to look for some forbidden goods, which they heard were in Mansel's chamber. There were no goods found: But as it was laid they found that bundle of letters: And upon that a great noise was made of a discovery: But upon enquiry it appeared the letters was counterfeited, and the forger of them was suspected; so they searched into all Dangerfield's haunts, and in one of them they found a paper that contained the scheme of this whole fiction, which because it was found in a Meal-tub, came to be called the Meal-tub plot. Dangerfield was upon that clapt
up,

1679. up, and he soon after confessed how the whole matter was laid and managed: In which it is very probable he mixed much of his own invention with truth, for he was a profligate liar. This was a great disgrace to the Popish party, and the King suffered much by the countenance he had given him: The Earls of Essex and Hallifax were set down in the scheme to be sworn against with the rest.

Great jealousy of the King.

Upon this they pressed the King vehemently to call a Parliament immediately. But the King thought that if a Parliament should meet while all mens spirits were sharpened by this new discovery, he would find them in worse temper than ever: When the King could not be prevailed on to do that, Lord Essex left the treasury. The King was very uneasy at this. But Lord Essex was firm in his resolution not to meddle in that post more, since a parliament was not called: Yet, at the King's earnest desire, he continued for some time to go to Council. Lord Hallifax fell ill, much from a vexation of mind: His spirits were oppressed, a deep melancholy seizing him: For a fortnight together I was once a day with him, and found then that he had deep impressions of Religion on him: Some foolish people gave it out that he was mad: But I never knew him so near a state of true wisdom as he was at that time. He was much troubled at the King's forgetting his promise to hold a parliament that winter; and expostulated severely upon it with some that were sent to him from the King: He was offered to be made Secretary of State, but he refused it. Some gave it out that he pretended to be Lord Lieutenant of Ireland, and was uneasy when that was denied him: But he said to me that it was offered to him, and he had refused it. He did not love, he said, a new scene, nor to dine with sound of trumpet and thirty six dishes of meat on his table. He likewise saw that Lord Essex had a mind to be
again

again there; and he was confident he was better fitted for it than he himself was. My being much with him at that time was reflected on: It was said, I had heightned his disaffection to the Court. I was with him only as a divine. 1679.

The Court went on in their own pace: Lord Twedale being then at London moved the Earl of Peterborough, that it would be more honourable, and more for the Duke's interest, instead of living beyond sea, to go and live in Scotland. Lord Peterborough went immediately with it to the King, who approved of it. So notice was given the Duke: And he was appointed to meet the King at Newmarket in October. Lord Twedale saw, that since the Duke of Monmouth had lost his credit with the King, Duke Lauderdale would again be continued in his posts; and that he would act over his former extravagances: Whereas he reckoned that this would be checked by the Duke's going to Scotland; and that he would study to make himself acceptable to that Nation, and bring things among them into order and temper. The Duke met the King at Newmarket as it was ordered: But upon that the Earl of Shaftsbury, who was yet President of the Council, tho' he had quite lost all his interest in the King, called a Council at Whitehall, and represented to them the danger the King was in by the Duke's being so near him; and pressed the Council to represent this to the King. But they did not agree to it: And upon the King's coming to London he was turned out, and Lord Roberts, made then Earl of Radnor, was made Lord President.

The Duke went to Scotland soon after: And upon that the Duke of Monmouth grew impatient, when he found he was still to be kept beyond sea. He begged the King's leave to return: But when he saw no hope of obtaining it, he came over without leave. The King upon that would not see him, and required him to go back; on which his

Monmouth's disgrace.

1679.

Petitions
for a Par-
liament.

his friends were divided. Some advised him to comply with the King's pleasure: But he gave himself fatally up to the Lord Shaftsbury's conduct, who put him on all the methods imaginable to make himself popular. He went round many parts of England, pretending it was for hunting and horse matches; many thousands coming together in most places to see him: So that this looked like the mustering up the force of the party: But it really weakned it: Many grew jealous of the design, and fancied here was a new civil way to be raised. Upon this they joined in with the Duke's party. Lord Shaftsbury set also on foot petitions for a Parliament, in order to the securing the King's person, and the Protestant Religion. These were carried about and signed in many places, notwithstanding the King set out a proclamation against them: Upon that a set of counter petitions was promoted by the Court, expressing an abhorrence of all seditious practices, and referring the time of calling a Parliament wholly to the King. There were not such numbers that joined in the petitions for the Parliament, as had been expected: So this shewed rather the weakness than the strength of the party: And many well meaning men began to dislike those practices, and to apprehend that a change of government was designed.

Some made a reflection on that whole method of proceeding, which may deserve well to be remembered: In the intervals of Parliament, men that complain of the government by keeping themselves in a fullen and quiet state, and avoiding cabals and publick assemblies, grow thereby the stronger and more capable to make a stand when a Parliament comes: Whereas by their forming of parties out of Parliament, unless in order to the managing of elections, they do both expose themselves to much danger, and bring an ill character on their designs over the Nation; which naturally
loves

loves parliamentary cures, but is jealous of all other methods.

1679.

The King was now wholly in the Duke's interest, and resolved to pass that winter without a Parliament. Upon which the Lords Ruffel and Cavendish, Sir Henry Capel, and Mr. Powel, four of the new Counsellors, desired to be excused from their attendance in Council. Several of those who were put in the Admiralty and in other commissions desired likewise to be dismissed: With this the King was so highly offended, that he became more sullen and intractable than he had ever been before.

Great discontent on all sides.

The men that governed now were the Earl of Sunderland, Lord Hide, and Godolphin: The last of these was a younger brother of an ancient Family in Cornwall, that had been bred about the King from a page, and was now considered as one of the ablest men that belonged to the Court: He was the silentest and modestest man, that was perhaps ever bred in a Court. He had a clear apprehension, and dispatched business with great method, and with so much temper that he had no personal enemies: But his silence begot a jealousy, which has hung long upon him. His notions were for the Court: But his incorrupt and sincere way of managing the concerns of the treasury, created in all people a very high esteem for him. He loved gaming the most of any man of business I ever knew; and gave one reason for it, because it delivered him from the obligation to talk much: He had true principles of religion and virtue, and was free from all vanity, and never heaped up wealth: So that all things being laid together, he was one of the worthiest and wisest men that has been employed in our time: And he has had much of the confidence of four of our succeeding Princes.

Godolphin's character.

In the spring of the year eighty the Duke had leave to come to England; and continued about

1680.

1680. the King till the next winter, that the Parliament was to sit. Foreign affairs seemed to be forgot by our Court. The Prince of Orange had projected an alliance against France: And most of the German Princes were much disposed to come into it: For the French had set up a new Court at Metz, in which many Princes were, under the pretence of dependencies and some old forgot or forged titles, judged to belong to the new French conquests. This was a mean as well as a perfidious practice, in which the Court of France raised much more jealousy and hatred against themselves than could ever be balanced by such small accessions as were adjudged by that mock Court. The Earl of Sunderland entred into a particular confidence with the Prince of Orange, which he managed by his Uncle Mr. Sidney, who was sent Envoy to Holland: The Prince seemed confident, that if England would come heartily into it, a strong confederacy might then have been formed against France. Van Beuning was then in England: And he wrote to the town of Amsterdam, that they could not depend on the faith or assistance of England. He assured them the Court was still in the French interest: He also looked on the jealousy between the Court and the Country party as then so high, that he did not believe it possible to heal matters so as to encourage the King to enter into any alliance that might draw on a war: For the King seemed to set that up for a maxim, that his going into a war was the putting himself into the hands of his Parliament; and was firmly resolved against it. Yet the project of a league was formed: And the King seemed inclined to go into it, as soon as matters could be well adjusted at home.

The election of the Sheriff of London.

There was this year at midsummer a new practice begun in the city of London, that produced very ill consequences. The city of London has by Charter the shivalry of Middlesex, as well as of the city: And the two Sheriffs were to be chosen

on

on midsummer day. But the common method had been for the Lord Mayor to name one of the Sheriffs by drinking to him on a publick occasion: And that nomination was commonly confirmed by the Common Hall: And then they named the other Sheriff. The truth was, the way in which the Sheriffs lived made it a charge of about 5000 l. a year: So they took little care about it, but only to find men that would bear the charge; which recommended them to be chosen Aldermen upon the next vacancy, and to rise up according to their standing to the Mayoralty, which generally went in course to the senior Alderman. When a person was set up to be Sheriff that would not serve, he compounded the matter for 400l. fine. All juries were returned by the Sheriffs: But they commonly left that wholly in the hands of their Under-Sheriffs: So it was now pretended that it was necessary to look a little more carefully after this matter. The Under-Sheriffs were generally Attorneys, and might be easily brought under the management of the Court: So it was proposed, that the Sheriffs should be chosen with more care, not so much that they might keep good tables, as that they should return good juries: The person to whom the present Mayor had drunk was set aside: And Bethel and Cornish were chosen Sheriffs for the ensuing year. Bethel was a man of knowledge, and had writ a very judicious book of the interests of Princes: But as he was a known republican in principle, so he was a sullen and wilful man; and turned from the ordinary way of a Sheriff's living into the extrem of fordidness, which was very unacceptable to the body of the citizens, and proved a great prejudice to the party. Cornish, the other Sheriff, was a plain, warm, honest man; and lived very nobly all his year: The Court was very jealous of this, and understood it to be done on design to pack juries: So that the party should be always safe, whatever

1680. they might engage in. It was said, that the King would not have common justice done him hereafter against any of them, how guilty soever. The setting up Bethel gave a great colour to this jealousy; for it was said, he had expressed his approving the late King's death in very indecent terms. These two persons had never before received the Sacrament in the Church, being Independents: But they did it now to qualify themselves for this office, which gave great advantages against the whole party: It was said, that the serving an end was a good resolver of all cases of conscience, and purged all scruples.

Thus matters went on till the winter eighty, in which the King resolved to hold a session of Parliament: He sent the Duke to Scotland a few days before their meeting: And upon that the Dutchess of Portsmouth declared openly for the Exclusion; and so did Lord Sunderland and Godolphin. Lord Sunderland assured all people, that the King was resolved to settle matters with his Parliament on any terms, since the interest of England and the affairs of Europe made a league against France indispensably necessary at that time; which could not be done without a good understanding at home. Lord Sunderland sent Lord Arran for me: I declined this new acquaintance as much as I could: But it could not be avoided: He seemed then very zealous for a happy settlement: And this I owe him in justice, that tho' he went off from the measures he was in at that time, yet he still continued personally kind to myself: Now the great point was, whether the limitations should be accepted, and treated about, or the Exclusion be pursued. Lord Halifax assured me, that any limitations whatsoever that should leave the title of King to the Duke, tho' it should be little more than a meer title, might be obtained of the King: But that he was positive and fixed against the Exclusion. It is true, this was in a great measure imputed to his

The bill of exclusion again taken up.

his management, and that he had wrought the King up to it. 1680.

The most specious handle for recommending the limitations was this: The Duke declared openly against them: So if the King should have agreed to them, it must have occasioned a breach between him and the Duke: And it seemed to be very desirable to have them once fall out; since, as soon as that was brought about, the King of his own accord and for his own security might be moved to promote the Exclusion. The truth is, Lord Halifax's hatred of the Earl of Shaftsbury, and his vanity in desiring to have his own notion preferred, sharpened him at that time to much indecency in his whole deportment: But the party depended on the hopes that Lady Portsmouth and Lord Sunderland gave them: Many meetings were appointed between Lord Halifax and some leading men; in which as he tried to divert them from the Exclusion, so they studied to persuade him to it, both without effect. The majority had engaged themselves to promote the Exclusion, Lord Russel moved it first in the House of Commons, and was seconded by Capel, Mountague, and Winnington: Jones came into the House a few days after this, and went with great zeal into it: Jenkins, now made Secretary of State in Coventry's place, was the chief manager for the Court. He was a man of an exemplary life, and considerably learned: But he was dull and slow: He was suspected of leaning to Popery, tho' very unjustly: But he was set on every punctilio of the Church of England to superstition, and was a great assertor of the divine right of monarchy, and was for carrying the prerogative high: He neither spoke nor writ well: But being so eminent for the most courtly qualifications, other matters were the more easily dispensed with. All his speeches and arguments against the Exclusion were heard with indignation: So the bill was brought into the House. It

1680. was moved by those who opposed it, that the Duke's daughters might be named in it, as the next in the succession: But it was said, that was not necessary; for since the Duke was only personally disabled, as if he had been actually dead, that carried the succession over to his daughters: Yet this gave a jealousy, as if it was intended to keep that matter still undetermined; and that upon another occasion it might be pretended, that the disabling the Duke to succeed did likewise disable him to derive that right to others, which was thus cut off in himself. But, tho' they would not name the Duke's daughters, yet they sent such assurances to the Prince of Orange, that nothing thus proposed could be to his prejudice, that he believed them, and declared his desire, that the King would fully satisfy his Parliament: The States sent over memorials to the King, pressing him to consent to the Exclusion. The Prince did not openly appear in this: But it being managed by Fagel, it was understood that he approved of it: And this created a hatred in the Duke to him, which was never to be removed. Lord Sunderland and Sidney's means engaged the States into it: And he fancied it might have some effect.

The bill of Exclusion was quickly brought up to the Lords. The Earls of Essex and Shaftsbury argued most for it: And the Earl of Halifax was the champion on the other side: He gained great honour in the debate; and had a visible superiority to Lord Shaftsbury in the opinion of the whole House: And that was to him triumph enough. In conclusion, the bill was thrown out upon the first reading: The country party brought it nearer an equality, than was imagined they could do, considering the King's earnestness in it, and that the whole bench of the Bishops was against it. The Commons were inflamed when they saw the fate of their bill: They voted an address to the King to remove Lord Halifax from his counsels and pre-
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But reject
 ed by the
 Lords.

1680.

sence for ever: Which was an unparliamentary thing, since it was visible that it was for his arguing as he did in the House of Lords, tho' they pretended it was for his advising the dissolution of the last Parliament: But that was a thin disguise of their anger: Yet without destroying the freedom of debate, they could not found their address on that which was the true cause of it. Ruffel and Jones, tho' formerly Lord Halifax's friends, thought it was enough not to speak against him in the House of Commons: But they sat silent. Some called him a Papist: Others said he was an Atheist. Chichely, that had married his mother, moved, that I might be sent for to satisfy the House as to the truth of his Religion. I wish, I could have said as much to have persuaded them that he was a good Christian, as that he was no Papist: I was at that time in a very good character in that House: The first volume of the History of the Reformation was then out; and was so well received, that I had the thanks of both Houses for it, and was desired by both to prosecute that work. The Parliament had made an address to the King for a fast day. Dr. Sprat and I were ordered to preach before the House of Commons: My turn was in the morning: I mentioned nothing relating to the plot, but what appeared in Coleman's letters: Yet I laid open the cruelties of the Church of Rome in many instances that hapned in Queen Mary's Reign, which were not then known: And I aggravated, tho' very truly, the danger of falling under the power of that Religion. I pressed also a mutual forbearance among ourselves in lesser matters: But I insisted most on the impiety and vices that had worn out all sense of Religion, and all regard to it among us. Sprat in the afternoon went further into the belief of the plot than I had done: But he insinuated his fears of their undutifulness to the King in such a manner, that they were highly offended at him: So the Commons

1680. did not send him thanks, as they did to me; which raised his merit at Court, as it increased the displeasure against me. Sprat had studied a polite stile much: But there was little strength in it: He had the beginnings of learning laid well in him: But he has allowed himself in a course of some years in much sloth and too many liberties.

The King sent many messages to the House of Commons, pressing for a supply, first for preserving Tangier, he being then in a war with the King of Fez, which by reason of the distance put him to much charge; but chiefly, for enabling him to go into alliances necessary for the common preservation.

The House of Commons proceeded against some with severity.

The House upon that made a long representation to the King of the dangers that both he and they were in; and assured him, they would do every thing that he could expect of them, as soon as they were well secured: By which they meant, as soon as the Exclusion should pass, and that bad Ministers, and ill Judges should be removed. They renewed their address against Lord Halifax; and made addresses both against the Marquis of Worcester, soon after made Duke of Beaufort, and against Lord Clarendon and Hyde, as men inclined to Popery. Hyde spoke so vehemently to vindicate himself from the suspicions of Popery, that he cried in his speech: And Jones upon the score of old friendship got the words relating to Popery to be struck out of the address against him. The Commons also impeached several of the Judges, and Mr. Seymour: The Judges were accused for some illegal charges and judgments; and Seymour, for corruption and male-administration in the office of treasurer of the Navy. They impeached Scroggs for high treason: But it was visible that the matters objected to him were only misdemeanors: So the Lords rejected the impeachment; which was carried chiefly by the Earl of Danby's party, and in favour to him. The Commons did also

also assert the right of the people to petition for a Parliament: And because some in their counter-petitions had expressed their abhorrence of this practice, they voted these abhorers to be betrayers of the liberties of the Nation. They expelled one Withins out of their House for signing one of these, tho' he with great humility confessed his fault, and begged pardon for it. The merit of this raised him soon to be a Judge; for indeed he had no other merit: They fell also on Sir George Jefferies, a furious declaimer at the bar: But he was raised by that, as well as by this prosecution. The House did likewise send their Serjeant to many parts of England to bring up abhorers as delinquents: Upon which the right that they had to imprison any besides their own members came to be much questioned, since they could not receive an information upon oath, nor proceed against such as refused to appear before them. In many places those for whom they sent their Serjeant refused to come up. It was found, that such practices were grounded on no law, and were no elder than Queen Elizabeth's time: While the House of Commons used that power gently, it was submitted to in respect to it: But now it grew to be so much extended, that many resolved not to submit to it. The former Parliament had past a very strict act for the due execution of the Habeas Corpus; which was indeed all they did: It was carried by an odd artifice in the House of Lords. Lord Grey and Lord Norris were named to be the tellers: Lord Norris, being a man subject to vapours, was not at all times attentive to what he was doing: So a very fat Lord coming in, Lord Grey counted him for ten, as a jest at first: But seeing Lord Norris had not observed it, he went on with this misreckoning of ten: So it was reported to the House, and declared that they who were for the bill were the Majority, tho' it indeed went on the other side: And by this means the bill
past.

1680. past. There was a bold forward man, Sheridan, a native of Ireland, whom the Commons committed: And he moved for his Habeas Corpus: Some of the Judges were afraid of the House, and kept out of the way: But Baron Weston had the courage to grant it. The session went yet into a higher strain; for they voted, that all anticipations on any branches of the Revenue were against law, and that whosoever lent any money upon the credit of those anticipations were publick enemies to the Kingdom. Upon this it was said, that the Parliament would neither supply the King themselves, nor suffer him to make use of his credit, which every private man might do. They said on the other hand, that they looked on the revenue as a publick treasure, that was to be kept clear of all anticipations, and not as a private estate that might be mortgaged: And they thought, when all other means of supply except by Parliament were stopped, that must certainly bring the King to their terms. Yet the clamour raised on this, as if they had intended to starve the King, and blast his credit, was a great load on them: And their vote had no effect, for the King continued to have the same credit that he had before. Another vote went much higher: It was for an association, copied from that in Queen Elizabeth's time, for the revenging the King's death upon all Papists, if he should happen to be killed. The precedent of that time was a specious colour: But this difference was assigned between the two cases: Queen Elizabeth was in no danger but from Papists: So that association struck a terror into that whole party, which did prove a real security to her; and therefore her Ministers set it on. But now, it was said, there were many Republicans still in the Nation, and many of Cromwell's officers were yet alive, who seemed not to repent of what they had done: So some of these might by this means be encouraged to attempt on the King's life, presuming that

An association proposed.

that both the suspicions and revenges of it would be cast upon the Duke and the Papists. Great use was made of this to possess all people, that this association was intended to destroy the King, instead of preserving him. 1680.

There was not much done in the House of Lords after they threw out the bill of Exclusion. Lord Halifax indeed pressed them to go on to limitations: And he began with one, that the Duke should be obliged to live five hundred miles out of England during the King's life. But the House was cold, and backward in all that matter. Those that were really the Duke's friends abhorred all those motions: And Lord Shaftsbury and his party laughed at them: They were resolved to let all lie in confusion, rather than hearken to any thing besides the Exclusion. The House of Commons seemed also to be so set against that project, that very little progress was made in it. Lord Essex made a motion, which was agreed to in a thin House: But it put an end to all discourses of that nature: He moved, that an association should be entered into to maintain those expedients, and that some cautionary Towns should be put into the hands of the associators during the King's life to make them good after his death. The King looked on this as a deposing of himself. He had read more in Davila than in any other book of history: And he had a clear view into the consequences of such things, and looked on this as worse than the Exclusion. So that, as Lord Halifax often observed to me, this whole management looked like a design to unite the King more entirely to the Duke, instead of separating him from him: The King came to think that he himself was levelled at chiefly, tho' for decency's sake his brother was only named. The truth was, the leading men thought they were sure of the Nation, and of all future elections, as long as Popery was in view. They fancied the King must have a Parliament, and money

Expedients offered in the House of Lords.

1680.

ney from it very soon, and that in conclusion he would come in to them. He was much beset by all the hungry courtiers, who longed for a bill of money: They studied to persuade him, from his Father's misfortunes, that the longer he was in yielding, the terms would grow the higher.

Duchess
of Portf-
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They relied much on the Lady Portsmouth's interest, who did openly declare her self for the House of Commons: And they were so careful of her, that when one moved that an address should be made to the King for sending her away, he could not be heard, tho' at another time such a motion would have been better entertained. Her behaviour in this matter was unaccountable: And the Duke's behaviour to her afterwards looked liker an acknowledgment than a resentment. Many refined upon it, and thought she was set on as a decoy to keep the party up to the Exclusion, that they might not hearken to the limitations. The Duke was assured, that the King would not grant the one: And so she was artificially managed to keep them from the other, to which the King would have consented, and of which the Duke was most afraid. But this was too fine: She was hearty for the Exclusion: Of which I had this particular account from Mountague, who I believe might be the person that laid the bait before her. It was proposed to her, that if she could bring the King to the Exclusion, and to some other popular things, the Parliament would go next to prepare a bill for securing the King's person; in which a clause might be carried, that the King might declare the Successor to the Crown, as had been done in Henry the eighth's time. This would very much raise the King's authority, and would be no breach with the Prince of Orange, but would rather oblige him to a greater dependance on the King. The Duke of Monmouth and his party would certainly be for this clause, since he could have no prospect any other way; and he would

pleas

please himself with the hopes of being preferred by the King to any other person. But since the Lady Portsmouth found she was so absolutely the mistress of the King's spirit, she might reckon, that if such an act could be carried the King would be prevailed on to declare her son his successor: And it was suggested to her, that in order to the strengthening her Son's interest she ought to treat for a match with the King of France's natural Daughter, now the Duchess of Bourbon. And thus the Duke of Monmouth and she were brought to an agreement to carry on the Exclusion, and that other act pursuant to it: And they thought they were making tools of one another to carry on their own ends. The Nation was possessed with such a distrust of the King, that there was no reason to think they could ever be brought to so entire a confidence in him, as to deliver up themselves and their posterity so blindfold into his hands. Mountague assured me, that she not only acted heartily in this matter, but she once drew the King to consent to it, if she might have had 800000 l. for it: And that was afterwards brought down to 600000 l. But the jealousies upon the King himself were such, that the managers in the House of Commons durst not move for giving money till the bill of Exclusion should pass, lest they should have lost their credit by such a motion: And the King would not trust them. So near was this point brought to an agreement, if Mountague told me true.

That which reconciled the Duke to the Duchess of Portsmouth was, that the King assured him, she did all by his order, that so she might have credit with the party, and see into their designs: Upon which the Duke saw it was necessary to believe this, or at least to seem to believe it.

The other great business of this Parliament was the trial of the Viscount of Stafford, who was the younger son of the old Earl of Arundell, and so was uncle to the Duke of Norfolk. He was a weak,

1680.

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Stafford's trial.

1680. weak, but a fair conditioned man: He was in ill terms with his nephew's family: And had been guilty of great vices in his youth, which had almost proved fatal to him: He married the heirefs of the great Family of the Staffords. He thought the King had not rewarded him for his former services as he had deserved: So he often voted against the Court, and made great applications always to the Earl of Shaftsbury. He was in no good terms with the Duke; for the great consideration the Court had of his nephew's family made him to be the most neglected: When Oates deposed first against him, he hapned to be out of the way: And he kept out a day longer. But the day after he came in, and delivered himself: Which, considering the feebleness of his temper, and the heat of that time, was thought a sign of innocence. Oates and Bedlow swore, he had a patent to be paymaster general to the army. Dugdale swore, that he offered him 500*l.* to kill the King. Bedlow had died the summer before at Bristol. It was in the time of the affizes: North, Lord Chief Justice of the Common Pleas, being there, he sent for him, and by oath confirmed all that he had sworn formerly, except that which related to the Queen, and to the Duke. He also denied upon oath, that any person had ever practised upon him, or corrupted him: His disowning some of the particulars which he had sworn had an appearance of sincerity, and gave much credit to his former depositions. I could never hear what sense he expressed of the other ill parts of his life, for he vanished soon out of all men's thoughts.

Another witness appeared against Lord Stafford, one Turbervill; who swore, that in the year seventy five the Lord Stafford had taken much pains to persuade him to kill the King: He began the proposition to him at Paris; and sent him by the way of Diep over to England, telling him that he

intended to follow by the same road: But he wrote afterwards to him that he was to go by Calais. 1680.
But he said he never went to see him upon his coming to England. Turbervill swore the year wrong at first: But upon recollection he went and corrected that error. This at such a distance of time seemed to be no great matter: It seemed much stranger, that after such discourses once begun he should never go near the Lord Stafford; and that Lord Stafford should never enquire after him. But there was a much more material objection to him. Turbervill, upon discourse with some in St. Martin's parish, seemed inclined to change his Religion: They brought him to Dr. Lloyd, then their minister: And he convinced him so fully that he changed upon it: And after that he came often to him, and was chiefly supported by him: For some months he was constantly at his table. Lloyd had pressed him to recollect all that he had heard among the Papists relating to plots and designs against the King or the Nation. He said that which all the converts at that time said often, that they had it among them that within a very little while their Religion would be set up in England; and that some of them said, a great deal of blood would be shed before it could be brought about: But he protested that he knew no particulars. After some months dependance on Lloyd he withdrew entirely from him; and he saw him no more till he appeared now an evidence against Lord Stafford: Lloyd was in great difficulties upon that occasion. It had been often declared, that the most solemn denials of witnesses before they make discoveries did not at all invalidate their evidence; and that it imported no more, but that they had been so long firm to their promise of revealing nothing: So that this negative evidence against Turbervill could

1680.

could have done Lord Stafford no service. On the other hand, considering the load that already lay on Lloyd on the account of Berry's business, and that his being a little before this time promoted to be Bishop of St. Asaph was imputed to that, it was visible that his discovering this against Turbervill would have aggravated those censures, and very much blasted him. In opposition to all this here was a justice to be done, and a service to truth, towards the saving a man's life: And the question was very hard to be determined. He advised with all his friends, and with my self in particular. The much greater number were of opinion that he ought to be silent. I said, my own behaviour in Staley's affair shewed what I would do if I was in that case: But his circumstances were very different: So I concurred with the rest as to him. He had another load on him: He had writ a book with very sincere intentions, but upon a very tender point: He proposed, that a discrimination should be made between the regular Priests that were in a dependance and under directions from Rome, and the secular Priests that would renounce the Pope's deposing power and his infallibility: He thought this would raise heats among themselves, and draw censures from Rome on the seculars, which in conclusion might have very good effects. This was very plausibly writ, and designed with great sincerity: But angry men said, all this was intended only to take off so much from the apprehensions that the Nation had of Popery, and to give a milder idea of a great body among them: And as soon as it had that effect, it was probable that all the missionaries would have leave given them to put on that disguise, and to take those discriminating tests till they had once prevailed: And then they

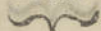
they would throw them off. Thus the most zealous man against Popery that I ever yet knew, and the man of the most entire sincerity, was so heavily censured at this time, that it was not thought fit, nor indeed safe, for him to declare what he knew concerning Turbervill.

1680.

The trial was very august: The Earl of Nottingham was the Lord High Steward: It continued five days. On the first day the Commons brought only general evidence to prove the plot: Smith swore some things that had been said to him at Rome of killing the King: An Irish Priest that had been long in Spain confirmed many particulars in Oates's narrative: Then the witnesses deposed all that related to the plot in general. To all this Lord Stafford said little, as not being much concerned in it: Only he declared, that he was always against the Pope's power of deposing Princes. He also observed a great difference between the gun-powder plot and that which was now on foot: That in the former all the chief conspirators died confessing the fact; but that now all died with the solemnest protestations of their innocence. On the second day the evidence against himself was brought: He urged against Oates that he swore he had gone in among them on design to betray them: So that he had been for some years taking oaths and receiving sacraments in so treacherous a manner, that no credit could be given to a man that was so black by his own confession. On the third day he brought his evidence to discredit the witnesses: His servant swore, that while he was at the Lord Aston's, Dugdale never was in his chamber but once; and that was on the account of a foot race. Some deposed against Dugdale's reputation: and one said, that he had been practising on himself to swear as he should direct him. The minister of the parish and another gentleman deposed, that they heard nothing from Dugdale

1680.

concerning the killing a Justice of Peace in Westminster, which, as he had sworn, he had said to them. As to Turbervill, who had said that the Lord Stafford was at that time in a fit of the gout, his servants said they never knew him in a fit of the gout: And he himself affirmed, he never had one in his whole life. He also proved that he did not intend to come to England by Diep; for he had writ for a Yacht which met him at Calais. He also proved by several witnesses, that both Dugdale and Turbervill had often said that they knew nothing of any plot; and that Turbervill had lately said, he would set up for a witness, for none lived so well as witnesses did: He insisted likewise on the mistake of the year, and on Turbervill's never coming near him after he came over to England. The strongest part of his defence was, that he made it out unanswerably, that he was not at the Lord Aston's on one of the times that Dugdale had fixed on; for at that time he was either at Bath or at Badminton. For Dugdale had once fixed on a day; tho' afterwards he said it was about that time: Now that day happened to be the Marquis of Worcester's wedding day: And on that day it was fully proved that he was at Badminton, that Lord's house, not far from the Bath. On the fourth day proofs were brought to support the credit of the witnesses: It was made out that Dugdale had served the Lord Aston long and with great reputation. It was now two full years since he began to make discoveries: And in all that time they had not found any one particular to blemish him with; tho' no doubt they had taken pains to examine into his life. His publishing the news of Godfrey's death was well made out, tho' two persons in the company had not minded it: Many proofs were brought that he was often in Lord Stafford's company, of which many more affidavits were made after that Lord's death.



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death. Two women that were still Papists swore, that upon the breaking out of the plot he searched into many papers, and burnt them: He gave many of these to one of the women to fling in the fire; but finding a book of accounts he laid that aside, saying, there is no treason here, which imported that he thought the others were treasonable. He proved that one of the witnesses brought against him was so infamous in all respects, that Lord Stafford himself was convinced of it. He said, he had only pressed a man, who now appeared against him, to discover all he knew: He said, at such a distance of time he might mistake as to time or a day; but could not be mistaken as to the things themselves. Turbervill described both the street and the room in Paris in which he saw Lord Stafford. He found a witness that saw him at Diep, to whom he complained, that a Lord for whom he looked had failed him: And upon that he said he was no good staff to lean on; by which, tho' he did not name the Lord, he believed he meant Lord Stafford. Dugdale and he both confessed they had denied long that they knew any thing of the plot, which was the effect of the resolution they had taken, to which they adhered long, of discovering nothing: It was also proved that Lord Stafford was often lame, which Turbervill took for the gout. On the fifth day Lord Stafford resumed all his evidence, and urged every particular very strongly. Jones in the name of the Commons did on the other hand resume the evidence against him with great force: He said indeed nothing for supporting Oates; for the objection against him was not to be answered. He made it very clear that Dugdale and Turbervill were two good witnesses, and were not at all discredited by any thing that was brought against them. When it came to the giving of judgment, above fifty of the Peers gave it against Lord

1680. Stafford, and above thirty acquitted him : Four of the Howards, his kinmen, condemned him : Lord Arundell, afterwards Duke of Norfolk, tho' in enmity with him, did acquit him. Duke Lauderdale condemned him : And so did both the Earls of Nottingham and Anglesey. Lord Halifax acquitted him. Lord Nottingham when he gave judgment delivered it with one of the best speeches he had ever made. But he committed one great indecency in it : For he said, who can doubt any longer that London was burnt by Papists, tho' there was not one word in the whole trial relating to that matter. Lord Stafford behaved himself during the whole time, and at the receiving his sentence, with much more constancy than was expected from him.

He sent for me, and employed me to do him service.

Within two days after he sent a message to the Lords, desiring that the Bishop of London and I might be appointed to come to him. We waited on him : His design seemed to be only to possess us with an opinion of his innocence, of which he made very solemn protestations. He heard us speak of the points in difference between us and the Church of Rome with great temper and attention. At parting he desired me to come back to him next day; for he had a mind to be more particular with me. When I came to him, he repeated the protestations of his innocence; and said, he was confident the villany of the witnesses would soon appear : He did not doubt I should see it in less than a year. I pressed him in several points of Religion; and urged several things, which he said he had never heard before. He said, these things on another occasion would have made some impression upon him; but he had now little time, therefore he would lose none in controversy : So I let that discourse fall. I talked to him of those preparations for death in which all Christians agree : He entertained these very seriously. He had a mind

mind to live, if it was possible: He said, he could discover nothing with relation to the King's life, protesting that there was not so much as an intimation about it that had ever past among them. But he added, that he could discover many other things, that were more material than any thing that was yet known, and for which the Duke would never forgive him: And of these, if that might save his life, he would make a full discovery. I stopt him when he was going on to particulars; for I would not be a confident in any thing in which the publick safety was concerned. He knew best the importance of those secrets; and so he could only judge, whether it would be of that value as to prevail with the two Houses to interpose with the King for his pardon. He seemed to think it would be of great use, chiefly to support what they were then driving on with relation to the Duke: He desired me to speak to Lord Essex, Lord Russel, and Sir William Jones. I brought him their answer the next day; which was, that if he did discover all he knew concerning the Papist's designs, and more particularly concerning the Duke, they would endeavour that it should not be insisted on, that he must confess those particulars for which he was judged. He asked me, what if he should name some who had now great credit, but had once engaged to serve their designs: I said, nothing could be more acceptable than the discovering such disguised Papists, or false Protestants: Yet upon this I charged him solemnly not to think of redeeming his own life by accusing any other falsely, but to tell the truth, and all the truth, as far as the common safety was concerned in it. As we were discoursing of these matters, the Earl of Carlile came in: In his hearing, by Lord Stafford's leave, I went over all that had passed between us, and did again solemnly adjure him to say nothing but the truth. Upon this he desired the Earl of Carlile to carry a message from him to the House

1680

of Lords, that whensoever they would send for him he would discover all that he knew: Upon that he was immediately sent for. And he began with a long relation of their first consultations after the Restoration about the methods of bringing in their Religion, which they all agreed could only be brought about by a toleration. He told them of the Earl of Bristol's project; and went on to tell who had undertaken to procure the toleration for them: And then he named the Earl of Shaftsbury. When he named him he was ordered to withdraw: And the Lords would hear no more from him. It was also given out, that in this I was a Tool of Lord Halifax's to bring him thither to blast Lord Shaftsbury. He was sent back to the Tower: And then he composed himself in the best way he could to suffer, which he did with a constant and undisturbed mind: He supped and slept well the night before his execution, and died without any shew of fear or disorder. He denied all that the witnesses had sworn against him. And this was the end of the plot. I was very unjustly censured on both hands. The Earl of Shaftsbury railed so at me that I went no more near him. And the Duke was made believe, that I had persuaded Lord Stafford to charge him, and to discover all he knew against him: Which was the beginning of the implacable hatred he shewed on many occasions against me. Thus the innocentest and best meant parts of a man's life may be misunderstood, and highly censured.

His execution.

1681.

Motions in the favour of the Non-conformists.

The House of Commons had another business before them in this session: There was a severe act past in the end of Queen Elizabeth's reign, when she was highly provoked with the seditious behaviour of the Puritans, by which those who did not conform to the Church were required to abjure the Kingdom under the pain of death: And for some degrees of Non-conformity they were ad-

adjudged to die, without the favour of banishment. Both Houses pass a bill for repealing this act: It went indeed heavily in the House of Lords; for many of the Bishops, tho' they were not for putting that law in execution, which had never been done but in one single instance, yet they thought the terror of it was of some use, and that the repealing it might make the party more insolent. On the day of the prorogation the bill ought to have been offered to the King, but the Clerk of the Crown, by the King's particular order, withdrew the bill. The King had no mind openly to deny it: But he had less mind to pass it. So this indiscreet method was taken, which was a high offence in the Clerk of the Crown. There was a bill of comprehension offered by the episcopal party in the House of Commons, by which the Presbyterians would have been taken into the Church. But to the amazement of all people, their party in the House did not seem concerned to promote it: On the contrary they neglected it. This increased the jealousy, as if they had hoped they were so near the carrying all before them, that they despised a comprehension: There was no great progress made in this bill. But in the morning before they were prorogued two votes were carried in the House, of a very extraordinary nature: The one was, that the laws made against recusants ought not to be executed against any but those of the Church of Rome. That was indeed the primary intention of the law: Yet all persons who came not to Church, and did not receive the sacrament once a year, were within the letter of the law. The other vote was, that it was the opinion of that House, that the laws against Dissenters ought not to be executed. This was thought a great invasion of the Legislature, when one House pretended to suspend the execution of laws: Which was to act like dictators in the State; for they meant that Courts and Juries

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should govern themselves by the opinion that they now gave: Which, instead of being a kindness to the Non-conformists, raised a new storm against them over all the Nation. When the King saw no hope of prevailing with the Commons on any other terms, but his granting the Exclusion, he resolved to prorogue the Parliament. And it was dissolved in a few days after, in January eighty one.

The Parliament was dissolved.

The King resolved to try a Parliament once more: But apprehending that they were encouraged, if not inflamed by the city of London, he summoned the next Parliament to meet at Oxford. It was said, men were now very bold about London, by their confidence in the Juries, that the Sheriffs took care to return. Several printers were indicted for scandalous libels that they had printed: But the Grand Juries returned an Ignoramus upon the bills against them, on this pretence, that the law only condemned the printing such libels maliciously and seditiously, and that it did not appear that the Printers had any ill intentions in what they did; whereas, if it was found that they printed such libels, the construction of law made that to be malicious and seditious. The elections over England for the new Parliament went generally for the same persons that had served in the former Parliament: And in many places it was given as an instruction to the members to stick to the bill of Exclusion.

The King was now very uneasy: He saw he was despised all Europe over, as a Prince that had neither treasure nor power: So one attempt more was to be made, which was to be managed chiefly by Littleton, who was now brought into the commission of the Admiralty. I had once in a long discourse with him argued against the expedients, because they did really reduce us to the state of a Commonwealth. I thought a much better way

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was, that there should be a Protector declared, with whom the regal power should be lodged; and that the Prince of Orange should be the person. He approved the notion: But thought that the title Protector was odious, since Cromwell had assumed it, and that therefore Regent would be better: We dressed up a scheme of this for near two hours: And I dreamt no more of it. But some days after he told me the notion took with some, and that both Lord Hallifax and Seymour liked it. But he wondered to find Lord Sunderland did not go into it. He told me after the Parliament was dissolved, but in great secrecy, that the King himself liked it. Lord Nottingham talked in a general and odd strain about it. He gave it out, that the King was resolved to offer one expedient, which was beyond any thing that the Parliament could have the confidence to ask. Littleton pressed me to do what I could to promote it; and said, that as I was the first that had suggested it, so I should have the honour of it, if it proved so successful as to procure the quieting of the Nation. I argued upon it with Jones: But I found they had laid it down for a maxim, to hearken to nothing but the Exclusion. All the Duke of Monmouth's party looked on this as that which must put an end to all his hopes. Others thought, in point of honour they must go on as they had done hitherto: Jones stood upon a point of law, of the inseparableness of the prerogative from the person of the King. He said, an infant or a lunatick was in a real incapacity of struggling with his guardians; but that if it was not so, the law that constituted their guardians would be of no force. He said, if the Duke came to be King, the prerogative would by that vest in him; and the Prince Regent and he must either strike up a bargain, or it must end in a civil war, in which he believed the force of law would give the King the better

1681.

A new
expedient
of a
Prince
Regent.

1681. better of it. It was not to be denied but that there was some danger in this: But in the ill circumstances in which we were, no remedies could be proposed that were without great inconveniences, and that were not liable to much danger. In the mean while both sides were taking all the pains they could to fortify their party: And it was very visible, that the side which was for the Exclusion was like to be the strongest.

Fitzharris
was taken.

A few days before the King went to Oxford, Fitzharris, an Irish Papist, was taken up for framing a malicious and treasonable libel against the King and his whole Family. He had met with one Everard, who pretended to make discoveries, and as was thought had mixed a great deal of falshood with some truth: But he held himself in general terms, and did not descend to so many particulars as the witnesses had done. Fitzharris and he had been acquainted in France: So on that confidence he shewed him his libel: And he made an appointment to come to Everard's chamber, who thought he intended to trepan him, and so had placed witnesses to overhear all that past. Fitzharris left the libel with him, all writ in his own hand: Everard went with the paper and with his witnesses and informed against Fitzharris, who upon that was committed. But seeing the proof against him was like to be full, he said, the libel was drawn by Everard, and only copied by himself: But he had no sort of proof to support this. Cornish the Sheriff going to see him, he desired he would bring him a Justice of Peace; for he could make a great discovery of the plot, far beyond all that was yet known. Cornish in the simplicity of his heart went and acquainted the King with this: For which he was much blamed; for it was said, by this means that discovery might have been stopt: But his going first with it to the Court proved afterwards a great happiness

happinefs both to himfelf and to many others. The Secretaries and fome privy Counfellors were upon that fent to examine Fitzharris; to whom he gave a long relation of a practice to kill the King, in which the Duke was concerned, with many other particulars which need not be mentioned; for it was all a fiction. The Secretaries came to him a fecond time to examine him farther: He boldly flood to all he had faid: And he defired that fome Juftices of the City might be brought to him. So Clayton and Treby went to him: And he made the fame pretended difcovery to them over again; and infinuated, that he was glad it was now in fafe hands that would not ftifle it. The King was highly offended with this, fince it plainly fhewed a diftruff of his minifters: And fo Fitzharris was removed to the Tower; which the Court refolved to make the prifon for all offenders, till there fhould be Sheriffs chosen more at the King's devotion. Yet the deponition made to Clayton and Treby was in all points the fame that he had made to the Secretaries: So that there was no colour for the pretence afterward put on this, as if they had practifed on him.

The Parliament met at Oxford in March: The King opened it with fevere reflections on the proceedings of the former Parliament. He faid, he was refolved to maintain the fucceffion of the Crown in the right line: But for quieting his peoples fears he was willing to put the adminiftration of the government into Proteftant's hands. This was explained by Ernley and Littleton to be meant of a Prince Regent, with whom the regal prerogative fhould be lodged during the Duke's life. Jones and Littleton managed the debate on the grounds formerly mentioned: But in the end the propofition was rejected; and they refolved to go again to the bill of Exclusion, to the great joy of the Duke's party, who declared themfelves

The Parliament of Oxford was foon diffolved.

more

1681. more against this than against the Exclusion itself. The Commons resolved likewise to take the management of Fitzharris's affair out of the hands of the Court: So they carried to the Lords bar an impeachment against him, which was rejected by the Lords upon a pretence with which Lord Nottingham furnished them. It was this: Edward the third had got some Commoners to be condemned by the Lords; of which when the House of Commons complained, an order was made, that no such thing should be done for the future. Now that related only to proceedings at the King's suit: But it could not be meant, that an impeachment from the Commons did not lie against a Commoner. Judges, Secretaries of State, and the Lord Keeper were often Commoners: So if this was good law, here was a certain method offered to the Court, to be troubled no more with impeachments, by employing only Commoners. In short, the Peers saw the design of this impeachment, and were resolved not to receive it: And so made use of this colour to reject it. Upon that the Commons pass a vote, that justice was denied them by the Lords: And they also voted, that all those who concurred in any sort in trying Fitzharris in any other Court were betrayers of the liberties of their Country. By these steps which they had already made the King saw what might be expected from them: So very suddenly, and not very decently, he came to the House of Lords, the Crown being carried between his feet in a sedan: And he put on his robes in haste, without any previous notice, and called up the Commons, and dissolved the Parliament; and went with such haste to Windsor, that it looked as if he was afraid of the crowds that this meeting had brought to Oxford.

A great
change in
affairs.

Immediately upon this the Court took a new ply; and things went in another channel: Of which I go next to give as impartial an account,

as I have hitherto given of the plot, and of all that related to it. At this time the distinguishing names of Whig and Tory came to be the denominations of the parties. I have given a full account of all errors during this time with the more exactness, to warn posterity from falling into the like excesses, and to make it appear how mad and fatal a thing it is to run violently into a torrent, and in a heat to do those things which may give a general disgust, and to set precedents to others, when times turn, to justify their excesses, by saying they do only follow the steps of those who went before them. The shedding so much blood upon such doubtful evidence was like to have proved fatal to him who drove all these things on with the greatest fury: I mean the Earl of Shaftsbury himself. And the strange change that appeared over the Nation with relation to the Duke, from such an eager prosecution of the Exclusion, to an indecent courting and magnifying him, not without a visible coldness towards the King in comparison of him, shewed how little men could build on popular heats, which have their ebbings and flowings, and their hot and cold fits, almost as certainly as seas or fevers have. When such changes happen, those who have been as to the main with the side that is run down, will be charged with all the errors of their side, how much soever they may have opposed them. I who had been always in distrust of the witnesses, and dissatisfied with the whole method of proceedings, yet came to be fallen on not only in pamphlets and poems, but even in sermons, as if I had been an incendiary, and a main stickler against the Court, and in particular against the Duke. So upon this I went into a closer retirement: And to keep my mind from running after news and affairs, I set myself to the study of Philosophy and Algebra. I diverted myself

1681. self with many proceſſes in Chymiſtry: And I hope I went into the beſt exerciſes, from which I had been much diverted by the buſtling of a great town in ſo hot a time. I had been much truſted by both ſides: And that is a very dangerous ſtate, for a man may come upon that to be hated and ſuſpected by both. I withdrew much from all converſation: Only I lived ſtill in a particular confidence with the Lords Eſſex and Ruſſel.

The
King's de-
claration.

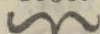
The King ſet out a declaration for ſatiſfying his people. He reckoned up in it all the hard things that had been done by the three laſt Parliaments, and ſet out their undutiſul behaviour to himſelf in many inſtances: Yet in concluſion he aſſured his good ſubjects, that nothing ſhould ever alter his affection to the Proteſtant Religion as eſtabliſhed by law, nor his love to Parliaments: For he would have ſtill frequent Parliaments. When this paſt in Council, the Archbiſhop of Canterbury moved, that an order ſhould be added to it, requiring the Clergy to publiſh it in all the Churches of England: This was looked on as a moſt pernicious precedent, by which the Clergy were made the heralds to publiſh the King's declarations, which in ſome inſtances might come to be not only indecent but miſchievous. An answer was writ to the King's declaration with great ſpirit and true judgment. It was at firſt penned by Sidney: But a new draught was made by Somers, and corrected by Jones. The ſpirit of that ſide was now ſpent: So that this, tho' the beſt writ paper in all that time, yet had no great effect. The declaration

Addreſſes
to the
King from
all parts of
England.

raiſed over England a humour of making addreſſes to the King, as it were in answer to it. The Grand Juries and the bench of Juſtices in the counties, the cities and boroughs, the franchiſes and corporations, many manors, the companies in towns, and at laſt the very apprentices ſent up addreſſes. Of theſe ſome were more modeſtly penned,

penned, and only expressed their joy at the assurances they saw in the King's declaration; and concluded, that they upon that dedicated their lives and fortunes to his service. But the greater number, and the most acceptable, were those who declared they would adhere to the unalterable succession of the Crown in the lineal and legal descent, and condemned the bill of Exclusion. Others went higher, and arraigned the late Parliaments as guilty of sedition and treason. Some reflected severely on the Non-conformists; and thanked the King for his not repealing that act of the thirty fifth of Queen Elizabeth, which they prayed might be put in execution. Some of the addressees were very high panegyrics, in which the King's person and government were much magnified. Many of those who brought these up were knighted upon it: And all were well treated at Court. Many zealous healths were drunk among them: And in their cups the old valour and the swaggerings of the Cavaliers seemed to be revived. The Ministers saw thro' this, and that it was an empty noise, and a false shew. But it was thought necessary then to encourage it. Tho' Lord Halifax could not restrain himself from shewing his contempt of it, in a saying that was much repeated: He said, the petitioners for a Parliament spit in the King's face, but the addressers spit in his mouth. As the country sent up addressees, so the town sent down pamphlets of all sorts, to possess the Nation much against the late Parliament: And the Clergy struck up to a higher note, with such zeal for the Duke's succession, as if a Popish King had been a special blessing from heaven, to be much longed for by a Protestant Church. They likewise gave themselves such a loose against Non-conformists, as if nothing was so formidable as that party: So that in all their sermons Popery was quite forgot, and the force

1681.



force of their zeal was turned almost wholly against the Dissenters; who were now by order from the Court to be proceeded against according to law. There was also a great change made in the commissions all England over: None were left either on the Bench, or in the Militia, that did not with zeal go into the humour of the Court. And such of the Clergy as would not engage in that fury, were cried out upon as the betrayers of the Church, and as secret favourers of the Dissenters. The truth is, the numbers of these were not great: One observed right, that, according to the proverb in the Gospel, "where the carcase is, the Eagles will be gathered together:" The scent of preferment will draw aspiring men after it.

Fitz-
harris's
trial.

Fitzharris's trial came on in Easter Term: Scroggs was turned out, and Pemberton was made Chief Justice. His rise was so particular, that it is worth the being remembered: In his youth he mixed with such lewd company, that he quickly spent all he had; and ran so deep in debt that he was cast into a jail, where he lay many years: But he followed his studies so close in the jail, that he became one of the ablest men of his profession. He was not wholly for the Court: He had been a Judge before, and was turned out by Scroggs's means: And now he was raised again, and was afterwards made Chief Justice of the other Bench: But not being compliant enough, he was turned out a second time, when the Court would be served by none but by men of a thorough-paced obsequiousness. Fitzharris pleaded the impeachment in Parliament: But since the Lords had thrown that out it was over-ruled. He pretended he could discover the secret of Godfrey's murder: He said, he heard the Earl of Danby say at Windsor, that it must be done: But when the Judge told the Grand Jury, that what was said at Windsor did

did not lie before them, Fitzharris immediately said, he had heard him say the same thing at Whitehall. This was very gross: Yet upon so slight an evidence they found the bill against the Lord Danby. And when they were reproached with it, they said a dubious evidence was a sufficient ground for a Grand Jury: Yet another doctrine was set up by the same sort of men within a few months.

Plunket, the Popish Primate of Armagh, was at this time brought to his trial. Some lewd Irish Priests, and others of that Nation, hearing that England was at that time disposed to hearken to good swearers, thought themselves well qualified for the employment: So they came over to swear, that there was a great plot in Ireland, to bring over a French army, and to massacre all the English. The witnesses were brutal and profligate men: Yet the Earl of Shaftsbury cherished them much: They were examined by the Parliament at Westminster: And what they said was believed. Upon that encouragement it was reckoned that we should have witnesses come over in whole companies. Lord Essex told me, that this Plunket was a wise and sober man, who was always in a different interest from the two Talbots; the one of these being the titular Archbishop of Dublin, and the other raised afterwards to be Duke of Tirconnell. These were meddling and factious men; whereas Plunket was for their living quietly, and in due submission to the government, without engaging into intrigues of State. Some of these Priests had been censured by him for their lewdness: And they drew others to swear as they directed them. They had appeared the winter before upon a bill offered to the Grand Jury: But as the foreman of the jury, who was a zealous Protestant, told me, they contradicted one another so evidently, that they would not find the bill. But now they laid their story better together; and swore against Plunket, that he had got

Plunket
an Irish
Bishop
condemned
and
executed.

1681. a great bank of money to be prepared, and that he had an army list'd, and was in a correspondence with France to bring over a fleet from thence. He had nothing to say in his own defence, but to deny all: So he was condemned; and suffered very decently, expressing himself in many particulars as became a Bishop. He died denying every thing that had been sworn against him.

Fitzharris was tried next: And the proof was so full that he was cast. He moved in Court that I might be ordered to come to him, upon what reason I could never imagine: A rule was made that I might speak to him in the presence of the Lieutenant of the Tower. I went to him, and pressed him vehemently to tell the truth, and not to deceive himself with false hopes. I charged him with the improbabilities of his discovery; and laid home to him the sin of perjury, chiefly in matters of blood, so fully, that the Lieutenant of the Tower made a very just report of it to the King, as the King himself told me afterwards. When he saw there was no hope, he said the Lord Howard was the author of the libel. Howard was so ill thought of, that, it being known that there was a familiarity between Fitzharris and him, it was apprehended from the beginning that he was concerned in it. I had seen him in Lord Howard's company, and had told him how indecent it was to have such a man about him: He said he was in want, and was as honest as his Religion would suffer him to be. I found out afterwards, that he was a spy of the Lady Portsmouth's: And that he had carried Lord Howard to her: And, as Lord Howard himself told me, she brought the King to talk with him twice or thrice. The King, as he said, entered into a particular scheme with him of the new frame of his Ministry in case of an agreement, which seemed to him to be very near. As soon as I saw the libel, I was satisfied that Lord Howard was not concerned in

it:

it: It was so ill drawn, and so little disguised in the treasonable part, that none but a man of the lowest form could be capable of making it. The report of Lord Howard's being charged with this was over the whole Town a day before any warrant was sent out against him; which made it appear, that the Court had a mind to give him time to go out of the way. He came to me, and solemnly vowed he was not at all concerned in that matter: So I advised him not to stir from home. He was committed that night: I had no liking to the man's temper: Yet he insinuated himself so into me, that without being rude to him it was not possible to avoid him. He was a man of a pleasant conversation: But he railed so indecently both at the King and the Clergy, that I was very uneasy in his company: Yet now, during his imprisonment, I did him all the service I could. But Afternoon Sidney took his concerns and his family so to heart, and managed every thing relating to him with that zeal, and that care, that none but a monster of ingratitude could have made him the return that he did afterwards. When the bill against Lord Howard was brought to the Grand Jury, Fitzharris's wife and maid were the two witnesses against him: But they did so evidently forswear themselves, that the Attorney General withdrew it. Lord Howard lay in the Tower till the Michaelmas term; and came out by the Habeas Corpus. I went no more to Fitzharris: But Hawkins the Minister of the Tower took him into his management; and prevailed with him not only to deny all his former discovery, but to lay it on Clayton, Treby, and the Sheriffs, as a subornation of theirs, tho' it was evident that was impossible to be true. Yet at the same time he writ letters to his wife, who was not then admitted to him, which I saw and read, in which he told her, how he was practised upon with the hopes of life. He charged her to swear falsely against none: One

1681.

Practices upon Fitzharris at his death.

1681. of these was writ that very morning in which he suffered: And yet before he was led out he signed a new paper containing the former charge of subornation, and put it in Hawkins's hands. And at Tyburn he referred all he had to say to that paper, which was immediately published: But the falshood of it was so very notorious, that it shewed what a sort of a man Hawkins was: Yet he was soon after rewarded for this with the Deanry of Chichester: But when the Court heard what letters Fitzharris had writ to his wife they were confounded: And all further discourse about him was stified. But the Court practised on her by the promise of a pension so far, that she delivered up her husband's letters to them. But so many had seen them before that, that this base practice turned much to the reproach of all their proceedings.

A Protestant plot.

Soon after this Dugdale, Turbervill, Smith, and the Irish witnesses came under another management; and they discovered a plot laid against the King to be executed at Oxford. The King was to be killed; and the government was to be changed. One Colledge, a Joyner by trade, was an active and hot man, and came to be known by the name of the Protestant Joyner. He was first seized on: And the witnesses swore many treasonable speeches against him: He was believed to have spoken oft with great indecency of the King, and with a sort of threatning, that they would make him pass the bill of Exclusion. But a design to seize on the King was so notorious a falshood, that notwithstanding all that the witnesses swore the Grand Jury returned Ignoramus upon the bill. Upon this the Court cried out against the Juries now returned, that they would not do the King justice, tho' the matter of the bill was sworn by witnesses whose testimony was well believed a few months before: It was commonly said, these Juries would believe every thing one way, and nothing the other. If they had found the bill, so that Colledge

had

had been tried upon it, he would have been certainly saved: But since the witnesses swore that he went to Oxford on that design, he was triable there. North went to Oxford, Colledge being carried thither: And he tried him there. North's behaviour in that whole matter was such, that probably, if he had lived to see an impeaching Parliament, he might have felt the ill effects of it. The witnesses swore several treasonable words against Colledge, and that his coming to Oxford was in order to the executing these: So here was an over-act. Colledge was upon a negative: So he had nothing to say for himself, but to shew how little credit was due to the witnesses. He was condemned, and suffered with great constancy, and with appearances of devotion. He denied all the treasonable matter that had been sworn against him, or that he knew of any plot against the King. He confessed, that a great heat of temper had carried him to many undutiful expressions of the King: But he protested he was in no design against him. And now the Court intended to set the witnesses to swear against all the hot party; which was plainly murder in them, who believed them false witnesses, and yet made use of them to destroy others. One passage happened at Colledge's trial, which quite sunk Dugdale's credit: It was objected to him by Colledge, to take away his credit, that, when by his lewdness he had got the French Pox, he to cover that gave it out that he was poisoned by Papists: Upon which he, being then in Court, protested solemnly that he never had that disease; and said, that if it could be proved by any physician that he ever had it, he was content that all the evidence he had ever given should be discredited for ever. And he was taken at his word: For Lower, who was then the most celebrated physician in London, proved at the Council-board that he had been under cure in his hands for that disease; which was made out both

1681.

Colledge
condemned, and
died upon
it.

1681. by his bills, and by the Apothecary that served them. So he was never more heard of.

Shaftsbury
sent to the
Tower.

The Earl of Shaftsbury was committed next, and sent to the Tower upon the evidence of the Irish witnesses. His papers were at the same time seized on and searched: Nothing material was found among them, but a draught of an association, by which the King, if it had taken place, would have reigned only at the discretion of the party. This was neither writ, nor marked in any place with his hand: But, when there was a talk of an association, some had formed this paper, and brought it to him; of which he always professed, after the matter was over, that he remembered nothing at all. So it is probable, that, as is ordinary when any great business is before the Parliament that zealous men are at the doors with their several draughts, this was one of these cast carelessly by, and not thought on by him when he had sent his more valuable papers out of the way. There was likewise but one witness that could swear to its being found there: And that was the Clerk of the Council, who had perused those papers without marking them in the presence of any witness, as taken among Lord Shaftsbury's papers.

Practices
upon wit-
nesses.

There was all this summer strange practising with witnesses to find more matter against him: Wilkinson, a prisoner for debt that had been often with him, was dealt with to accuse him. The Court had found out two solicitors to manage such matters, Burton and Graham, who were indeed fitter men to have served in a court of inquisition than in a legal government. It was known, that Lord Shaftsbury was apt to talk very freely, and without discretion: So the two solicitors sought out all that had frequented his company; and tried what they could draw from them, not by a bare-faced subornation, but by telling them, they knew well that Lord Shaftsbury had talked such and such

1681.

such things, which they named, that were plainly treasonable; and they required them to attest it, if they did ever hear such things from him: And they made them great promises upon their telling the truth. So that they gave hints and made promises to such as by swearing boldly would deserve them, and yet kept themselves out of danger of subornation, having witnesses in some corner of their chambers that over-heard all their discourse. This was their common practice, of which I had a particular account from some whom they examined with relation to myself. In all this foul dealing the King himself was believed to be the chief director: And Lord Halifax was thought deep in it, tho' he always expressed an abhorrence of such practices to me.

His resentments wrought so violently on him, that he seemed to be gone off from all his former notions. He pressed me vehemently to accept of preferment at Court; and said, if I would give him leave to make promises in my name, he could obtain for me any preferment I pleased. But I would enter into no engagements. I was contented with the condition I was in, which was above necessity, tho' below envy: The mastership of the Temple was like to fall, and I liked that better than any thing else. So both Lord Halifax and Lord Clarendon moved the King in it. He promised I should have it. Upon which Lord Halifax carried me to the King. I had reason to believe, that he was highly displeas'd with me for what I had done a year before. Mrs. Roberts, whom he had kept for some time, sent for me when she was a dying: I saw her often for some weeks, and among other things I desired her to write a letter to the King, expressing the sense she had of her past life: And at her desire I drew such a letter, as might be fit for her to write: But she never had strength enough to write it: So upon that I resolv'd to write a very plain letter

I was then offered preferment.

1681.

to the King: I set before him his past life, and the effects it had on the Nation, with the judgments of God that lay on him, which was but a small part of the punishment that he might look for: I pressed him upon that earnestly to change the whole course of his life: I carried this letter to Chiffinch's on the twenty ninth of January; and told the King in the letter, that I hoped the reflections on what had befallen his Father on the thirtieth of January, might move him to consider these things more carefully. Lord Arran happened to be then in waiting: And he came to me next day, and told me, he was sure the King had a long letter from me; for he held the candle to him while he read it: He knew at all that distance that it was my hand: The King read it twice over, and then threw it into the fire: And not long after Lord Arran took occasion to name me: And the King spoke of me with great sharpness: So he perceived that he was not pleased with my letter. Nor was the King pleased with my being sent for by Wilmot Earl of Rochester, when he died: He fancied, that he had told me many things, of which I might make an ill use: Yet he had read the book that I writ concerning him, and spoke well of it. In this state I was in the King's thoughts, when Lord Halifax carried me to him, and introduced me with a very extraordinary complement, that he did not bring me to the King to put me in his good opinion, so much as to put the King in my good opinion: And added, he hoped that the King would not only take me into his favour, but into his heart. The King had a peculiar faculty of saying obliging things with a very good grace: Among other things he said, he knew that, if I pleased, I could serve him very considerably; and that he desired no service from me longer than he continued true to the Church and to the Law. Lord Halifax upon that added, that the King knew he served him

Halifax
carried
me to the
King.

him on the same terms, and was to make his stops. The King and he fell into some discourse about Religion. Lord Halifax said to the King, that he was the head of the Church: To which the King answered, that he did not desire to be the head of nothing; for indeed he was of no Church. From that the King run out into much discourse about Lord Shaftsbury, who was shortly to be tried: He complained with great scorn of the imputation of subornation that was cast on himself. He said, he did not wonder that the Earl of Shaftsbury, who was so guilty of those practices, should fasten them on others. The discourse lasted half an hour very hearty and free: So I was in favour again. But I could not hold it. I was told I kept ill company: The persons Lord Halifax named to me were the Earl of Essex, Lord Russel, and Jones. But I said, I would upon no consideration give over conversing with my friends: So I was where I was before.

A bill of indictment was presented to the Grand Jury against Lord Shaftsbury. The Jury was composed of many of the chief citizens of London. The witnesses were examined in open Court, contrary to the usual custom: The witnesses swore many incredible things against him, mixed with other things that looked very like his extravagant way of talking. The draught of the association was also brought as a proof of his treason, tho' it was not laid in the indictment, and was proved only by one witness. The Jury returned Ignoramus upon the bill. Upon this the Court did declaim with open mouth against these Juries; in which they said the spirit of the party did appear, since men even upon oath shewed they were resolved to find bills true or Ignoramus, as they pleased, without regarding the evidence. And upon this a new set of addressees went round the Kingdom, in which they expressed their abhorrence of that association found in Lord Shaftsbury's

Shaftsbury
was ac-
quitted by
the Grand
Jury.

bury's cabinet; and complained, that Justice was denied the King; which were set off with all the fulsome rhetorick that the penners could varnish them with. It was upon this occasion said, that the Grand Jury ought to find bills even upon dubious evidence, much more when plain treason was sworn; since all they did in finding a bill was only to bring the person to his trial, and then the falshood of the witnesses was to be detected. But in defence of these Ignoramus Juries it was said, that by the expresse words of their oath they were bound to make true presentments of what should appear true to them: And therefore, if they did not believe the evidence, they could not find a bill, tho' sworn to. A book was writ to support that, in which both law and reason were brought to confirm it: It past as writ by Lord Essex, tho' I understood afterwards it was writ by Sommers, who was much esteemed and often visited by Lord Essex, and who trusted himself to him, and writ the best papers that came out in that time. It is true, by the practice that had generally prevailed, Grand Juries were easy in finding bills upon a slight and probable evidence. But it was made out, that the words of their oath, and the reason of the law seemed to oblige them to make no presentments but such as they believed to be true. On the other hand a private ill opinion of a witness, or the looking on a matter as incredible, did not seem to warrant the return of an Ignoramus: That seemed to belong to the Jury on life and death. The chief complaint that was made in the addresses was grounded on their not finding the bill on the account of the draught of the association: And this was in many respects very unreasonable. For as that was not laid in the bill, so there was but one witness to prove it; nor did the matter of the paper rise up to the charge of high treason. And now Dugdale and Turbervill, who had been the witnesses upon whose evidence

evidence Lord Stafford was condemned, being within a year detected, or at least suspected of this villany, I could not but reflect on what he said to me, that he was confident I should see within a year that the witnesses would be found to be rogues.

1681.

As to Turbervill, what happened soon after this will perhaps mitigate the censure: He was taken with the small-pox in a few days after Lord Shaftsbury's trial. The symptoms were so bad, that the physician told him he had no hope of his recovery: Upon which he composed himself to die as became a Christian, and sent for Mr. Hewes the Curate of St. Martin's, who was a very worthy man, and from whom I had this account of him. Turbervill looked on himself as a dead man at the first time he came to him: But his disease did no way affect his understanding or his memory. He seemed to have a real sence of another state, and of the account that he was to give to God for his past life. Hewes charged him to examine himself; and if he had sworn falsely against any man, to confess his sin and glorify God, tho' to his own shame. Turbervill, both in discourse and when he received the sacrament, protested that he had sworn nothing but the truth, in what he deposed both against Lord Stafford and the Earl of Shaftsbury; and renounced the mercies of God, and the benefit of the death of Christ, if he did not speak the plain and naked truth without any reservation: And he continued in the same mind to his death. So here were the last words of dying men, against the last words of those that suffered. To this may well be added, that one who died of sickness, and under a great depression in his spirits, was less able to stifle his conscience, and resist the impressions that it might then make on him, than a man who suffers

1682.

Turbervill's death.

1682. fers on a scaffold, where the strength of the natural spirits is entire, or rather exalted by the sense of the cause he suffers for. And we know that confession and absolution in the Church of Rome give a quiet, to which we do not pretend, where these things are said to be only ministerial, and not authoritative. About a year before this Tonge had died, who first brought out Oates. They quarrelled afterwards: And Tonge came to have a very bad opinion of Oates, upon what reason I know not. He died with expressions of a very high devotion: And he protested to all who came to see him, that he knew of no subornation in all that matter, and that he was guilty of none himself. These things put a man quite in the dark: And in this mist matters must be left, till the great revelation of all secrets. And there I leave it: And from the affairs of England turn to give an account of what past in Scotland during this disorder among us here.

The affairs of Scotland.

The Duke behaved himself upon his first going to Scotland in so obliging a manner, that the Nobility and Gentry, who had been so long trodden on by Duke Lauderdale and his party, found a very sensible change: So that he gained much on them all. He continued still to support that side: Yet things were so gently carried, that there was no cause of complaint. It was visibly his interest to make that Nation sure to him, and to give them such an essay of his government, as might dissipate all the hard thoughts of him, with which the world was possessed: And he pursued this for some time with great temper and as great success. He advised the Bishops to proceed moderately, and to take no notice of Conventicles in houses; and that would put an end to those in the fields. In matters of justice he shewed an impartial temper, and encouraged all propositions relating to trade: And so, considering how much
that

that Nation was set against his Religion, he made a greater progress in gaining upon them than was expected. He was advised to hold a Parliament there in the summer eighty one, and to take the character of the King's Commissioner upon himself.

1682.

A strange spirit of fury had broke loose on some of the Presbyterians, called Cargillites from one Cargill that had been one of the Ministers of Glasgow in the former times, and was then very little considered, but now was much followed, to the great reproach of the Nation. These held that the King had lost the right of the Crown by his breaking the Covenant, which he had sworn at his Coronation: So they said, he was their King no more: And by a formal declaration they renounced all allegiance to him, which a party of them affixed to the cross of Dumfreis, a Town near the west border. The guards fell upon a party of them, whom they found in arms, where Cameron one of their furious teachers (from whom they were also called Cameronians) was killed: But Hackston, that was one of the Archbishop's murderers, and Cargill were taken. Hackston, when brought before the Council, would not own their authority, nor make any answer to their questions. He was so low by reason of his wounds, that it was thought he would die in the question if tortured: So he was in a very summary way condemned to have both his hands cut off, and then to be hanged. All this he suffered with a constancy that amazed all people: He seemed to be all the while as in an enthusiastical rapture, and insensible of what was done to him. When his hands were cut off, he asked, like one unconcerned, if his feet must be cut off likewise: And he had so strong a heart, that notwithstanding all the loss of blood by his wounds, and the cutting off his hands, yet when he was hanged up, and his heart

1682. heart cut out, it continued to palpitate some time after it was on the Hangman's knife, as some Eye-witnesses assured me. Cargill, and many others of that mad sect, both men and women, suffered with an obstinacy that was so particular, that tho' the Duke sent the offer of pardon to them on the Scaffold, if they would only say God bless the King, it was refused with great neglect: One of them, a woman, said very calmly, she was sure God would not bless him, and that therefore she would not take God's name in vain: Another said more sullenly, that she would not worship that idol, nor acknowledge any other King but Christ: And so both were hanged. About fifteen or sixteen died under this delusion, which seemed to be a sort of madness: For they never attempted any thing against any person: Only they seemed glad to suffer for their opinions. The Duke stopt that prosecution, and appointed them to be put in a house of correction, and to be kept at hard labour. Great use was made of this by prophane people to disparage the suffering of the Martyrs for the Christian Faith, from the unshaken constancy which these frantick people expressed. But this is undeniable, that men who die maintaining any opinion, shew that they are firmly persuaded of it: So from this the Martyrs of the first age, who died for asserting a matter of fact, such as the resurrection of Christ, or the miracles that they had seen, shewed that they were well persuaded of the truth of those facts. And that is all the use that is to be made of this argument.

A Parli-
ment in
Scotland.

Now the time of the sitting of the Parliament drew on. The Duke seeing how great a man the Earl of Argyle was in Scotland, concluded it was necessary for him either to gain him or to ruin him. Lord Argyle gave him all possible assurances that he would adhere to his interest in every thing, except in the matters of Religion: But
added,

added, that if he went to meddle with these, he owned to him freely that he would oppose him all he could. This was well enough taken in shew: But Lord Argyle said, he observed ever after that such a visible coldness and distrust, that he saw what he might expect from him. Some moved the expecting against the Duke's Commission to represent the King in Parliament, since by law no man could execute any office without taking the oaths: And above forty members of Parliament promised to stick to Duke Hamilton if he would insist on that. But Lockhart and Cunningham, the two lawyers on whose opinion they depended chiefly, said, that a commission to represent the King's person fell not under the notion of an office: And since it was not expressly named in the acts of Parliament, they thought it did not fall within the general words of "all places and offices of trust." So this was laid aside: And many who were offended at it complained of Duke Hamilton's cowardice. He said for himself, he had been in a storm for seven years continuance by his opposing Duke Lauderdale, and that he would not engage in a new one with a stronger party, unless he was sure of the majority: And they were far from pretending to be able to bring matters to near an equality. The first act that past was one of three lines, confirming all the laws formerly made against Popery: The Duke thought it would give a good grace to all that should be done afterwards, to begin with such a general and cold confirmation of all former laws. Some moved, that a Committee might be appointed to examine all the former laws, (since some of them seemed unreasonably severe, as past in the first heat of the Reformation,) that so they might draw out of them all such as might be fit not only to be confirmed, but to be executed by better and properer methods than those prescribed in the former statutes,

1682. which has been all eluded. But it was not intended that this new confirmation should have any effect: And therefore this motion was not hearkened to. But the act was hurried on, and past.

The next act was for the unalterableness of the succession of the Crown. It was declared high treason ever to move for any alterations in it. Lord Argyle ran into this with zeal: So did Duke Hamilton: And all others that intended to merit by it made harangues about it. Lord Tweedale was the only man that ventured to move, that the act might be made as strict as was possible with relation to the Duke: But he thought it not necessary to carry it further; since the Queen of Spain stood so near the succession, and it was no amiable thing to be a Province to Spain. Many were so ignorant as not to understand the relation of the Queen of Spain to the King, tho' she was his niece, and thought it an extravagant motion. He was not seconded: And the act past without one contradictory vote. There was an additional revenue given for some years for keeping up more troops. Some complaints were also made of the Lords of regalities, who have all the forfeitures and the power of life and death within their regalities. It was upon that promised, that there should be a regulation of these Courts, as there was indeed great cause for it, these Lords being so many tyrants up and down the country: So it was intended to subject these jurisdictions to the supream Judicatories. But the act was penned in such words, as imported that the whole course of justice all over the Kingdom was made subject to the King's will and pleasure: So that instead of appeals to the supream Courts, all was made to end in a personal appeal to the King: And by this means he was made master of the whole justice and property of the Kingdom. There was not much time given to consider things: For the
Duke,

Duke, finding that he was master of a clear majority, drove on every thing fast, and put bills on a very short debate to the vote, which went always as he had a mind to have it. An accident happened, that begot in many a particular zeal to merit at his hands: Lord Rothes, who had much of his confidence, and was chiefly trusted by him, and was made a Duke by his means, died the day before the opening of the Parliament: So upon the hopes of succeeding him, as there were many pretenders, they tried who could deserve it best by the most compliant submission and the most active zeal.

1682.

As they were going on in publick business, one stood up in Parliament and accused Lord Halton, Duke Lauderdale's brother, of perjury, on the account of Mitchell's business: He had in his hands the two letters that Lord Halton had writ to the Earl of Kincardin, mentioning the promise of life that was made him: And, as was told formerly, Lord Halton swore at his trial that no promise was made. The Lord Kincardin was dead a year before this: But his Lady had delivered those letters to be made use of against Lord Halton. Upon reading them the matter appeared plain. The Duke was not ill pleased to have both Duke Lauderdale and him thus at mercy: Yet he would not suffer the matter to be determined in a parliamentary way: So he moved, that the whole thing might be referred to the King; which was immediately agreed to. So that infamous business was made publick, and yet stifled at the same time: And no censure was ever put on that base action. Another discovery was made of as wicked a conspiracy, tho' it had not such bad effects, because the tools employed in it could not be wrought up to such a determined pitch of wickedness. The Lord Bargeny, who was nephew to Duke Hamilton, had been clapt up in prison, as concerned in

Several
accusations of per-
jury stifled
by the
Duke.

1682. the rebellion of Bothwell-Bridge. Several days were fixed on for his trial: But it was always put off. And at last he was let out without having any one thing ever objected to him. When he was at liberty he used all possible endeavours to find out on what grounds he had been committed. At last he discovered a conspiracy, in which Halton and some others of that party were concerned: They had practised on some, who had been in that rebellion, to swear that he and several others were engaged in it, and that they had sent them out to join in it. They promised these witnesses a large share of the confiscated estates, if they went thro' in the business. Depositions were prepared for them: And they promised to swear them: Upon which a day was fixed for their trial. But the hearts of those witnesses failed them, or their consciences rose upon them: So that when the day came on, they could not bring themselves to swear against an innocent man; and plainly refused to do it: Yet, upon new practices and new hopes, they again resolved to swear boldly: Upon which new days had been set twice or thrice. And, their hearts turning against it, they were still put off. Lord Bargeny had full proofs of all this ready to be offered: But the Duke prevailed to have this likewise referred to the King: And it was never more heard of. This shewed what Duke Lauderdale's party were capable of. It likewise gave an ill character of the Duke's zeal for justice, and against false swearing; tho' that had been the chief topick of discourse with him, for above three years. He was angry at a supposed practice with witnesses, when it fell upon his own party: But now that there were evident proofs of perjury and subornation, he stopt proceedings under pretence of referring it to the King; who was never made acquainted with it, or at least never enquired after the proof of these allegations, nor ordered any proceedings upon them.

The

The main business of this Parliament was the act concerning the new test that was proposed. It had been promised in the beginning of the session, that as soon as an act for maintaining the succession should pass, they should have all the security that they could desire for the Protestant Religion. So, many zealous men began to call for some more effectual security for their Religion: Upon which a test was proposed, for all that should be capable of any office in Church or State, or of electing or being elected members of Parliament, that they should adhere firmly to the Protestant Religion; to which the Court party added, the condemning of all resistance in any sort, or under any pretence, the renouncing the Covenant, and an obligation to defend all the King's rights and prerogatives, and that they should never meet to treat of any matter civil or ecclesiastical, but by the King's permission, and never endeavour any alteration in the government in Church or State: And they were to swear all this according to the literal sense of the words. The test was thus loaded at first to make the other side grow weary of the motion and let it fall, which they would willingly have done. But the Duke was made to apprehend, that he would find such a test as this prove much for his service: So it seems, that article of the Protestant Religion was forgiven, for the service that was expected from the other parts of the test. There was a hot debate upon the imposing it on all that might elect or be elected members of Parliament: It was said, that was the most essential of all the privileges of the subjects, therefore they ought not to be limited in it. The Bishops were earnest for this, which they thought would secure them for ever from a Presbyterian Parliament. It was carried in the vote: And that made many of the Court more zealous than ever for carrying thro' the act. Some proposed that there should be two tests: One for Pa-

1682.
A test enacted in Parliament.

164
1632
pists with higher incapacities: And another for Presbyterians with milder censures. But that was rejected with much scorn, some making their Court by saying, they were more in danger from the Presbyterians than from the Papists: And it was reported that Paterfon, then Bishop of Edinburgh, said to the Duke, that he thought the two Religions, Popish and Protestant, were so equally stated in his mind, that a few grains of loyalty, in which the Protestants had the better of the Papists, turned the balance with him. Another clause in the bill was liable to great objections: All the Royal Family were excepted out of it. Lord Argyle spoke zealously against this: He said, the only danger we could apprehend as to Popery was, if any of the Royal Family should happen to be perverted: Therefore he thought it was better to have no act at all than such a clause in it. Some few seconded him: But it was carried without any considerable opposition. The nicest point of all was, what definition or standard should be made for fixing the sense of so general a term, as the Protestant Religion. Dalrymple proposed the confession of faith agreed on in the year one thousand five hundred fifty nine, and enacted in Parliament in one thousand five hundred sixty seven, which was the only confession of faith that had then the sanction of a law. That was a book so worn out of use, that scarce any one in the whole Parliament had ever read it: None of the Bishops had, as appeared afterwards. For these last thirty years, the only confession of faith that was read in Scotland, was that which the assembly of divines at Westminster Anno 1648 had set out, which the Scotch Kirk had set up instead of the old one: And the Bishops had left it in possession, tho' the authority that enacted it was annulled. So here a book was made the matter of an oath, (for they were to swear that they would adhere to the Protestant Religion,

1682.

igion, as it was declared in the confession of faith enacted in the year 1567, that contained, a large system of Religion, that was not so much as known to those who enacted it:) Yet the Bishops went all into it. Dalrymple, who had read it, thought there were propositions in it, which being better considered, would make the test be let fall: For in it the repressing of tyranny is reckoned a duty incumbent on good subjects. And the confession being made after the Scots had deposed the Queen Regent, and it being ratified in Parliament after they had forced their Queen Mary to resign, it was very plain what they, who made and enacted this confession, meant by the repressing of tyranny. But the Duke and his party set it on so earnestly, that upon one day's debate the act past, tho' only by a majority of seven voices. There was some appearance of security to the Protestant Religion by this test: But the prerogative of the Crown in ecclesiastical matters had been raised so high by Duke Lauderdale's act, that the obliging all people to maintain that with the rest of the prerogative, might have made way for every thing. All ecclesiastical Courts subsisted now by this test, only upon the King's permission, and at his discretion.

The Parliament of Scotland was dissolved soon after this act past: And Hyde was sent down from the King to the Duke immediately upon it. It was given out, that he was sent by the King to press the Duke upon this victory to shew, that what ill usage could not extort from him he would now do of his own accord, and return to the Church of England. I was assured, that Lord Halifax had prevailed with the King to write to him to that purpose: The letter was writ, but was not sent: But Lord Hyde had it in charge to manage it as a message. How much of this is true I cannot tell: One thing is certain, that if it was true, it had no effect.

1682.



As soon as the test with the confession of faith was printed, there was a universal murmuring among the best of the Clergy. Many were against the swearing to a system made up of so many propositions, of which some were at least doubtful; tho' it was found to be much more moderate in many points, than could have been well expected considering the heat of that time. There was a limitation put on the duty of subjects in the article, by which they were required not to resist any whom God had placed in authority in these words, "While they pass not the bounds of their office:" And in another they condemned those who resist the supream power "Doing that thing which appertaineth to his charge." These were propositions now of a very ill sound: They were also highly offended at the great extent of the prerogative in the point of supremacy, by which the King turned Bishops out at pleasure by a letter. It was hard enough to bear this: But it seemed intolerable to oblige men by oath to maintain it. The King might by a Proclamation put down even Episcopacy it self, as the law then stood: And by this oath they would be bound to maintain that. All meeting in Synods, or for Ordinations, were hereafter to be held only by permission: So that all the visible ways of preserving Religion depended now wholly on the King's good pleasure: And they saw that this would be a very feeble tenure under a Popish King. The being tied to all this by oath seemed very hard. And when a Church was yet in so imperfect a state, without liturgy or discipline, it was a strange imposition to make people swear never to endeavour any alteration either in Church or State. Some or all of these exceptions did run so generally thro' the whole body of the Clergy, that they were all shaking in their resolutions. To prevent this, an explanation was drawn by Bishop Paterson, and past in Council. It was by it declared, that it was not meant that those

Objections made to the test.

who

who took the test should be bound to every article in the confession of faith, but only in so far as it contained the doctrine upon which the Protestant Churches had settled the reformation: And that the test did not cut off those rights, which were acknowledged to have been in the primitive Church for the first three hundred years after Christ: And an assurance was given, that the King intended never to change the government of the Church. By this it was pretended that the greatest difficulties were now removed. But to this it was answered, that they were to swear they took the oath in the literal sense of the words. So that, if this explanation was not conform to the literal sense, they would be perjured who took it upon this explanation. The imposers of an oath could only declare the sense of it: But that could not be done by any other, much less by a lower authority, such as the privy Councils was confessed to be. Yet when men are to be undone if they do not submit to a hard law, they willingly catch at any thing that seems to resolve their doubts.

About eighty of the most learned and pious of their Clergy left all rather than comply with the terms of this law: And these were noted to be the best preachers, and the most zealous enemies to Popery, that belonged to that Church. The Bishops, who thought their refusing the test was a reproach to those who took it, treated them with much contempt, and put them to many hardships. About twenty of them came up to England: I found them men of excellent tempers, pious and learned, and I esteemed it no small happiness that I had then so much credit by the ill opinion they had of me at Court, that by this means I got most of them to be well settled in England; where they have behaved themselves so worthily, that I have great reason to rejoice in being made an instrument

Many
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out for
not taking
it.

1682. to get so many good men, who suffered for their consciences, to be again well employed, and well provided for. Most of them were formed by Charteris, who had been always a great enemy to the imposing of books and systems, as tests that must be signed and sworn, by such as are admitted to serve in the Church. He had been for some years Divinity Professor at Edinburgh, where he had formed the minds of many of the young Clergy both to an excellent temper and to a set of very good principles. He upon this retired, and lived private for some years: He writ to me, and gave me an account of this breach, that was like to be in the Church; and desired, that I would try by all the methods I could think of to stop the proceedings upon the test. But the King had put the affairs of Scotland so entirely in the Duke's hands, and the Bishops here were so pleased with those clauses in the test, that renounced the covenant and all endeavours for any alteration in Church and State, that I saw it was in vain to make any attempt at Court.

Argile's
explana-
tion.

Upon this matter an incident of great importance hapned: The Earl of Argile was a privy Counsellor, and one of the Commissioners of the Treasury: So when the time limited was near lapsing he was forced to declare himself. He had once resolved to retire from all employments, but his engagements with Duke Lauderdale's party, and the entanglements of his own affairs overcame that. His main objection lay to that part which obliged them to endeavour no alteration in the Government in Church or State, which he thought was a limitation of the Legislature. He desired leave to explain himself in that point: And he continued always to affirm, that the Duke was satisfied with that which he proposed: So being called on the next day at the Council table to take the test, he said, he did not think that the Parliament did intend an oath that should have any contradictions in
one

one part of it to another; therefore he took the test, as it was consistent with it self; (This related to the absolute loyalty in the test, and the limitations that were on it in the confession :) And he added, that he did not intend to bind himself up by it from doing any thing in his station for the amending of any thing in Church or State, so far as was consistent with the Protestant Religion and the duty of a good subject: And he took that as a part of his oath. The thing past, and he sat that day in Council; and went next day to the Treasury chamber, where he repeated the same words. Some officious people upon this came, and suggested to the Duke, that great advantage might be taken against him from these words. So at the Treasury chamber he was desired to write them down, and give them to the Clerk, which he did, and was immediately made a prisoner in the Castle of Edinburgh upon it. It was said, this was high treason, and the assuming to himself the legislative power, in his giving a sense of an act of Parliament, and making that a part of his oath. It was also said, that his saying that he did not think the Parliament intended an oath that did contradict it self, was a tacit way of saying that he did think it, and was a defaming and a spreading lies of the proceedings of Parliament, which was capital. The liberty that he reserved to himself was likewise called treasonable, in assuming a power to act against law: These were such apparent stretches, that for some days it was believed all this was done only to affright him to a more absolute submission, and to surrender up some of those great jurisdictions over the Highlands that were in his family. He desired he might be admitted to speak with the Duke in private: But that was refused. He had let his old correspondence with me fall for some years: But I thought it became me in this extremity to serve him all I could. And I prevailed with Lord Halifax to speak so oft to the King

1682.

He was
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upon it.

about

1682. about it, that it came to be known: And Lord Argile writ me some letters of thanks upon it. Duke Lauderdale was still in a firm friendship with him, and tried his whole strength with the King to preserve him: But he was sinking both in body and mind, and was like to be cast off in his old age. Upon which I also prevailed with Lord Halifax to offer him his service, for which Duke Lauderdale sent me very kind messages. I thought these were the only returns that I ought to make him for all the injuries he had done me, thus to serve him and his friends in distress. But the Duke of York took this, as he did every thing from me, by the worst handle possible. He said, I would reconcile my self to the greatest enemies I had in opposition to him. Upon this it was not thought fit upon many accounts that I should go and see Duke Lauderdale, which I had intended to do. It was well known I had done him acts of friendship: So the scandal of being in enmity with him was over: For a Christian is no man's enemy: And he will always study to overcome evil with good.

Argile is
tried and
condemned.

Lord Argile was brought to a trial for the words he had spoke. The Fact was certain: So the debate lay in a point of law, what guilt could be made out of his words. Lockhart pleaded three hours for him, and shewed so manifestly that his words had nothing criminal, much less of treason in them, that, if his cause had not been determined before his trial, no harm could have come to him. The Court that was to judge the point of law (or the relevancy of the libel as it's called in Scotland) consisted of a Justice General, the Justice Clerk, and of five Judges. The Justice General does not vote, unless the Court is equally divided. One of the Judges was deaf, and so old that he could not sit all the while the trial lasted, but went home and to bed. The other four were equally divided: So the old Judge was sent for: And he turned it
against

against Lord Argile. The Jury was only to find the fact proved: But yet they were officious, and found it treason: And, to make a shew of impartiality, whereas in the libel he was charged with perjury for taking the oath falsely, they acquitted him of the perjury. No sentence in our age was more universally cried out on than this. All people spoke of it, and of the Duke who drove it on, with horror: All that was said to lessen that was, that Duke Lauderdale had restored the family with such an extended jurisdiction, that he was really the master of all the Highlands: So that it was fit to attain him, that by a new restoring him these grants might be better limited. This, as the Duke wrote to the King, was all he intended by it, as Lord Halifax assured me. But Lord Argile was made believe, that the Duke intended to proceed to execution. Some more of the guards were ordered to come to Edinburgh. Rooms were also fitted for him in the common jail, to which Peers use to be removed a few days before their execution. And a person of Quality, whom Lord Argile never named, affirmed to him on his honour, that he heard one, who was in great favour, say to the Duke, The thing must be done, and that it would be easier to satisfy the King about it after it was done, than to obtain his leave for doing it. It is certain, many of the Scotch Nobility did believe that it was intended he should die.

Upon these reasons Lord Argile made his escape out of the Castle in a disguise. Others suspected those stories were sent to him on purpose to frighten him to make his escape; as that which would justify further severities against him. He came to London, and lurked for some months there. It was thought I was in his secret. But tho' I knew one that knew it, and saw many papers that he then writ, giving an account of all that matter, yet I abhorred lying: And it was not easy to have kept out of the danger of that, if I had seen
him,

He made
his escape.

1682. him, or known where he was : So I avoided it by not seeing him. One that saw him knew him, and went and told the King of it : But he would have no search made for him, and retained still very good thoughts of him. In one of Lord Argile's papers he writ, that, if ever he was admitted to speak with the King, he could convince him how much he merited at his hands, by that which had drawn the Duke's indignation on him. He that shewed me this explained it, that at the Duke's first being in Scotland, when he apprehended that the King might have consented to the Exclusion, he tried to engage Lord Argile to stick to him in that case ; who told him, he would always be true to the King, and likewise to him when it should come to his turn to be King, but that he would go no farther, nor engage himself, in case the King and he should quarrel.

I had lived many years in great friendship with the Earl of Perth : I lived with him as a father with a son for above twelve years : And he had really the submissions of a child to me. So, he having been on Lord Argile's Jury, I writ him a letter about it, with the freedom that I thought became me : He, to merit at the Duke's hands, shewed it to him, as he himself confessed to me. I could very easily forgive him, but could not esteem him much after so unworthy an action. He was then aspiring to great preferment, and so sacrificed me to obtain favour : But he made greater sacrifices afterwards. The Duke now seemed to triumph in Scotland. All stooped to him. The Presbyterian party was much depressed. The best of the Clergy were turned out. Yet, with all this, he was now more hated there than ever. Lord Argile's business made him be looked on as one that would prove a terrible master when all should come into his hands. He had promised to redress all the merchants grievances with relation to trade, that so he might gain their concurrence in Parliament :

ment: But, as soon as that was over, all his promises were forgotten. The accusations of perjury were stified by him. And all the complaints of the great abuse, Lord Halton was guilty of in the matter of the coin, ended in turning him out of all his employments, and obliging him to compound for his pardon by paying 20000*l.* to two of the Duke's creatures: So that all the reparation the Kingdom had for the oppression of so many years, and so many acts of injustice, was, that two new oppressors had a share of the spoils, who went into the same tract, or rather invented new methods of oppression. All these things, together with a load of age and of a vast bulk, sunk Duke Lauderdale so that he died that summer. His heart seemed quite spent: There was not left above the bigness of a walnut of firm substance: The rest was spungy, liker the lungs than the heart.

The Duke had leave given him to come to the King at Newmarket: And there he prevailed for leave to come up, and live again at Court. As he was going back to bring the Dutchess, the Gloucester frigate that carried him struck on a bank of sand. The Duke got into a boat: And took care of his dogs, and some unknown persons, who were taken from that earnest care of his to be his Priests: The long-boat went off with very few in her, tho' she might have carried off above eighty more than she did. One hundred and fifty persons perished: Some of them men of great Quality. But the Duke took no notice of this cruel neglect, which was laid chiefly to Leg's charge.

In Scotland the Duke declared the new ministers: Gordon, now Earl of Aberdeen, was made Chancellor: And Queensbury was made Treasurer: And the care of all affairs was committed to them. The Duke at parting recommended to the Council to preserve the publick peace, to support the Church, and to oblige all men to live regularly in obedience to the laws. The Bishops made their

1682:

The Duke comes to Court.

A new ministry in Scotland.

1682. their court to him with so much zeal, that they wrote a letter to the Archbishop of Canterbury, to be communicated to the rest of the English Bishops, setting forth in a very high strain his affection to the Church, and his care of it: And, lest this piece of merit should have been stifled by Sancroft, they sent a copy of it to the press; which was a greater reproach to them than a service to the Duke, who could not but despise such abject and indecent flattery. The proceedings against Conventicles were now like to be severer than ever: All the fines, that were set so high by law, that they were never before levied, but on some particular instances, were now ordered to be levied without exception. All people upon that saw, they must either conform or be quite undone. The Chancellor laid down a method for proceeding against all offenders punctually: And the Treasurer was as rigorous in ordering all the fines to be levied.

They proceeded with great severity.

When the people saw this, they came all to Church again: And that in some places where all sermons had been discontinued for many years. But they came in so aukward a manner, that it was visible they did not mean to worship God, but only to stay some time within the Church walls: And they were either talking or sleeping all the while. Yet most of the Clergy seemed to be transported with this change of their condition, and sent up many panegyricks of the glorious services that the Duke had done their Church. The enemies of Religion observed the ill nature of the one side, and the cowardliness of the other, and pleased themselves in censuring them both. And by this means an impious and atheistical leaven began to corrupt most of the younger sort. This has since that time made a great progress in that Kingdom, which was before the freest from it of any Nation in Christendom. The beginnings of it were reckoned from the Duke's stay among them, and from his

his

his Court, which have been cultivated since with much care and but too much success. 1682.

About the end of the year, two trials gave all people sad apprehensions of what they were to look for. One Home was charged by a kinsman of his own, for having been at Bothwell Bridge. All Gentlemen of estates were excepted out of the indemnity: So he, having an estate, could have no benefit by that. One swore, he saw him go into a village, and seize on some arms: Another swore, he saw him ride towards the body of the rebels: But none did swear that they saw him there. He was indeed among them: But there was no proof of it. And he proved, that he was not in the company, where the single witness swore he saw him seize on arms, and did evidently discredit him: Yet he was convicted and condemned on that single evidence, that was so manifestly proved to be infamous. Many were sensible of the mischievousness of such a precedent: And great applications were made to the Duke for saving his life: But he was not born under a pardoning planet. Lord Aberdeen, the Chancellor, prosecuted Home with the more rigour, because his own grandfather had suffered in the late times for bearing arms on the King's side, and Home's father was one of the Jury that cast him. The day of his execution was set to be on the same day of the year on which Lord Stafford had suffered; which was thought done in complement to the Duke, as a retaliation for his blood. Yet Home's infamous kinsman, who had so basely sworn against him, lived not to see his execution; for he died before it full of horror for what he had done. Another trial went much deeper; and the consequences of it struck a terror into the whole country.

One Weir of Blakewood, that managed the Marquis of Douglafs's concerns, was accused of treason for having kept company with one that had been in the business of Bothwell Bridge. Blake-

1682. wood pleaded for himself, that the person, on whose account he was now prosecuted as an abettor of traitors, had never been marked out by the government by process or proclamation. It did not so much as appear that he had ever suspected him upon that account. He had lived in his own house quietly for some years after that rebellion, before he employed him: And if the government seemed to forget his crime, it was no wonder if others entered into common dealings with him. All the lawyers were of opinion, that nothing could be made of this prosecution: So that Blakewood made use of no secret application, thinking he was in no danger. But the Court came to a strange sentence in this matter, by these steps: They judged, that all men who suspected any to have been in the rebellion, were bound to discover such their suspicion, and to give no harbour to such persons: That the bare suspicion made it treason to harbour the person suspected, whether he was guilty or not: That if any person was under such a suspicion, it was to be presumed that all the neighbourhood knew it: So that there was no need of proving that against any particular person, since the presumption of law did prove it: And it being proved that the person with whom Blakewood had conversed lay under that suspicion, Blakewood was upon that condemned as guilty of high treason. This was such a constructive treason, that went upon so many unreasonable suppositions, that it shewed the shamelessness of a sort of men, who had been for forty years declaiming against a parliamentary attainder, for a constructive treason in the case of the Earl of Stafford, and did now in a common Court of Justice condemn a man upon a train of so many inferences, that it was not possible to make it look even like a constructive treason. The day of his execution was set: And tho' the Marquis of Douglas writ earnestly to the Duke for his pardon, that was denied. He only obtained

tained two months reprieve for making up his accounts. The reprieve was renewed once or twice: So Blakewood was not executed. This put all the Gentry in a great fright: Many knew they were as obnoxious as Blakewood was: And none could have the comfort to know that he was safe. This revived among them a design, that Lockhart had set on foot ten years before, of carrying over a Plantation to Carolina. All the Presbyterian party saw they were now disinherited of a main part of their birth-right, of choosing their representatives in Parliament: And upon that they said, they would now seek a country where they might live undisturbed, as freemen, and as Christians. The Duke encouraged the motion: He was glad to have many untoward people sent far away, who he reckoned would be ready upon the first favourable conjuncture, to break out into a new rebellion. Some Gentlemen were sent up to treat with the Patentees of Carolina: They did not like the government of those Palatinates, as they were called: Yet the prospect of so great a Colony obtained to them all the conditions they proposed. I was made acquainted with all the steps they made; for those who were sent up were particularly recommended to me. In the negotiation this year there was no mixing with the male-contents in England: Only they who were sent up went among them, and informed them of the oppressions they lay under; in particular of the terror with which this sentence against Blakewood had struck them all. The Court resolved to prosecute that farther: For a Proclamation was issued out in the beginning of the year eighty three, by which the King ordered circuit Courts to be sent round the Western and Southern Counties, to enquire after all who had been guilty of harbouring or conversing with those who had been in rebellion, even tho' there had been neither process nor proclamation issued out against them. He also ordered, that

1682. all who were found guilty of such converse with them should be prosecuted as traitors. This inquisition was to last three years: And at the end of that time all was to conclude in a full indemnity to such as should not be then under prosecution. But the indemnity was to take place immediately to all such as should take the Test. This was perhaps such a Proclamation as the world had not seen since the days of the Duke of Alva. Upon it great numbers run in to take the Test, declaring at the same time that they took it against their consciences: But they would do any thing to be safe. Such as resolved not to take it were trying how to settle or sell their estates; and resolved to leave the country, which was now in a very oppressed and desperate state.

Affairs in
England.

But I must next turn again to the affairs of England. The Court was every where triumphant. The Duke was highly complimented by all, and seemed to have overcome all difficulties. The Court, not content with all their victories, resolved to free themselves from the fears of troublesome Parliaments for the future. The Cities and Boroughs of England were invited, and prevailed on, to demonstrate their loyalty, by surrendering up their Charters, and taking new ones modelled as the Court thought fit. It was much questioned, whether those surrenders were good in law or not: It was said, that those who were in the government in Corporations, and had their Charters and Seals trusted to their keeping, were not the proprietors nor masters of those rights: They could not extinguish those Corporations, nor part with any of their privileges. Others said, that whatever might be objected to the reason and equity of the thing, yet, when the Seal of a Corporation was put to any deed, such a deed was good in law. The matter goes beyond my skill in law to determine it: This is certain, that whatsoever may be said in law, there is no sort of theft or perfidy more criminal

All Char-
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were sur-
rendered to
the King.

criminal than for a body of men, whom their neighbours have trusted with their concerns, to steal away their Charters, and affix their Seals to such a deed, betraying in that their trust and their oaths. In former ages Corporations were jealous of their privileges and customs to excess and superstition: So that it looked like a strange degeneracy, when all these were now delivered up; and this on design to pack a Parliament, that might make way for a Popish King. So that, instead of securing us from Popery under such a Prince, these persons were now contriving ways to make all easy to him. Popery at all times has looked odious and cruel: Yet what the Emperor had lately done in Hungary, and what the King of France was then doing against Protestants in that Kingdom, shewed that their Religion was as perfidious and cruel in this age, as it had been in the last: And by the Duke's government of Scotland, all men did see what was to be expected from him. All this laid together, the whole looked like an extravagant fit of madness: Yet no part of it was so unaccountable, as the high strains to which the Universities and most of the Clergy were carried. The Non-conformists were now prosecuted with much eagerness. This was visibly set on by the Papists: And it was wisely done of them; for they knew how much the Non-conformists were set against them; and therefore they made use of the indiscreet heat of some angry Clergymen to ruin them: This they knew would render the Clergy odious, and give the Papists great advantages against them, if ever they should run into an opposition to their designs.

At Midsummer a new contest discovered, how little the Court resolved to regard either justice or decency. The Court had carried the election of Sir John Moor to be Mayor of the City of London at Michaelmas eighty one. He was the Alderman on whom the election fell in course. Yet

The dispute concerning the Sheriffs of London.

1682.

some who knew him well were for setting him aside, as one whom the Court would easily manage. He had been a Non conformist himself, till he grew so rich, that he had a mind to go thro' the dignities of the City: But tho' he conformed to the Church, yet he was still looked on, as one that in his heart favoured the Sectaries: And upon this occasion he persuaded some of their preachers, to go among their congregations to get votes for him. Others, who knew him to be a flexible and faint-hearted man, opposed his election: Yet it was carried for him. The opposition that was made to his election had sharpened him so much, that he became in all things compliant to the Court, in particular to Secretary Jenkins, who took him into his own management. When the day came, in which the Mayor used to drink to one, and to mark him out for Sheriff, he drank to North, a merchant that was brother to the Chief Justice. Upon that it was pretended, that this ceremony was not a bare nomination, which the common Hall might receive or refuse, as they had a mind to it; but that this made the Sheriff, and that the common Hall was bound to receive and confirm him in course, as the King did the Mayor. On the other hand it was said, that the right was to be determined by the Charter, which granted the election of the Sheriffs to the citizens of London; and that, whatever customs had crept in among them, the right still lay where the Charter had lodged it among the citizens. But the Court was resolved to carry this point: And they found orders that had been made in the City concerning this particular, which gave some colour to this pretension of the Mayor's. So he claimed it on Midsummer day; and said, the common Hall were to go and elect one Sheriff, and to confirm the other that had been declared by him. The Hall on the other hand said, that the right of choosing both was in them. The old Sheriffs put it according
to

to custom to a poll: And it was visible, the much greater number was against the Lord Mayor. The Sheriffs were always understood to be the officers of that Court: So the adjourning it belonged to them: Yet the Mayor adjourned the Court; which they said he had no power to do, and so went on with the poll. There was no disorder in the whole progress of the matter, if that was not to be called one, that they proceeded after the Mayor had adjourned the poll. But tho' the Mayor's party carried themselves with great insolence, towards the other party, yet they shewed on this occasion more temper than could have been expected from so great a body, who thought their rights were now invaded. The Mayor upon this resolved to take another poll, to which none should be admitted, but those who were contented to vote only for one, and to approve his nomination for the other. And it was resolved, that his poll should be that, by which the business should be settled: And tho' the Sheriffs poll exceeded his by many hundreds, yet order was given to return those on the Mayor's poll, and that they should be sworn; and so those of the Sheriffs poll should be left to seek their remedy by law, where they could find it. Box, who was chosen by the Mayor's party and joined to North, had no mind to serve upon so doubtful an election, where so many actions would lie, if it was judged against them at law: And he could not be persuaded to hold it. So it was necessary to call a new common Hall, and to proceed to a new election: And then, without any Proclamation made as was usual, one in a corner near the Mayor named Rich, and about thirty more applauded it, the rest of those in the Hall, that was full of people and of noise, hearing nothing of it. Upon this it was said, that Rich was chosen without any contradiction: And so North and Rich were returned, and sworn Sheriffs for the ensuing year. The violence and the injustice with which

1682. matter was managed, shewed, that the Court was resolved to carry that point at any rate: And this gave great occasions of jealousy, that some wicked design was on foot, for which it was necessary, in the first place to be sure of favourable Juries.

Carried
by the
Court,

Lord Shaftsbury upon this, knowing how obnoxious he was, went out of England. His voyage was fatal to him: He just got to Amsterdam to die in it. Of the last parts of his life I shall have some occasion to make mention afterwards. When Michaelmas day came, those who found how much they had been deceived in Moor, resolved to choose a Mayor that might be depended on. The poll was closed when the Court thought they had the majority: But upon casting it up it appeared they had lost it: So they fell to canvass it: And they made such exceptions to those of the other side, that they discounted as many voices as gave them the majority. This was also managed in so gross a manner, that it was visible the Court was resolved by fair or foul means to have the government of the City in their own hands. But because they would not be at this trouble, nor run this hazard every year, it was resolved that the Charter of the City must either be given up, or be adjudged to the King. The former was much the easier way: So great pains was taken to manage the next election of the common Council, so as that they might be tractable in this point. There was much injustice complained of, in many of the wards of the City, both in the poll, and in the returns that were made, In order to the disabling all the Dissenters from having a vote in that election, the Bishop and Clergy of London were pressed by the Court to prosecute them in the Church Courts, that so they might excommunicate them; which some lawyers thought would render them incapable to vote, tho' other lawyers were very positively of another opinion. It is certain it gave at least a colour to deny their votes.

The

The Bishop of London began to apprehend, that things were running too fast, and was backward in the matter. The Clergy of the City refused to make presentments: The law laid that, on the Churchwardens: And so they would not meddle officiously. The King was displeas'd with them for their remissness: But after all the practices of the Court, in the returns of the common Council of the City, they could not bring it near an equality for delivering up their Charter. Jenkins managed the whole business of the City with so many indirect practices, that the reputation he had for probity was much blemish'd by it: He seem'd to think it was necessary to bring the City to a dependence on the Court in the fairest methods he could fall on; and, if these did not succeed, that then he was to take the most effectual ones, hoping that a good intention would excuse bad practices.

The Earl of Sunderland had been disgrac'd after the Exclusion Parliaments, as they were now call'd, were dissolv'd: But the King had so entire a confidence in him, and Lady Portsmouth was so much in his interests, that upon great submissions made to the Duke, he was again restor'd to be Secretary this winter. Lord Hyde was the person that dispos'd the Duke to it: Upon that Lord Halifax and he fell to be in ill terms; for he hated Lord Sunderland beyond expression, tho' he had married his sister. From Lord Sunderland's returning to his post, all men concluded, that his declaring as he did for the Exclusion, was certainly done by direction from the King, who naturally loved craft and a double game, that so he might have proper instruments to work by, which way soever he had turn'd himself in that affair. The King was the more desirous to have Lord Sunderland again near him, that he might have some body about him, who understood foreign affairs. Jenkins understood nothing: But

Changes
in the
ministry,
and quar-
rels among
them.

1682.

he had so much credit with the high Church party, that he was of great use to the Court. Lord Conway was brought in to be the other Secretary, who was so very ignorant of foreign affairs, that his province being the North, when one of the foreign ministers talked to him of the Circles of Germany, it amazed him: He could not imagine what Circles had to do with affairs of state. He was now dismissed. Lord Halifax and Lord Hyde fell to be in an open war, and were both much hated. Lord Halifax charged Hyde, who was at this time made Earl of Rochester, with bribery, for having farmed a branch of the revenue much lower than had been proffered for it. Lord Halifax acquainted the King first with it: And, as he told me, he desired Lord Rochester himself to examine into it, he being inclined to think it was rather an abuse put on him, than corruption in himself. But he saw Lord Rochester was cold in the matter, and instead of prosecuting any for it, protected all concerned in it. He laid the complaint before the King and Council: And to convince the King how ill a bargain he had made, the complainers offered, if he would break the bargain, to give him 40000l. more than he was to have from the farmers. He looked also into the other branches of the revenue, and found cause to suspect much corruption in every one of them: And he got undertakers to offer at a farm of the whole revenue. In this he had all the Court on his side: For the King being now resolved to live on his revenue, without putting himself on a Parliament, he was forced on a great reduction of expence: So that many payments run in arrear: And the whole Court was so ill paid, that the offering any thing that would raise the revenue, and blemish the management of the treasury, was very acceptable to all in it. Lord Rochester was also much hated: But the Duke and the Lady Portsmouth both protected the Earl of Rochester so powerfully, that
even

even propositions to the King's advantage, which blemished him, were not hearkned to. This touched in too tender a place to admit of a reconciliation: The Duke forgot all Lord Halifax's service in the point of the Exclusion: And the dearness that was between them, was now turned upon this to a coldness, and afterwards to a most violent enmity. Upon this occasion Lord Halifax sent for me, (for I went no more near any that belonged to the Court,) and he told me the whole matter. I asked him how he stood with the King: He answered, that neither he nor I had the making of the King: God had made him of a particular composition. He said, he knew what the King said to himself: I asked him, if he knew likewise what he said to others; for he was apt to say to his several Ministers, whatsoever he thought would please them, as long as he intended to make use of them. By the death of the Earl of Nottingham the Seals were given to North, who was made Lord Guilford. He had not the virtues of his predecessor: But he had parts far beyond him: They were turned to craft: So that whereas the former seemed to mean well even when he did ill, this man was believed to mean ill even when he did well. The Court finding that the City of London could not be wrought on to surrender their Charter, resolved to have it condemned by a judgment in the King's bench. Jones had died in May: So now Pollexphen and Treby were chiefly relied on by the City in this matter. Sawyer was the Attorney General, a dull hot man, and forward to serve all the designs of the Court. He undertook by the advice of Saunders, a learned but a very immoral man, to overthrow the Charter.

The two points upon which they rested the cause were, that the Common Council had petitioned the King, upon a prorogation of Parliament, that it might meet on the day to which it was prorogued, and had taxed the prorogation as that which

The arguments for and against the Charter of London.

1682. which occasioned a delay of justice: This was continued to be the raising sedition, and the possessing the people with an ill opinion of the King and his government. The other point was, that the City had imposed new taxes on their wharfs and markets, which was an invasion of the liberty of the subject, and contrary to law. It was said, that all that the Crown gave was forfeitable back to the Crown again, upon a male-versation of the body; and that as the Common Council was the body of the City, chosen by all the citizens, so they were all involved, in what the Common Council did: And they inferred, that since they had both scandalized the King's government, and oppressed their fellow subjects, they had thereupon forfeited their liberties: Many precedents were brought of the seizing on the liberties of Towns and other Corporations, and of extinguishing them.

The arguments against this were made by Treby, then the Recorder of London, and Pollexphen, who argued about three hours apiece. They laid it down for a foundation, that trading Corporations were immortal bodies, for the breeding a succession of trading men, and for perpetuating a fund of publick chambers, for the estates of orphans and trusts and for all pious endowments: That crimes committed, by persons entrusted in the government of them, were personal things, which were only chargeable on those who committed them, but could not affect the whole body: The treason of a Bishop, or a Clerk, only forfeited his title, but did not dissolve the Bishoprick, or Benefice: So the magistrates only were to be punished for their own crimes: An entailed estate, when a tenant for life was attainted, was not forfeited to the King, but went to the next in remainder upon his death. The government of a city, which was a temporary administration, vested no property in the magistrates: And therefore they had nothing to forfeit, but what belonged to themselves:

selves: There were also express acts of Parliament made in favour of the City, that it should not be punished, for the misdemeanors of those who bore office in it: They answered the great objection, that was brought from the forfeitures of some Abbeys, on the attainder of their Abbots in King Henry the eighth's time, that there were peculiar laws made at that time, upon which those forfeitures were grounded, which had been repealed since that time: All those forfeitures were confirmed in Parliament: And that purged all defects: The Common Council was a selected body, chosen for particular ends: And if they went beyond these, they were liable to be punished for it: If the petition they offered the King was seditious, the King might proceed against every man that was concerned in it: And those upon whom those taxes had been levied, might bring their actions against those who had levied them: But it seemed very strange, that when none of the petitioners were proceeded against for any thing contained in that petition, and when no actions were brought on the account of those taxes, that the whole body should suffer in common for that, which none of those, who were immediately concerned in it, had been so much as brought in question for, in any Court of law: If the Common Council petitioned more earnestly than was fitting for the sitting of the Parliament, that ought to be ascribed to their zeal for the King's safety, and for the established Religion: And it ought not to be strained to any other sense, than to that which they profess, in the body of their petition, much less to be carried so far as to dissolve the whole body on that account: And as for the tolls and taxes, these were things practised in all the Corporations of England, and seemed to be exactly according to law: The City since the fire had, at a vast charge, made their wharfs and markets much more noble and convenient, than they were before: And there-

1682. fore they might well deny the benefit of them to those, who would not pay a new rate, that they set on them for the payment of the debt contracted in building them: This was not the imposing a tax, but the raising a rent out of a piece of ground, which the City might as well do, as a man who rebuilds his house may raise the rent of it: All the precedents that were brought were examined and answered: Some Corporations were deserted, and so upon the matter dissolved themselves: Judgments in such cases did not tally with this in hand: The seizing on the liberties of a Corporation did not dissolve the body; for when a Bishop dies the King seizes the temporalities; but the Corporation still subsists; and they are restored to the next incumbent. There were indeed some very strange precedents made in Richard the second's time: But they were followed by as strange a reverse: The Judges were hanged for the judgments they gave: They also insisted on the effects that would follow on the forfeiting the Charter: The custom of London was thereby broken: All the publick endowments, and charities lodged with the City must revert to the heirs of the donors. This is the substance of the argument, as I had it from Pollexphen. As for the more intricate points of law, I meddle not with them, but leave them to the learned men of that profession. When the matter was brought near judgment, Saunders, who had planned the whole thing, was made Chief Justice. Pemberton, who was not satisfied in the point, being removed to the Common Pleas, upon North's advancement. Dolben, a Judge of the King's bench, was found not to be clear: So he was turned out, and Withins came in his room. When sentence was to be given, Saunders was struck with an apoplexy: So he could not come into Court: But he sent his judgment in writing, and died a few days after. The sentence was given without the solemnity that was usual upon great occasions:

Judgment
given in
the mat-
ter.

The

The Judges were wont formerly in delivering their opinions to make long arguments, in which they set forth the grounds of law on which they went, which were great instructions to the students and barristers: But that had been laid aside ever since Hale's time. 1682.

The judgment now given was, that a city might forfeit its Charter; that the resolutions of the Common Council were the acts of the whole City, and that the two points set forth in the pleadings were just grounds for the forfeiting of a Charter. Upon which premises the proper conclusion seemed to be, that therefore the City of London had forfeited their Charter: But the consequences of that were so much apprehended, that they did not think fit to venture on it: So they judged, that the King might seize the liberties of the City. The Attorney General moved, contrary to what is usual in such cases, that the judgment might not be recorded. And upon that, new endeavours were used to bring the Common Council to deliver up their Charter: Yet that could not be compassed, tho' it was brought much nearer in the numbers of the voices, than was imagined could ever be done.

There were other very severe proceedings at this time with relation to particular persons. Pilkinton was Sheriff of London the former year; an honest but an indiscreet man, that gave himself great liberties in discourse. He being desired to go along with the Mayor and Aldermen, to complement the Duke upon his return from Scotland, declined going, and reflected on him as one concerned in the burning of the City. Two Aldermen said they heard that, and swore it against him. Sir Patience Ward, the Mayor of the former year, seeing him go in to that discourse had diverted him from it, but heard not the words which the others swore to: And he deposed, that to the best of his remembrance he said not those words. Pilkinton was cast in an 100000 l. damages, the most excessive that had

Some other severe judgments.

1682.

had ever been given. But the matter did not stop there: Ward was indicted of perjury, it being said, that since he swore that the words were not spoken, and that the Jury had given a verdict upon the evidence that they were spoken, by consequence he was guilty of perjury. It was said on the other side, that when two swear one way, and a third swears another way, a Jury may believe the two better than the one: But it is not certain from thence that he is perjured: If that were law, no man would be a witness; if, because they of the other side were believed, he should be therefore convicted of perjury. A man's swearing to a negative, that such words were not spoken, did only amount to this, that he did not hear them: And it would be hard to prove, that he who swore so, had heard them. But Ward proved, by him that took the trial in short hand, as he had done some others with great approbation, that he had said, "To the best of his remembrance these words were not spoken by Pilkinton:" Upon which Jefferies had then said, that his invention was better than his memory: And the Attorney General in summing up the evidence to the Jury had said, they ought to have no regard to Ward's evidence, since he had only deposed upon his memory. Yet that Jury returned Ward guilty of perjury: And it was intended, if he had not gone out of the way, to have set him in the pillory. The truth is, Juries became at that time the shame of the nation, as well as a reproach to religion: For they were packt, and prepared to bring in verdicts as they were directed, and not as matters appeared on the evidence.

1683.

All people
possess'd
with great
fears.

Thus affairs were going on, all the year eighty two, and to the beginning of eighty three. The Earl of Shaftsbury had been for making use of the heat the City was in, during the contest about the Sheriffs; and thought they might have created a
great

great disturbance, and made themselves masters of the Tower: And he believed, the first appearance of the least disorder would have prevailed on the King to yield every thing. The Duke of Monmouth, who understood what a rabble was and what troops were, looked on this as a mad exposing of themselves and of their friends. The Lords Effex and Ruffel were of the same mind. So Lord Shaftsbury, seeing they could not be engaged into action, flew out against them. He said, the Duke of Monmouth was sent into the party by the King for this end, to keep all things quiet till the Court had gained its point: He said, Lord Effex had also made his bargain, and was to go to Ireland; and that among them Lord Ruffel was deceived. With this he endeavoured to blast them in the City: They studied to prevent the ill effects, that those jealousies which he was infusing into the citizens, might have among them. So the Duke of Monmouth gave an appointment to Lord Shaftsbury or some of his friends to meet him, and some others that he should bring along with him, at Shepherd's, a wine merchant in whom they had an entire confidence. The night before this appointment Lord Ruffel came to town, on the account of his uncle's illness. The Duke of Monmouth went to him, and told him of the appointment, and desired he would go thither with him: He consented, the rather because he intended to taste some of that merchant's wine. At night they went with Lord Grey and Sir Thomas Armstrong. When they came, they found none there but Rumsey and Ferguson, two of Lord Shaftsbury's tools that he employed: Upon which, they seeing no better company resolved immediately to go back. But Lord Ruffel called for a taste of the wines: And while they were bringing it up, Rumsey and Armstrong fell into a discourse of surprizing the guards. Rumsey fancied it might have been easily done: Armstrong, that had commanded them, shewed him his mistakes. This was no

Monmouth
and Ruffel
at Shepherd's.

1683. consultation about what was to be done, but only about what might have been done. Lord Russel spoke nothing upon the subject: But as soon as he had tasted his wines they went away. It may seem, that this is too light a passage to be told so copiously: But much depends on it. Lord Shaftsbury had one meeting with the Earls of Effex and Salisbury before he went out of England. Fear, anger, and disappointment, had wrought so much on him, that Lord Effex told me he was much broken in his thoughts: His notions were wild and impracticable: And he was glad that he was gone out of England: But said, that he had done them already a great deal of mischief, and would have done more if he had staid. As soon as he was gone, the Lords and all the chief men of the party saw their danger from forward Sheriffs, willing Juries, mercenary Judges, and bold witnesses. So they resolved to go home, and be silent, to speak and to meddle as little as might be in publick business, and to let the present ill temper, the Nation was fallen into wear out: For they did not doubt but the Court, especially as it was now managed by the Duke, would soon bring the Nation again into its wits, by their ill conduct and proceedings. All that was to be done was, to keep up as much as they could a good spirit with relation to elections of Parliament, if one should be called.

Monmouth and some others meet often together.

The Duke of Monmouth resolved to be advised chiefly by Lord Effex. He would not be alone in that, but named Lord Russel, against whom no objection could lie: And next to him he named Algernoon Sidney, brother to the Earl of Leicester, a man of most extraordinary courage, a steady man, even to obstinacy, sincere, but of a rough and boisterous temper that could not bear contradiction. He seemed to be a Christian, but in a particular form of his own: He thought, it was to be like a Divine Philosophy in the mind: But he was

was against all publick worship, and every thing that looked like a Church. He was stiff to all republican principles; and such an enemy to every thing that looked like monarchy, that he set himself in a high opposition against Cromwell when he was made Protector. He had studied the history of government in all its branches beyond any man I ever knew. He was Ambassador in Denmark at the time of the Restoration, but did not come back till the year seventy eight, when the Parliament was pressing the King into a war. The Court of France obtained leave for him to return. He did all he could to divert people from that war: So that some took him for a pensioner of France: But to those to whom he durst speak freely, he said, he knew it was all a juggle; that our Court was in an entire confidence with France, and had no other design in this shew of a war but to raise an army, and keep it beyond sea till it was trained and modelled. Sidney had a particular way of insinuating himself into people that would hearken to his notions, and not contradict him. He tried me: But I was not so submissive a hearer: So we lived afterwards at a great distance. He wrought himself into Lord Essex's confidence to such a degree, that he became the master of his spirit. He had a great kindness for Lord Howard, as was formerly told: For that Lord hated both the King and monarchy as much as he himself did. He prevailed on Lord Essex to take Lord Howard into their secrets, tho' Lord Essex had expressed such an ill opinion of him a little before to me, as to say he wondred how any man would trust himself alone with him. Lord Russel, tho' his cousin german, had the same ill opinion of him. Yet Sidney overcame both their averfions. Lord Howard had made the Duke of Monmouth enter into confidence with Sidney, who used to speak very slightly of him, and to say, it was all one to him whether James Duke of York or James Duke

1683.

of Monmouth was to succeed. Yet Lord Howard perhaps put a notion into him, which he offered often to me, that a Prince who knew there was a flaw in his title would always govern well, and consider himself as at the mercy of the right heir, if he was not in all things in the interests and hearts of his people, which was often neglected by Princes that relied on an undoubted title. Lord Howard, by a trick put both on the Duke of Monmouth and Sidney, brought them to be acquainted. He told Sidney that the Duke of Monmouth was resolved to come some day alone and dine with him: And he made the Duke of Monmouth believe that Sidney desired this, that so he might not seem to come and court the Duke of Monmouth: And said that some regard was to be had to his temper and age. Hamden was also taken into their secret: He was the grandson of him that had pleaded the cause of England, in the point of the ship money, with King Charles the first. His father was a very eminent man, and had been zealous in the Exclusion: He was a young man of great parts; one of the learnedest Gentlemen I have ever known; for he was a critic both in Latin, Greek, and Hebrew: He was a man of great heat and vivacity, but too unequal in his temper: He had once great principles of religion: But he was much corrupted by P. Simon's conversation at Paris.

They
treat with
some of
the Scot-
tish Na-
tion.

With these men the Duke of Monmouth met often. His interest in Scotland, both by the dependance that his wife's great estate brought him, but chiefly by the knowledge he had of their affairs while he was among them, and by the confidence he knew they had all in him, made him turn his thoughts much towards that Kingdom, as the properest scene of action. He had met often with Lord Argyle while he was in London, and had many conferences with him of the state of that Kingdom, and of what might be done there;

And

1683.

And he thought the business of Carolina was a very proper blind to bring up some of the Scotch Gentlemen, under the appearance of treating about that. They upon this agreed to send one Aaron Smith to Scotland, to desire that some men of absolute confidence might be sent up for that end. So when the Proclamation, that was formerly mentioned, was published, it spread such an universal apprehension thro' all the suspected counties, that they looked on themselves as marked out to destruction: And it is very natural for people under such impressions, to set themselves to look out for remedies as soon as they can.

In the beginning of April some of them came up. The person that was most entirely trusted, and to whom the journey proved fatal, was Baillie, of whose unjust treatment upon Carstairs's information an account was formerly given. He was my cousin german: So I knew him well. He was in the presbyterian principles, but was a man of great piety and virtue, learned in the law, in mathematics, and in languages: I went to him, as soon as I heard he was come, in great simplicity of heart, thinking of nothing but of Carolina. I was only afraid they might go too much into the company of the English, and give true representations of the state of affairs in Scotland: This might be reported about by men that would name them: And that might bring them into trouble. But a few weeks after I found they came not to me as they were wont to do: And I heard they were often with Lord Ruffel. I was apprehensive of this: And Lord Essex being in the country, I went to him, to warn him of the danger, I feared Lord Ruffel might be brought into, by this conversation with my countrymen. He diverted me from all my apprehensions; and told me, I might depend on it, Lord Ruffel would be in nothing without acquainting him: And he seemed to agree entirely with me, that a rising, in the state in

1683.

which things were then, would be fatal. I always said, that when the root of the constitution was struck at to be overturned, then I thought subjects might defend themselves: But I thought jealousies and fears, and particular acts of injustice, could not warrant this. He did agree with me in this: He thought, the obligation between Prince and subject was so equally mutual, that upon a breach on the one side the other was free: But tho' he thought the late injustice in London, and the end that was driven at by it, did set them at liberty to look to themselves, yet he confessed things were not ripe enough yet, and that an ill laid and an ill managed rising would be our ruin. I was then newly come from writing my history of the Reformation; and did so evidently see, that the struggle for lady Jean Grey, and Wyatt's rising, was that which threw the nation so quickly into Popery after King Edward's days, (for such as had rendred themselves obnoxious in those matters saw no other way to secure themselves, and found their turning was a sure one,) that I was now very apprehensive of this; besides that I thought it was yet unlawful. What past between the Scots and the English Lords I know not; only that Lord Argile, who was then in Holland, asked at first 20000 l. for buying a stock of arms and ammunition, which he afterwards brought down to 8000 l. and a thousand horse to be sent into Scotland: Upon which he undertook the conduct of that matter. I know no further than general hints of their matters: For tho' Hamden offered frequently to give me a particular account of it all, knowing that I was writing the history of that time, yet I told him, that till by an indemnity that whole matter was buried, I would know none of those secrets, which I might be obliged to reveal, or to lie and deny my knowledge of them: So to avoid that I put it off at that time. And when I returned to England at the Revolution, we appointed often
to

to meet, in order to a full relation of it all. But by several accidents it went off, as a thing is apt to do which one can recover at any time. And so his unhappy end came on before I had it from him. I know this, that no money was raised. But the thing had got some vent; for my own brother, a zealous Presbyterian, who was come from Scotland, it not being safe for him to live any longer in that Kingdom, knowing that he had conversed with many that had been in the rebellion, told me, there was certainly somewhat in agitation among them, about which some of their teachers had let out somewhat very freely to himself: How far that matter went, and how the scheme was laid, I cannot tell; and so must leave it in the dark. Their contract for the project of Carolina seemed to go on apace: They had sent some thither the former year, who were now come back, and brought them a particular account of every thing: They likewise, to cover their negotiations with Lord Argyle, sent some over to him; but with the blind of instructions for buying ships in Holland, and other things necessary for their transportation.

While this matter was thus in a close management among them, there was another company of Lord Shaftsbury's creatures, that met in the Temple in the chambers of one West, a witty and active man, full of talk, and believed to be a determined Atheist. Rumsey and Ferguson came constantly thither. The former of these was an officer in Cromwell's army, who went into Portugal with the forces that served there under Schomberg. He did a brave action in that service: And Schomberg writ a particular letter to the King setting it out: Upon which he got a place: And he had applied himself to Lord Shaftsbury as his patron. He was much trusted by him, and sent often about on messages. Once or twice he came to Lord Russell, but it was upon indifferent

1683.

Other
Conspirators meet
at the
same time
on designs
of assassinating the
King.

1683. things. Lord Ruffel said to me, that at that very time he felt such a secret averſion to him, that he was in no danger of truſting him much. He was one of the bold talkers, and kept chiefly among Lord Shaftsbury's creatures. He was in all the ſecret of his going beyond ſea; which ſeemed to ſhew, that he was not then a ſpy of the Court's, which ſome ſuſpected he was all along. Ferguſon was a hot and a bold man, whoſe ſpirit was naturally turned to plotting: He was always unquiet, and ſetting people on to ſome miſchief: I knew a private thing of him, by which it appeared he was a profligate knave, and could cheat thoſe that truſted him entirely: So tho' he, being a Scotch man, took all the ways he could to be admitted into ſome acquaintance with me, I would never ſee him, or ſpeak with him: And I did not know his face till the Revolution: He was caſt out by the Preſbyterians; and then went among the Independents, where his boldneſs raiſed him to ſome figure, tho' he was at bottom a very empty man: He had the management of a ſecret preſs, and of a purſe that maintained it: And he gave about moſt of the pamphlets writ of that ſide: And with ſome he paſt for the author of them: And ſuch was his vanity, becauſe this made him more conſiderable, that he was not ill pleaſed to have that believed; tho' it only expoſed him ſo much the more. With theſe Goodenough, who had been Under-Sheriff of London in Bethel's year, and one Halloway of Briſtol met often, and had a great deal of rambling diſcourſe, to ſhew how eaſy a thing it was on the ſudden to raiſe four thouſand men in the City. Goodenough by reaſon of his office knew the City well, and pretended he knew many men of ſo much credit in every corner of it, and on whom they might depend, as could raiſe that number, which he reckoned would quickly grow much ſtronger: And it is probable, this was the ſcheme with which Lord Shaftsbury was

so possessed, that he thought it might be depended on. They had many discourses of the heads of a declaration proper for such a rising, and disputed of these with much subtilty as they thought: And they intended to send Halloway to Bristol, to try what could be done there at the same time. But all this was only talk, and went no further than to a few of their own confidants. Rumsey, Ferguson, and West were often talking of the danger of executing this, and that the shorter and surer way was to kill the two brothers. One Rumbold, who had served in Cromwell's army, came twice among them; and while they were in that wicked discourse, which they expressed by the term lopping. He upon that told them, he had a farm near Hodsden in the way to New-Market: And there was a moat cast round his house, thro' which the King sometimes past in his way thither. He said, once the coach went thro' quite alone, without any of the guards about it; and that, if he had laid any thing cross the way to have stopt the coach but a minute, he could have shot them both, and have rode away thro' grounds, that he knew so well, that it would not have been possible to have followed him. Upon which they ran into much wicked talk about the way of executing that. But nothing was ever fixed on: All was but talk. At one time Lord Howard was among them: And they talked over their several schemes of lopping. One of them was to be executed in the Play House. Lord Howard said, he liked that best, for then they would die in their calling. This was so like his way of talk, that it was easily believed, tho' he always denied it. Walcot, an Irish Gentleman that had been of Cromwell's army, was now in London, and got into that company: And he was made believe, that the thing was so well laid, that many both in City and Country were engaged in it. He liked the project of a rising, but declared he would not meddle in their lopping.

1683.

1683.

So this wicked knot of men continued their caballings, from the time that the Earl of Shaftsbury went away: And these were the subjects of their discourfes. The King went constantly to Newmarket for about a Month both in April and October. In April while he was there the fire broke out, and burnt part of the town: Upon which the King came back a week sooner than he intended.

A plot is
discover-
ed.

While all these things were thus going on, there was one Keeling, an Anabaptist in London, who was sinking in his business, and began to think that of a witness would be the better trade. Goodenough had employed him often to try their strength in the City, and to count on whom they could depend for a sudden rising: He also talked to him of the design of killing the two brothers: So he went and discovered all he could to Leg, at that time made Lord Dartmouth. Leg made no great account of it, but sent him to Jenkins. Jenkins took his depositions, but told him he could not proceed in it without more witnesses: So he went to his brother, who was a man of heat in his way, but of probity, who did not incline to ill designs, and less to discover them. Keeling carried his brother to Goodenough, and assured him he might be depended on. So Goodenough run out into a rambling discourse of what they both could and would do: And he also spoke of killing the King and the Duke, which would make their work easy. When they left him, the discoverer pressed his brother to go along with him to Westminster, where he pretended business, but stopt at Whitehall. The other was uneasy, longing to get out of his company, to go to some friends for advice upon what had hapned. But he drew him on: And at last, he not knowing whether he was going, he drew him into Jenkins's office; and there told the Secretary he had brought another witness, who had heard the substance of the plot from Goodenough's

enough's own mouth just then. His brother was deeply struck with this cheat and surprize, but could not avoid the making oath to Jenkins of all he had heard. The Secretary, whose phlegmatick head was not turned for such a work, let them both go, and sent out no warrants, till he had communicated the matter to the rest of the Ministry, the King being then at Windsor. So Keeling, who had been thus drawn into the snare by his brother, sent advertisements to Goodenough, and all the other persons whom he named, to go out of the way.

Rumsey and West were at this time perpetually together: And apprehending that they had trusted themselves to too many persons, who might discover them, they laid a story, in which they resolved to agree so well together, that they should not contradict one another. They framed their story thus: That they had laid the design of their rising to be executed on the seventeenth of November, the day of Queen Elizabeth's coming to the Crown, on which the citizens used to run together, and carry about Popes in procession, and burn them: So that day seemed proper to cover their running together, till they met in a body. Others, they said, thought it best to do nothing on that day, the rout being usually at night, but to lay their rising for the next Sunday at the hour of people's being at Church. This was laid to shew how near the matter was to the being executed. But the part of their story that was the best laid, (for this looked ridiculous, since they could not name any one person of any condition that was to head this rising,) was, that they pretended that Rumbold had offered them his house in the Heath for executing the design. It was called Rye: And from thence it was called the Rye Plot. He asked forty men, well armed and mounted, whom Rumsey and Walcot were to command in two parties: The one was to engage the guards, if
they

1683.

A forged
story laid
by Rum-
sey and
West.

1683.

they should be near the coach: And the other was to stop the coach, and to murder the King and the Duke. Rumsfy took the wicked part on himself, saying, that Walcot had made a scruple of killing the King, but none of engaging the guards: So Rumsfy was to do the execution. And they said, they were divided in their minds what to do next: Some were for defending the moat till night, and then to have gone off: Others were for riding thro' grounds in a shorter way towards the Thames. Of these forty they could name but eight. But it was pretended that Walcot, Goodenough, and Rumbold had undertaken to find both the rest of the men and the horses: For, tho' upon such an occasion men would have taken care to have had sure and well tried horses, this also was said to be trusted to others. As for arms, West had bought some, as on a commission for a plantation: And these were said to be some of the arms with which they were to be furnished; tho' when they were seen they seemed very improper for such a service. I saw all West's narrative, which was put in Lord Rochester's hands: And a friend of mine borrowed it of him, and lent it me. They were so wise at Court that they would not suffer it to be printed; for then it would have appeared too gross to be believed.

But the part of it all that seemed the most amazing was, that it was to have been executed on the day in which the King had intended to return from New-Market: But the happy fire that sent him away a week sooner had quite defeated the whole plot, while it was within a week of its execution, and neither horses, men, nor arms yet provided. This seemed to be so eminent a Providence, that the whole nation was struck with it: And both preachers and poets had a noble subject to enlarge on, and to shew how much the King and the Duke were under the watchful care of providence.

Within

1683.

Within three days after Keeling's discovery the plot broke out, and became the whole discourse of the Town. Many examinations were taken, and several persons were clapt up upon it. Among these Wildman was one, who had been an agitator in Cromwell's army, and had opposed his Protectorship. After the Restoration he being looked on as a high republican was kept long in prison; where he had studied law and physick so much, that he past as a man very knowing in those matters. He had a way of creating in others a great opinion of his sagacity, and had great credit with the Duke of Buckingham, and was now very active under Sidney's conduct. He was seized on, and his house was searched: In his cellars there happened to be two small field-pieces that belonged to the Duke of Buckingham, and that lay in York-House when that was sold, and was to be pulled down: Wildman carried those two pieces, which were finely wrought, but of little use, into his cellars, where they were laid on ordinary wooden carriages, and no way fitted for any service: Yet these were carried to Whitehall, and exposed to view, as an undeniable proof of a rebellion designed, since here was their cannon.

Several persons came to me from Court, assuring me that there was full proof made of a plot. Lord Howard coming soon after them to see me, talked of the whole matter in his spiteful way with so much scorn, that I really thought he knew of nothing, and by consequence I believed there was no truth in all these discoveries. He said, the Court knew they were sure of Juries, and they would furnish themselves quickly with witnesses: And he spoke of the Duke as of one that would be worse, not only than Queen Mary, but than Nero: And with eyes and hands lifted to heaven he vowed to me, that he knew of no plot, and that he believed nothing of it.

1683.



Two days after, a Proclamation came out for seizing on some who could not be found: And among these Rumsley and West were named. The next day West delivered himself: And Rumsley came in a day after him. These two brought out their story, which, how incredible soever it was, past so for certain, that any man that seemed to doubt it was concluded to be in it. That of defending themselves within mud walls and a moat, looked like the invention of a lawyer, who could not lay a military contrivance with any sort of probability. Nor did it appear where the forty horse were to be lodged, and how they were to be brought together. All these were thought objections that could be made by none but those who either were of it, or wished well to it. These new witnesses had also heard of the conferences that the Duke of Monmouth and the other Lords had with those who were come from Scotland, but knew nothing of it themselves. Rumsley did likewise remember the discourse at Shepherd's.

Russel and some others were put in prison upon it.

When the Council found the Duke of Monmouth and Lord Russel were named, they writ to the King to come to London: They would not venture to go further without his presence and leave. A messenger of the Council was sent the morning before the King came, to wait at Lord Russel's gate, to have stopt him if he had offered to go out. This was observed; for he walked many hours there: And it was looked on as done on purpose to frighten him away; for his back gate was not watched: So for several hours he might have gone away if he had intended it. He heard that Rumsley had named him: But he knew he had not trusted him, and he never reflected on the discourse at Shepherd's. He sent his wife among his friends for advice. They were of different minds: But since he said he apprehended nothing, from any thing he had said to Rumsley, they thought his going out of the way would give the

1683.

the Court too great an advantage, and would look like a confessing of guilt. So this agreeing with his own mind, he staid at home till the King was come: And then a messenger was sent to carry him before the Council. He received it very composedly, and went thither. Rumsley had also said, that at Shepherd's there was some discourse of Trenchard's undertaking to raise a body out of Taunton, and of his failing in it: So Lord Russel was examined upon that, the King telling him, that no body suspected him of any design against his person, but that he had good evidence of his being in designs against his government. Lord Russel protested, he had heard nothing relating to Trenchard: And said to the last, that either it was a fiction of Rumsley's, or it had past between him and Armstrong, while he was walking about the room, or tasting the wines at Shepherd's; for he had not heard a word of it. Upon all this he was sent a close prisoner to the Tower.

Sidney was brought next before the Council. But his examination lasted not long. He said, he must make the best defence he could, if they had any proof against him: But he would not fortify their evidence by any thing he should say. And indeed that was the wisest course; for the answering questions upon such examinations is a very dangerous thing: Every word that is said is laid hold on, that can be turned against a man's self or his friends, and no regard is had to what he might say in favour of them: And it had been happy for the rest, especially for Baillie, if they had all held to this maxim. There was at that time no sort of evidence against Sidney, so that his commitment was against law. Trenchard was also examined: He denied every thing. But one point of his guilt was well known: He was the first man that had moved the Exclusion in the House of Commons; So he was reckoned a lost man.

Baillie

1683.

Baillie and two other Gentlemen of Scotland, both Campbells, had changed their lodgings while the Town was in this fermentation: And upon that they were seized on as suspected persons, and brought before the King. He himself examined them, and first questioned them about the design against his person, which they very frankly answered, and denied they knew any thing about it. Then he asked them, if they had been in any consultations with Lords or others in England, in order to an insurrection in Scotland. Baillie faultred at this: For his conscience restrained him from lying. He said, he did not know the importance of those questions, nor what use might be made of his answers: He desired to see them in writing, and then he would consider how to answer them. Both the King and the Duke threatned him upon this: And he seemed to neglect that with so much of the air of a Philosopher, that it provoked them out of measure against him. The other two were so lately come from Scotland, that they had seen no body, and knew nothing. Baillie was loaded by a special direction with very heavy irons: So that for some weeks his life was a burden to him. Cochran, another of those who had been concern'd in this Treaty, was complained of, as having talked very freely of the Duke's government of Scotland. Upon which the Scotch Secretary sent a note to him desiring him to come to him; for it was intended only to have given him a reprimand, and to have ordered him to go to Scotland. But he knew his own secret: So he left his lodgings, and got beyond sea. This shewed the Court had not yet got full evidence: Otherwise he would have been taken up, as well as the others were.

Monmouth
and others
escaped.

As soon as the Council rose, the King went to the Duchess of Monmouth's, and seemed so much concerned for the Duke of Monmouth, that he wept as he spoke to her. That Duke told a strange passage relating to that visit, to the Lord Cutts,
from

1683.

from whom I had it. The King told his Lady, that some were to come and search her lodgings: But he had given order that no search should be made in her apartments: So she might conceal him safely in them. But the Duke of Monmouth added, that he knew him too well to trust him: So he went out of his lodgings. And it seems he judged right: For the place, that was first searched for him, was her rooms: But he was gone. And he gave that for the reason why he could never trust the King after that. It is not likely the King meant to proceed to extremities with him, but that he intended to have him in his own hands, and in his power.

An order was sent to bring up the Lord Grey, which met him coming up. He was brought before the Council, where he behaved himself with great presence of mind. He was sent to the Tower. But the gates were shut: So he staid in the messenger's hands all night, whom he furnished so liberally with wine, that he was dead drunk. Next morning he went with him to the Tower gate, the messenger being again fast asleep. He himself called at the Tower gate, to bring the Lieutenant of the Tower to receive a prisoner. But he began to think he might be in danger: He found Rumfey was one witness: And if another should come in he was gone: So he called for a pair of oars, and went away, leaving the drunken messenger fast asleep. Warrants were sent for several other persons: Some went out of the way, and others were dismissed after some months imprisonment. The King shewed some appearance of sincerity in examining the witnesses: He told them, he would not have a growing evidence: And so he charged them to tell out at once all that they knew: He led them into no accusations by asking them any questions: He only asked them, if Oates was in their secret? They answered, that they all looked on him as such a rogue, that they would not trust him.

1683.

him. The King also said, he found Lord Howard was not among them, and he believed that was upon the same account. There were many more persons named, and more particulars set down in West's narrative, than the Court thought fit to make use of: For they had no appearance of truth in them.

Lord Ruffel, from the time of his imprisonment, looked upon himself as a dead man, and turned his thoughts wholly to another world. He read much in the Scriptures, particularly in the Psalms, and read Baxter's dying thoughts. He was as serene and calm as if he had been in no danger at all. A Committee of Council came to examine him upon the design of seizing on the guards, and about his treating with the Scots. He answered them civilly; and said, that he was now preparing for his trial, where he did not doubt but he should answer every thing that could be objected to him. From him they went to Sidney, who treated them more roughly: He said, it seemed they wanted evidence, and therefore they were come to draw it from his own mouth; but they should have nothing from him. Upon this examination of Lord Ruffel, in which his treating with the Scots was so positively charged on him, as a thing of which they were well assured, his Lady desired me to see who this could be, that had so charged him: But this appeared to be only an artifice, to draw a confession from him. Cochran was gone: And Baillie was a close prisoner, and was very ill used: None were admitted to him. I sent to the keeper of the prison to let him want for nothing, and that I should see him paid. I also at his desire sent him books for his entertainment, for which I was threatned with a prison. I said, I was his nearest kinsman in the place, and this was only to do as I would be done by. From what I found among the Scots, I quieted the fears of Lord Ruffel's friends.

Lord

Lord Howard was still going about, and protesting to every person he saw that there was no plot, and that he knew of none: Yet he seemed to be under a consternation all the while. Lord Russel told me, he was with him when the news was brought that West had delivered himself, upon which he saw him change colour: And he asked him, if he apprehended any thing from him? He confessed, he had been as free with him as with any man. Hamden saw him afterwards under great fears: And upon that he wished him to go out of the way, if he thought there was matter against him, and if he had not a strength of mind to suffer any thing that might happen to him. The King spoke of him with such contempt, that it was not probable that he was all this while in correspondence with the Court.

1683.

At last, four days before Lord Russel's trial, he was taken in his own house after a long search; and was found standing up within a chimney. As soon as he was taken he fell a crying: And at his first examination he told, as he said, all that he knew. West and Rumsley had resolved only to charge some of the lower sort; but had not laid every thing so well together, but that they were found contradicting one another. So Rumsley charged West for concealing some things: Upon which he was laid in irons, and was threatned with being hanged: For three days he would eat nothing, and seemed resolved to starve himself: But nature overcame his resolutions: And then he told all he knew, and perhaps more than he knew; for I believe it was at this time that he wrote his narrative. And in that he told a new story of Lord Howard, which was not very credible, that he thought the best way of killing the King and the Duke, was for the Duke of Monmouth to fall into Newmarket with a body of three or four hundred horse when they were all asleep, and so to take them all: As if it had been an easy matter

Howard's
confession.

1683.

to get such a body together, and to carry them thither invisibly upon so desperate a service. Upon Lord Howard's examination, he told a long story of Lord Shaftsbury's design of raising the City: He affirmed, that the Duke of Monmouth had told him, how Trenchard had undertaken to bring a body of men from Taunton, but had failed in it: He confirmed that of a rising intended in the City on the seventeenth or the nineteenth of November last: But he knew of no body that was to be at the head of it. So this was looked on as only talk. But that which came more home was, that he owned there was a Council of six settled, of which he himself was one; and that they had had several debates among them concerning an insurrection, and where it should begin, whether in the City or in the Country; but that they resolved to be first well informed concerning the state Scotland was in; and that Sidney had sent Aaron Smith to Scotland, to bring him a sure information from thence, and that he gave him sixty guineas for his journey: More of that matter he did not know; for he had gone out of Town to the Bath, and to his estate in the Country. During his absence the Lords began to apprehend their error in trusting him: And upon it Lord Essex said to Lord Russel, as the last told me in prison, that the putting themselves in the power of such a man would be their reproach, as well as their ruin, for trusting a man of so ill a character: So they resolved to talk no more to him: But at his next coming to Town they told him, they saw it was necessary at present to give over all consultations, and to be quiet: And after that they saw him very little. Hamden was upon Lord Howard's discovery seized on: He, when examined, desired not to be pressed with questions: So he was sent to the Tower.

A party of horse was sent to bring up Lord Essex, who had staid all this while at his house in the

the Country; and seemed so little apprehensive of danger, that his own Lady did not imagine he had any concern on his mind. He was offered to be conveyed away very safely: But he would not stir. His tenderness for Lord Russell was the cause of this: For he thought, his going out of the way, might incline the Jury to believe the evidence the more, for his absconding. He seemed resolved, as soon as he saw how that went, to take care of himself. When the party came to bring him up, he was at first in some disorder, yet he recovered himself. But when he came before the Council, he was in much confusion. He was sent to the Tower: And there he fell under a great depression of spirit: He could not sleep at all. He had fallen before that twice under great fits of the spleen, which returned now upon him with more violence. He sent by a servant, whom he had long trusted, and who was suffered to come to him, a very melancholy message to his wife; That what he was charged with was true: He was sorry he had ruined her and her children: But he had sent for the Earl of Clarendon, to talk freely to him, who had married his sister. She immediately sent back the servant, to beg of him that he would not think of her or her children, but only study to support his own spirits; and desired him to say nothing to Lord Clarendon, nor to any body else, till she should come to him, which she was in hope to obtain leave to do in a day or two. Lord Clarendon came to him upon his message: But he turned the matter so well to him, as if he had been only to explain somewhat, that he had mistaken himself in, when he was before the Council: But as to that for which he was clapt up, he said there was nothing in it, and it would appear how innocent he was. So Lord Clarendon went away in a great measure satisfied, as he himself told me. His Lady had another message from him, that he was much calmer; especially when

1683.
The Earl
of Essex
was sent
to the
Tower.

The Earl
of Essex
was sent
to the
Tower.

1683. he found how she took his condition to heart, without seeming concerned for her own share in it. He ordered many things to be sent to him: And among other things he called at several times for a penknife, with which he used to pare his nails very nicely: So this was thought intended for an amusement. But it was not brought from his house in the Country, tho' sent for. And when it did not come, he called for a razor, and said, that would do as well. The King and the Duke came to the Tower that morning, as was given out, to see some invention about the ordinance. As they were going into their barge, the cry came after them of what had hapned to Lord Effex: For his man, thinking he staid longer than ordinary in his closet, said, he looked thro' the key-hole, and there saw him lying dead: Upon which the door being broke open, he was found dead; his throat cut, so that both the jugulars and the gullet were cut, a little above the Aspera Arteria. I shall afterwards give an account of the further enquiry into this matter, which past then universally as done by himself. The Coroners Jury found it self-murder. And when his body was brought home to his own house, and the wound was examined by his own Surgeon, he said to me, it was impossible the wound could be as it was, if given by any hand but his own: For except he had cast his head back, and stretched up his neck all he could, the Aspera Arteria must have been cut. But to go on with this tragical day, in which I lost the two best friends I had in the world:

The Lord
Ruffel's
trial.

The Lord Ruffel's trial was fixed for that day. A Jury was returned that consisted of citizens of London who were not freeholders. So the first point argued in law was, whether this could be a legal Jury. The statute was exprefs: And the reason was, that none but men of certain estates might try a man upon his life. It was answered, that the practice of the City was to the contrary, upon

1683.

upon the very reason of the law: For the richest men of the City were often no freeholders, but merchants whose wealth lay in their trade and stock. So this was over-ruled, and the Jury was sworn. They were pickt out with great care, being men of fair reputation in other respects, but so engaged in the party for the Court, that they were easy to believe any thing on that side. Rumsey, Shepherd, and Lord Howard were the witnesses, who deposed according to what was formerly related. Shepherd swore, Lord Russel was twice at his house, tho' he was never there but once. And when Lord Russel sent him word after his sentence, that he forgave him all he had sworn against him, but that he must remember that he was never within his doors but one single time: To which all the answer Shepherd made was, that all the while he was in Court during the trial, he was under such a confusion, that he scarce knew what he said. Both Rumsey and he swore, that Lord Russel had expressed his consent to the seizing on the guards, tho' they did not swear any one word that he spoke which imported it: So that here a man was convicted of treason, for being present by accident, or for some innocent purpose, where treasonable matter was discoursed, without bearing a part in that discourse, or giving any assent by words or otherwise to what was so discoursed; which at the most amounts to misprision, or concealment of treason only. As Lord Howard began his evidence, the news of the Earl of Essex's death came to the Court. Upon which Lord Howard stopped, and said, he could not go on till he gave vent to his grief in some tears. He soon recovered himself, and told all his story. Lord Russel defended himself by many compurgators, who spoke very fully of his great worth, and that it was not likely he would engage in ill designs. Some others besides myself testified, how solemnly Lord Howard had denied his knowledge

1683. of any plot, upon its first breaking out. Finch, the Solicitor General, said, no regard was to be had to that, for all witnesses denied at first. It was answered, if these denials had been only to a magistrate, or at an examination, it might be thought of less moment: But such solemn denials, with asseverations, to friends, and officiously offered, shewed that such a witness was so bad a man, that no credit was due to his testimony. It was also urged that it was not sworn by any of the witnesses, that Lord Russell had spoken any such words, or words to that effect: And without some such indication, it could not be known that he hearkned to the discourse, or consented to it. Lord Russell also asked, upon what statute he was tried: If upon the old statute of the twenty fifth of Edward the third, or if upon the statute made declaring what shall be held treason during the King's reign? They could not rely on the last, because of the limitation of time in it: Six months, and something more, were passed since the time of these discourses: So they relied on the old statute. Upon which he asked, where was the overt-act? For none appeared. It was also said, that by that statute the very imagining the King's death, when proved by an overt-act, was treason: But it was only the levying war, and not the imagining to levy war against the King, that was treason by that statute. Cook and Hale were of this opinion, and gave their reasons for it. And it seemed, that the Parliament that past the act of treason during the present Reign were of that mind; for they enumerated consultations to raise war among those things which were declared to be treason during that Reign: This shewed, that they did not look on them as comprehended within the old statute. The King's Counsel pretended, that consultations to seize on the guards were an overt-act of a design against the King's person. But those forces, that have got the designation of guards appropriated to them,

are not the King's guards in law: They are not so much as allowed of by law: For even the lately dissolved long Parliament, that was so careful of the King, and so kind to him, would never take notice of the King's forces, much less call them his guards. The guards were only a company of men in the King's pay: So that a design to seize on them amounted to no more, than to a design to seize on a part of the King's army. But the word guards founded so like a security to the King's person, that the design against them was constructed a design against his life: And yet none of the witnesses spoke of any design against the King's person. Lord Howard swore positively, that they had no such design. Yet the one was constructed to be the natural consequence of the other. So that after all the declaiming against a constructive treason in the case of Lord Strafford, the Court was always running into it, when they had a mind to destroy any that stood in their way. Lord Russel desired, that his Counsel might be heard to this point of seizing the guards: But that was denied, unless he would confess the fact: And he would not do that, because, as the witnesses had sworn it, it was false. He once intended to have related the whole fact, just as it was: But his Counsel advised him against it. Some of his friends were for it, who thought that it could amount to no more than a concealment and misprision of treason. Yet the Counsel distinguished between a bare knowledge, and a concealing that, and a joining designedly in council with men that did design treason: For in that case, tho' a man should differ in opinion from a treasonable proposition, yet his mixing in council with such men will in law make him a traitor. Lord Russel spoke but little: Yet in few words he touched on all the material points of law that had been suggested to him. Finch summed up the evidence against him: But in that, and in several other trials afterwards, he shewed more of a vic-

1683. *ous* eloquence, in turning matters with some subtlety against the prisoners, than of solid or sincere reasoning. Jefferies would shew his zeal, and speak after him: But it was only an insolent declamation, such as all his were, full of fury and indecent invectives. Pemberton was the head of the Court, the other Bench not being yet filled. He summed up the evidence at first very fairly: But in conclusion he told the Jury, that a design to seize the guards was surely a design against the King's life. But tho' he struck upon this, which was the main point, yet it was thought that his stating the whole matter with so little eagerness against Lord Ruffel, was that which lost him his place: For he was turned out soon after. Lord Ruffel's behaviour during the trial was decent and composed: So that he seemed very little concerned in the issue of the matter. He was a man of so much candour, that he spoke little as to the fact: For since he was advised not to tell the whole truth, he could not speak against that which he knew to be true, tho' in some particulars it had been carried beyond the truth. But he was not allowed to make the difference: So he left that wholly to the Jury, who brought in their verdict against him, upon which he received sentence.

He was
condemn-
ed.

He then composed himself to die with great feriousness. He said, he was sure the day of his trial was more uneasy to him, than that of his execution would be. All possible methods were used to have saved his life: Money was offered to the Lady Portsmouth, and to all that had credit, and that without measure. He was pressed to send petitions and submissions to the King, and to the Duke: But he left it to his friends to consider how far these might go, and how they were to be worded. All he was brought to was, to offer to live beyond sea in any place that the King should name, and never to meddle any more in English affairs. But all was in vain: Both King and Duke were fixed
in

1683.

in their resolutions; but with this difference, as Lord Rochester afterwards told me, that the Duke suffered some, among whom he was one, to argue the point with him, but the King could not bear the discourse. Some have said, that the Duke moved that he might be executed in Southampton square, before his own house, but that the King rejected that as indecent. So Lincoln's-Inn-Fields was the place appointed for his execution. The last week of his life he was shut up all the mornings, as he himself desired. And about noon I came to him, and staid with him till night. All the while he expressed a very Christian temper, without sharpness or resentment, vanity or affectation. His whole behaviour looked like a triumph over death. Upon some occasions, as at table, or when his friends came to see him, he was decently chearful. I was by him when the Sheriffs came to shew him the warrant for his execution. He read it with indifference: And when they were gone he told me, it was not decent to be merry with such a matter, otherwise he was near telling Rich, (who tho' he was now of the other side, yet had been a member of the House of Commons, and had voted for the exclusion,) that they should never sit together in that House any more to vote for the bill of Exclusion. The day before his death he fell a bleeding at the nose: Upon that he said to me pleasantly, I shall not now let blood to divert this: That will be done to-morrow. At night it rained hard: And he said, such a rain to-morrow will spoil a great shew, which was a dull thing in a rainy day. He said, the sins of his youth lay heavy upon his mind: But he hoped God had forgiven them, for he was sure he had forsaken them, and for many years he had walked before God with a sincere heart: If in his publick actings he had committed errors, they were only the errors of his understanding; for he had no private ends, nor ill designs of his own in

1683. them: He was still of opinion that the King was limited by law, and that when he broke thro' those limits his subjects might defend themselves, and restrain him: He thought a violent death was a very desirable way of ending one's life: It was only the being exposed to be a little gazed at, and to suffer the pain of one minute, which, he was confident, was not equal to the pain of drawing a tooth. He said, he felt none of those transports that some good people felt; but he had a full calm in his mind, no palpitation at heart, nor trembling at the thoughts of death. He was much concerned at the cloud that seemed to be now over his Country: But he hoped his death should do more service, than his life could have done.

His preparation for death.

This was the substance of the discourse between him and me. Tillotson was oft with him that last week. We thought the party had gone too quick in their consultations, and too far; and that resistance in the condition we were then in was not lawful. He said, he had not leisure to enter into discourses of politicks; but he thought a government limited by law was only a name, if the subjects might not maintain those limitations by force: Otherwise all was at the discretion of the Prince: That was contrary to all the notions he had lived in of our government. But he said, there was nothing among them but the embrio's of things, that were never like to have any effect, and that were now quite dissolved. He thought, it was necessary for him to leave a paper behind him at his death: And because he had not been accustomed to draw such papers, he desired me to give him a scheme of the heads fit to be spoken to, and of the order in which they should be laid: Which I did. And he was three days employed for some time in the morning to write out his speech. He ordered four copies to be made of it, all which he signed; and gave the original with three of the copies to his Lady, and kept the other to give to the

the Sheriffs on the Scaffold. He writ it with great care: And the passages that were tender he writ in papers apart, and shewed them to his Lady, and to myself, before he writ them out fair. He was very easy when this was ended. He also writ a letter to the King, in which he asked pardon for every thing he had said or done contrary to his duty, protesting he was innocent as to all designs against his person or government, and that his heart was ever devoted to that, which he thought was his true interest. He added, that tho' he thought he had met with hard measure, yet he forgave all concerned in it from the highest to the lowest; and ended, hoping that his Majesty's displeasure at him would cease with his own life, and that no part of it should fall on his wife and children. The day before his death he received the Sacrament from Tillotson with much devotion. And I preached two short sermons to him, which he heard with great affection. And we were shut up till towards the evening. Then he suffered his children that were very young, and some few of his friends to take leave of him; in which he maintained his constancy of temper, tho' he was a very fond father. He also parted with his Lady with a composed silence: And, as soon as she was gone, he said to me, The bitterness of death is past: For he loved and esteemed her beyond expression, as she well deserved it in all respects. She had the command of herself so much, that at parting she gave him no disturbance. He went into his chamber about midnight: And I staid all night in the outward room. He went not to bed till about two in the morning: And was fast asleep till four, when according to his order we called him. He was quickly dressed, but would lose no time in shaving: For he said, he was not concerned in his good looks that day.

He was not ill pleased with the account he heard that morning of the manner of Walcot's death, who

1683.

1683.

The trial
and execution of
Walcot
and
others.

who together with one Hone and Rowse had suffered the day before. These were condemned upon the evidence of the witnesses. Rumsey and West swore fully against Walcot: He had also writ a letter to the Secretary offering to make discoveries, in which he said the plot was laid deep and wide. Walcot denied at his death the whole business of the Rye-Plot, and of his undertaking to fight the guards while others should kill the King. He said, West had often spoken of it to him in the phrase of lopping; and that he always said he would not meddle in it, and that he looked on it as an infamous thing, and as that which the Duke of Monmouth would certainly revenge, tho' West assured him that Duke had engaged under his hand to consent to it. This confession of Walcot's, as it shewed himself very guilty, so it made West appear so black, that the Court made no more use of him. Hone, a poor tradesman in London, who it seems had some heat but scarce any sense in him, was drawn in by Keeling, and Lee, another witness, who was also brought in by Keeling to a very wild thing, of killing the King but sparing the Duke, upon this conceit, that we would be in less danger in being under a professed Papist than under the King. Hone had promised to serve in the execution of it, but neither knew when, where, nor how it was to be done: So, tho' he seemed fitter for a Bedlam than a trial, yet he was tried the day before the Lord Russel, and suffered with the others the day before him. He confessed his own guilt; but said, these who witnessed against him had engaged him in that design, for which they now charged him: But he knew nothing of any other persons, besides himself and the two witnesses. The third was one Rowse, who had belonged to Player the Chamberlain of London; against whom Lee and Keeling swore the same things. He was more affected with a sense of the heat and fury with which he had been acted, than
the

the others were: But he denied, that he was ever in any design against the King's life. He said, the witnesses had let fall many wicked things of that matter in discourse with him: So that he was resolved to discover them, and was only waiting till he could find out the bottom of their designs: But that now they had prevented him. He vindicated all his acquaintance from being any way concerned in the matter, or from approving such designs. These men dying as they did, was such a disgrace to the witnesses, that the Court saw it was not fit to make any further use of them. Great use was made of the conjunction of these two plots, one for a rising, and another for an assassination. It was said, that the one was that, which gave the heart and hope to the other black conspiracy: By which they were over all England blended together as a plot within a plot, which cast a great load on the whole party.

Lord Ruffel seemed to have some satisfaction to find, that there was no truth in the whole contrivance of the Rye-Plot: So that he hoped, that infamy, which now blasted their party, would soon go off. He went into his chamber six or seven times in the morning, and prayed by himself, and then came out to Tillotson and me: He drunk a little tea and some sherry. He wound up his watch; and said, now he had done with time, and was going to eternity. He asked what he should give the executioner: I told him ten guineas: He said, with a smile, it was a pretty thing to give a fee to have his head cut off. When the Sheriffs called him about ten a clock, Lord Cavendish was waiting below to take leave of him. They embraced very tenderly. Lord Ruffel, after he had left him, upon a sudden thought came back to him, and pressed him earnestly to apply himself more to religion; and told him what great comfort and support he felt from it now in his extremity. Lord Cavendish had very generously offered

Ruffel's
execution.

1683.

1683. ed to manage his escape, and to stay in prison for him while he should go away in his cloaths: But he would not hearken to the motion. The Duke of Monmouth had also sent me word, to let him know, that, if he thought it could do him any service, he would come in, and run fortunes with him. He answered, it would be of no advantage to him to have his friends die with him. Tillotson and I went in the coach with him to the place of execution. Some of the croud that filled the streets wept, while others insulted: He was touched with a tenderness that the one gave him, but did not seem at all provoked by the other. He was singing Psalms a great part of the way; and said, he hoped to sing better very soon. As he observed the great crouds of people all the way, he said to us, I hope I shall quickly see a much better assembly. When he came to the Scaffold, he walked about it four or five times. Then he turned to the Sheriffs, and delivered his paper. He protested, he had always been far from any designs against the King's life or government: He prayed God would preserve both, and the Protestant Religion. He wished all Protestants might love one another, and not make way for Popery by their animosities.

Ruffel's
last
speech.

The substance of the paper he gave them was, first a profession of his Religion, and of his sincerity in it: That he was of the Church of England: But wished all would unite together against the common enemy: That Churchmen would be less severe, and Dissenters less scrupulous. He owned, he had a great zeal against Popery, which he looked on as an idolatrous and bloody Religion: But that, tho' he was at all times ready to venture his life for his Religion or his Country, yet that would never have carried him to a black or wicked design. No man ever had the impudence to move to him any thing with relation to the King's life: He prayed heartily for him, that in his person
and

and government he might be happy, both in this world and in the next. He protested, that in the prosecution of the Popish plot he had gone on in the sincerity of his heart; and that he never knew of any practice with the witnesses. He owned, he had been earnest in the matter of the Exclusion, as the best way in his opinion to secure both the King's life and the Protestant religion: And to that he imputed his present sufferings: But he forgave all concerned in them; and charged his friends to think of no revenges. He thought his sentence was hard: Upon which he gave an account of all that had past at Shepherd's. From the heats that appeared in choosing the Sheriffs he concluded, that this matter would end as it now did: And he was not much surprized to find it fall upon himself: He wished it might end in him: Killing by forms of law was the worst sort of murder. He concluded with some very devout Ejaculations. After he had delivered this paper he prayed by himself: Then Tillotson prayed with him. After that he prayed again by himself: And then undressed himself, and laid his head on the block, without the least change of countenance: And it was cut off at two strokes.

This was the end of that great and good man: On which I have perhaps enlarged too copiously: But the great esteem I had for him, and the share I had in this matter, will I hope excuse it. His speech was so soon printed, that it was selling about the streets an hour after his death: Upon which the Court was highly enflamed. So Tillotson and I were appointed to appear before the Cabinet Council. Tillotson had little to say, but only that Lord Russel had shewed him his speech the day before he suffered; and that he spoke to him, what he thought was incumbent on him, upon some parts of it, but he was not disposed to alter it. I was longer before them. I saw they apprehended I had penned the speech. I told the King, that at
his

1683. his Lady's desire I writ down a very particular journal of every passage, great and small, that had hapned during my attendance on him: I had just ended it, as I received my summons to attend his Majesty: So, if he commanded me, I would read it to him: Which upon his command I did. I saw they were all astonish'd at the many extraordinary things in it: The most important of them are set down in the former relation. The Lord Keeper asked me, if I intended to print that. I said, it was only intended for his Lady's private use. The Lord Keeper, seeing the King silent, added, You are not to think the King is pleas'd with this, because he says nothing: This was very mean. He then asked me, if I had not studied to dissuade the Lord Ruffel from putting many things in his speech. I said, I had discharged my conscience to him very freely in every particular: But he was now gone: So it was impossible to know, if I should tell any thing of what had past between us, whether it was true or false: I desired therefore to be excus'd. The Duke asked me, if he had said any thing to me in confession. I answered, that if he had said any thing to me in confidence, that was enough to restrain me from speaking of it. Only I offer'd to take my oath, that the speech was penn'd by himself, and not by me. The Duke, upon all that past in this examination, expressed himself so highly offend'd at me, that it was concluded I would be ruin'd. Lord Halifax sent me word, that the Duke look'd on my reading the journal as a studied thing, to make a pannyrick on Lord Ruffel's memory. Many pamphlets were writ on that occasion: And I was heavily charg'd in them all, as the adviser, if not the author, of the speech. But I was advis'd by all my friends to write no answer, but to bear the malice that was vented upon me with silence; which I resolv'd to do.

At this time Prince George of Denmark came into England to marry the Duke's second daughter. The Prince of Hanover had come over two years before to make addresses to her: But he was scarce got hither, when he received orders from his father not to proceed in that design; for he had agreed a match for him with his brother the Duke of Zell for his daughter, which did at that time more accommodate the family. The marriage that was now made with the brother of Denmark did not at all please the nation: For we knew that the proposition came from France. So it was apprehended, that both Courts reckoned they were sure that he would change his Religion: In which we have seen, since that time, that our fears were ill grounded. He has lived in all respects the happiest with his Princess that was possible, except in one particular: For tho' there was a child born every year for many years, yet they have all died: So that the fruitfulest marriage that has been known in our age, has been fatally blasted as to the effect of it.

1683.
 Prince
 George of
 Denmark
 married
 the
 Princess
 Anne.

The affairs abroad were now every where in a great fermentation. The Emperor had governed Hungary so strangely, as at once to persecute the Protestants and to oppress the Papists in their liberties, which disposed both to rebel: Upon which the malecontents were now in arms, and had possessed themselves of several places in the upper Hungary; which being near Poland, they were managed and assisted by the French Ministers in that Kingdom; in which the Cardinal of Fourbin was the chief instrument. But they not being able to maintain themselves against the Emperor's whole force, Tekeli, who was set at their head, offered all submissions to the Turk, and begged his protection. Upon this that great war broke out, all set on by the practices of the King of France; who, while he was persecuting the Protestants in his own Kingdom, was at the same time

The siege
 of Vien-

1683. encouraging the rebellion of Hungary, and drawing the Turk into Christendom. I need not enlarge further on a matter so well known as the siege of Vienna: Which, if it had been as well prosecuted as, it was first undertaken, the Town would have been certainly taken, and with that the Emperor and his family ruined. The King of France drew a great army together near the frontier of Germany, and seemed to depend upon it that the Town would be taken; and that he would be called in by the Princes of Germany to protect them, and upon that have been chosen Emperor. He at the same time sent Humieres with an army into Flanders, upon a pretension to Alost, that would have seemed very strange in any other Court but that. He had once possessed himself, during the war, of Alost: But afterwards he drew his troops out of it. So it not being in his hands when the peace of Nimeguen was made, no mention was made of restoring it. But now it was said, that, it being once in the King's hands by the right of his arms, it was still his, since he had not expressly renounced it: Therefore he now demanded it, or to have Luxembourg given him as an equivalent for it. Humieres finding no resistance in the Spanish Netherlands, destroyed and ruined the country, beyond any thing it had felt during the whole war. This was the state of affairs abroad at the time of these trials.

All people thought we should see a Parliament presently called, from which both the King and the Duke might have expected every thing, that they could desire: For the body of the nation was yet so possessed with the belief of the plot, that probably all elections would have gone as the Court directed, and scarce any of the other party would have had the courage, to have stood for an election any where. But the King of France began to apprehend, that the King might grow so much the master at home, that he would be no longer in their

their management: And they foresaw that, what success soever the King might have in a Parliament with relation to his own affairs, it was not to be imagined but that a House of Commons, at the same time that they shewed their submission to the King, would both enable him to resist the progress of the French arms, and address to him to enter into alliances with the Spaniards and the States. So the French made use of all their instruments to divert our Court from calling a Parliament: And they got the King to consent to their possessing themselves of Luxembourg: For which, I was told, they gave him 300000*l*. But I have no certainty of that. Lord Mountague told me of it, and seemed to believe it: And Lady Portsmouth valued her self on this of Luxembourg as gained by her; and called it the last service she did the Court of France.

At this time I went over into France, chiefly to be out of the way, when I was fallen on almost in every libel: For new sets of addresses were now running about the nation, with more heat and swelled eloquence in them than the former ones. In all which the providential fire of New-Market was set off with great pomp: And in many of them there were hard things said of Lord Russel and his speech, with insinuations that looked towards me.

In France Rouvigny, who was the Lady Russel's uncle, studied to get me to be much visited and known. There my acquaintance with Marshal Schomberg began: And by him I was acquainted with Marshal Bellefonds, who was a devout man, but very weak. He read the Scriptures much, and seemed to practise the virtues of the desert in the midst of that Court. I knew the Archbishop of Rheims, who was a rough boisterous man: He seemed to have good notions of the episcopal duty, in all things except that of the setting a good example to his Clergy: For he allowed himself in

The author went to the Court of France.

Characters of some he knew there.

1683.

liberties of all kinds. The Duke of Montausier was a pattern of virtue and sincerity, if not too cynical in it. He was so far from flattering the King, as all the rest did most abjectly, that he could not hold from contradicting him, as often as there was occasion for it. And for that reason chiefly the King made him the Dauphin's governor: To which, he told me, he had applied himself with great care, tho', he very frankly added, without success. The exterior of the King was very solemn: The first time I hapned to see him was, when the news came of the raising the siege of Vienna; with which, Schomberg told me, he was much struck, for he did not look for it. While I was at Court, which was only for four or five days, one of the King's coaches was sent to wait on me, and the King ordered me to be well treated by all about him, which upon that was done, with a great profusion of extraordinary respects: At which all people stood amazed. Some thought, it was to encourage the side against the Court, by this treatment of one then in disgrace. Others more probably thought, that the King, hearing I was a writer of history, had a mind to engage me to write on his side. I was told a pension would be offered me. But I made no steps towards it: For tho' I was offered an audience of the King, I excused it, since I could not have the honour to be presented to that King, by the Minister of England. I saw the Prince of Conde but once, tho' he intended to see me oftner. He had a great quickness of apprehension, and was thought the best judge in France both of wit and learning. He had read my history of the Reformation, that was then translated into French, and seemed pleased with it. So were many of the great lawyers; in particular Harlay, then Attorney General, and now first President of the Court of Parliament of Paris. The contests with Rome were then very high; for the Assembly of the Clergy had

had past some articles, very derogatory to the Pa-^{1683:}
pal authority: So many fancied, that matter might
go to a rupture: And Harlay said very publickly,
that, if that should happen, I had laid before them
a good plan to copy from.

Bellefonds had so good an opinion of me, that
he thought instances of devotion might have some
effect on me: So he made the Duchefs La Valiere
think, that she might be an instrument in con-
verting me: And he brought a message from her,
desiring me to come to the grate to her. I was
twice there: And she told me the steps of her con-
version, and of her coming into that strict order
of the Carmelites, with great humility and much
devotion. Treville, one of the Duchefs of Or-
leans's admirers, was so struck with her death,
that he had lived in retreat from that time, and
was but newly come to appear again: He had
great knowledge, with a true sense of Religion:
He seemed to groan under many of the corrupti-
ons of their Church. He and some others whom
I knew of the Sorbon, chiefly Faur, Pique, and
Brayer, seemed to think that almost every thing
among them was out of order; and wished for a
regular Reformation: But their notion, of the uni-
ty of the Church, kept them still in a communion
that they seemed uneasy in: And they said very
freely, they wondered how any one, that was once
out of their communion, should desire to come
back into it. They were generally learned only in
one point: Faur was the best read in ecclesiastical
history of any man I saw among them: And I ne-
ver knew any of that Church that understood the
Scriptures so well as Pique did. They declared
themselves for abolishing the Papal authority, and
for reducing the Pope to the old Primacy again.
They spoke to me of the Bishops of France, as
men that were both vitious and ignorant: They
seemed now to be against the Pope: But it was
only because he was in the interests of the House

1683. of Austria: For they would declare him infallible, the next day after he should turn to the interest of France: So they expected no good, neither from the Court nor from the Clergy. I saw St. Amour, the author of the journal of what past at Rome, in the condemnation of the five propositions of Janfenius. He seemed to be a sincere and worthy man, who had more judgment than either quickness or learning. He told me, his whole life had been one campaign against the Jesuits; and spoke of them as the great plague of the Church. He lamented also that sharpness of stile, with which his friend Arnauld treated the Protestants; for which, he said, both he and all his friends blamed him. I was carried by a Bishop to the Jesuits at St. Anthoine's. There I saw P. Bourdalou, esteemed one of the greatest preachers of the age, and one of the honours of his order. He was a man of a sweet temper, not at all violent against Protestants: On the contrary, he believed good men among them might be saved, which was a pitch of charity that I had never observed, in any of the learned of that Communion. I was also once with P. de la Chaife, the King's Confessor, who was a dry man. He told me, how great a man they would make me, if I would come over to them.

This was my acquaintance on the Popish side. I say little of the Protestants. They came all to me: So I was well known among them. The method that carried over the men of the finest parts among them to Popery was this: They brought themselves to doubt of the whole Christian Religion: When that was once done, it seemed a more indifferent thing of what side or form they continued to be outwardly. The base practices of buying many over with pensions, and of driving others over with perpetual ill usage and the acts of the highest injustice and violence, and the vile artifices in bringing on and carrying so many processes against

1683.

against most of their Churches, as not comprehended within the edict of Nantes, were a reproach both to the greatness of their King and to the justice of their Courts. Many new edicts were coming out every day against them, which contradicted the edict of Nantes in the most express words possible: And yet to all these a strange clause was added, That the King did not intend by them to recal, nor to go against any article of the edict of Nantes, which he would maintain inviolable. I knew Spanheim particularly, who was Envoy from the Elector of Brandenburg, who is the greatest critick of the age in all ancient learning, and is with that a very able man in all affairs, and a frank cheerful man: Qualities that do not always meet in very learned men. After a few months stay I returned, and found both the King and Duke were highly offended, at the reception I had met with in France. They did not know what to make of it, and fancied there was something hid under it.

The addresses had now gone round England, The Grand Juries made after that high presentments, against all that were esteemed Whigs and Non-conformists. Great pains were taken to find out more witnesses. Pardons and rewards were offered very freely. But none came in: Which made it evident, that nothing was so well laid, or brought so near execution, as the witnesses had deposed: Otherwise people would have been crouding in for pardons. All people were apprehensive of very black designs, when they saw Jefferies made Lord Chief Justice, who was scandalously vitious, and was drunk every day; besides a drunkeness of fury in his temper, that looked like Enthusiasm. He did not consider the decencies of his post: Nor did he so much as affect to seem impartial, as became a Judge; but run out upon all occasions into declamations, that did not become the Bar, much less the Bench. He was not

Affairs in
England.Jefferies
and other
Judges
preferred

1683. learned in his profession: And his eloquence, tho' vitiously copious, yet was neither correct nor agreeable. Pemberton was turned out of the Common Pleas, and Jones was put in his place: And Jefferies had three Judges joined with him in the King's Bench, fit to sit by him.

The King sent a new message to the City of London, requiring the Common Council to deliver up their Charter, threatening them, that otherwise he would order the judgment to be entred. Upon this a great debate arose among them. Some were for their compliance, that they might prevent the prejudice that would otherwise arise. On the other hand it was said, that all freemen took an oath to maintain the rights of their Corporation: So that it was perjury in them to betray these. They said, it was better to leave the matter to the King, than by any act of their own to deliver all up. So it was carried not to do it by a few voices. Upon that the judgment was entred: And the King seized on their liberties. Many of the Aldermen and other officers were turned out: And others were put in their places. So they continued for some time a City without a Charter, or a Common Council: And the King named the magistrates. New Charters were sent to most of the Corporations, in which the King reserved a power to himself, to turn out magistrates at his pleasure. This was done to make all sure for a new election of Parliament, which came now under consideration.

1684. There was a clause in the act, that repealed the triennial bill, which had past in the beginning of the troubles, whereby it was enacted that a Parliament should meet every third year: But it had none of those enforcing clauses, in case it did not meet, that were in the other act: And the third year from the Parliament of Oxford was now near an end. So, since the King had declared he would govern

The calling a Parliament proposed, but rejected.

govern

1684.

govern according to law, and in particular that he would have frequent Parliaments, for which he had special thanks given him in many of the addresses, it was proposed that a Parliament should be called. A war seemed like to break out in Flanders; where the Spaniards, how ill soever they were prepared for it, had declared war, upon the French troops possessing themselves of Dixmuyd and Courtray. The Prince of Orange was pressing the States to go into a new war, rather than let Luxembourg be taken. But this was much opposed by the Town of Amsterdam. The calling a new Parliament here, and England's engaging, as all believed they might do, would be an effectual restraint on the French. But the King had consented to let Luxembourg fall into their hands: So it was apprehended that the Parliament might fall upon that, which was the only point that could occasion any difference between the King and them. It was also said, that it was fit all the Charters should be first brought in, and all the Corporations new modelled, before the Parliament should be called. The prerogative lawyers pretended, that the prerogative was indeed limited by negative and prohibiting words, but not by affirmative words. Lord Halifax told me, he pressed this all he could; but there was a French interest working strongly against it: So the thoughts of a Parliament at that time were laid aside. The Scotch prisoners were ordered to be sent down to be tried in Scotland. This was sad news to them: For the boots there are a severe torture. Baillie had reason to expect the worst usage: He was carried to Newgate in the morning that Lord Russel was tried, to see if he could be persuaded to be a witness against him. Every thing that could work on him was made use of, but all in vain: So they were resolved to use him severely.

I passed

1684. I passed slightly over the suspicions that were raised upon Lord Effex's death, when I mentioned that matter. This winter the business was brought to a trial: A boy and a girl did report, that they heard great crying in his lodgings, and that they saw a bloody razor flung out at window, which was taken up by a woman, that came out of the House where he was lodged. These children reported this confidently that very day, when they went to their several homes: They were both about ten or twelve years old. The boy went backward and forward in his story, sometimes affirming it, and at other times denying it: But his father had an office in the Custom House: So it was thought, he prevailed with him to deny it in open Court. But the girl stood firmly to her story. The simplicity of the children, together with the ill opinion that was generally had of the Court, inclined many to believe this. As soon as his Lady heard of it, she ordered a strict enquiry to be made about it; and sent what she found to me, to whom she had trusted all the messages, that had past between her Lord and her, while he was in the Tower. When I perused all, I thought there was not a colour to found any prosecution on; which she would have done with all possible zeal, if she had found any appearances of truth in the matter. Lord Effex had got into an odd set of extraordinary principles: And in particular he thought, a man was the master of his own life; and seemed to approve of what his wife's great grandfather, the Earl of Northumberland, did, who shot himself in the Tower after he was arraigned. He had also very black fits of the spleen. But at that time one Braddon, whom I had known for some years, for an honest but enthusiastical man, hearing of these stories, resolved to carry the matter as far as it would go: And he had pickt up a great variety of little circumstances, all which laid together seemed to him so convincing, that he

Suspensions
of Effex's
being
murdered.

he thought he was bound to prosecute the matter. I desired him to come no more near me, since he was so positive. He talked of the matter so publicly, that he was taken up for spreading false news, to alienate people's hearts from the King. He was tried upon it. Both the children owned, that they had reported the matter as he had talked it; the boy saying then, that it was a lie. Bradon had desired the boy to set it all under his hand, tho' with that he charged him to write nothing but the truth. This was called a suborning: And he was fined for it in 2000*l*. But I go next to a trial of more importance.

1684.

Howard was the only evidence against the prisoners of better rank; for they had no communication with the other witnesses. So other things were to be found out as supplements to support it. Sidney was next brought to his trial. A Jury was returned, consisting for most part of very mean persons. Men's pulses were tried beforehand, to see how tractable they would be. One Parry, a violent man, guilty of several murders, was not only pardoned, but was now made a Justice of Peace, for his officious meddling and violence. He told one of the Duke's servants, thinking that such a one was certainly of their party, that he had sent in a great many names of jurors, who were sure men: That person told me this himself. Sidney excepted to their not being freeholders. But Jefferies said, that had been over-ruled in Lord Ruffel's case: And therefore he over-ruled it; and would not so much as suffer Sidney to read the statute. This was one of his bold strains. Lord Ruffel was tried at the Old-Baily, where the Jury consisted of Londoners: And there indeed the contrary practice had prevailed, upon the reason before mentioned; for the merchants are supposed to be rich: But this trial was in Middlesex, where the contrary practice had not prevailed; for in a county a man who is no freeholder is supposed to be

Sidney's trial.

be

1684. be poor. But Jefferies said on another occasion, why might not they make precedents to the succeeding times, as well as those who had gone before them had made precedents for them? The witnesses of the other parts of the plot were now brought out again to make a shew; for they knew nothing of Sidney. Only they said, that they had heard of a Council of six, and that he was one of them. Yet even in that they contradicted one another; Rumsley swearing that he had it from West, and West swearing that he had it from him; which was not observed till the trial came out. If it had been observed sooner, perhaps Jefferies would have ordered it to be struck out; as he did all that Sidney had objected upon the point of the Jury, because they were not freeholders. Howard gave his evidence, with a preface that had become a pleader better than a witness. He observed the uniformity of truth, and that all the parts of his evidence and theirs met together as two tallies. After this a book was produced, which Sidney had been writing, and which was found in his closet, in answer to Filmer's book entitled Patriarcha: by which Filmer asserted the divine right of monarchy, upon the eldest son's succeeding to the authority of the father. It was a book of some name, but so poorly writ, that it was somewhat strange that Sidney bestowed so much pains in answering it. In this answer he had asserted, that Princes had their power from the people with restrictions and limitations; and that they were liable to the Justice of the people, if they abused their power to the prejudice of the subjects, and against established laws. This by an Innuendo was said to be an evidence to prove, that he was in a plot against the King's life. And it was insisted on, that this ought to stand as a second witness. The Earls of Clare, Anglesey, and some others with myself, deposed what Lord Howard had said, denying there was any plot. Blake, a
draper,

1684.

draper, deposed, that having asked him when he was to have his pardon, he answered, not till the drudgery of swearing was over. Howard had also gone to Sidney's house, and had assured his servants that there was nothing against him, and had desired them to bring his goods to his own house. Sidney shewed, how improbable it was that Howard, who could not raise five men, and had not five shillings to pay them, should be taken into such consultations. As for the book, it was not proved to be writ by him; for it was an adjudged case in capital matters, that a similitude of hands was not a legal proof, tho' it was in civil matters: That whatever was in those papers, they were his own private thoughts, and speculations of government, never communicated to any: It was also evident, that the book had been writ some years ago: So that could not be pretended to be a proof of a late plot: The book was not finished: So it could not be known how it would end: A man writing against Atheism, who sets out the strength of it, if he does not finish his answer, could not be concluded an Atheist, because there was such a Chapter in his book. Jefferies interrupted him often very rudely, probably to put him in a passion, to which he was subject: But he maintained his temper to admiration. Finch aggravated the matter of the book, as a proof of his intentions, pretending it was an overt-act; for he said, "scribere est agere." Jefferies delivered it as law, and said, that all the Judges were of the same mind, That if there were two witnesses, the one to the treason, the other only to a circumstance, such as the buying a knife, these made the two witnesses, which the statute required in cases of treason. In conclusion, Sidney was cast. And some days after he was brought to Court to receive sentence. He then went over his objections to the evidence against him, in which Judge Withins interrupted him, and by a strange indecency gave him the lie in open Court.

1684.

Court. But he bore it patiently. He sent to Lord Halifax, who was his nephew by marriage, a paper to be laid before the King, containing the main points of his defence: Upon which he appealed to the King, and desired he would review the whole matter. Jefferies upon that in his furious way said, either Sidney must die, or he must die. His execution was respited for three weeks, the trial being universally cried out on, as a piece of most enormous injustice. When he saw the warrant of his execution, he expressed no concern at it. And the change that was now in his temper, amazed all that went to him. He told the Sheriffs that brought it, he would not expostulate upon any thing on his own account; (for the world was now nothing to him;) but he desired, they would consider how guilty they were of his blood, who had not returned a fair Jury, but one packt, and as they were directed by the King's Solicitor: He spoke this to them, not for his own sake, but for their sake. One of the Sheriffs was struck with this, and wept. He told it to a person, from whom Tillotson had it, who told it me. Sidney wrote a long vindication of himself, (which I read,) and summed up the substance of it in a paper that he gave the Sheriffs: But, suspecting they might suppress it, he gave a copy of it to a friend. It was a fortnight before it was printed, tho' we had all the speeches of those who died for the Popish plot printed the very next day. But, when it was understood that written copies of Sidney's speech were going about, it was also printed. In it he shewed his innocence; that Lord Howard was an infamous person, and that no credit was due to him: Yet he did not deny the matter he swore against him. As for his book, he shewed what reason all Princes had to abhor Filmer's maxims: For if primogeniture from Noah was the ground settled by God for monarchy, then all the Princes now in the world were Usurpers: None claiming by that pedigree, and

His execution and last paper.

this

this primogeniture being only in one person. He 1684. said, since God did not now by any declaration of his will, as of old by Prophets, mark out such or such persons for Princes, they could have no title, but what was founded on law and compact: And this was that in which the difference lay between lawful Princes and Usurpers: If possession was a donation from God, (which Filmer had substituted to the conceit of primogeniture,) then every prosperous Usurper had a good right. He concluded with a prayer, that the nation might be preserved from idolatry and tyranny. And he said, he rejoiced that he suffered for the old cause, in which he was so early engaged. These last words furnished much matter to the scriblers of that time. In his imprisonment he sent for some Independent preachers, and expressed to them a deep remorse for his past sins, and great confidence in the mercies of God. And indeed he met death with an unconcernedness, that became one who had set up Marcus Brutus for his pattern. He was but a very few minutes on the Scaffold at Tower Hill: He spoke little, and prayed very short: And his head was cut off at one blow.

At this time an accident happened, that surpris'd both the Court and City; and which, if well managed, might probably have produced great effects. The Duke of Monmouth had lurked in England all this summer, and was then designing to go beyond sea, and to engage in the Spanish service. The King still loved him passionately. Lord Halifax, seeing matters run so much further than he apprehended, thought that nothing could stop that so effectually, as the bringing the Duke of Monmouth again into favour. That Duke writ to the King several letters, penned with an extraordinary force. Lord Halifax drew them all, as he himself told me, and shewed me his own draughts of them. By these the King was mollified, and resolved to restore him again to his favour.

Monmouth came in, and was pardoned.

1684. your. It struck much at the confession that he was to make. The King promised, that no use should be made of it: But he stood on it, that he must tell him the whole truth of the matter. Upon which he consented to satisfy the King. But he would say nothing to the Duke, more than to ask his pardon in a general complement. Lord Halifax had pressed him earnestly upon his first appearance to be silent, and for a while to bear the censures of the town. The last day of the term was very near, in which all the prisoners were to be discharged according to the Habeas Corpus act. That would shew he had discovered nothing to their prejudice. So that all discourses concerning his confession and discoveries would vanish in a few days. And if he had followed this, probably it would have given a great turn to affairs. The King spoke nothing of the reconciliation to the Duke of York, till the day before it was to be done. He was much struck with it: But the King was positive. Yet the Duke's creatures in the Cabinet Council moved, that for form's sake he should be for some days put in the Tower. The King cut that off by saying, he had promised to pardon him. The Duke of Monmouth, as was agreed, made an humble confession of his offences in general words to the King; and made a complement to the Duke, and begg'd that he would intercede with the King to pardon him. The King received him with a fondness that confounded all the Duke's party: He used him more tenderly than he had done formerly. The Duke put on an outward appearance of being very well pleased with it. The King said next day, that James (for so he called him) had confirmed all that Howard had sworn. This was carried to the Duke of Monmouth, who denied he had ever said any such thing; adding, that Lord Howard was a liar and a rogue: And this was set round the Town by his creatures, who run with it from Coffee-House to Coffee-House.

The

The next Gazette mentioned, that the King had pardoned him upon his confessing the late plot. Lord Halifax pressed the Duke of Monmouth to pass that over, and to impute it to the importunity of his enemies, and to the King's easiness: But he could not prevail. Yet he said little till his pardon was past. But then he openly denied, that he had confessed the plot. By that he engaged himself in a plain contradiction to what the King had said. Some were brought by the Duke to the King, who confirmed, they had heard the Duke of Monmouth say, that he had not confessed the plot: Upon which the King ordered him to give a confession of it under his hand. Lord Halifax pressed him to write a letter to the King, acknowledging he had confessed the plot. Plot was a general word, that might signify as much or little as a man pleased: They had certainly dangerous consultations among them, which might be well called plots. He said, the service he might do his friends by such a general letter, and by his gaining the King's heart upon it, would quickly balance the seeming prejudice that such a general acknowledgment would bring them under, which could do them no hurt. Upon that he got him to write a letter to that purpose which he carried to the King. And the King was satisfied. But the Duke of Monmouth, whether of himself, or upon the suggestion of others, reflected on what he had done, and thought it a base thing. Tho' this was no evidence, yet he thought it might have an influence on Juries, to make them believe every thing that might be sworn by other witnesses, when from his confession they were possessed with a general belief of the plot. So he went full of uneasiness to the King, and desired he might have his letter again, in the terms of an agony like despair. The King gave it back, but pressed him vehemently to comply with his desire: And among other things the Duke of Monmouth said, that the King used

1684.



But soon
after dis-
graced.

1684. this expression, If you do not yield in this you will ruin me. Yet he was firm. So the King forbid him the Court, and spoke of him more severely than he had ever done formerly. He was upon this more valued, and trusted by his own party than ever. After some days he went beyond sea: And after a short concealment he appeared publickly in Holland, and was treated by the Prince of Orange with a very particular respect.

The Prince had come for a few days to England after the Oxford Parliament, and had much private discourse with the King at Windsor. The King assured him, that he would keep things quiet, and not give way to the Duke's eagerness, as long as he lived: And added, he was confident, whenever the Duke should come to reign, he would be so restless and violent, that he could not hold it four years to an end. This I had from the Prince's own mouth. Another passage was told me by the Earl of Portland. The King shewed the Prince one of his seals; and told him, that whatever he might write to him, if the letter was not sealed with that seal, he was to look on it as only drawn from him by importunity. The reason for which I mention that in this place is, because, tho' the King wrote some terrible letters to the Prince against the countenance he gave to the Duke of Monmouth, yet they were not sealed with that seal; from which the Prince inferred, that the King had a mind that he should keep him about him, and use him well. And the King gave orders, that in all the entries that were made in the Council books of this whole business, nothing should be left on record that could blemish him.

Hamden's
trial.

Hamden was now the only man of the six that was left. Yet there was nothing but Howard's evidence against him, without so much as any circumstance to support it. So since two witnesses were necessary to treason, (whereas one was enough for a misdemeanor,) he was indicted of a misdemeanor,

meanor, tho' the crime was either treason or no-
 thing. Jefferies, upon Howard's evidence, charg-
 ed the Jury to bring him in guilty: Otherwise, he
 told them; they would discredit all that had been
 done before. So they brought him in guilty. And
 the Court set 40000*l.* fine on him, the most ex-
 travagant fine that had ever been set for a misde-
 meanor in that Court. It amounted indeed to an
 imprisonment for life.

1684.

Some time in the spring eighty four, Halloway
 was taken in the West-Indies, and sent over. He
 was under an outlawry for treason. The Attor-
 ney General offered him a trial, if he desired it.
 But he was prevailed on, by the hope of a pardon,
 to submit and confess all he knew. He said, he
 was drawn into some meetings, in which they con-
 sulted how to raise an insurrection, and that he
 and two more had undertaken to manage a de-
 sign for seizing on Bristol, with the help of some
 that were to come to them from Taunton: But
 he added; that they had never made any progress
 in it. He said, at their meetings at London, Rum-
 sey and West were often talking of lopping the
 King and the Duke: But that he had never en-
 tred into any discourse with them upon that sub-
 ject: And he did not believe, there were above
 five persons that approved of it. These were West,
 Rumsey, Rumbold, and his brother: The fifth
 person is not named in the printed relation. Some
 said, it was Ferguson: Others said, it was Good-
 enough. Halloway was thought by the Court not
 to be sincere in his confession. And so, since what
 he had acknowledged made himself very guilty, he
 was executed, and died with a firm constancy. He
 shewed great presence of mind. He observed the
 partiality that was evident in managing this plot,
 different from what had appeared in managing the
 Popish plot. The same men who were called
 rogues, when they swore against Papists, were look-
 ed on as honest men, when they turned their evi-

Halloway's ex-
 ecution.

1684.

dence against Protestants. In all his answers to the Sheriffs, who at the place of execution troubled him with many impertinent questions, he answered them with so much life, and yet with so much temper, that it appeared he was no ordinary man. His speech was suppressed for some days: But it broke out at last. In it he expressed a deep sense of Religion: His prayer was an excellent composition. The credit of the Rye-Plot received a great blow by his confession. All that discourse about an insurrection, in which the day was said to be set, appeared now to be a fiction; since Bristol had been so little taken care of, that three persons had only undertaken to dispose people to that design, but had not yet let it out to any of them. So that it was plain, that after all the story they had made of the plot, it had gone no further, than that a company of seditious and inconsiderable persons, were framing among themselves some treasonable schemes, that were never likely to come to any thing; and that Rumsey and West had pushed on the execrable design of the assassination, in which, tho' there were few that agreed to it, yet too many had heard it from them, who were both so foolish, and so wicked, as not to discover them.

Arm-
strong's
death.

But if the Court lost much by the death of Halloway, whom they had brought from the West-Indies, they lost much more by their proceedings against Sir Thomas Armstrong, who was surpris'd at Leyden, by virtue of a warrant, that Chudleigh the King's Envoy had obtained from the States, for seizing on such as should fly out of England on the account of the plot. So the Scout at Leyden, for 5000 guilders, seized on him; and delivered him to Chudleigh, who sent him over in great haste. Armstrong in that confusion forgot to claim that he was a native of the States: For he was born at Nimeguen: And that would have obliged the Dutch to have protected him, as one of their natural born subjects. He was trusted in every thing

thing by the Duke of Monmouth: And he having led a very vicious life, the Court hoped that he, not being able to bear the thoughts of dying, would discover every thing. He shewed such a dejection of mind, while he was concealing himself before he escaped out of England, that Hamden, who saw him at that time, told me, he believed he would certainly do any thing that would save his life. Yet all were disappointed in him: For when he was examined before the Council, he said, he knew of no plot but the Popish plot: He desired, he might have a fair trial for his life: That was all he asked. He was loaded with irons; tho' that was not ordinary for a man who had served in such posts, as to be Lieutenant of the first troop of guards, and Gentleman of the horse to the King. There was nothing against him, but what Rumsfey and Shepherd had sworn of the discourses at Shepherd's, for which Lord Russel had suffered. But by this time the credit of the witnesses was so blasted, that it seems the Court was afraid that Juries would not now be so easy as they had been. The thing that Rumsfey had sworn against him seemed not very credible: For he swore that at the first meeting, Armstrong undertook to go and view the guards in order to the seizing them; and that upon a view he said at a second meeting, that the thing was very feasible. But Armstrong, who had commanded the guards so long, knew every thing that related to them so well, that without such a transient view, he could of the sudden have answered every thing relating to them. The Court had a mind to proceed in a summary way with him, that he should by the hurry of it be deprived of saying any thing that could save him. He was now in an outlawry: But tho' the statute was exprefs, that if an outlawed person came in at any time within the year, he was to have a trial notwithstanding his outlawry; it was pretended in answer to this, that he not coming in, but being taken, had not a

1684.

1684. right to the benefit of the statute. But there were several months of the year yet to run. And since a trial was a demand founded on natural justice, he insisted on it. And when he was brought to the King's bench bar, and asked what he had to say why sentence should not be executed, he claimed the benefit of the statute. He said, he had yet, when he was taken, several months to deliberate upon his coming in: And the seizing on him before his time was out, ought not to bar him a right that the law gave him. He also mentioned Halloway, to whom a trial was offered the former term. And, since it was a point of law, he desired Council might be heard to argue it. Jefferies rejected all this: He said, the King might either offer a trial or not, as he saw cause: And he refused to hear Council: Which being demanded upon a point of law, the denying it was thought a very impudent piece of injustice. And when Armstrong insisted, that he asked nothing but the law, Jefferies in his brutal way said, he should have it to the full; and so ordered his execution within six days. And the law was executed on him with the utmost rigor: For he was carried to Tyburn on a sledge, and was quartered, and his quarters were set up. His carriage, during his imprisonment and at his death, was far beyond what could have been imagined. He turned himself wholly to the thoughts of God, and of another state; and was praying continually. He rejoiced, that he was brought to die in such a manner. He said, it was scarce possible for him to have been awaken'd into a due sense of his sins by any other method. His pride and his resentments were then so entirely conquered, that one who saw him said to me, that it was not easy to think it was the same person whom he had known formerly. He received the Sacrament; and died in so good a temper, and with so much quiet in his mind, and so serene a deportment, that we have scarce known in our time a more eminent instance of the
grace

grace and mercy of God. Armstrong in his last paper denied, that he ever knew of any design against the King's, or the Duke's life, or was in any plot against the government. There were no remarks published on his speech, which it was believed the Court ordered: For they saw how much ground they had lost by this stretch of law, and how little they had gained by his death. One passage in it, was the occasion of their ordering no such reflections to be made on it, as had been made on the other speeches. The King had published a story all about the Court, and had told it to the foreign Ministers, as the reason of this extream severity against Armstrong: He said, that he was sent over by Cromwell to murder him beyond sea, and that he was warned of it, and challenged him on it; and that upon his confessing it, he had promised him never to speak of it any more, as long as he lived. So the King, counting him now dead in law, thought he was free from that promise. Armstrong took this heavily: And in one paper which I saw, writ in his own hand, the resentments upon it were sharper than I thought became a dying penitent. So, when that was represented to him, he changed it: And in the paper he gave the Sheriffs, he had softned it much. But yet he shewed the falshood of that report: For he never went beyond sea but once, sent by the Earl of Oxford, and some other Cavaliers, with a considerable present to the King in money, which he delivered; and brought back letters of thanks from the King to those who made the present. But Cromwell having a hint of this clapt him up in prison, where he was kept almost a year. And upon the merit of that service, he was made a Captain of horse soon after the Restoration. When Jefferies came to the King at Windsor soon after this trial, the King took a ring of good value from his finger, and gave it him for these services: The ring upon that was called his blood stone. The King gave him one advice,

1684.



which was somewhat extraordinary from a King to a Judge; but it was not the less necessary to him: The King said, it was a hot summer, and he was going the circuit, he therefore desired he would not drink too much. With this I leave the affairs of England to look towards Scotland.

Great feverity in Scotland.

Great pains were taken there to make a further discovery of the negotiation, between the English and the Scots. A Gentleman, who had been at Bothwell-Bridge, was sent over by the Cargillites to some of their friends in Holland: And he carried with him some letters writ in an odd cant. He was seized at Newcastle together with his letters; and was so frightened, that he was easily managed to pretend to discover any thing, that was suggested to him. But he had never been at London: So he could speak of that negotiation but upon hearsay. His story was so ill laid together, that the Court was ashamed to make any use of it: But it turned heavily on himself, for he went mad upon it. Two others came in, and charged Sir Hugh Campbell of Cesnock, an antient Gentleman of a good estate, that he had set on the rebellion of Bothwell-Bridge, and had chid them for deserting it. Upon this he was brought to a trial. In Scotland the law allows of an exculpation, by which the prisoner is suffered, before his trial, to prove the thing to be impossible. This was prayed by that Gentleman, who had full proofs of his being elsewhere, and at a great distance from the place, at that time. But that is a favour which the Court may grant, or not: So that was denied him. The first witness that was examined at his trial began with a general story: And when he came to that, in which the prisoner was concerned, Campbell charged him to look him full in the face, and to consider well what he was to say of him; for he took God to witness, he never saw his face before, as far as he could remember. Upon that the witness was struck, and stopt; and said, he could say nothing of him. The Earl

Earl of Perth was then Justice General, and offered to lead him into his story. But the Jury stopt that; and said, that he upon his oath had declared he knew nothing of the prisoner, and that after that they could have no regard to any thing that he might say. Upon which some sharp words passed between Lord Perth and them, in which he shewed how ready he was to sacrifice justice and innocent blood to his ambition. And that was yet grosser in this case; because his brother was promised that Gentleman's estate, when it should be confiscated. The second witness said nothing, but seemed confounded; So Campbell was acquitted by the Jury, but was still kept in prison. These witnesses were again examined before the Council: And they adhered to their first deposition against the prisoner. The law in Scotland is very severe against false witnesses, and treats them as felons. But the government there would not discourage such practices; of which, when they should be more lucky, they intended to make good use. The Circuits went round the Country, as was directed by the Proclamation of the former year. Those who were most guilty compounded the matter, and paid liberally to a creature of the Lord Chancellor's, that their names might be left out of the citations. Others took the test: And that freed them from all further trouble. They said openly, that it was against their conscience; but they saw they could not live in Scotland unless they took it. Others observed, that the severity which the Presbyterians formerly had used, forcing all people to take their covenant, was now returned back on them in this test, that they were thus forced to take.

In the mean while a great breach was formed, and appeared on all occasions, between the Earls of Aberdeen and Queensbury. The latter was very exact in his payments, both of the soldiers and of the pensions: So his party became the strongest. Lord Aberdeen's method was this: He writ up

A breach in the Ministry there.

letters

1684. letters to the Duke of all affairs, and offered expedients, which he pretended were concerted at Edinburgh; and sent with them the draughts of such letters, as he desired should be sent down from the King. But these expedients were not concerted, as he said: They were only his own conceits. Lord Queensbury, offended with this, let the Duke understand how he had been deceived. So an order was sent down, that all expedients should be concerted by a Junto, consisting of Lord Queensbury's creatures. Lord Aberdeen saw that by this he came to signify little: And seeing he was losing ground at Court, he intended to recover himself a little with the people. So he resolved for the future to keep to the law, and not to go beyond it. And such was the fury of that time, that this was called moderation and popularity. The Churches were now all well kept by the men: But their wives not being named in the act of Parliament, none of them went to Church. The matter was laid before the Council: And a debate arose upon it; whether, man and wife making one person in law, husbands should not be fined for their wife's offence, as well as for their own. Lord Aberdeen stood upon this, that the act did not mention the wives: It did indeed make the husbands liable to a fine, if their wives went to Conventicles; for they had it in their power to restrain them: And since the law provided in the one case, that the husband should suffer for his wife's fault, but had made no provision in the other case, as to their going to Church, he thought the fining them on that account could not be legally done. Lord Queensbury was for every thing that would bring money into the treasury: So, since in those parts, the Ladies had for many years withdrawn wholly from the Churches, he reckoned the setting fines on their husbands to the rigour, would make all the estates of the Country be at mercy; for the selling them outright would not have answered this demand, for the offences of so many years.

The

The Earl of Perth struck in with this, and seemed to set it up for a maxim, that the Presbyterians could not be governed, but with the extremity of rigour; and that they were irreconcilable enemies to the King and the Duke, and that therefore they ought to be extirpated. The Ministry in Scotland being thus divided, they referred the decision of the point to the King: And Lord Perth came up to have his resolution upon it. The King determined against the Ladies: Which was thought very indecent; for in dubious cases the nobleness of a Prince's temper should always turn him to the merciful side. This was the less expected from the King, who had all his life time expressed as great a neglect of women's consciences, as regard for their persons.

1684.

But to do him right, he was determined to it by the Duke; who since the breaking out of the plot had got the whole management of affairs, English as well as Scotch, into his hands. Scotland was so entirely in his dependance, that the King would seldom ask what the papers imported, which the Duke brought to be signed by him. In England, the application and dependance was visibly on the Duke. The King had scarce company about him to entertain him, when the Duke's levees and couches were so crowded, that the antichambers were full. The King walked about with a small train of the necessary attendants, when the Duke had a vast following: Which drew a lively reflection from Waller the celebrated wit. He said, the House of Commons had resolved that the Duke should not reign after the King's death: But the King in opposition to them was resolved he should reign even during his life. The breach grew to that height between Lord Aberdeen and Lord Queensbury, that both were called up to give an account of it. It ended in dismissing Lord Aberdeen, and making Lord Perth Chancellor, to which he had been long aspiring in a most indecent manner. He saw into the Duke's temper, that his spirit was turned to

The Duke governed all affairs.

1684. an unrelenting severity: For this had appeared very indecently in Scotland.

The cruelty of the Duke, and of his Ministers, in torturing.

When any are to be struck in the boots, it is done in the presence of the Council: And upon that occasion almost all offer to run away. The sight is so dreadful, that without an order restraining such a number to stay, the board would be forsaken. But the Duke, while he had been in Scotland, was so far from withdrawing, that he looked on all the while with an unmoved indifference, and with an attention, as if he had been to look on some curious experiment. This gave a terrible idea of him to all that observed it, as of a man that had no bowels nor humanity in him. Lord Perth, observing this, resolved to let him see how well qualified he was to be an Inquisitor General. The rule about the boots in Scotland was, that upon one witness and presumptions both together, the question might be given: But it was never known to be twice given; or that any other species of torture, besides the boots, might be used at pleasure. In the Court of Inquisition they do upon suspicion, or if a man refuses to answer upon oath as he is required, give him the torture; and repeat it, or vary it, as often as they think fit; and do not give over, till they have got out of their mangled prisoners, all that they have a mind to know from them.

This Lord Perth resolved to make his pattern: And was a little too early in letting the world see, what a government we were to expect, under the influence of a Prince of that Religion. So, upon his going to Scotland one Spence, who was a servant of Lord Argile's, and was taken up at London, only upon suspicion, and sent down to Scotland, was required to take an oath, to answer all the questions that should be put to him. This was done in a direct contradiction to an express law, against obliging men to swear, that they will answer super inquirendis. Spence likewise said, that he himself might be concerned in what he might

might know: And it was against a very universal law, that excused all men from swearing against themselves, to force him to take such an oath. So he was struck in the boots, and continued firm in his refusal. Then a new species of torture was invented: He was kept from sleep eight or nine nights. They grew weary of managing this. So a third species was invented: Little screws of steel were made use of, that screwed the thumbs with so exquisite a torment, that he sunk under this; for Lord Perth told him, they would screw every joint of his whole body, one after another, till he took the oath. Yet such was the firmness and fidelity of this poor man, that even in that extremity he capitulated, that no new questions should be put to him, but those already agreed on; and that he should not be obliged to be a witness against any person, and that he himself should be pardoned: So all he could tell them was, who were Lord Argile's correspondents. The chief of them was Holmes at London, to whom Lord Argile writ in a cypher, that had a peculiar curiosity in it: A double key was necessary: The one was, to shew the way of placing the words or cypher, in an order very different from that in which they lay in the paper: The other was, the key of the cyphers themselves, which was found among Holmes's papers, when he absconded. Spence knew only the first of these: But he putting all in its true order, then by the other key they were decyphered. In these it appeared, what Argile had demanded, and what he undertook to do upon the granting his demands: But none of his letters spoke any thing of any agreement then made.

When the torture had this effect on Spence, they offered the same oath to Carstairs. And, upon his refusing to take it, they put his thumbs in the screws; and drew them so hard, that as they put him to extream torture, so they could not unscrew them, till the smith that made them was brought with his tools to take them off. So he confessed

1684.


all he knew, which amounted to little more than some discourses of taking off the Duke; to which he said that he answered, his principles could not come up to that: Yet in this he, who was a preacher among them, was highly to blame, for not revealing such black propositions; tho' it cannot be denied, but that it is a hard thing to discover any thing that is said in confidence: And therefore I saved my self out of those difficulties, by saying to all my friends, that I would not be involved in any such confidence; for as long as I thought our circumstances were such, that resistance was not lawful, I thought the concealing any design in order to it, was likewise unlawful: And by this means I had preserved my self. But Carstairs had at this time some secrets of great consequence from Holland, trusted to him by Fagel, of which they had no suspicion: And so they asked him no questions about them. Yet Fagel saw by that, as he himself told me, how faithful Carstairs was, since he could have saved himself from torture, and merited highly, if he had discovered them. And this was the foundation of his favour with the Prince of Orange, and of the great confidence he put in him to his death.

Proceed-
ings
against
Baillie.

Upon what was thus screwed out of these two persons, the Earl of Tarras, who had married the Duchess of Monmouth's elder sister, and six or seven Gentlemen of Quality, were clapt up. The Ministers of State were still most earnestly set on Baillie's destruction; tho' he was now in so languishing a state, occasioned chiefly by the bad usage he met with in prison, that if his death would have satisfied the malice of the Court, that seemed to be very near. But they knew how acceptable a sacrifice his dying in a more violent way would prove. So they continued even in that extremity to use him barbarously. They were also trying what could be drawn from those Gentlemen against him. Tarras had married his niece, who was his second wife. So they concluded that their confidence was entire.

Baillie's

Baillie's illness increased daily : And his wife prayed for leave to attend on him : And, if they feared an escape, she was willing to be put in irons : But that was denied. Nor would they suffer his daughter, a child of twelve years old, to attend him, even when he was so low, that it was not probable he could live many weeks, his legs being much swelled. But upon these examinations a new method of proceeding against him was taken. An accusation was sent him, not in the form of an indictment, nor grounded on any law, but on a letter of the King's, in which he charged him not only for a conspiracy to raise rebellion, but for being engaged in the Rye-plot ; of all which he was now required to purge himself by oath, otherwise the Council would hold him guilty of it, and proceed accordingly. He was not, as they said, now in a criminal Court upon his life, but before the Council, who did only fine and imprison. It was to no purpose for him to say, that by no law, unless it was in a Court of Inquisition, a man could be required to swear against himself, the temptation to perjury being so strong, when self-preservation was in the case, that it seemed against all law and religion to lay such a snare in a man's way. But to answer all this, it was pretended he was not now on his life, and that whatsoever he confessed was not to be made use of against his life ; as if the ruin of his family, which consisted of nine children, and perpetual imprisonment, were not more terrible, especially to one so near his end as he was, than death it self. But he had to do with inexorable men : So he was required to take this oath within two days. And by that time, he not being able to appear before the Council, a Committee of Council was sent to tender him the oath, and to take his examination. He told them, he was not able to speak by reason of the low state of his health, which appeared very evidently to them : For he had almost died while they were with him. He in general protested his innocence, and his abhorrence

1684.  horrence of all designs against the King, or the Duke's life: For the other interrogatories, he desired they might be left with him, and he would consider them. They persisted to require him to take his oath: But he as firmly refused it. So, upon their report, the Council construed this refusal to be a confession: And fined him 6000 l. and ordered him to lie still in prison till it was paid. After this it was thought that this matter was at an end, and that this was a final sentence: But he was still kept shut up, and denied all attendance or assistance. He seemed all the while so composed, and even so cheerful, that his behaviour looked like the reviving of the spirit of the noblest of the old Greeks or Romans, or rather of the primitive Christians, and first Martyrs in those best days of the Church. But the Duke was not satisfied with all this. So the Ministry applied their arts to Tarras, and the other prisoners, threatening them with all the extremities of misery, if they would not witness treasonable matter against Baillie. They also practised on their wives, and frightening them set them on their husbands. In conclusion, they gained what had been so much laboured: Tarras, and one Murray of Philipshaugh, did depose some discourses, that Baillie had with them before he went up to London, disposing them to a rebellion. In these they swelled up the matter beyond the truth. Yet all did not amount to a full proof. So the Ministers, being afraid that a Jury might not be so easy as they expected, ordered Carstairs's confession to be read in Court, not as an evidence, (for that had been promised him should not be done,) but as that which would fully satisfy the Jury, and dispose them to believe the witnesses. So Baillie was hurried on to a trial. And upon the evidence he was found guilty, and condemned to be executed that same day: So afraid they were lest death should be too quick for them. He was very little disturbed at all this: His languishing in so solitary

And his
execution.

horrence

a man-

a manner made death a very acceptable deliverance to him. He in his last speech shewed, that in several particulars the witnesses had wronged him: He still denied all knowledge of any design against the King's life, or the Duke's; and denied any plot against the government: He thought it was lawful for subjects, being under such pressures, to try how they might be relieved from them: And their design never went further: But he would enter into no particulars. Thus a learned and a worthy Gentleman, after twenty months hard usage, was brought to such a death, in a way so full in all the steps of it of the spirit and practice of the Courts of Inquisition, that one is tempted to think, that the methods taken in it, were suggested by one well studied, if not practised in them. The only excuse that was ever pretended for this infamous prosecution was, that they were sure he was guilty; and that the whole secret of the negotiation between the two Kingdoms was trusted to him; and that, since he would not discover it, all methods might be taken to destroy him: Not considering what a precedent they made on this occasion, by which, if men were once possessed of an ill opinion of a man, they were to spare neither artifice nor violence, but to hunt him down by any means. I have been perhaps too long in this particular, but the case was so singular, and my relation to the person was so near, and my value for him was so great, that I hope I need make no apology for it.

In this I saw how ambition could corrupt one of the best tempered men that I had ever known: I mean Lord Perth, who for above ten years together seemed to me incapable of an immoral or cruel action, and yet was now deeply engaged in the foulest and blackest of crimes. I had not now seen him for two years. But I hoped, that still some good impressions had been left in him: And now, when he came to London to be made Lord Chancellor, I had a very earnest message from him, desiring by my means to see Leightoun. I thought, that angelical

1684. lical man might have awaken'd in him some of those
 good principles, which he seem'd once to have had,
 and which were now totally extinguish'd in him. I
 writ so earnestly to Leightoun, that he came to Lon-
 don. Upon his coming to me, I was amazed to
 see him at above seventy look so fresh and well, that
 age seem'd as it were to stand still with him: His
 hair was still black, and all his motions were lively:
 He had the same quickness of thought, and strength
 of memory, but above all the same heat and life of
 devotion, that I had ever seen in him. When I took
 notice to him, upon my first seeing him, how well
 he looked, he told me, he was very near his end for
 all that; and his work and journey both were now
 almost done. This at that time made no great im-
 pression on me. He was the next day taken with an
 oppression, and as it seem'd with a cold and with
 stiches, which was indeed a pleurisy.

Leigh-
 toun's
 death.

The next day Leightoun sunk so, that both speech
 and sense went away of a sudden: And he continued
 panting about twelve hours; and then died without
 pangs or convulsions. I was by him all the while.
 Thus I lost him, who had been for so many years the
 chief guide of my whole life. He had lived ten
 years in Suffex, in great privacy, dividing his time
 wholly between study and retirement, and the do-
 ing of good: For in the parish where he lived, and
 in the parishes round about, he was always employed
 in preaching, and in reading prayers. He distri-
 buted all he had in charities, choosing rather to have
 it go thro' other people's hands than his own: For I
 was his almoner in London. He had gathered a
 well chosen library of curious, as well as useful
 books; which he left to the Diocess of Dunblane,
 for the use of the Clergy there, that Country being
 ill provided with books. He lamented oft to me
 the stupidity, that he observed among the Commons
 of England, who seem'd to be much more insensible
 in the matters of Religion, than the Commons of
 Scotland were. He retain'd still a peculiar inclina-
 tion to Scotland: And if he had seen any prospect
 of

1684.

of doing good there, he would have gone and lived and died among them. In the short time that the affairs of Scotland were in the Duke of Monmouth's hands, that Duke had been possessed with such an opinion of him, that he moved the King to write to him, to go, and at least live in Scotland, if he would not engage in a Bishoprick there. But that fell with that Duke's credit. He was in his last years turned to a greater severity against Popery than I had imagined a man of his temper, and of his largeness in point of opinion, was capable of. He spoke of the corruptions, of the secular spirit, and of the cruelty that appeared in that Church, with an extraordinary concern; and lamented the shameful advances that we seemed to be making towards Popery. He did this with a tenderness, and an edge, that I did not expect from so recluse and mortified a man. He looked on the State the Church of England was in, with very melancholy reflections, and was very uneasy at an expression then much used, that it was the best constituted Church in the world. He thought it was truly so, with relation to the doctrine, the worship, and the main part of our government. But as to the administration, both with relation to the Ecclesiastical Courts, and the pastoral care, he looked on it as one of the most corrupt he had ever seen. He thought, we looked like a fair carcase of a body without a spirit; without that zeal, that strictness of life, and that laboriousness in the Clergy, that became us.

There were two remarkable circumstances in his death. He used often to say, that if he were to choose a place to die in, it should be an inn; it looking like a Pilgrim's going home, to whom this world was all as an inn, and who was weary of the noise and confusion in it. He added, that the officious tenderness and care of friends was an entanglement to a dying man; and that the unconcerned attendance of those that could be procured in such a place, would give less disturbance. And he obtained what he desired; for he died at the Bell inn

1684. in Warwick-Lane. Another circumstance was, that while he was Bishop in Scotland, he took what his tenants were pleased to pay him: So that there was a great arrear due, which was raised slowly by one whom he left in trust with his affairs there: And the last payment that he could expect from thence was returned up to him about six weeks before his death: So that his provision and journey failed both at once. And thus in the several parts of this history, I have given a very particular account of every thing relating to this apostolical man; whose life I would have writ, if I had not found proper places to bring the most material parts of it within this work. I reckon, that I owed this to that perfect friendship and fatherly care, with which he had always treated me.

The promotions
of some
Bishops.

The mentioning his death leads me to name some other Clergymen of note, that died in this and in the former year. Burnet died in Scotland. And Ross, a poor, ignorant, worthless man, but in whom obedience and fury were so eminent, that these supplied all other defects, was raised to be the Primate of that Church: Which was indeed a sad omen, as well as a step to its fall and ruin. Stearn, Archbishop of York, died in the eighty sixth year of his age: He was a four ill tempered man, and minded chiefly the enriching his family. He was suspected of Popery, because he was more than ordinarily compliant in all things to the Court, and was very zealous for the Duke. Dolben, Bishop of Rochester, succeeded him, a man of more spirit than discretion, and an excellent preacher, but of a free conversation, which laid him open to much censure in a vitious Court. And indeed he proved a much better Archbishop than he had been a Bishop. Gunning of Ely died this summer, a man of great reading: He had in him all the subtilty, and the disputing humour of a schoolman: And he studied to infuse that into all those who were formed by him. He was strict in the whole course of his life: But was a dry man, and much inclined to superstition.

He

He had a great confusion of things in his head, and could bring nothing into method: So that he was a dark and perplexed preacher. His sermons were full of Greek and Hebrew, and of the opinions of the Fathers. Yet many of the Ladies of a high form loved to hear him preach: Which the King used to say, was because they did not understand him. Turner succeeded him. He had been long in the Duke's family, and was in high favour with him. He was a sincere and good natured man, of too quick an imagination, and too defective a judgment. He was but moderately learned, having conversed more with men than with books: And so he was not able to do the Duke great service. But he was so zealous for his succession, that this raised him high upon no great stock of sufficiency. Old Morley, Bishop of Winchester, died this winter, in the eighty seventh year of his age. He was in many respects a very eminent man, zealous against Popery, and yet a great enemy to the Dissenters: He was considerably learned, and had a great vivacity of thought: But he was too soon provoked, and too little master of himself upon those occasions. Mew, Bishop of Bath and Wells, succeeded him: He had been a Captain during the wars, and had been Middleton's Secretary, when he was sent to command the insurrection, that the Highlanders of Scotland made for the King in fifty three. After that he came into Orders: And, tho' he knew very little of Divinity, or of any other learning, and was weak to a childish degree, yet obsequiousness and zeal raised him thro' several steps to this great See. Ken succeeded him in Bath and Wells; a man of an ascetic course of life, and yet of a very lively temper, but too hot and sudden. He had a very edifying way of preaching: But it was more apt to move the passions, than to instruct. So that his sermons were rather beautiful than solid: Yet his way in them was very taking. The King seemed fond of him. And by him and Turner the Papists hoped, that great progress might be made in gaining, or at least de-

1684. luding the Clergy. It was observed, that all the men in favour among the Clergy were unmarried; from whom, they hoped, they might more probably promise themselves a disposition to come over to them.

Danby
and the
Popish
Lords
bailed.

The prosecution of the Dissenters was carried very high all this year: They were not only proceeded against for going to Conventicles, but for not going to Church, and for not receiving the Sacrament; the laws made against Papists with relation to those particulars being now applied to them. Many were excommunicated, and ruined by the prosecutions. The Earl of Danby, for all his severity against Lord Shaftsbury, for moving in the King's bench to be bailed, tho' committed by the Lords only for a contempt, yet had been forced to move often for his being let out upon bail. It was certainly a very great hardship that he lay under: For he had been now five years in the Tower. And three Parliaments had sat. The two last had not mentioned him. And now a Parliament seemed out of sight. Yet, tho' he offered a very long and learned argument for their bailing him, the Judges of the King's bench, even Saunders himself, were afraid to meddle in it. But Jefferies was bolder. So he bailed him. And upon the same grounds all the Popish Lords were also bailed. Oates was prosecuted at the Duke's suit for scandalous words: Rogue and traitor were very freely bestowed on the Duke by him: So an 100000*l.* was given, which shut him up in a perpetual imprisonment, till they saw a fit opportunity to carry matters further against him. The Duke of Beaufort, Lord Peterborough, and some others, brought actions of Scandalum Magnatum against those, who in the time of our great heat had spoke foul things of them: And great damages were given by obsequious and zealous Juries. An information of a higher nature was brought against Williams, who, tho' he was a worthless man, yet was for his zeal chosen Speaker of the House of Commons in the two last Parliaments. He had licensed the printing

the Votes, which had in them matters of scandal relating to some Lords. So an information was brought against him: And he upon it demurred to the jurisdiction of the Court. This was driven on purpose by the Duke's party, to cut off the thoughts of another Parliament; since it was not to be supposed, that any House of Commons could bear the punishing the Speaker for obeying their orders.

Jenkins had now done all the drudgery that the Court had occasion for from him: And being capable to serve them in nothing else, he was dismissed from being Secretary of State: And Godolphin, one of the Commissioners of the Treasury, succeeded him. Another Commissioner of the Treasury, Deering, dying at the same time, the Earl of Rochester hoped to have been made Lord Treasurer. He had lost much ground with the King. And the whole Court hated him, by reason of the stop of all payments, which was chiefly imputed to him. Lord Halifax and Lord North joined their interest to bring in two other Commissioners upon him, without so much as letting him know of it, till it was resolved on. These were Thynd and North. This last was to be rewarded for his service during his Shrievalry in London. Lord Rochester engaged both the Duke and the Lady Portsmouth to divert this, if it was possible. But the King was not to be shaken. So he resolved to quit the Treasury. The Earl of Radnor was discharged from being Lord President of the Council, where he had for some years acted a very mean part, in which he had lost the character of a steady cynical Englishman, which he had maintained in the former course of his life. And Lord Rochester was made Lord President: Which being a post superior in rank, but much inferior both in advantage and credit to that he held formerly, drew a jest from Lord Halifax that may be worth remembering: He said, he had heard of many kicked down stairs, but never of any that was kickt up stairs before. Godolphin was weary of the drudgery that lay on a Secretary of State. He chose rather to be the first Commissioner

Some removes made at Court.

1684. of the Treasury. And he was made a Baron. The Earl of Middletoun, son to him that had governed Scotland, was made Secretary of State, a man of a generous temper, without much religion, well learned, of a good judgment, and a lively apprehension.

The bombard- If foreign affairs could have awaken'd the King, barding of the French did enough this summer in order to Genoa. it. Besides their possessing themselves of Luxembourg, they sent a fleet against Genoa upon no sort of provocation, but because Genoa would not comply with some demands, that were both unjust and unreasonable: The King of France ordered it to be bombarded, hoping that in that confusion he might by landing a few men have made himself easily master of that State. This would very probably have succeeded, if the attempt had been made upon the first consternation they were in, when the bombardment began. But the thing was delayed a day or two. And by that time the Genoese not only recovered themselves out of their first fright; but putting themselves in order, they were animated with that indignation and fury, that they beat off the French, with a courage that was not expected from them. Such an assault, that looked liker the violence of a robber, than the attack of one that would observe forms in his conquests, ought to have provoked all Princes, especially such as were powerful at sea, to have joined against a Prince, who by these practices was become the common enemy of mankind. But we were now pursuing other designs, from which it was resolved that nothing from beyond sea should divert us.

Tangier After the King had kept Tangier about twenty abandoned, years, and had been at a vast charge in making a mole before it, in which several sets of undertakers had failed, indeed in the main designs, but had succeeded well in the enriching of themselves, and the work was now brought near perfection, which seemed to give us the key of the Mediterranean; He, to deliver himself from that charge, sent Lord Dartmouth with a fleet to destroy all the works, and to bring

bring home all our men. The King, when he communicated this to the Cabinet Council, charged them to be secret. But it was believed, that he himself spoke of it to the Lord Arlington, and that Lord Arlington told it to the Portugal Ambassador: For the Ambassador took fire upon it, and desired, that, if the King was weary of keeping it, he would restore it to his Master: And he undertook to pay a great sum for the charge the King had been at, all these years that he had it. But the King believed, that as the money would never be paid, so the King of Portugal would not be able to maintain that place against the Moors: So that it would fall in their hands, and by that means prove too important to command the Straits. The thing was boldly denied by the Ministers, when pressed by the Ambassador upon that subject. Lord Dartmouth executed the design as he was ordered. So an end was put to our possessing that place. This was done only to save charge, that the Court might hold out the longer without a Parliament. So the Republic of Genoa, seeing that we would not, and that without us the Dutch could not undertake their protection, were forced to make a very abject compliment to the King of France; if any thing could be abject, that was necessary to save their Country. The Doge and some of the Senators were sent to Versailles to ask the King pardon, tho' it was not easy to tell for what; unless it was, because they presumed to resist his invasion. I hapned to be at Paris when the Doge was there. One saying of his was much repeated: When all the glory of Versailles was set open to him, and the flatterers of the Court were admiring every thing, he seemed to look at them with the coldness that became a person, who was at the head of a free Commonwealth: And when he was asked, if the things he saw were not very extraordinary, he said, the most extraordinary thing that he saw there was himself.

The affairs of Holland were much broken: The Prince of Orange and the Town of Amsterdam were

Affairs beyond sea.

1684. in very ill terms by the French management, to which Chudleigh the English Envoy joined his strength, to such a degree of insolence, that he offered personal affronts to the Prince; who upon that would see him no more: Yet the Prince was not considered enough at our Court to get Chudleigh to be recalled upon it. The Town of Amsterdam went so far, that a motion was made of setting up the Prince of Friezeland as their Stadtholder: And he was invited to come to their Town in order to it. But the Prince of Orange prevented this by coming to a full agreement with that Town. So he and his Princess were invited thither: And that misunderstanding was removed, or at least laid asleep for that time. The war of Hungary went on with slow success on the Emperor's side: He was poor, and his revenue was exhausted, so that he could not press so hard upon the Turks, as he might have done with advantage; for they were in great confusion. The King of Poland had married a French wife: And she had a great ascendant over him: And not being able to get her family raised in France, she had turned that King to the Emperor's interests. So that he had the glory of raising the siege of Vienna. The French saw their error; and were now ready to purchase her at any rate: So that all the rest of that poor King's inglorious life, after that great action at Vienna, was a perpetual going backwards and forwards between the interests of France and Vienna; which depended entirely upon the secret negotiations of the Court of France with his Queen, as they came to her terms, or as they did not quite comply with them.

The misunderstanding between the Court of Rome and France went on still. The Pope declared openly for the House of Austria against the Turk; and made great returns of money into Germany. He engaged the Venetians into the alliance. He found also fault with many of the proceedings in France, with relation to the Regale. And now the tables were turned: The Jesuits, who were wont to value themselves

themselves on their dependance on the Court of Rome, were now wholly in the interest of France; for they resolved to be on the stronger side: And the Jansenists, whom Rome had treated very ill, and who were looked on as the most zealous assertors of the liberties of the Gallican Church, were now the men that admired the Pope, and declared for him. The persecution of the Protestants went on still in France: And no other care was had of them here, but that we sheltered them, and so had great numbers of them coming over to us. A quarrel was depending between the English and the Dutch East-India company. The Dutch had a mind to drive us out of Bantam; for they did not love to see the English settle so near Batavia. So they engaged the old King of Bantam into a war with his son, who was in possession of Bantam: And the son was supported by the English. But the old King drove out his son by the help that the Dutch gave him: And he drove out the English likewise, as having espoused his son's rebellion against him; tho' we understood that he had resigned the Kingdom to his son, but that by the instigation of the Dutch he had now invaded him. It is certain, our Court laid up this in their heart, as that upon which they would lay the foundation of a new war with the States, as soon as we should be in a condition to undertake it. The East-India company saw this, and that the Court pressed them to make publick remonstrances upon it, which gave a jealousy of an ill design under it: So they resolved to proceed rather in a very slow negotiation, than in any thing that might give a handle to a rupture.

I must now mix in somewhat with relation to myself, tho' it may seem too inconsiderable to be put into a series of matters of such importance. But it is necessary to give some account of that, which set me at liberty to go round some parts of Europe, and to stay some years out of England. I preached a lecture at St. Clements on the Thursdays: But after the Lord Russel's death the King sent an order to

The hardships that the author met with.

1684. Dr. Hascard, then Rector of the parish, to discharge me from it. I continued at the Rolls, avoiding very cautiously every thing that related to the publick: For I abhorred the making the pulpit a stage for venting of passion, or for the serving of interests. There was a parish in London vacant, where the election lay in the inhabitants: And it was probable it would have fallen on me; tho' London was in so divided a state, that every thing was managed by the strength of parties. Yet the King, apprehending the choice might have fallen on me, sent a message to them, to let them know, he would take it amiss if they chose me. Old Sir Harbotle Grimstone lived still to the great indignation of the Court: When the fifth of November, being gunpowder treason day, came, in which we had always sermons at the Chapel of the Rolls, I beg'd the Master of the Rolls to excuse me then from preaching; for that day led one to preach against Popery, and it was indecent not to do it. He said, he would end his life as he had led it all along, in an open detestation of Popery. So, since I saw this could not be avoided, tho' I had not meddled with any point of Popery for above a year together, I resolv'd, since I did it so seldom, to do it to purpose. I chose for my text these words: "Save me from the lion's mouth, thou hast heard me from the horns of the unicorns." I made no reflection in my thoughts on the lion and unicorn, as being the two supporters of the King's scutcheon: (For I had ever hated all points of that sort, as a profanation of Scriptures:) But I shewed how well Popery might be compared to the lion's mouth, then open to devour us: And I compared our former deliverance from the extremities of danger to the being on the horn of a rhinoceros. And this leading me to the subject of the day, I mentioned that wish of King James the first against any of his posterity, that should endeavour to bring that religion in among us. This was immediately carried to the Court. But it only raised more anger against me; for nothing could be made of it. They
talked

talked most of the choice of the text, as levelled against the King's coat of arms. That had never been once in my thoughts. Lord Keeper North diverted the King from doing any thing on the account of my sermon. And so the matter slept till the end of the term. And then North writ to the Master of the Rolls, that the King considered the Chapel of the Rolls as one of his own Chapels: And, since he looked on me as a person disaffected to his government, and had for that reason dismissed me from his own service, he therefore required him not to suffer me to serve any longer in that Chapel. And thus all my service in the Church was now stopt. For upon such a publick declaration made against me, it was not fit for any Clergyman to make use of my assistance any more. And by these means I was set at liberty by the procurement of my enemies. So that I did not abandon my post, either out of fear, or out of any giddiness to ramble about Europe. But, being now under such publick marks of jealousy, and put out of a capacity of serving God and the Church in the way of my function, it seemed a prudent and a decent thing for me to withdraw myself from that fury, which I saw was working so strongly, and in so many repeated instances, against me.

These disgraces from the Court were the occasion of my going out of England; which both preserved me from what I had reason to apprehend, when the Duke, by the change that hapned soon after, might have had it in his power to make me feel all that displeasure, which had been growing upon him in a course of so many years against me; and it also put me in a way to do the greatest services I was capable of, both to the interest of religion, and of these Nations. So that what was intended as a mischief to me proved my preservation. My employment at the Rolls would have fallen in course within a month, if the Court had delayed the putting me from it in such an open manner; for that worthy man, Sir Harbotle Grimstone, died about Christmas.

Nature

1684.

Nature sunk all at once, he being then eighty two: He died, as he had lived, with great piety and resignation to the will of God.

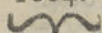
Trials for
treason of
Roswell
and Haies.

There were two famous trials in Michaelmas term: Three women came and deposed against Roswell, a Presbyterian preacher, treasonable words that he had delivered at a Conventicle. They swore to two or three periods, in which they agreed so exactly together, that there was not the smallest variation in their depositions. Roswell on the other hand made a strong defence: He proved, that the witnesses were leud and infamous persons. He proved, that he had always been a loyal man, even in Cromwell's days; that he prayed constantly for the King in his family, and that in his sermons he often insisted on the obligations to loyalty. And as for that sermon, in which the witnesses swore he delivered those words, he shewed what his text was, which the witnesses could not remember, as they remembred nothing else in his sermon, besides the words they had deposed. That text, and his sermon upon it, had no relation to any such matter. Several witnesses who heard the sermon, and some who writ it in short-hand, declared, he said no such words, nor any thing to that purpose. He offered his own notes to prove this further: But no regard was had to them. The women could not prove by any circumstance, that they were at his meeting; or that any person saw them there on that day. The words they swore against him were so gross, that it was not to be imagined, any man in his wits could express himself so, were he ever so wickedly set, before a mixed assembly. It was also urged, that it was highly improbable, that three women could remember so long a period upon one single hearing; and that they should all remember it so exactly, as to agree in the same deposition. He offered to put the whole upon this issue: He would pronounce a period, as long as that which they had sworn, with his usual tone of voice with which he preached, and then leave it to them to repeat it, if they could. I set down

all

all this defence more particularly, that it may appear what a spirit was in that time, when a verdict could be brought in upon such an evidence, and against such a defence. Jefferies urged the matter with his ordinary vehemence: He laid it for a foundation, that all preaching at Conventicles was treasonable, and that this ought to dispose the Jury to believe any evidence whatsoever upon that head, and that here were three positive concurring witnesses: So the Jury brought him in guilty. And there was a shameful rejoicing upon this. It was thought, now Conventicles would be all suppressed by it; since any person that would witness that treasonable words were delivered at them would be believed, how improbable soever it might be. But when the importance of the words came to be examined, by men learned in the law, they were found not to be treason by any statute. So Roswell moved in arrest of judgment, till Counsel should be heard to that point, whether the words were treason or not. In Sidney's case they refused to grant that, unless he would first confess the fact. And, tho' that was much censured, yet it was more doubtful, whether Council ought to be heard after the Jury had brought in the verdict. But the King was so put out of countenance, with the many stories that were brought him of his witnesses, that the Attorney General had orders to yield to the arrest of judgment; tho' it had been more to the King's honour to have put an end to the business by a pardon. It was thought a good point gained, which might turn to the advantage of the subject, to allow that a point of law might be argued after conviction. The impudence of this verdict was the more shameful, since, tho' we had a Popish successor in view, here was a precedent made, by which positive witnesses, swearing to any thing as said in a sermon, were to be believed against so many probabilities, and so much proof to the contrary; which might have been at another time very fatal to the Clergy.

1684:



The other trial was of more importance to the Court. In Armstrong's pocket, when he was taken, a letter was found writ by Haies, a Banquier in London, directed to another name, which was believed a feigned one: In it credit was given him upon Haies's correspondent in Holland for money: He was desired not to be too lavish: And he was promised, that he should be supplied as he needed it. Here was an abetting of a man outlawed for treason. Much pains was taken on Haies, both by persuasion and threatning, to induce him to discover that whole cabal of men, that, it seemed, joined in a common purse to supply those, who had fled beyond sea on the account of the plot. And they hoped to know all Monmouth's friends; and either to have attainted them, or at least to have fined them severely for it. But Haies shewed a fidelity and courage, far beyond what could have been expected from such a man: So he was brought to a trial. He made a strong defence. The letter was not exactly like his hand. It was not addressed to Armstrong, but to another person, from whom he perhaps had it. No entry was made of it in his books, nor of any sum paid in upon it. But his main defence was, that a Banquier examined into no person's concerns; and therefore, when money or good security was brought him, he gave bills of exchange, or letters of credit, as they were desired. Jefferies pressed the Jury, in his impetuous way, to find Haies guilty of high treason; because, tho' there was not a witness against Haies, but only presumptions appeared upon the proof, yet, Jefferies said, it was proved by two witnesses that the letter was found in Armstrong's pocket; and that was sufficient, the rest appearing by circumstances. The little difference between the writing in the letter and his ordinary hand, was said to be only a feint to hide it, which made him the more guilty. He required the Jury to bring him in guilty. And said, that the King's life and safety depended upon this trial: So that if they did it not, they exposed the King to a new Rye-Plot; with
other

other extravagancies, with which his fury prompted him. But a Jury of merchants could not be wrought up to this pitch. So he was acquitted, which mortified the Court a little: For they had reckoned, that now Juries were to be only a point of form in a trial, and that they were always to find bills as they were directed.

A trial in a matter of blood came on after this: A gentleman of a noble family being at a publick supper with much company, some hot words past between him and another Gentleman, which raised a sudden quarrel, none but three persons being engaged in it. Swords were drawn, and one was killed out-right: But it was not certain by whose hand he was killed: So the other two were both indicted upon it. The proof did not carry it beyond manslaughter, no marks of any precedent malice appearing. Yet the young Gentleman was prevailed on to confess the indictment, and to let sentence pass on him for murder; a pardon being promised him if he should do so, and he being threatened with the utmost rigour of the law, if he stood upon his defence. After the sentence had past, it appeared on what design he had been practised on. It was a rich family, and not well affected to the Court: So he was told that he must pay well for his pardon: And it cost him 16000 l; of which the King had the one half, the other half being divided between two Ladies that were in great favour. It is a very ill thing, for Princes to suffer themselves to be prevailed on by importunities to pardon blood, which cries for vengeance. Yet an easiness to such importunity is a feebleness of good nature, and so is in it self less criminal. But it is a monstrous perverting of justice, and a destroying the chief end of government, which is the preservation of the people, when their blood is set to sale; and that not as a compensation to the family of the person murdered, but to the Prince himself, and to some who are in favour with him upon unworthy accounts: And it was robbery if the Gentleman was innocent.

Strange
practices
and very
unbecom-
ing a
King.

1684.

Another thing of a strange nature hapned about this time. The Earl of Clancarty in Ireland, when he died, had left his Lady the guardian of his children. It was one of the noblest and richest families of the Irish Nation, which had always been Papists. But the Lady was a Protestant. And she, being afraid to trust the education of her son in Ireland, tho' in Protestant hands, considering the danger he might be in from his kindred of that religion, brought him over to Oxford, and put him into Fell's hands, who was both Bishop of Oxford and Dean of Christ Church: where she reckoned he would be safe. Lord Clancarty had an uncle, Coll. Maccarty, who was in most things, where his religion was not concerned, a man of honour. So he, both to pervert his nephew, and to make his own court, got the King to write to the Bishop of Oxford to let the young Lord come up, and see the diversions of the Town in the Christmas time; to which the Bishop did too easily consent. When he came to Town, he, being then at the age of consent, was married to one of the Lord Sunderland's daughters. And so he broke thro' all his education, and soon after turned Papist. Thus the King suffered himself to be made an instrument in one of the greatest of crimes, the taking an infant out of the hand of a guardian, and marrying him secretly; against which the laws of all nations have taken care to provide very effectually. But this leads me into a further view of the designs at Court.

Papists
employed
in Ireland.

The Earl of Rochester grew weary of the insignificant place of President, which procured him neither confidence nor dependance. And, since the government of Ireland was the greatest post next to the Treasury, he obtained by the Duke's favour to be named Lord Lieutenant of Ireland. The King seemed to be so uneasy with him, that he was glad to send him away from the Court. And the King intended to begin in his person a new method in the government of Ireland. Formerly the Lords Lieutenants were Generals of the army, as well as the
Governors

Governors of the Kingdom. Their interest in recommending to posts in the army, and the giving the commissions for them, brought the army into their dependance, and encreased the profits of their Secretaries. It was now suggested by Lord Sunderland, that this was too much in one person: And therefore he proposed, that there should be a General of the army, independent on the Lord Lieutenant, and who should be a check upon him: When there were but a few troops kept up there, it might be more reasonable to leave them in the Lord Lieutenant's hand's: But now that an army was kept, it seemed too much to put that, as well as the civil administration of the Kingdom, into the power of one man. In this the Earl of Sunderland's design was, to keep that Kingdom in a dependance upon himself. And he told the King, that if he thought that was a good maxim for the government of Ireland, he ought to begin it when a creature of his own was sent thither, who had not such a right to dispute points of that kind with him, as ancient noblemen might pretend to. Lord Rochester was much mortified with this. He said, the chief Governor of Ireland could not be answerable for the peace of that Kingdom, if the army was not in a dependance on him. Yet little regard was had to all that he could object to this new method; for the King seemed to be the more pleased with it, because it afflicted him so much. The first instance, in which the King intended to begin the immediate dependance of the Irish army on himself, was not so well chosen, as to make it generally acceptable: For it was, that Coll. Maccarty was to have a regiment there. He had a regiment in the French service for several years, and was called home upon that appearance that we had put on of engaging with the allies in a war with France in the year 1678. The Popish plot had kept the King from employing him for some years, in which the Court was in some management with the Nation. But now that being at an end, the King intended to employ him, upon

1684.


this acceptable service he had done with relation to his nephew. The King spoke of it to Lord Halifax: And he, as he told me, asked the King, if he thought that was to govern according to law. The King answered, he was not tied up by the laws of Ireland, as he was by the laws of England. Lord Halifax offered to argue that point with any person that asserted it before him: He said, that army was raised by a Protestant Parliament, to secure the Protestant interest: And would the King give occasion to any to say, that where his hands were not bound up, he would shew all the favour he could to the Papists? The King answered, he did not trouble himself with what people said, or would say. Lord Halifax replied to this, that it was a just piece of greatness in the King not to mind what his enemies said; but he hoped he would never despise what his friends said, especially when they seemed to have reason on their side: And he wished the King would choose rather to make up Maccarty's losses for his service in pensions, and other favours, than in a way that would raise so much clamour and jealousy. In all this Lord Halifax only offered his advice to the King, upon the King's beginning the discourse with him. Yet the King told it all to Maccarty; who came and expostulated the matter with that Lord. So he saw by that how little safe a man was, who spoke freely to the King, when he crossed the King's own inclinations.


Suspicious
of the
King's de-
claring
himself a
Papist.

There was a great expectation in the Court of France, that at this time the King would declare himself a Papist. They did not keep the secret very carefully there: For the Archbishop of Rheims had said to my self, that the King was as much theirs as his brother was, only he had not so much conscience. This I reported to Lord Halifax, to tell the King. Whether he did it, or not, I know not. But it was written over at this time from Paris, that the King of France had said at his levee, or at table, that a great thing would quickly break out in England with relation to religion. The occasion of that was afterwards

afterwards better known. One of our East-India ships had brought over one of the Missionaries of Siam, who was a man of a warm imagination, and who talked of his having converted and baptized many thousands in that Kingdom. He was well received at Court: And the King diverted himself with hearing him relate the adventures, and other passages of his travels. Upon this encouragement he desired a private audience; in which in a very inflamed speech, and with great vehemence, he pressed the King to return into the bosom of the Church. The King entertained this civilly, and gave him those answers, that he, not knowing the King's way, took them for such steps and indications, as made him conclude the thing was very near done: And upon that he writ to P. de la Chaise, that they would hear the news of the King's conversion very quickly. The Confessor carried the news to the King; who, not doubting it, gave the general hint of that great turn, of which he was then full of hopes.

That Priest was directed by some to apply himself to Lord Halifax, to try if he could convert him. Lord Halifax told me, he was so vain and so weak a man, that none could be converted by him, but such as were weary of their religion, and wanted only a pretence to throw it off. Lord Halifax put many questions to him, to which he made such simple answers, as furnished that Lord with many very lively sallies upon the conversions so much boasted of, when made by such men. Lord Halifax asked him, how it came that, since the King of Siam was so favourable to their religion, they had not converted him? The Missionary upon that told him, that the King had said, he would not examine into the truth of all that they had told him concerning Jesus Christ: He thought it was not reasonable to forsake the religion of his fathers, unless he saw good grounds to justify the change: And, since they pretended that the author of their religion had left a power of working miracles with his followers, he desired they would apply that to himself: He had a

1684.  palsey both in his arm, and in his leg: And if they could deliver him from that, he promised to them he would change immediately. Upon which the Missionary said, that the Bishop, who was the head of that mission, was bold enough (*assez hardi*, were the Priest's own words) to undertake it. A day was set for it. And the Bishop, with his Priest and some others, came to the King. And after some prayers, the King told them, he felt some heat and motion in his arm; but the palsey was more rooted in his thigh: So he desired the Bishop would go on, and finish that which was so happily begun. The Bishop thought he had ventured enough, and would engage no further; but told the King, that since their God had made one step towards him, he must make the next to God, and at least meet him half way. But the King was obstinate, and would have the miracle finished before he would change. On the other hand the Bishop stood his ground. And so the matter went no further. Upon which Lord Halifax said, since the King was such an infidel, they ought to have prayed the palsey into his arm again, as well as they prayed it out: Otherwise, here was a miracle lost on an obstinate infidel: And, if the palsey had immediately returned into his arm, that would perhaps have given him a full conviction. This put the Missionary into some confusion. And Lord Halifax repeated it both to the King and to the Duke, with that air of contempt, that the Duke was highly provoked by it: And the Priest appeared at Court no more.

1685.  There was at this time a new scheme formed, that very probably would have for ever broken the King and the Duke. But how it was laid was so great a secret, that I could never penetrate into it. It was laid at Lady Portsmouth's. Barillon and Lord Sunderland were the chief managers of it. Lord Godolphin was also in it. The Duke of Monmouth came over secretly. And tho' he did not see the King, yet he went back very well pleased with his journey.

But

A new
scheme of
govern-
ment.

But he never told his reason to any that I know of. Mr. May of the privy purse told me, that he was told there was a design to break out, with which he himself would be well pleased: And when it was ripe, he was to be called on to come and manage the King's temper, which no man understood better than he did; for he had been bred about the King ever since he was a child: And by his post he was in the secret of all his amours; but was contrary to his notions in every thing else, both with relation to Popery, to France, and to arbitrary government. Yet he was so true to the King, in that leud confidence in which he employed him, that the King had charged him never to press him in any thing, so as to provoke him. By this means he kept all this while much at a distance; for he would not enter into any discourse with the King on matters of state, till the King began with him. And he told me, he knew by the King's way things were not yet quite ripe, nor he thoroughly fixed on the design. That with which they were to begin was, the sending the Duke to Scotland. And it was generally believed, that if the two brothers should be once parted, they would never meet again. The King spoke to the Duke concerning his going to Scotland: And he answered, that there was no occasion for it: Upon which the King replied, that either the Duke must go, or that he himself would go thither.

The King was observed to be more than ordinarily pensive. And his fondness to Lady Portsmouth increased, and broke out in very indecent instances. The Grand Prior of France, the Duke of Vendome's brother, had made some applications to that Lady, with which the King was highly offended. It was said, the King came in on a sudden, and saw that which provoked him: So he commanded him immediately to go out of England. Yet after that the King caressed her in the view of all people, which he had never done on any occasion or to any person formerly. The King was observed to be colder and more reserved to the Duke than ordinary. But what was under all this was still a deep secret.

1685.

1685. Lord Halifax was let into no part of it. He still went on against Lord Rochester. He complained in council, that there were many razures in the books of the Treasury, and that several leaves were cut out of those books: And he moved the King to go to the Treasury chamber, that the books might be laid before him, and that he might judge of the matter upon sight. So the King named the next Monday. And it was then expected, that the Earl of Rochester would have been turned out of all, if not sent to the Tower. And a message was sent to Mr. May, then at Windsor, to desire him to come to Court that day, which it was expected would prove a critical day. And it proved to be so indeed, tho' in a different way.

The
King's
sickness.

All this winter the King looked better than he had done for many years. He had a humour in his leg, which looked like the beginning of the gout: So that for some weeks he could not walk, as he used to do generally three or four hours a day in the Park; which he did commonly so fast, that as it was really an exercise to himself, so it was a trouble to all about him to hold up with him. In the state the King was in, he not being able to walk, spent much of his time in his laboratory, and was running a process for the fixing of Mercury. On the first of February, being a Sunday, he eat little all day, and came to Lady Portsmouth at night, and called for a porringer of spoon meat. It was made too strong for his stomach. So he eat little of it: And he had an unquiet night. In the morning one Dr. King, a Physician, and a Chymist, came, as he had been ordered, to wait on him. All the King's discourse to him was so broken, that he could not understand what he meant. And the Doctor concluded, he was under some great disorder, either in his mind, or in his body. The Doctor amazed at this, went out, and meeting with the Lord Peterborough, he said, the King was in a strange humour, for he did not speak one word of sense. Lord Peterborough desired he would go in again to the bedchamber, which he

he did. And he was scarce come in, when the King, who seemed all the while to be in great confusion, fell down all of a sudden in a fit like an apoplexy: He looked black, and his eyes turned in his head. The physician, who had been formerly an eminent Surgeon, said, it was impossible to save the King's life, if one minute was lost: He would rather venture on the rigour of the law, than leave the King to perish. And so he let him bleed. The King came out of that fit: And the physicians approved what Dr. King had done: Upon which the Privy Council ordered him a thousand pound, which yet was never paid him. Tho' the King came out of that fit, yet the effects of it hung still upon him, so that he was much oppressed. And the physicians did very much apprehend the return of another fit, and that it would carry him off: So they looked on him as a dead man. The Bishop of London spoke a little to him, to dispose him to prepare for whatever might be before him, to which the King answered not a word. But that was imputed partly to the Bishop's cold way of speaking, and partly to the ill opinion they had of him at Court, as too busy in opposition to Popery. Sancroft made a very weighty exhortation to him; in which he used a good degree of freedom, which he said was necessary, since he was going to be judged by one who was no respecter of persons. To him the King made no answer neither; nor yet to Ken, tho' the most in favour with him of all the Bishops. Some imputed this to an insensibility; of which too visible an instance appeared, since Lady Portsmouth sat in the bed taking care of him as a wife of a husband. Others guessed truer, that it would appear he was of another religion. On Thursday a second fit returned. And then the physicians told the Duke, that the King was not like to live a day to an end.

The Duke immediately ordered Hudleston, the Priest that had a great hand in saving the King at Worcester fight, (for which he was excepted out of all severe acts that were made against Priests,) to be brought

Here received the Sacraments from a Popish Priest

1685. brought to the lodgings under the bed-chamber. And when he was told what was to be done, he was in great confusion, for he had no hostie about him. But he went to another Priest, that lived in the Court, who gave him the pix with an hostie in it. But that poor Priest was so frightened, that he run out of Whitehall in such haste that he struck against a post, and seemed to be in a fit of madness with fear. As soon as Hudleston had prepared every thing that was necessary, the Duke whispered the King in the ear. Upon that the King ordered that all who were in the bed-chamber should withdraw, except the Earls of Bath, and Feversham: And the door was double locked. The company was kept out half an hour: Only Lord Feversham opened the door once, and called for a glass of water. Cardinal Howard told me at Rome, that Hudleston, according to the relation that he sent thither, made the King go thro' some acts of contrition, and, after such a confession as he could then make, he gave him absolution and the other Sacraments. The hostie stuck in his throat: And that was the occasion of calling for a glass of water. He also gave him extream Unction. All must have been performed very superficially, since it was so soon ended. But the King seemed to be at great ease upon it. It was given out, that the King said to Hudleston, that he had saved him twice, first his body, and now his soul; and that he asked him, if he would have him declare himself to be of their Church. But it seems he was prepared for this, and so diverted the King from it; and said, he took it upon him to satisfy the world in that particular. But tho' by the principles of all religions whatsoever he ought to have obliged him to make open profession of his religion, yet, it seems, the consequences of that were apprehended; for without doubt that poor Priest acted by the directions that were given him. The company was suffered to come in. And the King went thro' the agonies of death with a calm and a constancy, that amazed all who were about him, and knew how he had lived. This made
some

1685.

some conclude, that he had made a will, and that his quiet was the effect of that. Ken applied himself much to the awaking the King's conscience. He spoke with a great elevation, both of thought and expression, like a man inspired, as those who were present told me. He resumed the matter often, and pronounced many short ejaculations and prayers, which affected all that were present, except him that was the most concerned, who seemed to take no notice of him, and made no answers to him. He pressed the King six or seven times to receive the Sacrament. But the King always declined it, saying, he was very weak. A table with the elements upon it ready to be consecrated was brought into the room; which occasioned a report to be then spread about, that he had received it. Ken pressed him to declare that he desired it, and that he died in the Communion of the Church of England. To that he answered nothing. Ken asked him, if he desired absolution of his sins. It seems the King, if he then thought any thing at all, thought that would do him no hurt. So Ken pronounced it over him: For which he was blamed, since the King expressed no sense of sorrow for his past life, nor any purpose of amendment. It was thought to be a prostitution of the peace of the Church, to give it to one, who, after a life led as the King's had been, seemed to harden himself against every thing that could be said to him. Ken was also censured for another piece of indecency: He presented the Duke of Richmond, Lady Portsmouth's son, to be blessed by the King. Upon this some that were in the room cried out, the King was their common father. And upon that all kneeled down for his blessing, which he gave them. The King suffered much inwardly, and said, he was burnt up within; of which he complained often, but with great decency. He said once, he hoped he should climb up to heaven's gates, which was the only word favouring of religion that he was heard to speak.

He

1685. He gathered all his strength to speak his last words to the Duke, to which every one hearkned with great attention. He expressed his kindness to him, and that he now delivered all over to him with great joy. He recommended Lady Portsmouth over and over again to him. He said, he had always loved her, and he loved her now to the last; and besought the Duke, in as melting words as he could fetch out, to be very kind to her and to her son. He recommended his other children to him: And concluded, let not poor Nelly starve; that was Mrs. Guyn. But he said nothing of the Queen, nor any one word of his people, or of his servants: Nor did he speak one word of religion, or concerning the payment of his debts, tho' he left behind him about 90000 guineas, which he had gathered, either out of the privy purse, or out of the money which was sent him from France, or by other methods, and which he had kept so secretly that no person whatsoever knew any thing of it.

His death. He continued in the agony till Friday at eleven a clock, being the sixth of February 168 $\frac{2}{3}$; and then died in the fifty fourth year of his age, after he had reigned, if we reckon from his father's death, thirty six years, and eight days; or, if we reckon from his Restoration, twenty four years, eight months, and nine days. There were many very apparent suspicions of his being poisoned: For tho' the first access looked like an apoplexy, yet it was plain in the progress of it that it was no apoplexy. When his body was opened, the physicians who viewed it were, as it were led, by those who might suspect the truth, to look upon the parts that were certainly found. But both Lower and Needham, two famous physicians, told me, they plainly discerned two or three blew spots on the outside of the stomach. Needham called twice to have it opened: But the surgeons seemed not to hear him. And when he moved it the second time, he, as he told me, heard Lower say to one that stood next him, Needham will undo us, calling thus to have the stomach opened, for he may see they will not do it. They were diverted to look to somewhat else:

self: And when they returned to look upon the stomach, it was carried away: So that it was never viewed. Le Fevre, a French physician, told me, he saw a blackness in the shoulder: Upon which he made an incision, and saw it was all mortified. Short, another physician, who was a Papist, but after a form of his own, did very much suspect foul dealing: And he had talked more freely of it, than any of the Protestants durst do at that time. But he was not long after taken suddenly ill, upon a large draught of wormwood wine, which he had drunk in the house of a Popish patient, that lived near the Tower, who had sent for him, of which he died. And, as he said to Lower, Millington, and some other physicians, he believed that he himself was poisoned, for his having spoken so freely of the King's death. The King's body was indecently neglected. Some parts of his inwards, and some pieces of the fat, were left in the water in which they were washed: All which were so carelessly looked after, that the water being poured out at a scullery hole that went to a drain, in the mouth of which a grate lay, these were seen lying on the grate many days after. His funeral was very mean. He did not lie in state: No mournings were given: And the expence of it was not equal to what an ordinary Nobleman's funeral will rise to. Many upon this said, that he deserved better from his brother, than to be thus ungratefully treated in ceremonies that are publick, and that make an impression on those who see them, and who will make severe observations and inferences upon such omissions. But since I have mentioned the suspicions of poison, as the cause of his death, I must add, that I never heard any lay those suspicions on his brother. But his dying so critically, as it were in the minute in which he seemed to begin a turn of affairs, made it be generally the more believed, and that the Papists had done it, either by the means of some of Lady Portsmouth's servants, or, as some fancied, by poisoned snuff; for so many of the small veins of the brain were burst, that the brain was in great disorder, and no judgment

1684.

ment could be made concerning it. To this I shall add a very surprizing story*, that I had in November 1709 from Mr. Henly of Hampshire. He told me, that, when the Duchefs of Portsmouth came over to England in the year 1699, he heard, that she had talked as if King Charles had been poisoned; which he desiring to have from her own mouth, she gave him this account of it. She was always pressing the King to make both himself and his people easy, and to come to a full agreement with his Parliament: And he was come to a final resolution of sending away his brother, and of calling a Parliament; which was to be executed the next day after he fell into that fit of which he died. She was put upon the secret, and spoke of it to no person alive, but to her Confessor: But the Confessor, she believed, told it to some, who, seeing what was to follow, took that wicked course to prevent it. Having this from so worthy a person, as I have set it down without adding the least circumstance to it, I thought it too important not to be mention in this history. It discovers both the knavery of Confessors, and the practices of Papists, so evidently, that there is no need of making any further reflections on it.

His character.

Thus lived and died King Charles the second. He was the greatest instance in history of the various revolutions of which any one man seemed capable. He was bred up, the first twelve years of his life, with the splendor that became the heir of so great a Crown. After that he past thro' eighteen years in great inequalities, unhappy in the war, in the loss of his father, and of the Crown of England. Scotland did not only receive him, tho' upon terms hard of digestion, but made an attempt upon England for him, tho' a feeble one. He lost the battle of Worcester with too much indifference: And then he shewed more care of his person, than became one who had so much at stake. He wandered about England for ten weeks after that, hiding from place to place. But, under all the apprehensions he had then upon him, he

* N. B. This is added to the original in a loose sheet.

shewed a temper so careless, and so much turned to levity, that he was then diverting himself with little household sports, in as unconcerned a manner, as if he had made no loss, and had been in no danger at all. He got at last out of England. But he had been obliged to so many, who had been faithful to him, and careful of him, that he seemed afterwards to resolve to make an equal return to them all: And finding it not easy to reward them all as they deserved, he forgot them all alike. Most Princes seem to have this pretty deep in them; and to think that they ought never to remember past services, but that their acceptance of them is a full reward. He, of all in our age, exerted this piece of prerogative in the amplest manner: For he never seemed to charge his memory, or to trouble his thoughts, with the sense of any of the services that had been done him. While he was abroad at Paris, Colen, or Bruffels, he never seemed to lay any thing to heart. He pursued all his diversions, and irregular pleasures, in a free carrier; and seemed to be as serene under the loss of a crown, as the greatest Philosopher could have been. Nor did he willingly hearken to any of those projects, with which he often complained that his Chancellor persecuted him. That in which he seemed most concerned was, to find money for supporting his expence. And it was often said, that, if Cromwell would have compounded the matter, and have given him a good round pension, that he might have been induced to resign his title to him. During his exile he delivered himself so entirely to his pleasures, that he became incapable of application. He spent little of his time in reading or study, and yet less in thinking. And, in the state his affairs were then in, he accustomed himself to say to every person, and upon all occasions, that which he thought would please most: So that words or promises went very easily from him. And he had so ill an opinion of mankind, that he thought the great art of living and governing was, to manage all things and all persons with
a depth

1685. a depth of craft and dissimulation. And in that few men in the world could put on the appearance of sincerity better than he could: Under which so much artifice was usually hid, that in conclusion he could deceive none, for all were become mistrustful of him. He had great vices, but scarce any virtues to correct them: He had in him some vices that were less hurtful, which corrected his more hurtful ones. He was, during the active part of life given up to sloth and lewdness to such a degree, that he hated business, and could not bear the engaging in any thing that gave him much trouble, or put him under any constraint. And tho' he desired to become absolute, and to overturn both our religion and our laws, yet he would neither run the risque, nor give himself the trouble, which so great a design required. He had an appearance of gentleness in his outward deportment: But he seemed to have no bowels nor tenderness in his nature: and in the end of his life he became cruel. He was apt to forgive all crimes, even blood it self: Yet he never forgave any thing that was done against himself, after his first and general act of indemnity, which was to be reckoned as done rather upon maxims of state than inclinations of mercy. He delivered himself up to a most enormous course of vice, without any sort of restraint, even from the consideration of the nearest relations: The most studied extravagancies that way seemed, to the very last, to be much delighted in, and pursued by him. He had the art of making all people grow fond of him at first, by a softness in his whole way of conversation, as he was certainly the best bred man of the age. But when it appear'd how little could be built on his promise, they were cured of the fondness that he was apt to raise in them. When he saw young men of quality, who had something more than ordinary in them, he drew them about him, and set himself to corrupt them both in religion and morality; in which he proved so unhappily successful, that he left England much changed at his death from what he had found it at his Restoration. He loved

loved to talk over all the stories of his life to every new man that came about him. His stay in Scotland, and the share he had in the war of Paris, in carrying messages from the one side to the other, were his common topicks. He went over these in a very graceful manner; but so often, and so copiously, that all those who had been long accustomed to them grew weary of them: And when he entered on those stories they usually withdrew: So that he often began them in a full audience, and before he had done there were not above four or five left about him: Which drew a severe jest from Wilmot, Earl of Rochester. He said, he wondred to see a man have so good a memory as to repeat the same story without losing the least circumstance, and yet not remember that he had told it to the same persons the very day before. This made him fond of strangers; for they hearkened to all his often repeated stories, and went away as in a rapture at such an uncommon condescension in a King.

His person and temper, his vices as well as his fortunes, resemble the character that we have given us of Tiberius so much, that it were easy to draw the parallel between them. Tiberius's banishment, and his coming afterwards to reign, makes the comparison in that respect come pretty near. His hating of business, and his love of pleasures; his raising of favourites, and trusting them entirely; and his pulling them down, and hating them excessively; his art of covering deep designs, particularly of revenge, with an appearance of softness, brings them so near a likeness, that I did not wonder much to observe the resemblance of their face and person. At Rome I saw one of the last statues made for Tiberius, after he had lost his teeth. But, bating the alteration which that made, it was so like King Charles, that Prince Borghese, and Signior Dominico to whom it belonged, did

1685. agree with me in thinking that it looked like a statue made for him.

Few things ever went near his heart. The Duke of Gloucester's death seemed to touch him much. But those who knew him best thought it was, because he had lost him by whom only he could have balanced the surviving brother, whom he hated, and yet embroiled all his affairs to preserve the succession to him.

His ill conduct in the first Dutch war, and those terrible calamities of the plague, and fire of London, with that loss and reproach which he suffered by the insult at Chatham, made all people conclude there was a curse upon his government. His throwing the publick hatred at that time upon Lord Clarendon was both unjust and ungrateful. And when his people had brought him out of all his difficulties upon his entering into the triple alliance, his selling that to France, and his entering on the second Dutch war with as little colour as he had for the first; his beginning it with the attempt on the Dutch Smirna fleet; the shutting up the Exchequer; and his declaration for toleration, which was a step for the introduction of Popery; make such a chain of black actions, flowing from blacker designs, that it amazed those who had known all this to see, with what impudent strains of flattery, addresses were penned during his life, and yet more grossly after his death. His contributing so much to the raising the greatness of France, chiefly at sea, was such an error, that it could not flow from want of thought, or of true sense. Rouvigne told me, he desired that all the methods the French took in the increase and conduct of their naval force might be sent him. And, he said, he seemed to study them with concern and zeal. He shewed what errors they committed, and how they ought to be corrected, as if he had been a Viceroy to France, rather than a King that ought

1685.

ought to have watched over and prevented the progress they made, as the greatest of all the mischiefs that could happen to him or to his people. They that judged the most favourably of this, thought it was done out of revenge to the Dutch, that, with the assistance of so great a fleet as France could join to his own, he might be able to destroy them. But others put a worse construction on it; and thought, that seeing he could not quite master or deceive his subjects by his own strength and management, he was willing to help forward the greatness of the French at sea, that by their assistance he might more certainly subdue his own people; according to what was generally believed to have fallen from Lord Clifford, that, if the King must be in a dependance, it was better to pay it to a great and generous King, than to five hundred of his own insolent subjects.

No part of his character looked wickeder, as well as meaner, than that he, all the while that he was professing to be of the Church of England, expressing both zeal and affection to it, was yet secretly reconciled to the Church of Rome: Thus, mocking God, and deceiving the world with so gross a prevarication. And his not having the honesty or courage to own it at the last: His not shewing any sign of the least remorse for his ill led life, or any tenderness either for his subjects in general, or for the Queen and his servants: And his recommending only his mistresses and their children to his brother's care, would have been a strange conclusion to any other's life, but was well enough suited to all the other parts of his.

The two papers found in his strong box concerning religion, and afterwards published by his brother, looked like study and reasoning. Tension told me, he saw the original in Pepys's hand, to whom King James trusted them for some time. They were interlined in several places. And the

interlinings seemed to be writ in a hand different hand from that in which the papers were writ. But he was not so well acquainted with the King's hand, as to make any judgment in the matter, whether they were writ by him or not. All that knew him, when they read them, did without any sort of doubting conclude, that he never composed them: For he never read the Scriptures, nor laid things together, further than to turn them to a jest, or for some lively expression. These papers were probably writ either by Lord Bristol, or by Lord Aubigny, who knew the secret of his religion, and gave him those papers, as abstracts of some discourses they had with him on those heads, to keep him fixed to them. And it is very probable that they, apprehending their danger if any such papers had been found about him writ in their hand might prevail with him to copy them out himself, tho' his laziness that way made it certainly no easy thing to bring him, to give himself so much trouble. He had talked over a great part of them to myself: So that, as soon as I saw them, I remembered his expressions, and perceived that he had made himself master of the argument, as far as those papers could carry him. But the publishing them shewed a want of judgment, or of regard to his memory, in those who did it: For the greatest kindness that could be shewn to his memory, would have been, to let both his papers and himself be forgotten.

Which I should certainly have done, if I had not thought that the laying open of what I knew concerning him and his affairs might be of some use to posterity. And therefore, how ungrateful soever this labour has proved to myself, and how unacceptable soever it may be to some, who are either obliged to remember him gratefully, or by the engagement of parties and interests are under other biases, yet I have gone thro' all that I knew relating

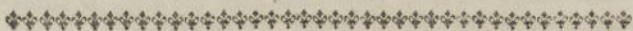
lating to his life and reign with that regard to truth, and what I think may be instructive to mankind, which became an impartial writer of history, and one who believes, that he must give an account to God of what he writes, as well as of what he says and does.

1685.

The END of King CHARLES the second's
Reign.



THE
HISTORY
OF
My Own Times.



BOOK IV.
Of the reign of King James II.

1685.

A reign
happily
begun,
but in-
glorious
all over.

I AM now to prosecute this work, and to give the relation of an inglorious and unprosperous reign, that was begun with great advantages: But these were so poorly managed, and so ill improved, that bad designs were ill laid, and worse conducted; and all came in conclusion to one of the strangest catastrophes that is in any history. A great King with strong armies, and mighty fleets, a vast treasure, and powerful allies, fell all at once: And his whole strength, like a spider's web, was so irrecoverably broken with a touch, that he was never able to retrieve, what for want both of judgment and heart he threw up in a day. Such an unexpected revolution deserves to be well opened: I will do it as fully as I can. But, having been beyond sea almost all this reign, many small particulars, that may well deserve to be remembered, may have escaped me: Yet as I had good opportunities

1685.

tunities to be well informed, I will pass over nothing that seems of any importance to the opening such great and unusual transactions. I will endeavour to watch over my pen with more than ordinary caution, that I may let no sharpness, from any ill usage I myself met with, any way possess my thoughts, or bias my mind: On the contrary, the sad fate of this unfortunate Prince will make me the more tender in not aggravating the errors of his reign. As to my own particular, I will remember how much I was once in his favour, and how highly I was obliged to him. And as I must let his designs and miscarriages be seen, so I will open things as fully as I can, that it may appear on whom we ought to lay the chief load of them: Which indeed ought to be chiefly charged on his religion, and on those who had the management of his conscience, his Priests, and his Italian Queen; which last had hitherto acted a popular part with great artifice and skill, but came now to take off the mask, and to discover herself.

This Prince was much neglected in his childhood, during the time he was under his Father's care. The Parliament, getting him into their hands, put him under the Earl of Northumberland's government, who, as the Duke himself told me, treated him with great respect, and a very tender regard. When he escaped out of their hands, by the means of Colonel Bamfield, his Father writ to him a letter in cypher, concluding in these plain words, "Do this as you expect the blessing of your loving Father." This was sent to William Duke of Hamilton, but came after he had made his escape: And so I found it among his papers: And I gave it to the Duke of York in the year 1674. He said to me, he believed he had his Father's cypher among his papers, and that he would try to decypher the letter: But I believe he never did it. I told him I was confident, that as

The
King's
first edu-
cation.

1678. the letter was writ when his escape was under consideration, so it contained an order to go to the Queen, and to be obedient to her in all things, except in matters of religion. The King appointed Sir John Berkeley, afterwards Lord Berkeley, to be his governor. It was a strange choice, if it was not, because in such a want of men who stuck then to the King, there were few capable in any sort of such a trust. Berkeley was bold and insolent, and seemed to lean to popery: He was certainly very arbitrary, both in his temper and notions. The Queen took such a particular care of this Prince, that he was soon observed to have more of her favour than either of his two brothers: And she was so set on making profelytes, hoping that "to save a soul would cover a multitude of sins," that it is not to be doubted but she used more than ordinary arts to draw him over to her religion. Yet, as he himself told me, he stood out against her practices.

He learned war under Turenne.

During his stay in France he made some campaigns under Mr. de Turenne, who took him so particularly under his care, that he instructed him in all that he undertook, and shewed him the reasons of every thing he did so minutely, that he had great advantages by being formed under the greatest General of the age. Turenne was so much taken with his application, and the heat that he shewed, that he recommended him out of measure. He said often of him: There was the greatest Prince, and like to be the best General of his time. This raised his character so much, that the King was not a little eclipsed by him. Yet he quickly ran into amours and vice. And that by degrees wore out any courage that had appeared in his youth. And in the end of his life he came to lose the reputation of a brave man and a good Captain so entirely, that either he was never that which flatterers gave out concerning him, or his age

age and affairs wrought a very unusual change on him.

1685.

He seemed to follow his mother's maxims all the while he was beyond sea. He was the head of a party that was formed in the King's small Court against Lord Clarendon. And it was believed that his applications to Lord Clarendon's daughter were made at first, on design to dishonour his family, tho' she had the address to turn it another way.

After his brother's Restoration he applied himself much to the Marine, in which he arrived at great skill, and brought the fleet so entirely into his dependence, that even after he laid down the command, he was still the master of our whole sea force. He had now for these last three years directed all our counsels, with so absolute an authority, that the King seemed to have left the government wholly in his hands: Only the unlooked for bringing in the Duke of Monmouth put him under no small apprehensions, that at some time or other the King might slip out of his hands: Now that fear was over.

He was
Admiral
of Eng-
land.

The King was dead: And so all the Court went immediately and paid their duty to him. Orders were presently given for proclaiming him King. It was a heavy solemnity: Few tears were shed for the former, nor were there any shouts of joy for the present King. A dead silence, but without any disorder or tumult, followed it thro' the streets. When the Privy Counsellors came back from the proclamation, and waited on the new King, he made a short speech to them; which it seems was well considered, and much liked by him, for he repeated it to his Parliament, and upon several other occasions.

He was
proclaim-
ed King.

He began with an expostulation for the ill character that had been entertained of him. He told them, in very positive words, that he would never depart from any branch of his prerogative:

His first
speech.

But

The HISTORY of the Reign

1685.

But with that he promised, that he would maintain the liberty and property of the subject. He expressed his good opinion of the Church of England, as a friend to monarchy. Therefore, he said, he would defend and maintain the Church, and would preserve the government in Church and State, as it was established by law.

Well received.

This speech was soon printed, and gave great content to those, who believed that he would stick to the promises made in it. And those few, who did not believe it, yet durst not seem to doubt of it. The pulpits of England were full of it, and of thanksgivings for it. It was magnified as a security far greater than any that laws could give. The common phrase was, We have now the "word of a King, and a word never yet broken."

Addresses made to him.

Upon this a new set of addresses went round England, in which the highest commendations, that flattery could invent, were given to the late King; and assurances of loyalty and fidelity were renewed to the King, in terms that shewed there were no jealousies nor fears left. The University of Oxford in their address promised to obey the King "without limitations or restrictions." The King's promise past for a thing so sacred, that they were looked on as ill bred, that put in their address, "our Religion established by law;" which looked like a tie on the King to maintain it: Whereas the stile of the more courtly was, to put all our security upon the King's promise. The Clergy of London added a word to this in their address, "our Religion established by law, dearer to us than our lives." This had such an insinuation in it, as made it very unacceptable. Some followed their pattern. But this was marked to be remembered against those that used so menacing a form.

All employments were ended of course with the life of the former King. But the King continued all in their places: Only the posts in the Household were given to those who had served the King, while

while he was Duke of York. The Marquis of Halifax had reason to look on himself as in ill terms with the King: So in a private audience he made the best excuses he could for his conduct of late. The King diverted the discourse; and said, he would forget every thing that was past, except his behaviour in the business of the Exclusion. The King also added, that he would expect no other service of him than what was consistent with law. He prepared him for the exaltation of the Earl of Rochester. He said, he had served him well, and had suffered on his account, and therefore he would now shew favour to him: And the next day he declared him Lord Treasurer. His brother the Earl of Clarendon was made Lord Privy Seal: And the Marquis of Halifax was made Lord President of the Council. The Earl of Sunderland was looked on as a man lost at Court: And so was Lord Godolphin. But the former of these insinuated himself so into the Queen's confidence, that he was, beyond all people's expectation, not only maintained in his posts, but grew into great degrees of favour.

1685.

The Earl of Rochester made Lord Treasurer.

The Queen was made to consider the Earl of Rochester, as a person that would be in the interest of the King's daughters, and united to the Church party. So she saw it was necessary to have one in a high post, who should depend wholly on her, and be entirely hers. And the Earl of Sunderland was the only person capable of that. The Earl of Rochester did upon his advancement become so violent and boisterous, that the whole Court joined to support the Earl of Sunderland, as the proper balance to the other. Lord Godolphin was put in a great post in the Queen's Household.

The Earl of Sunderland in favour.

But before the Earl of Rochester had the White Staff, the Court engaged the Lord Godolphin, and the other Lords of the Treasury, to send orders to the Commissioners of the Customs, to con-

Customs and Excise levied against law.

tinue

1685.

tinue to levy the Customs, tho' the act that granted them to the late King was only for his life, and so was now determined with it. It is known, how much this matter was contested, in King Charles the first's time, and what had past upon it. The legal method was to have made entries, and to have taken bonds for those duties, to be paid when the Parliament should meet, and renew the grant. Yet the King declared, that he would levy the Customs, and not stay for the new grant. But, tho' this did not agree well with the King's promise of maintaining liberty and property, yet it was said in excuse for it, that, if the Customs should not be levied in this interval, great importations would be made, and the markets would be so stocked, that this would very much spoil the King's Customs. But in answer to this it was said again, entries were to be made, and bonds taken, to be sued, when the act granting them should pass. Endeavours were used with some of the merchants to refuse to pay those duties, and to dispute the matter in Westminster-Hall: But none would venture on so bold a thing. He who should begin any such opposition would probably be ruined by it: So none would run that hazard. The Earl of Rochester got this to be done before he came into the Treasury: So he pretended, that he only held on in the course that was begun by others.

The additional Excise had been given to the late King only for life. But there was a clause in the act, that empowered the Treasury to make a farm of it for three years, without adding a limiting clause, in case it should be so long due. And it was thought a great stretch of the clause, to make a fraudulent farm, by which it should continue to be levied three years after it was determined, according to the letter and intendment of the act. A farm was now brought out, as made during the King's life, tho' it was well known that no such farm had been made; for it was
made

1685.

made after his death, but a false date was put to it. This matter seemed doubtful. It was laid before the Judges. And they all, except two, were of opinion that it was good in law. So two Proclamations were ordered, the one for levying the Customs, and the other for the Excise.

These came out in the first week of the reign, and gave a melancholy prospect. Such beginnings did not promise well, and raised just fears in the minds of those, who considered the consequences of such proceedings. They saw, that by violence and fraud duties were now to be levied without law. But all people were under the power of fear or flattery to such a degree, that none durst complain, and few would venture to talk of those matters.

Persons of all ranks went, in such crouds, to pay their duty to the King, that it was not easy to admit them all. Most of the Whigs that were admitted were received coldly at best. Some were sharply reproached for their past behaviour. Others were denied access. The King began likewise to say, that he would not be served as his brother had been: He would have all about him serve him without reserve, and go thorough in his business. Many were amazed to see such steps made at first. The second Sunday after he came to the Throne, he, to the surprize of the whole Court, went openly to Mass, and sent Caryl to Rome with letters to the Pope, but without a character.

The King's coldness to those who had been for the Exclusion.

In one thing only the King seemed to comply with the genius of the Nation, tho' it proved in the end to be only a shew. He seemed resolved not to be governed by French counsels, but to act in an equality with that haughty Monarch in all things. And, as he entertained all the other foreign Ministers, with assurances that he would maintain the balance of Europe, with a more steady hand than had been done formerly; so when he sent over the Lord Churchil to the Court of France, with the

He seemed to be on equal terms with the French King.

notice

1685.

notice of his brother's death, he ordered him to observe exactly the ceremony and state with which he was received, that he might treat him, who should be sent over with the compliment in return to that, in the same manner. And this he observed very punctually, when the Marshal de Lorge came over. This was set about by the Courtiers, as a sign of another spirit, that might be looked for in a reign so begun. And this made some impression on the Court of France, and put them to a stand. But, not long after this, the French King said to the Duke of Villeroy, (who told it to young Rouvigny, now Earl of Galloway, from whom I had it,) that the King of England, after all the high things given out in his name, was willing to take his money, as well as his brother had done.

The King did also give out, that he would live in a particular confidence with the Prince of Orange, and the States of Holland. And, because Chudleigh the Envoy there had openly broken with the Prince, (for he not only waited no more on him, but acted openly against him; and once in the Vorhaut had affronted him, while he was driving the Princess upon the snow in a Trainau, according to the German manner, and pretending they were masked, and that he did not know them, had ordered his coachman to keep his way, as they were coming towards the place where he drove;) the King recalled him, and sent Shelton in his room, who was the haughtiest, but withal the weakest man, that he could have found out. He talked out all secrets, and made himself the scorn of all Holland. The Courtiers now said every where, that we had a martial Prince who loved glory, who would bring France into as humble a dependence on us, as we had been formerly on that Court.

The King did, some days after his coming to the Crown, promise the Queen and his Priests, that

that he would see Mrs. Sidley no more, by whom he had some children. And he spoke openly against lewdness, and expressed a detestation of drunkenness. He sate many hours a day about business with the Council, the Treasury, and the Admiralty. It was upon this said, that now we should have a reign of action and business, and not of sloth and luxury, as the last was. Mrs. Sidley had lodgings in Whitehall: Orders were sent to her to leave them. This was done to mortify her; for she pretended that she should now govern as absolutely as the Dutchess of Portsmouth had done: Yet the King still continued a secret commerce with her. And thus he began his reign with some fair appearances. A long and great frost had so shut up the Dutch ports, that for some weeks they had no letters from England: At last the news of the King's sickness and death, and of the beginnings of the new reign, came to them all at once.

The first difficulty the Prince of Orange was in, was with relation to the Duke of Monmouth. He knew the King would immediately, after the first compliments were over, ask him to dismiss him, if not to deliver him up. And as it was no way decent for him, to break with the King upon such a point, so he knew the States would never bear it. He thought it better to dismiss him immediately, as of himself. The Duke of Monmouth seemed surpris'd at this. Yet at parting he made great protestations both to the Prince and Princess of an inviolable fidelity to their interests. So he retired to Brussels, where he knew he could be suffered to stay no longer than till a return should come from Spain, upon the notice of King Charles's death, and the declarations that the King was making of maintaining the balance of Europe. The Duke was upon that thinking to go to Vienna, or to some Court in Germany. But those about him studied to inflame him both against the

The
Prince of
Orange
sent away
the Duke
of Mon-
mouth.

1685.

the King and the Prince of Orange. They told him, the Prince by casting him off had cancelled all former obligations, and set him free from them: He was now to look to himself: And instead of wandring about as a vagabond, he was to set himself to deliver his country, and to raise his party and his friends, who were now like to be used very ill, for their adhering to him and to his interest.

Some in England began to move for him.

They sent one over to England to try mens pulses, and to see if it was yet a proper time to make an attempt. Wildman, Charlton, and some others went about trying, if men were in a disposition to encourage an invasion. They talked of this in so remote a way of speculation, that tho' one could not but see what lay at bottom, yet they did not run into treasonable discourse. I was in general sounded by them: Yet nothing was proposed that ran me into any danger from concealing it. I did not think fears and dangers, nor some illegal acts in the administration, could justify an insurrection, as lawful in itself: And I was confident an insurrection undertaken on such grounds would be so ill seconded, and so weakly supported, that it would not only come to nothing, but it would precipitate our ruin. Therefore I did all I could to divert all persons with whom I had any credit from engaging in such designs. These were for some time carried on in the dark. The King, after he had put his affairs in a method, resolved to hasten his Coronation, and to have it performed with great magnificence: And for some weeks he was so entirely possessed with the preparations for that solemnity, that all business was laid aside, and nothing but ceremony was thought on.

Strange practices in elections of Parliament men.

At the same time a Parliament was summoned: And all arts were used to manage elections so, that the King should have a Parliament to his mind. Complaints came up from all the parts of England, of the injustice and violence used in electi-

ons,



ons, beyond what had ever been practised in former times. And this was so universal over the whole Nation, that no corner of it was neglected. In the new Charters that had been granted, the election of the members was taken out of the hands of the inhabitants, and restrained to the Corporation-men, all those being left out who were not acceptable at Court. In some Boroughs they could not find a number of men to be depended on: So the neighbouring Gentlemen were made the Corporation-men: And, in some of these, persons of other Counties, not so much as known in the Borough, were named. This was practised in the most avowed manner in Cornwall by the Earl of Bath; who to secure himself the Groom of the Stole's place, which he held all King Charles's time, put the officers of the guards names in almost all the Charters of that County; which sending up forty four members, they were for most part so chosen, that the King was sure of their votes on all occasions.

These methods were so successful over England, that when the elections were all returned, the King said, there were not above forty members, but such as he himself wished for. They were neither men of parts nor estates: So there was no hope left, either of working on their understandings, or of making them see their interest, in not giving the King all at once. Most of them were furious and violent, and seemed resolved to recommend themselves to the King, by putting every thing in his power, and by ruining all those who had been for the Exclusion. Some few had designed to give the King the revenue only from three years to three years. The Earl of Rochester told me, that was what he looked for, tho' the post he was in made it not so proper for him to move in it. But there was no prospect of any strength in opposing any thing, that the King should ask of them.

1685.

Evil pro-
spect from
a bad
Parlia-
ment.

This gave all thinking men a melancholy prospect. England now seemed lost, unless some happy accident should save it. All people saw the way for packing a Parliament now laid open. A new set of Charters and Corporation-men, if those now named should not continue to be still as compliant, as they were at present, was a certain remedy, to which recourse might be easily had. The Boroughs of England saw their privileges now wrested out of their hands, and that their elections, which had made them so considerable before, were hereafter to be made as the Court should direct: So that from henceforth little regard would be had to them; and the usual practices in courting, or rather in corrupting them, would be no longer pursued. Thus all people were alarmed: But few durst speak out, or complain openly. Only the Duke of Monmouth's agents made great use of this to inflame their party. It was said, here was a Parliament to meet, that was not the choice and representative of the Nation, and therefore was no Parliament. So they upon this possessed all people with dreadful apprehensions, that a blow was now given to the constitution, which could not be remedied, but by an insurrection. It was resolved to bring up petitions against some elections, that were so indecently managed, that it seemed scarce possible to excuse them: But these were to be judged by a majority of men, who knew their own elections to be so faulty, that to secure themselves they would justify the rest: And fair dealing was not to be expected from those, who were so deeply engaged in the like injustice.

All that was offered on the other hand to lay those fears, which so ill an appearance did raise, was, that it was probable the King would go into measures against France. All the offers of submission possible were made him by Spain, the Empire, and the States.

1685.

The King had begun with the Prince of Orange upon a hard point. He was not satisfied with his dismissing the Duke of Monmouth, but wrote to him to break all those officers who had waited on him while he was in Holland. In this they had only followed the Prince's example: So it was hard to punish them for that, which he himself had encouraged. They had indeed shewed their affections to him so evidently, that the King wrote to the Prince, that he could not trust to him, nor depend on his friendship, as long as such men served under him. This was of a hard digestion. Yet, since the breaking them could be easily made up by employing them afterwards, and by continuing their appointments to them, the Prince complied in this likewise. And the King was so well pleased with it, that when Bishop Turner complained of some things relating to the Prince and Princess, and proposed rougher methods, the King told him, it was absolutely necessary that the Prince and he should continue in good correspondence. Of this Turner gave an account to the other Bishops, and told them very solemnly, that the Church would be in no hazard during the present reign; but that they must take care to secure themselves against the Prince of Orange, otherwise they would be in great danger.

The submission of the Prince and the States to the King made some fancy, that this would overcome him. All people concluded, that it would soon appear whether bigotry, or a desire of glory was the prevailing passion; since if he did not strike in with an alliance, that was then projected against France, it might be concluded that he was resolved to deliver himself up to his Priests, and to sacrifice all to their ends. The season of the year made it to be hoped, that the first session of Parliament would be so short, that much could not be done in it, but that when the revenue should be granted, other matters might be put off to a

The
Prince of
Orange
submits in
every
thing to
the King.

The King
was
winded

1685.

winter session. So that, if the Parliament should not deliver up the Nation in a heat all at once, but should leave half their work to another session, they might come under some management, and either see the interest of the Nation in general, or their own in particular; and manage their favours to the Court in such a manner as to make themselves necessary, and not to give away too much at once, but be sparing in their bounty; which they had learned so well in King Charles's time, that it was to be hoped they would soon fall into it, if they made not too much haste at their first setting out. So it was resolved not to force them on too hastily in their first session, to judge of any election, but to keep that matter entire for some time, till they should break into parties.

The King
was
crowned.

The Coronation was set for St. George's day. Turner was ordered to preach the sermon: And both King and Queen resolved to have all done in the Protestant form, and to assist in all the prayers: Only the King would not receive the Sacrament, which is always a part of the ceremony. In this certainly his Priests dispensed with him, and he had such senses given him of the oath, that he either took it as unlawful with a resolution not to keep it, or he had a reserved meaning in his own mind. The Crown was not well fitted for the King's head: It came down too far, and covered the upper part of his face. The canopy carried over him did also break. Some other smaller things happen'd that were looked on as ill omens: And his son by Mrs. Sidley died that day. The Queen with the Peeres made a more graceful figure. The best thing in Turner's sermon was, that he set forth that part of Constantius Chlorus's history very handsomely, in which he tried who would be true to their religion, and reckoned that those would be faithfullest to himself who were truest to their God.

I must

I must now say somewhat concerning my self. At this time I went out of England. Upon King Charles's death, I had desired leave, to come and pay my duty to the King, by the Marquis of Halifax. The King would not see me. So, since I was at that time in no sort of employment, not so much as allowed to preach any where, I resolv'd to go abroad. I saw we were like to fall into great confusion; and were either to be rescued, in a way that I could not approve of, by the Duke of Monmouth's means, or to be delivered up, by a meeting that had the face and name of a Parliament. I thought the best thing for me was to go out of the way. The King approved of this, and consented to my going: But still refused to see me. So I was to go beyond sea, as to a voluntary Exile. This gave me great credit with all the male contents: And I made the best use of it I could. I spoke very earnestly to the Lord Delamer, to Mrs. Hambden, and such others as I could meet with, who I feared might be drawn in by the agents of the Duke of Monmouth. The King had not yet done that which would justify extreme counsels; a raw rebellion would be soon crushed, and give a colour for keeping up a standing army, or for bringing over a force from France. I perceived, many thought the constitution was so broken into, by the elections of the House of Commons, that they were disposed to put all to hazard. Yet most people thought the crisis was not so near, as it proved to be.

The deliberations in Holland, among the English and Scotch that fled thither, came to ripen faster than was expected. Lord Argile had been quiet ever since the disappointment in the year eighty three. He had lived for most part in Frizeland, but came oft to Amsterdam, and met with the rest of his countrymen that lay concealed there: The chief of whom were the Lord Melvill, Sir Patrick Hume, and Sir John Cochran. With

1685.

I went out
of Eng-
land.Argile de-
signed to
invade
Scotland.

1685. these Lord Argile communicated all the advices that were sent him. He went on still with his first project. He said, he wanted only a sum of money to buy arms, and reckoned, that as soon as he was furnished with these, he might venture on Scotland. He resolved to go to his own country, where he hoped he could bring five thousand men together. And he reckoned that the Western and Southern Counties were under such apprehensions, that without laying of matters, or having correspondence among them, they would all at once come about him, when he had gathered a good force together in his own country. There was a rich widow in Amsterdam, who was full of zeal: So she, hearing at what his designs stuck, sent to him, and furnished him with ten thousand pounds. With this money he bought a stock of arms and ammunition, which was very dextrously managed by one that traded to Venice, as intended for the service of that Republick. All was performed with great secrecy, and put on board. They had sharp debates among them about the course they were to hold. He was for sailing round Scotland to his own country. Hume was for the shorter passage: The other was a long navigation, and subject to great accidents. Argile said, the fastnesses of his own country made that to be the safer place to gather men together. He presumed so far on his own power, and on his management hitherto, that he took much upon him: So that the rest were often on the point of breaking with him.

The Duke
of Monmouth
forced on
an ill-timed
invasion.

The Duke of Monmouth came secretly to them, and made up all their quarrels. He would willingly have gone with them himself: But Argile did not offer him the command: On the contrary he pressed him to make an impression on England at the same time. This was not possible: For the Duke of Monmouth had yet made no preparations. So he was hurried into a fatal
under.

1685.

undertaking, before things were in any sort ready for it. He had been indeed much pressed to the same thing by Wade, Ferguson, and some others about him, but chiefly by the Lord Grey, and the Lady Wentworth, who followed him to Brussels desperately in love with him. And both he and she came to fancy, that he being married to his Dutchess; while he was indeed of the age of consent, but not capable of a free one, the marriage was null: So they lived together: And she had heated both herself and him with such enthusiastical conceits, that they fancied what they did was approved of God. With this small council he took his measures. Fletcher, a Scotch Gentleman of great parts, and many virtues, but a most violent republican, and extravagantly passionate, did not like Argile's scheme: So he resolved to run fortunes with the Duke of Monmouth. He told me, that all the English among them were still pressing the Duke of Monmouth to venture. They said, all the West of England would come about him, as soon as he appeared, as they had done five or six years ago. They reckoned there would be no fighting, but that the guards, and others who adhered to the King, would melt to nothing before him. They fancied, the City of London would be in such a disposition to revolt, that if he should land in the West the King would be in great perplexity. He could not have two armies: And his fear of tumults near his person would oblige him to keep such a force about him, that he would not be able to send any against him. So they reckoned he would have time to form an army, and in a little while be in a condition to seek out the King, and fight him on equal terms.

This appeared a mad and desperate undertaking to the Duke of Monmouth himself. He knew what a weak body a rabble was, and how unable to deal with troops long trained. He had

1685.

neither money nor officers, and no encouragement from the men of estates and interest in the country. It seemed too early yet to venture. It was the throwing away all his hopes in one day. Fletcher, how vehemently soever he was set on the design in general, yet saw nothing in this scheme that gave any hopes: So he argued much against it. And he said to me, that the Duke of Monmouth was pushed on to it against his own sense and reason: But he could not refuse to hazard his person, when others were so forward. Lord Grey said, that Henry the seventh landed with a smaller number, and succeeded. Fletcher answered, he was sure of several of the Nobility, who were little Princes in those days. Ferguson in his enthusiastical way said, it was a good cause, and that God would not leave them unless they left him. And tho' the Duke of Monmouth's course of life gave him no great reason to hope that God would appear signally for him, yet even he came to talk enthusiastically on the subject. But Argile's going, and the promise he had made of coming to England with all possible haste, had so fixed him, that, all further deliberations being laid aside, he pawned a parcel of jewels, and bought up arms; and they were put aboard a ship freighted for Spain.

These designs were carried on with great secrecy.

King James was so intent upon the pomp of his Coronation, that for some weeks more important matters were not thought on. Both Argile and Monmouth's people were so true to them, that nothing was discovered by any of them. Yet some days after Argile had sailed, the King knew of it: For the night before I left London, the Earl of Aran came to me, and told me, the King had an advertisement of it that very day. I saw, it was fit for me to make haste: Otherwise I might have been seized on, if it had been only to put the affront on me, of being suspected of holding correspondence with traitors.

Argile

Argile had a very prosperous voyage. He sent out a boat at Orkney to get intelligence, and to take prisoners. This had no other effect, but that it gave intelligence where he was: And the wind chopping, he was obliged to sail away, and leave his men to mercy. The winds were very favourable, and turned as his occasions required: So that in a very few days he arrived in Argileshire. The misunderstandings between him and Hume grew very high; for he carried all things with an air of authority, that was not easy to those who were setting up for liberty. At his landing he found, that the early notice the Council had of his designs had spoiled his whole scheme; for they had brought in all the Gentlemen of his country to Edinburgh, which saved them, tho' it helped on his ruin. Yet he got above five and twenty hundred men to come to him. If with these he had immediately gone over to the Western counties of Air and Renfrew, he might have given the government much trouble. But he lingered too long, hoping still to have brought more of his Highlanders together. He reckoned these were sure to him, and would obey him blindfold: Whereas, if he had gone out of his own country with a small force, those who might have come in to his assistance might also have disputed his authority: And he could not bear contradiction. Much time was by this means lost: And all the country was summoned to come out against him. At last he crossed an arm of the sea, and landed in the isle of Bute; where he spent twelve days more, till he had eat up that Island, pretending still, that he hoped to be joined by more of his Highlanders.

1685.
Argile
landed in
Scotland.

He had left his arms in a castle, with such a guard as he could spare: But they were routed by a party of the King's forces. And with this he lost both heart and hope. And then, apprehending that all was gone, he put himself in a

But was
defeated
and
taken.

1685. disguise, and had almost escaped: But he was taken. A body of Gentlemen that had followed him stood better to it, and forced their way thro': So that the greater part of them escaped. Some of these were taken: The chief of them were Sir John Cochran, Ailoffe, and Rumbold. These two last were Englishmen: But I knew not upon what motive it was, that they chose rather to run fortunes with Argile, than with the Duke of Monmouth. Thus was this rebellion brought to a speedy end, with the effusion of very little blood. Nor was there much shed in the way of justice; for it was considered, that the Highlanders were under such ties by their tenures, that it was somewhat excusable in them to follow their Lord. Most of the Gentlemen were brought in by order of Council to Edinburgh, which preserved them. One of those that were with Argile, by a great presence of mind, got to Carlisle, where he called for post horses; and said, he was sent by the General to carry the good news by word of mouth to the King. And so he got to London: And there he found a way to get beyond sea.

Argile's
execution.

Argile was brought in to Edinburgh. He expressed even a cheerful calm under all his misfortunes. He justified all he had done: For, he said, he was unjustly attainted: That had dissolved his allegiance: So it was justice to himself and his family, to endeavour to recover what was so wrongfully taken from him. He also thought, that no allegiance was due to the King, till he had taken the oath which the law prescribed to be taken by our Kings at their Coronation, or the receipt of their princely dignity. He desired that Mr. Charteris might be ordered to attend upon him; which was granted. When he came to him, he told him he was satisfied in conscience with the lawfulness of what he had done, and therefore desired he would not disturb him with any discourse on that subject. The other, after he had told him

him his sense of the matter, complied easily with this. So all that remained was to prepare him to die, in which he expressed an unshaken firmness. The Duke of Queensbury examined him in private. He said, he had not laid his business with any in Scotland. He had only found credit with a person that lent him money; upon which he had trusted, perhaps too much, to the dispositions of the people, sharpened by their administration. When the day of his execution came, Mr. Charteris happen'd to come to him as he was ending dinner: He said to him pleasantly, "ferò venientibus ossa." He prayed often with him, and by himself, and went to the scaffold with great serenity. He had complained of the Duke of Monmouth much, for delaying his coming so long after him, and for assuming the name of King; both which, he said, were contrary to their agreement at parting. Thus he died, pitied by all. His death, being pursuant to the sentence pass'd three years before, of which mention was made, was looked on as no better than murder. But his conduct in this matter was made up of so many errors, that it appeared he was not made for designs of this kind.

Ailoffe had a mind to prevent the course of justice, and having got a penknife into his hands gave himself several stabbs. And thinking he was certainly a dead man, he cried out, and said, now he defied his enemies. Yet he had not pierced his guts: So his wounds were not mortal. And, it being believed that he could make great discoveries, he was brought up to London.

Rumbold was he that dwelt in Rye-House, where it was pretended the plot was laid for murdering the late and the present King. He denied the truth of that conspiracy. He owned, he thought the Prince was as much tied to the people, as the people were to the Prince; and that, when a King departed from the legal measures

Rumbold
at his
death de-
nied the
Rye Plot.

1685. fures of government, the people had a right to assert their liberties, and to restrain him. He did not deny, but that he had heard many propositions at West's chambers about killing the two brothers; and upon that he had said, it could have been easily executed near his house; upon which some discourse had followed, how it might have been managed. But, he said, it was only talk, and that nothing was either laid, or so much as resolved on. He said, he was not for a Commonwealth, but for Kingly government according to the Laws of England: But he did not think that the King had his authority by any divine right, which he expressed in rough, but significant words. He said, he did not believe that God had made the greater part of mankind with saddles on their backs, and bridles in their mouths, and some few boot-ed and spurred to ride the rest.

Cochran had a rich father, the Earl of Dundonald: And he offered the Priests 5000 l. to save his son. They wanted a stock of money for managing their designs: So they interposed so effectually, that the bargain was made. But, to cover it, Cochran petitioned the Council that he might be sent to the King; for he had some secrets of great importance, which were not fit to be communicated to any but to the King himself. He was upon that brought up to London: And, after he had been for some time in private with the King, the matters he had discovered were said to be of such importance, that in consideration of that the King pardoned him. It was said, he had discovered all their negotiations with the Elector of Brandenburg, and the Prince of Orange. But this was a pretence only given out to conceal the bargain; for the Prince told me, he had never once seen him. The secret of this came to be known soon after.

When Ailoffe was brought up to London, the King examined him, but could draw nothing from him,

him, but one severe repartee. He being fullen, and refusing to discover any thing, the King said to him; Mr. Ailoffe, you know it is in my power to pardon you, therefore say that which may deserve it. It was said that he answered, that tho' it was in his power, yet it was not in his nature to pardon. He was nephew to the old Earl of Clarendon by marriage; for Ailoffe's aunt was his first wife, but she had no children. It was thought, that the nearness of his relation to the King's children might have moved him to pardon him, which would have been the most effectual confutation of his bold repartee: But he suffered with the rest.

1685.

Immediately after Argile's execution, a Parliament was held in Scotland. Upon King Charles's death, the Marquis of Queensbury, soon after made a Duke, and the Earl of Perth, came to Court. The Duke of Queensbury told the King, that if he had thoughts of changing the established religion, he could not make any one step with him in that matter. The King seemed to receive this very kindly from him; and assured him, he had no such intention, but that he would have a Parliament called, to which he should go his Commmissioner, and give all possible assurances in the matter of religion, and get the revenue to be settled, and such other laws to be past as might be necessary for the common safety. The Duke of Queensbury pressed the Earl of Perth to speak in the same strain to the King. But, tho' he pretended to be still a Protestant, yet he could not prevail on him to speak in so positive a stile. I had not then left London: So the Duke sent me word of this, and seemed so fully satisfied with it, that he thought all would be safe. So he prepared instructions by which both the revenue and the King's authority were to be carried very high. He has often since that time told me, that the King made those promises to him in so frank and hearty a manner, that he concluded it was impossible for him to be acting a part. There-

A Parlia-
ment in
Scotland.

fore.

1685. fore he always believed, that the Priests gave him leave to promise every thing, and that he did it very sincerely; but that afterwards they pretended, they had a power to dissolve the obligation of all oaths and promises; since nothing could be more open and free than his way of expressing himself was, tho' afterwards he had no sort of regard to any of the promises he then made. The Test had been the King's own act while he was in Scotland. So he thought, the putting that on all persons would be the most acceptable method, as well as the most effectual, for securing the Protestant Religion. Therefore he proposed an instruction obliging all people to take the Test, not only to qualify them for publick employments, but that all those to whom the Council should tender it should be bound to take it under the pain of treason: And this was granted. He also projected many other severe laws, that left an arbitrary power in the Privy Council. And, as he was naturally violent and imperious in his own temper, so he saw the King's inclinations to those methods, and hoped to have recommended himself effectually, by being instrumental in setting up an absolute and despotick form of government. But he found afterwards how he had deceived himself, in thinking that any thing, but the delivering up his religion, could be acceptable long. And he saw, after he had prepared a cruel scheme of government, other men were entrusted with the management of it: And it had almost proved fatal to himself.

Granted
all that
the King
desired.

The Parliament of Scotland sat not long. No opposition was made. The Duke of Queensbury gave very full assurances in the point of religion, that the King would never alter it, but would maintain it, as it was established by law. And in confirmation of them he proposed that act enjoining the Test, which was past, and was looked on as a full security; tho' it was very probable, that all the use that the Council would make of this discretion-
al

al power lodged with them, would be only to tender the Test to those that might scruple it on other accounts, but that it would be offered to none of the Church of Rome. In return for this the Parliament gave the King for life, all the revenue that had been given to his brother: And with that some additional taxes were given.

Other severe laws were also past. By one of these an Inquisition was upon the matter set up. All persons were required, under the pain of treason, to answer to all such questions as should be put to them by the Privy Council. This put all men under great apprehensions, since upon this act an Inquisition might have been grafted, as soon as the King pleased. Another act was only in one particular case: But it was a crying one, and so deserves to be remembered.

When Carstairs was put to the torture, and came to capitulate in order to the making a discovery, he got a promise from the Council that no use should be made of his deposition against any person whatsoever. He in his deposition said somewhat that brought Sir Hugh Campbell and his son under the guilt of treason, who had been taken up in London two years before, and were kept in prison all this while. The Earl of Melfort got the promise of his estate, which was about 1000 l. a year, as soon as he should be convicted of high treason. So an act was brought in, which was to last only six weeks; and enacted, that if within that time any of the Privy Council would depose that any man was proved to be guilty of high treason, he should upon such a proof be attainted. Upon which, as soon as the act was past, four of the Privy Council stood up, and affirmed that the Campbells were proved by Carstairs's deposition to be guilty. Upon this both father and son were brought to the bar, to see what they had to say, why the sentence should not be executed. The old Gentleman, then near eighty, seeing the ruin of his family was determin-

1685.

ed, and that he was condemned in so unusual a manner, took courage, and said, the oppression they had been under had driven them to despair, and made them think how they might secure their lives and fortunes: Upon this he went to London, and had some meetings with Baillie, and others: That one was sent to Scotland to hinder all risings: That an oath of secrecy was indeed offered, but was never taken upon all this. So it was pretended, he had confessed the crime, and by a shew of mercy they were pardoned: But the Earl of Melfort possessed himself of their estate. The old Gentleman died soon after. And very probably his death was hastned by his long and rigorous imprisonment, and this unexampled conclusion of it; which was so universally condemned, that when the news of it was writ to foreign parts, it was not easy to make people believe it possible.

Oates con-
victed of
perjury.

But now the sitting of the Parliament of England came on. And, as a preparation to it, Oates was convicted of perjury, upon the evidence of the witnesses from St. Omar's, who had been brought over before to discredit his testimony. Now Juries were so prepared, as to believe more easily than formerly. So he was condemned to have his Priestly habit taken from him, to be a prisoner for life, to be set on the pillory in all the publick places of the City, and ever after that to be set on the pillory four times a year, and to be whipt by the common hangman from Aldgate to Newgate one day, and the next from Newgate to Tyburn; which was executed with so much rigour, that his back seemed to be all over flead. This was thought too little if he was guilty, and too much if innocent, and was illegal in all the parts of it: For as the secular Court could not order the Ecclesiastical habit to be taken from him, so to condemn a man to a perpetual imprisonment was not in the power of the Court: And the extreme rigour of such whipping was without a precedent. Yet he, who was an original

and cruel-
ly whipt.

ginal in all things, bore this with a constancy that amazed all those who saw it. So that this treatment did rather raise his reputation, than sink it.

1685.
Danger-
field kill-
ed.

And, that I may join things of the same sort together, tho' they were transacted at some distance of time, Dangerfield, another of the witnesses in the Popish plot, was also found guilty of perjury, and had the same punishment. But it had a more terrible conclusion; for a brutal student of the law, who had no private quarrel with him, but was only transported with the heat of that time, struck him over the head with his cane, as he got his last lash. This hit him so fatally, that he died of it immediately. The person was apprehended. And the King left him to the law. And, tho' great intercession was made for him, the King would not interpose. So he was hanged for it.

At last the Parliament met. The King in his speech repeated that, which he had said to the Council upon his first accession to the Throne. He told them, some might think, the keeping him low would be the surest way to have frequent Parliaments: But they should find the contrary, that the using him well would be the best argument to persuade him to meet them often. This was put in to prevent a motion, which was a little talked of abroad, but none would venture on it within doors, that it was safest to grant the revenue only for a term of years.

A Parli-
ment in
England.

The revenue was granted for life, and every thing else that was asked, with such a profusion, that the House was more forward to give, than the King was to ask: To which the King thought fit to put a stop by a message, intimating that he desired no more money that session. And yet this forwardness to give in such a reign, was set on by Musgrave and others, who pretended afterwards, when money was asked for just and necessary

Grants
the reve-
nue for
life.

1685.. necessary ends, to be frugal patriots, and to be careful managers of the publick treasure.

And trusts
to the
King's
promise.

As for religion, some began to propose a new and firmer security to it. But all the Courtiers run out into eloquent harangues on that subject: And pressed a vote, that they took the King's word in that matter, and would trust to it; and that this should be signified in an address to him. This would bind the King in point of honour, and gain his heart so entirely, that it would be a tie above all laws whatsoever. And the tide run so strong that way, that the House went into it without opposition.

The Lord Preston, who had been for some years Envoy in France, was brought over, and set up to be a manager in the House of Commons. He told them, the reputation of the Nation was beginning to rise very high all Europe over, under a Prince whose name spread terror every where: And if this was confirmed by the entire confidence of his Parliament, even in the tenderest matters, it would give such a turn to the affairs of Europe, that England would again hold the balance, and their King would be the arbiter of Europe. This was seconded by all the Court flatterers. So in their address to the King, thanking him for his speech, they told him, they trusted to him so entirely, that they relied on his word, and thought themselves and their religion safe, since he had promised it to them.

When this was settled, the petitions concerning the elections were presented. Upon those Seimour spoke very high, and with much weight. He said, the complaints of the irregularities in elections were so great, that many doubted whether this was a true representative of the Nation, or not. He said, little equity was expected upon petitions, where so many were too guilty to judge justly and impartially. He said, it concerned them

to look to these: For if the Nation saw no justice was to be expected from them, other methods would be found, in which they might come to suffer that justice which they would not do. He was a haughty man, and would not communicate his design in making this motion to any: So all were surpris'd with it, but none seconded it. This had no effect, not so much as to draw on a debate.

The Courtiers were projecting many laws to ruin all who oppos'd their designs. The most important of these was an act declaring treasons during that reign, by which words were to be made treason. And the clause was so drawn, that any thing said to disparage the King's person or government was made treason; within which every thing said to the dishonour of the King's religion would have been comprehended, as Judges and Juries were then modelled. This was chiefly oppos'd by Serjeant Maynard, who in a very grave speech laid open the inconvenience of making words treason: They were often ill heard and ill understood, and were apt to be misrecited by a very small variation: Men in passion or in drink might say things they never intended: Therefore he hoped they would keep to the law of the twenty fifth of Edward the third, by which an overt-act was made the necessary proof of ill intentions. And when others insisted, that "out of the abundance of the heart the mouth spake," he brought the instance of our Saviour's words, "Destroy this Temple;" and shewed how near "the Temple" was to "this Temple," pronouncing it in Syraick, so that the difference was almost imperceptible. There was nothing more innocent than these words, as our Saviour meant, and spoke them: But nothing was more criminal than the setting on a multitude to destroy the Temple. This made some impression at that time. But if the Duke of Monmouth's landing had not brought the session to an

1685.

The Parliament
was violent.

1685. early conclusion, that, and every thing else which the officious Courtiers were projecting, would have certainly pass.

The Lords were more cautious.

The most important business that was before the House of Lords was the reversing the attainder of the Lord Stafford. It was said for it, that the witnesses were now convicted of perjury, and therefore the restoring the blood that was tainted by their evidence was a just reparation. The proceedings in the matter of the Popish plot were chiefly founded on Oates's discovery, which was now judged to be a thread of perjury. This stuck with the Lords, and would not go down. Yet they did justice both to the Popish Lords then in the Tower, and to the Earl of Danby, who moved the House of Lords, that they might either be brought to their trial, or be set at liberty. This was sent by the Lords to the House of Commons, who returned answer, that they did not think fit to insist on the impeachments. So upon that they were discharged of them, and set at liberty. Yet, tho' both Houses agreed in this of prosecuting the Popish plot no further, the Lords had no mind to reverse and condemn past proceedings.

The Duke of Monmouth landed at Lime.

But while all these things were in agitation, the Duke of Monmouth's landing brought the session to a conclusion. As soon as Lord Argyle failed for Scotland, he set about his design with as much haste as was possible. Arms were bought, and a ship was freighted for Bilbao in Spain. The Duke of Monmouth pawned all his jewels: But these could not raise much: And no money was sent him out of England. So he was hurried into an ill designed invasion. The whole company consisted but of eighty two persons. They were all faithful to one another. But some spies, whom Shelton the new Envoy set on work, sent him the notice of a suspected ship sailing out of Amsterdam with arms. Shelton neither understood

1685.

derstood the laws of Holland, nor advised with those who did: Otherwise he would have carried with him an order from the Admiralty of Holland, that sat at the Hague, to be made use of as the occasion should require. When he came to Amsterdam, and applied himself to the Magistrates there, desiring them to stop and search the ship that he named, they found the ship was already sailed out of their port, and their jurisdiction went no further. So he was forced to send to the Admiralty at the Hague. But those on board, hearing what he was come for, made all possible haste. And the wind favouring them, they got out of the Texel, before the order desired could be brought from the Hague.

After a prosperous course, the Duke landed at Lime in Dorsetshire: And he with his small company came ashore with some order, but with too much day light, which discovered how few they were.

The alarm was brought hot to London: Where, upon the general report and belief of the thing an act of Attainder past both Houses in one day; some small opposition being made by the Earl of Anglesey, because the evidence did not seem clear enough for so severe a sentence, which was grounded on the notoriety of the thing. The sum of 5000 l. was set on his head. And with that the session of Parliament ended; which was no small happiness to the Nation, such a body of men being dismissed with doing so little hurt. The Duke of Monmouth's Manifesto was long, and ill penned: Full of much black and dull malice. It was plainly Ferguson's stile, which was both tedious and fulsome. It charged the King with the burning of London, the Popish plot, Godfrey's murder, and the Earl of Essex's death: And to crown all, it was pretended, that the late King was poisoned by his orders: It was set forth, that the King's religion made him incapable of the Crown; that three

An Act of Attainder passed against him.

1685. subsequent Houses of Commons had voted his Exclusion: The taking away the old Charters, and all the hard things done in the last reign, were laid to his charge: The elections of the present Parliament were also set forth very odiously, with great indecency of stile: The Nation was also appealed to, when met in a free Parliament, to judge of the Duke's own pretensions: And all sort of liberty, both in temporals and spirituals, was promised to persons of all persuasions.

A rabble
came and
joined
him.

Upon the Duke of Monmouth's landing, many of the country people came in to join him, but very few of the Gentry. He had quickly men enough about him to use all his arms. The Duke of Albemarle, as Lord Lieutenant of Devonshire, was sent down to raise the Militia, and with them to make head against him. But their ill affection appeared very evidently: Many deserted, and all were cold in the service. The Duke of Monmouth had the whole country open to him for almost a fortnight, during which time he was very diligent in training and animating his men. His own behaviour was so gentle and obliging, that he was master of all their hearts, as much as was possible. But he quickly found, what it was to be at the head of undisciplined men, that knew nothing of war, and that were not to be used with rigour. Soon after their landing, Lord Grey was sent out with a small party. He saw a few of the Militia, and he ran for it: But his men stood, and the Militia ran from them. Lord Grey brought a false alarm, that was soon found to be so: For the men whom their leader had abandoned came back in good order. The Duke of Monmouth was struck with this, when he found that the person on whom he depended most, and for whom he designed the command of the horse, had already made himself infamous by his cowardise. He intended to join Fletcher with him in that command. But an unhappy accident made it not convenient to keep him longer

Lord
Grey's
cowardise.

longer about him. He sent him out on another party: And he, not being yet furnished with a horse, took the horse of one who had brought in a great body of men from Taunton. He was not in the way: So Fletcher, not seeing him to ask his leave, thought that all things were to be in common among them, that could advance the service. After Fletcher had rid about, as he was ordered, as he returned, the owner of the horse he rode on, who was a rough and ill-bred man, reproached him in very injurious terms, for taking out his horse without his leave. Fletcher bore this longer than could have been expected from one of his impetuous temper. But the other persisted in giving him foul language, and offered a switch or a cane: Upon which he discharged his pistol at him, and fatally shot him dead. He went and gave the Duke of Monmouth an account of this, who saw it was impossible to keep him longer about him, without disgusting and losing the country people, who were coming in a body to demand justice. So he advised him to go aboard the ship, and to sail on to Spain, whither she was bound. By this means he was preserved for that time.

Ferguson ran among the people with all the fury of an enraged man, that affected to pass for an enthusiast, tho' all his performances that way were forced and dry. The Duke of Monmouth's great error was, that he did not in the first heat venture on some hardy action, and then march either to Exeter or Bristol; where, as he would have found much wealth, so he would have gained some reputation by it. But he lingered in exercising his men, and staid too long in the neighbourhood of Lime.

By this means the King had time both to bring troops out of Scotland, after Argyle was taken, and to send to Holland for the English and Scotch Regiments that were in the service of the States; which the Prince sent over very readily, and offered his own person, and a greater force, if it was necessary.

1685. cessary. The King received this with great expressions of acknowledgment and kindness. It was very visible, that he was much distracted in his thoughts, and that what appearance of courage soever he might put on, he was inwardly full of apprehensions and fears. He durst not accept of the offer of assistance, that the French made him: For by that he would have lost the hearts of the English Nation. And he had no mind to be much obliged to the Prince of Orange, or to let him into his counsels or affairs. Prince George committed a great error in not asking the command of the Army: For the command, how much soever he might have been bound to the counsels of others, would have given him some lustre; whereas his staying at home in such time of danger brought him under much neglect.

The Earl of Feversham commanded the King's army.

The King could not choose worse than he did, when he gave the command to the Earl of Feversham, who was a Frenchman by birth, and nephew to Mr. de Turenne. Both his brothers changing religion, tho' he continued still a Protestant, made that his religion was not much trusted to. He was an honest, brave, and good natured man, but weak to a degree not easy to be conceived. And he conducted matters so ill, that every step he made was like to prove fatal to the King's service. He had no parties abroad. He got no intelligence: And was almost surpris'd, and like to be defeated, when he seem'd to be under no apprehension, but was abed without any care or order. So that, if the Duke of Monmouth had got but a very small number of Soldiers about him, the King's affairs would have fallen into great disorder.

The Duke of Monmouth had almost surpris'd Lord Feversham, and all about him, while they were abed. He got in between two bodies, into which the Army lay divided. He now saw his error in lingering so long. He began to want bread, and to be so straitned, that there was a necessity

cessity of pushing for a speedy decision. He was so misled in his march, that he lost an hour's time: And when he came near the Army, there was an inconsiderable ditch, in the passing which he lost so much more time, that the officers had leisure to rise and be dressed, now they had the alarm. And they put themselves in order. Yet the Duke of Monmouth's foot stood longer, and fought better than could have been expected; especially, when the small body of horse they had, ran upon the first charge, the blame of which was cast on Lord Grey. The foot being thus forsaken, and galled by the cannon, did run at last. About a thousand of them were killed on the spot: And fifteen hundred were taken prisoners. Their numbers when fullest were between five and six thousand. The Duke of Monmouth left the field too soon for a man of courage, who had such high pretensions: For a few days before he had suffered himself to be called King, which did him no service, even among those that followed him. He rode towards Dorsetshire: And when his horse could carry him no further, he changed clothes with a shepherd, and went as far as his legs could carry him, being accompanied only with a German, whom he had brought over with him. At last when he could go no further, he lay down in a field where there was hay and straw, with which they covered themselves, so that they hoped to lie there unseen till night. Parties went out on all hands to take prisoners. The shepherd was found by the Lord Lumley in the Duke of Monmouth's clothes. So this put them on his track, and having some dogs with them they followed the scent, and came to the place where the German was first discovered. And he immediately pointed to the place where the Duke of Monmouth lay. So he was taken in a very indecent dress and posture.

The Duke
of Mon-
mouth
defeated.

And taken.

His body was quite sunk with fatigue: And his mind was now so low, that he begged his life

1685. in a manner that agreed ill with the courage of the former parts of it. He called for pen, ink, and paper; and wrote to the Earl of Feverham, and both to the Queen, and the Queen Dowager, to intercede with the King for his life. The King's temper, as well as his interest, made it so impossible to hope for that, that it shewed a great meanness in him to ask it, in such terms as he used in his letters. He was carried up to Whitehall; where the King examined him in person, which was thought very indecent, since he was resolved not to pardon him. He made new and unbecoming submissions, and insinuated a readiness to change his religion: For he said, the King knew what his first education was in religion. There were no discoveries to be got from him; for the attempt was too rash to be well concerted, or to be so deep laid that many were involved in the guilt of it. He was examined on Monday, and orders were given for his execution on Wednesday.

Soon after
executed.

Turner and Ken, the Bishops of Ely and of Bath and Wells, were ordered to wait on him. But he called for Dr. Tennison. The Bishops studied to convince him of the sin of rebellion. He answered, he was sorry for the blood that was shed in it: But he did not seem to repent of the design. Yet he confessed that his Father had often told him, that there was no truth in the reports of his having married his Mother. This he set under his hand, probably for his childrens sake, who were then prisoners in the Tower, that so they might not be ill used on his account. He shewed a great neglect of his Duchess. And her resentments for his course of life with the Lady Wentworth wrought so much on her, that, tho' he desired to speak privately with her, she would have witnesses to hear all that past, to justify her self, and to preserve her family. They parted very coldly. He only recommended to her the breeding their children in the Protestant Religion,

ligion. The Bishops continued still to press on him a deep sense of the sin of rebellion; at which he grew so uneasy, that he desired them to speak to him of other matters. They next charged him with the sin of living with the Lady Wentworth as he had done. In that he justified himself: He had married his Duchefs too young to give a true consent: He said, that Lady was a pious worthy woman, and that he had never lived so well in all respects, as since his engagements with her. All the pains they took to convince him of the unlawfulness of that course of life had no effect. They did certainly very well in discharging their consciences, and speaking so plainly to him. But they did very ill to talk so much of this matter, and to make it so publick as they did; for divines ought not to repeat what they say to dying penitents, no more than what the penitents say to them. By this means the Duke of Monmouth had little satisfaction in them, and they had as little in him.

He was much better pleased with Dr. Tennison, who did very plainly speak to him, with relation to his publick actings, and to his course of life: But he did it in a softer and less peremptory manner. And having said all that he thought proper, he left those points, in which he saw he could not convince him, to his own conscience, and turned to other things fit to be laid before a dying man. The Duke begged one day more of life with such repeated earnestness, that as the King was much blamed for denying so small a favour, so it gave occasion to others to believe, that he had some hope from astrologers, that, if he out-lived that day, he might have a better fate. As long as he fancied there was any hope, he was too much unsettled in his mind to be capable of any thing.

But when he saw all was to no purpose, and that he must die, he complained a little that his death was hurried on so fast. But all on the sudden he

He died
with great
calmness.

came

1685.

came into a compofure of mind, that furprized thofe that faw it. There was no affectation in it. His whole behaviour was eafy and calm, not without a decent cheerfulness. He prayed God to forgive all his fins, unknown as well as known. He feemed confident of the mercies of God, and that he was going to be happy with him. And he went to the place of execution on Tower-hill with an air of undifturbed courage, that was grave and compofed. He faid little there; only that he was forry for the blood that was fhed: But he had ever meant well to the Nation. When he faw the axe, he touched it, and faid, it was not fharp enough. He gave the Hangman but half the reward he intended; and faid, if he cut off his head cleverly, and not fo butcherly as he did the Lord Ruffel's, his man would give him the reft. The executioner was in great diforder, trembling all over: So he gave him two or three ftrokes without being able to finish the matter, and then flung the axe out of his hand. But the Sheriff forced him to take it up: And at three or four more ftrokes he fevered his head from his body: And both were prefently buried in the Chapel of the Tower. Thus lived and died this unfortunate young man. He had feveral good qualities in him, and fome that were as bad. He was foft and gentle even to excefs, and too eafy to thofe who had credit with him. He was both fincere and good-natured, and underftood war well. But he was too much given to pleafure and to favourites.

Lord
Grey par-
doned.

The Lord Grey it was thought would go next. But he had a great eftate that by his death was to go over to his brother. So the Court refolved to preferve him, till he fhould be brought to compound for his life. The Earl of Rochefter had 16000 l. of him. Others had fmaller fhares. He was likewise obliged to tell all he knew, and to be a witnefs in order to the conviction of others, but with this affurance, that no body fhould die upon
his

his evidence. So the Lord Brandon, son to the Earl of Macclesfield, was convicted by his and some other evidence. Mr. Hambden was also brought on his trial. And he was told, that he must expect no favour unless he would plead guilty. And he, knowing that legal evidence would be brought against him, submitted to this; and begged his life with a meanness, of which he himself was so ashamed afterwards, that it gave his spirits a depression and disorder that he could never quite master. And that had a terrible conclusion; for about ten years after he cut his own throat.

1685.

The King was now as successful as his own heart could wish. He had held a session of Parliament in both Kingdoms, that had settled his revenue: And now too ill prepar'd and ill managed rebellions had so broken all the party that was against him, that he seemed secure in his Throne, and above the power of all his enemies. And certainly a reign that was now so beyond expectation successful in its first six months seemed so well settled, that no ordinary mismanagement could have spoiled such beginnings. If the King had ordered a speedy execution of such persons, as were fit to be made publick examples, and had upon that granted a general indemnity, and if he had but covered his intentions till he had got thro' another session of Parliament, it is not easy to imagine, with what advantage, he might then have opened and pursued his designs.

The King was lifted up with his successes.

But his own temper, and the fury of some of his Ministers, and the maxims of his Priests, who were become enthusiastical upon this success, and fancied that nothing could now stand before him: All these concurred to make him lose advantages, that were never to be recovered: For the shews of mercy, that were afterwards put on, were looked on as an after-game, to retrieve that which was now lost. The Army was kept for some time in the Western

But it had an ill effect on his affairs.

1685.

Great
cruelties
commit-
ted by his
soldiers.

Western Counties, where both officers and soldiers lived as in an enemy's country, and treated all, that were believed to be ill affected to the King, with great rudeness and violence.

Kirk, who had commanded long in Tangier, was become so savage by the neighbourhood of the Moors there, that some days after the battle he ordered several of the prisoners to be hanged up at Taunton, without so much as the form of law, he and his company looking on from an entertainment they were at. At every new health another prisoner was hanged up. And they were so brutal, that observing the shaking of the legs of those whom they hanged, it was said among them, they were dancing; and upon that musick was called for. This was both so illegal, and so inhuman, that it might have been expected that some notice would have been taken of it. But Kirk was only chid for it. And it was said, that he had a particular order for some military executions: So that he could only be chid for the manner of it.

And
much
greater by
Jefferies.

But, as if this had been nothing, Jefferies was sent the Western Circuit to try the prisoners. His behaviour was beyond any thing that was ever heard of in a civilized Nation. He was perpetually either drunk, or in a rage, liker a fury than the zeal of a Judge. He required the prisoners to plead guilty. And in that case he gave them some hope of favour, if they gave him no trouble: Otherwise he told them he would execute the letter of the law upon them in its utmost severity. This made many plead guilty, who had a great defence in law. But he shewed no mercy. He ordered a great many to be hanged up immediately, without allowing them a minute's time to say their prayers. He hanged, in several places, about six hundred persons. The greatest part of these were of the meanest sort, and of no distinction. The impieties with which he treated them, and his behaviour

haviour towards some of the Nobility and Gentry, that were well affected, but came and pleaded in favour of some prisoners, would have amazed one, if done by a Bashaw in Turkey. England had never known any thing like it. The instances are too many to be reckoned up.

But that which brought all his excesses to be imputed to the King himself, and to the orders given by him, was, that the King had a particular account of all his proceedings writ to him every day. And he took pleasure to relate them in the drawing room to foreign Ministers, and at his table, calling it Jefferies's campaign: Speaking of all he had done in a stile, that neither became the Majesty, nor the mercifulness, of a great Prince. Dykfield was at that time in England, one of the Embassadors whom the States had sent over to congratulate the King's coming to the Crown. He told me, that the King talked so often of these things in his hearing, that he wondered to see him break out in these indecencies. And upon Jefferies's coming back, he was created a Baron, and Peer of England: A dignity which, tho' anciently some Judges were raised to it, yet in these latter ages, as there was no example of it, so it was thought inconsistent with the character of a Judge.

Two executions were of such an extraordinary nature, that they deserve a more particular recital. The King apprehended that many of the prisoners had got into London, and were concealed there. So he said, those who concealed them were the worst sort of traitors, who endeavoured to preserve such persons to a better time. He had likewise a great mind to find out any among the rich merchants, who might afford great compositions to save their lives: For tho' there was much blood shed, there was little booty got to reward those who had served. Upon this the King declared, he would sooner pardon the rebels, than those who harboured them.

There was in London one Gaunt, a woman that was an Anabaptist, who spent a great part of her

life in acts of charity, visiting the jayles, and looking after the poor of what persuasion soever they were. One of the rebels found her out, and she harboured him in her house; and was looking for an occasion of sending him out of the Kingdom. He went about in the night, and came to hear what the King had said. So he, by an unheard of baseness, went and delivered himself, and accused her that harboured him. She was seized on, and tried. There was no witness to prove that she knew that the person she harboured was a rebel, but he himself: Her maid witnessed only, that he was entertained at her house. But tho' the crime was her harbouring a traitor, and was proved only by this infamous witness, yet the Judge charged the Jury to bring her in guilty, pretending that the maid was a second witness, tho' she knew nothing of that which was the criminal part. She was condemned, and burnt, as the law directs in the case of women convict of treason. She died with a constancy, even to a cheerfulness, that struck all that saw it. She said, charity was a part of her religion, as well as faith: This at worst was the feeding an enemy: So she hoped, she had her reward with him, for whose sake she did this service, how unworthy soever the person was, that made so ill a return for it: She rejoiced, that God had honoured her to be the first that suffered by fire in this reign; and that her suffering was a martyrdom for that religion which was all love. Pen the Quaker told me, he saw her die. She laid the straw about her for burning her speedily; and behaved herself in such a manner, that all the spectators melted in tears.

The other execution was of a woman of greater quality: The Lady Lisle. Her husband had been a Regicide, and was one of Cromwell's Lords, and was called the Lord Lisle. He went at the time of the Restoration beyond sea, and lived at Lausanne. But three desperate Irishmen, hoping by

by such a service to make their fortunes, went thither, and killed him as he was going to Church; and being well mounted, and ill pursued, got into France. His Lady was known to be much affected with the King's death, and not easily reconciled to her husband for the share he had in it. She was a woman of great piety and charity. The night after the action, Hicks, a violent preacher among the Dissenters, and Nelthorp, came to her House. She knew Hicks, and treated him civilly, not asking from whence they came. But Hicks told what brought them thither: for they had been with the Duke of Monmouth. Upon which she went out of the room immediately, and ordered her chief servant to send an information concerning them to the next Justice of Peace, and in the mean while to suffer them to make their escape. But, before this could be done, a party came about the house, and took both them, and her for harbouring them. Jefferies resolved to make a sacrifice of her; and obtained of the King a promise that he would not pardon her. Which the King owned to the Earl of Feversham, when he, upon the offer of a 1000*l*. if he could obtain her pardon, went and begged it. So she was brought to her trial. No legal proof was brought, that she knew that they were rebels: The names of the persons found in her house were in no Proclamation: So there was no notice given to beware of them. Jefferies affirmed to the Jury upon his honour, that the persons had confessed that they had been with the Duke of Monmouth. This was the turning a witness against her, after which he ought not to have judged in the matter. And, tho' it was insisted on, as a point of law, that till the persons found in her house were convicted, she could not be found guilty, yet Jefferies charged the Jury in a most violent manner to bring her in guilty. All the audience was strangely affected with so unusual a behaviour in a Judge. Only the person most concerned, the Lady herself,

1685. who was then past seventy, was so little moved at it, that she fell asleep. The Jury brought her in not guilty. But the Judge in great fury sent them out again. Yet they brought her in a second time not guilty. Then he seemed as in a transport of rage. He upon that threatned them with an attaind of Jury. And they, overcome with fear, brought her in the third time guilty. The King would shew no other favour, but that he changed the sentence from burning to beheading. She died with great constancy of mind; and expressed a joy, that she thus suffered for an act of charity and piety.

The behaviour of those who suffered.

Most of those that had suffered expressed at their death such a calm firmness, and such a zeal for their religion, which they believed was then in danger, that it made great impressions on the spectators. Some base men among them tried to save themselves by accusing others. Goodenough, who had been Under-Sheriff of London, when Cornish was Sheriff, offered to swear against Cornish; and also said, that Rumsey had not discovered all he knew. So Rumsey to save himself joined with Goodenough, to swear Cornish guilty of that for which the Lord Ruffel had suffered. And this was driven on so fast, that Cornish was seized on, tried and executed within the week. If he had got a little time, the fallhood of the evidence would have been proved from Rumsey's former deposition, which appeared so clearly soon after his death, that his estate was restored to his family, and the witnesses were lodged in remote prisons for their lives. Cornish at his death asserted his innocence with great vehemence; and with some acrimony complained of the methods taken to destroy him. And so they gave it out, that he died in a fit of fury. But Pen, who saw the execution, said to me, there appeared nothing but a just indignation that innocence might very naturally give. Pen might be well relied on in such matters,

matters, he being so entirely in the King's interests. He said to me, the King was much to be pitied, who was hurried into all this effusion of blood by Jefferies's impetuous and cruel temper. But, if his own inclinations had not been biased that way, and if his Priests had not thought it the interest of their party to let that butcher loose, by which so many men that were like to oppose them were put out of the way, it is not to be imagined, that there would have been such a run of barbarous cruelty, and that in so many instances.

1685.

It gave a general horror to the body of the Nation: And it let all people see, what might be expected from a reign that seemed to delight in blood. Even some of the fairest of Tories began to relent a little, and to think they had trusted too much, and gone too far. The King had raised new regiments, and had given commissions to Papists. This was over-looked during the time of danger, in which all mens service was to be made use of: And by law they might serve three months. But now, as that time was near lapsing, the King began to say, the laws for the two Tests were made on design against himself: The first was made to turn him out of the Admiralty, and the second to make way for the Exclusion: And, he added, that it was an affront to him to insist on the observance of those laws. So these persons notwithstanding that act were continued in commission: And the King declared openly, that he must look on all those, who would not consent to the repeal of those laws, in the next session of Parliament, as his enemies.

The Nation was much changed by this management.

The Courtiers began every where to declaim against them. It was said to be against the rights of the Crown to deny the King the service of all his subjects, to be contrary to the dignity of Peerage to subject Peers to any other Tests than their allegiance, and that it was an insufferable affront done the King, to oblige all those, whom

Great disputes for and against the Tests.

1685. he should employ, to swear that his religion was idolatrous. On the other hand all the people saw, that, if those acts were not maintained, no employment would be given to any but Papists, or to those who gave hopes that they would change: And, if the Parliament Test was taken off, then the way was opened to draw over so many members of both Houses, as would be in time a majority, to bring on an entire change of the laws with relation to religion. As long as the nation reckoned their Kings were true and sure to their religion, there was no such need of those Tests, while the giving employments was left free, and our Princes were like to give them only to those of their own religion. But, since we had a Prince professing another religion, it seemed the only security that was left to the Nation, and that the Tests stood as a barrier to defend us from Popery. It was also said, that those Tests had really quieted the minds of the greater part of the Nation, and had united them against the Exclusion; since they reckoned their religion was safe by reason of them. The military men went in zealously into those notions; for they saw, that, as soon as the King should get rid of the Tests, they must either change their religion, or lose their employments. The Clergy, who for most part had hitherto run in with fury to all the King's interests, began now to open their eyes. Thus all on a sudden the temper of the nation was much altered. The Marquis of Halifax did move in Council, that an order should be given to examine, whether all the officers in commission had taken the Test, or not. But none seconded him: So the motion fell. And now all endeavours were used, to fix the repeal of the Tests in the session that was coming on.

Some
change
their re-
ligion.

Some few converts were made at this time. The chief of these were the Earl of Perth, and his brother the Earl of Melfort. Some differences fell in between the Duke of Queensborough and the Earl

Earl of Perth. The latter thought the former was haughty and violent, and that he used him in too imperious a manner. So they broke. At that time the King published the two papers found in his brother's strong box. So the Earl of Perth was either overcome with the reasons in them, or he thought it would look well at Court, if he put his conversion upon these. He came up to complain of the Duke of Queensborough. And his brother going to meet him at Ware, he discovered his designs to him, who seemed at first much troubled at it: But he plied him so, that he prevailed on him to join with him in his pretended conversion, which he did with great shews of devotion and zeal. But when his objections to the Duke of Queensborough's administration were heard, they were so slight, that the King was ashamed of them; and all the Court justified the Duke of Queensborough. A repartee of the Marquis of Halifax was much talked of on this occasion. The Earl of Perth was taking pains to convince him, that he had just grounds of complaint, and seemed little concerned in the ill effect this might have on himself. The Marquis answered him, he needed fear nothing, "His faith would make him whole:" And it proved so.

Before he declared his change, the King seemed so well satisfied with the Duke of Queensborough, that he was resolved to bring the Earl of Perth to a submission, otherwise to dismiss him. But such converts were to be encouraged. So the King, having declared himself too openly to recal that so soon, ordered them both to go back to Scotland; and said, he would signify his pleasure to them when they should be there. It followed them down very quickly. The Duke of Queensborough was turned out of the Treasury, and it was put in Commission: And he, not to be too much irritated at once, was put first in the Commission. And now it became soon very visible, that he had the secret

The Duke
of Queens-
borough
disgraced.

1685.

no more; but that it was lodged between the two brothers, the Earls of Perth, and Melfort. Soon after that the Duke of Queensborough was not only turned out of all his employments, but a design was laid to ruin him. All persons were encouraged to bring accusations against him, either with relation to the administration of the government, or of the Treasury. And, if any colourable matter could have been found against him, it was resolved to have made him a sacrifice. This sudden hatred, after so entire a confidence, was imputed to the suggestions the Earl of Perth had made of his zeal against Popery, and of his having engaged all his friends to stick firm in opposition to it. It was said, there was no need of making such promises, as he had engaged the King to make to the Parliament of Scotland. No body desired or expected them: He only drove that matter on his own account: So it was fit to let all about the King see, what was to be looked for, if they pressed any thing too severely with relation to religion.

The King
declared
against
the Tests.

But to leave Scotland, and return to England: The King, after he had declared that he would be serv'd by none but those who would vote for the repeal of the Tests, called for the Marquis of Halifax, and asked him, how he would vote in that matter. He very frankly answered, he would never consent to it: He thought, the keeping up those laws was necessary, even for the King's service, since the Nation trusted so much to them, that the publick quiet was chiefly preserved by that means. Upon this the King told him, that tho' he would never forget past services, yet since he could not be prevailed on in that particular, he was resolved to have all of a piece. So he was turned out. And the Earl of Sunderland was made Lord President, and continued still Secretary of State. More were not questioned at that time, nor turned out: For it was hoped, that, since all men saw what was to be expected, if they should

not

not comply with the King's intentions, this would have its full effect upon those, who had no mind to part with their places. 1685.

The King resolved also to model Ireland, so as to make that Kingdom a nursery for his army in England, and to be sure at least of an army there, while his designs were to go on more slowly in the Isle of Britain. The Irish bore an inveterate hatred to the Duke of Ormond: So he was recalled. But, to dismiss him with some shew of respect, he was still continued Lord Steward of the household. The Earl of Clarendon was declared Lord Lieutenant. But the Army was put under the command of Talbot, who was made Earl of Tirconnell. And he began very soon to model it anew. The Archbishop of Armagh had continued Lord Chancellor of Ireland, and was in all points so compliant to the Court, that even his religion came to be suspected on that account. Yet, it seemed, he was not thought thorough paced. So Sir Charles Porter, who was a zealous promoter of every thing that the King proposed, and was a man of ready wit, and being poor was thought a person fit to be made a Tool of, was declared Lord Chancellor of Ireland. To these the King said, he was resolved to maintain the settlement of Ireland. They had authority to promise this, and to act pursuant to it. But, as both the Earl of Clarendon and Porter were poor, it was hoped, that they would understand the King's intentions, and see thro' those promises, that were made only to lay men asleep; and that therefore they would not insist too much on them, nor pursue them too far.

But now, before I come to relate the short session of Parliament that was abruptly broken off, I must mention one great transaction that went before it, and had no small influence on all men's minds. And since I saw that dismal tragedy, which was at this time acted in France, I must now change the scene, and give some account of myself.

1685.

When I resolv'd to go beyond sea, there was no choice to be made. So many exiles and outlawed persons were scattered up and down the Towns of Holland, and other Provinces, that I saw the danger of going, where I was sure many of them would come about me, and try to have involved me in guilt by coming into my company, that so they might engage me into their designs. So I resolv'd to go to France: And, if I found it not convenient to stay there, I intended to go on to Geneva or Switzerland. I asked the French Ambassador, if I might be safe there. He after some days, I suppose after he had writ to the Court upon it, assured me, I should be safe there; and that, if the King should ask after me, timely notice should be given me, that I might go out of the way. So I went to Paris. And there being many there whom I had reason to look on as spies, I took a little house, and lived by myself as privately as I could. I continued there till the beginning of August, that I went to Italy. I found the Earl of Montague at Paris, with whom I conversed much, and got from him most of the secrets of the Court, and of the negotiations he was engaged in. The King of France had been for many years weakening the whole Protestant interest there, and was then upon the last resolution of recalling the Edict of Nantes. And, as far as I could judge, the affairs of England gave the last stroke to that matter.

A fatal
year to
the Pro-
testant
Religion.

This year, of which I am now writing, must ever be remembred, as the most fatal to the Protestant Religion. In February, a King of England declared himself a Papist. In June, Charles the Elector Palatine dying without issue, the Electoral dignity went to the House of Newburgh, a most bigotted Popish family. In October, the King of France recalled and vacated the Edict of Nantes. And in December, the Duke of Savoy being brought to it, not only by the persuasions, but even

even by the threatnings of the Court of France, recalled the Edict that his father had granted to the Vaudois. So it must be confessed, that this was a very critical year. And I have ever reckoned this the fifth great crisis of the Protestant Religion.

For some years the Priests were every where making conversions in France. The hopes of pensions and preferments wrought on many. The plausible colours, that the Bishop of Meaux, then Bishop of Condom, put on all the errors of the Church of Rome, furnished others with excuses for changing. Many thought, they must change at last, or be quite undone: For the King seemed to be engaged to go thro' with the matter, both in compliance with the shadow of conscience that he seemed to have, which was to follow implicitly the conduct of his Confessor, and of the Archbishop of Paris, he himself being ignorant in those matters beyond what can be well imagined; and because his glory seemed also concerned to go thro' with every thing that he had once begun.

Old Rouvigny, who was the Deputy General of the Churches, told me, that he was long deceived in his opinion of the King. He knew he was not naturally bloody. He saw his gross ignorance in those matters. His bigotry could not rise from any inward principle. So for many years he flattered himself with the hopes, that the design would go on so slowly, that some unlooked for accident might defeat it. But after the peace of Nimeguen, he saw such steps made, with so much precipitation, that he told the King he must beg a full audience of him upon that subject. He gave him one that lasted some hours. He came well prepared. He told him, what the State of France was, during the wars in his Father's reign; how happy France had been now for fifty years, occasioned chiefly by the quiet it was in with relation to those matters. He gave him an account of their numbers, their industry and wealth, their constant readiness to
advance

Rouvigny's behaviour.

1685.

advance the revenue, and that all the quiet he had with the Court of Rome was chiefly owing to them: If they were rooted out, the Court of Rome would govern as absolutely in France, as it did in Spain. He desired leave to undeceive him, if he was made believe they would all change, as soon as he engaged his authority in the matter: Many would go out of the Kingdom, and carry their wealth and industry into other countries. And by a scheme of particulars he reckoned how far that would go. In fine, he said, it would come to the shedding of much blood: Many would suffer, and others would be precipitated into desperate courses. So that the most glorious of all reigns would be in conclusion disfigured and defaced, and become a scene of blood and horror. He told me, as he went thro' these matters, the King seemed to hearken to him very attentively. But he perceived they made no impression: For the King never asked any particulars, or any explanation, but let him go on. And, when he had ended, the King said, he took his freedom well, since it flowed from his zeal to his service. He believed all that he had told him, of the prejudice it might do him in his affairs: Only he thought, it would not go to the shedding of blood. But he said, he considered himself as so indispensibly bound to endeavour the conversion of all his subjects, and the extirpation of heresy, that if the doing it should require, that with one hand he should cut off the other, he would submit to that. After this Rouvigny gave all his friends hints of what they were to look for. Some were for flying out into a new civil war. But, their chief confidence being in the assistance they expected from England, he, who knew what our Princes were, and had reason to believe that King Charles was at least a cold Protestant, if not a secret Papist, and knew that the States would not embroil their affairs in assisting them, their maxims rather leading them to connive at any thing, that
would

would bring great numbers and much wealth into their Country than to oppose it, was against all motions of that kind. He reckoned, those risings would be soon crushed, and so would precipitate their ruin with some colour of justice. He was much censured for this by some hot men among them, as having betrayed them to the Court. But he was very unjustly blamed, as appeared both by his own conduct, and by his son's; who was received at first into the survivance of being Deputy General for the Churches, and afterwards, at his Father's desire, had that melancholy post given him, in which he daily saw new injustices done, and was only suffered, for form's sake, to inform against them, but with no hope of success.

The Father did, upon King Charles's death, write a letter of congratulation to the King, who wrote him such an obliging answer, that upon it he wrote to his niece the Lady Russel, that, having such assurances given him by the King of a high sense of his former services, he resolved to come over, and beg the restoring her son's honour. The Marquis of Halifax did presently apprehend, that this was a blind, and that the King of France was sending him over to penetrate into the King's designs; since from all hands intimations were brought of the promises, that he made to the Ministers of the other Princes of Europe. So I was ordered to use all endeavours to divert him from coming over: His niece had indeed begged that journey of him, when she hoped it might have saved her husband's life, but she would not venture to desire the journey on any other consideration, considering his great age, and that her son was then but five years old. I pressed this so much on him, that, finding him fixed in his resolution, I could not hinder myself from suspecting, that such a high act of friendship, in a man some years past fourscore, had somewhat under it: And it was said, that, when he took leave of the King of France,

He came
over to
England.

1685.

France, he had an audience of two hours of him. But this was a false suggestion: And I was assured afterwards that he came over only in friendship to his niece, and that he had no directions nor messages from the Court of France.

He came over, and had several audiences of the King, who used him with great kindness, but did not grant him that which he said he came for: Only he gave him a general promise of doing it in a proper time.

But whether the Court of France was satisfied, by the conversation that Rouvigny had with the King, that they needed apprehend nothing from England; or whether the King's being now so settled on the Throne made them conclude, that the time was come of repealing the edicts, is not certain: Mr. de Louvoy, seeing the King so set on the matter, proposed to him a method, which he believed would shorten the work, and do it effectually: Which was, to let loose some bodies of

Dragoons sent to live on discretion upon the Protestants.

Dragoons to live upon the Protestants on discretion. They were put under no restraint, but only to avoid rapes, and the killing them. This was begun in Bearn. And the people were so struck with it, that, seeing they were to be eat up first, and, if that prevailed not, to be cast in prison, when all was taken from them, till they should change, and being required only to promise to reunite themselves to the Church, they, overcome with fear, and having no time for consulting together, did universally comply. This did so animate the Court, that, upon it the same methods were taken in most places of Guienne, Languedoc, and Dauphinè, where the greatest numbers of the Protestants were. A dismal consternation and feebleness ran thro' most of them, so that great numbers yielded. Upon which the King, now resolved to go thro' with what had been long projected, published the edict repealing the edict of Nantes, in which (tho' that edict was declared

Many of them yielded thro' fear.

to be a perpetual and irrevocable law) he set forth, that it was only intended to quiet matters by it, till more effectual ways should be taken for the conversion of Hereticks. He also promised in it, that, tho' all the publick exercises of that religion were now suppressed, yet those of that persuasion who lived quietly should not be disturbed on that account, while at the same time not only the Dragoons, but all the Clergy, and the bigots of France, broke out into all the instances of rage and fury, against such as did not change, upon their being required in the King's name to be of his religion; for that was the stile every where.

Men and women of all ages, who would not yield, were not only stript of all they had, but kept long from sleep, driven about from place to place, and hunted out of their retirements. The women were carried into Nunneries, in many of which they were almost starved, whipt, and barbarously treated. Some few of the Bishops, and of the secular Clergy, to make the matter easier, drew formularies, importing that they were resolved to reunite themselves to the Catholick Church, and that they renounced the errors of Luther and Calvin. People in such extremities are easy to put a stretched sense on any words, that may give them present relief. So it was said, what harm was it to promise to be united to the Catholick Church: And the renouncing those men's errors did not renounce their good and sound doctrine. But it was very visible, with what intent those subscriptions or promises were asked of them: So their compliance in that matter was a plain equivocation. But, how weak and faulty soever they might be in this, it must be acknowledged, here was one of the most violent persecutions that is to be found in history. In many respects it exceeded them all, both in the several inventions of cruelty, and in its long continuance. I went over the

1685.

Great cruelty every where.

1685.

the greatest part of France while it was in its hottest rage, from Marseilles to Montpellier, and from thence to Lions, and so to Geneva. I saw and knew so many instances of their injustice and violence, that it exceeded even what could have been well imagined; for all men set their thoughts at work, to invent new methods of cruelty. In all the Towns thro' which I past, I heard the most dismal accounts of those things possible; but chiefly at Valence, where one Derapine seemed to exceed even the furies of Inquisitors. One in the streets could have known the new converts, as they were passing by them, by a cloudy dejection that appeared in their looks and deportment. Such as endeavoured to make their escape, and were seized, (for guards and secret agents were spread along the whole roads and frontier of France,) were, if men, condemned to the gallies, and, if women, to monasteries. To compleat this cruelty, orders were given that such of the new converts, as did not at their death receive the Sacrament, should be denied burial, and that their bodies should be left where other dead carcases were cast out, to be devoured by wolves or dogs. This was executed in several places with the utmost barbarity: And it gave all people so much horror, that, finding the ill effect of it, it was let fall. This hurt none, but struck all that saw it, even with more horror than those sufferings that were more felt. The fury that appeared on this occasion did spread itself with a sort of contagion: For the Intendants and other officers, that had been mild and gentle in the former parts of their life, seemed now to have laid aside the compassion of Christians, the breeding of Gentlemen, and the common impressions of humanity. The greatest part of the Clergy, the Regulars especially, were so transported with the zeal that their King shewed on this occasion, that their sermons were full of the most inflamed eloquence that they could invent,

invent, magnifying their King in strains too indecent and blasphemous, to be mentioned by me.

1685.

I staid at Paris till the beginning of August. I went in-
Barrillon sent to me to look to myself; for the King had let some words fall importing his suspicion of me, as concerned in the Duke of Monmouth's business. Whether this was done on design, to see if such an insinuation could fright me away, and so bring me under some appearance of guilt, I cannot tell: For in that time every thing was deceitfully managed. But I, who knew that I was not so much as guilty of concealment, resolved not to stir from Paris till the rebellion was over, and that the prisoners were examined, and tried. When that was done, Stoupe, a Brigadier General, told me, that Mr. de Louvoy had said to him, that the King was resolved to put an end to the business of the Huguenots that season: And, since he was resolved not to change, he advised him to make a Tour into Italy, that he might not seem to do any thing that opposed the King's service. Stoupe told me this in confidence. So we resolved to make that journey together. Some thought it was too bold an adventure in me, after what I had written and acted in the matters of religion, to go to Rome. But others, who judged better, thought I ran no hazard in going thither: For, besides the high civility, with which all strangers are treated there, they were at that time in such hopes of gaining England, that it was not reasonable to think, that they would raise the apprehensions of the Nation, by using any that belonged to it ill: And the destroying me would not do them the service, that could in any sort balance the prejudice, that might arise from the noise it would make. And indeed I met with so high a civility at Rome, that it fully justified this opinion.

Pope Innocent the eleventh, Odescalchi, knew who I was the day after I came to Rome. And he
And was well received at Rome.

1685. he ordered the Captain of the Swiss guards to tell Stoupepe, that he had heard of me, and would give me a private audience abed, to save me from the ceremony of the Pantoufle. But I knew the noise that this would make: So I resolved to avoid it, and excused it upon my speaking Italian so ill as I did. But Cardinal Howard and the Cardinal d'Estrees treated me with great freedom. The latter talked much with me concerning the orders in our Church, to know whether they had been brought down to us by men truly ordained, or not: For, he said, they apprehended things would be much more easily brought about, if our orders could be esteemed valid, tho' given in heresy and schism. I told him, I was glad they were possessed with any opinion that made the reconciliation more difficult; but, as for the matter of fact, nothing was more certain, than that the ordinations in the beginning of Queen Elizabeth's reign were canonical and regular. He seemed to be persuaded of the truth of this, but lamented that it was impossible to bring the Romans to think so.

Cardinal
Howard's
freedom
with me.

Cardinal Howard shewed me all his letters from England, by which I saw, that those who wrote to him reckoned, that their designs were so well laid, that they could not miscarry. They thought, they should certainly carry every thing in the next session of Parliament. There was a high strain of insolence in their letters: And they reckoned, they were so sure of the King, that they seemed to have no doubt left of their succeeding in the reduction of England. The Romans and Italians were much troubled at all this: For they were under such apprehensions of the growth of the French power, and had conceived such hopes of the King of England's putting a stop to it, that they were sorry to see the King engage himself so, in the design of changing the religion of his subjects, which they thought would create him so
much

much trouble at home, that he would neither have leisure nor strength, to look after the common concerns of Europe. The Cardinal told me, that all the advices writ over from thence to England were for slow, calm and moderate courses. He said, he wished he was at liberty to shew me the copies of them: But he saw violent courses were more acceptable, and would probably be followed. And he added, that these were the production of England, far different from the counsels of Rome.

1685.

He also told me, that they had not instruments enough to work with: For, tho' they were sending over all that were capable of the Mission, yet he expected no great matters from them. Few of them spoke true English. They came over young, and retained all the English that they brought over with them, which was only the language of boys: But, their education being among strangers, they had formed themselves so upon that model, that really they preached as Frenchmen or Italians in English words; of which he was every day warning them, for he knew this could have no good effect in England. He also spoke with great sense of the proceedings in France, which he apprehended would have very ill consequences in England. I shall only add one other particular, which will shew the soft temper of that good natured man.

He used me in such a manner, that it was much observed by many others. So two French Gentlemen desired a note from me to introduce them to him. Their design was to be furnished with Reliques; for he was then the Cardinal that looked after that matter. One evening I came in to him as he was very busy in giving them some Reliques. So I was called in to see them: And I whispered to him in English, that it was somewhat odd, that a Priest of the Church of England should be at Rome, helping them off with

1685.

the ware of Babylon. He was so pleased with this, that he repeated it to the others in French; and told the Frenchmen, that they should tell their countrymen, how bold the hereticks, and how mild the Cardinals were, at Rome.

I staid in Rome, till Prince Borghese came to me, and told me it was time for me to go. I had got great acquaintance there. And, tho' I did not provoke any to discourse of points of controversy, yet I defended myself against all those who attacked me, with the same freedom that I had done in other places. This began to be taken notice of. So upon the first intimation I came away, and returned by Marseilles. And then I went thro' those Southern Provinces of France, that were at that time a scene of barbarity and cruelty.

Cruelties
in Orange.

I intended to have gone to Orange: But Tessè with a body of Dragoons was then quartered over that small Principality, and was treating the Protestants there, in the same manner that the French subjects were treated in other parts. So I went not in, but past near it, and had this account of that matter, from some that were the most considerable men of the Principality. Many of the neighbouring places fled thither from the persecution: Upon which a letter was writ to the government there, in the name of the King of France, requiring them to put all his subjects out of their territory. This was hard. Yet they were too naked and exposed to dispute any thing, with those who could command every thing. So they ordered all the French to withdraw: Upon which Tessè, who commanded in those parts, wrote to them, that the King would be well satisfied with the obedience they had given his orders. They upon this were quiet, and thought there was no danger. But the next morning Tessè marched his Dragoons into the Town, and let them loose upon them, as he had done upon the subjects of France.

France. And they plied as feebly as most of the French had done. This was done while that Principality was in the possession of the Prince of Orange, pursuant to an article of the treaty of Nimeguen, of which the King of England was the guarantee. Whether the French had the King's consent to this, or if they presumed upon it, was not known. It is certain, he ordered two memorials to be given in at that Court, complaining of it in very high terms. But nothing followed on it. And, some months after, the King of France did unite Orange to the rest of Provence, and suppressed all the rights it had, as a distinct Principality. The King writ upon it to the Princess of Orange, that he could do no more in that matter, unless he should declare war upon it; which he could not think fit for a thing of such small importance.

But now the session of Parliament drew on. And there was a great expectation of the issue of it. For some weeks before it met, there was such a number of Refugees coming over every day, who set about a most dismal recital of the persecution in France, and that in so many instances that were crying and odious, that, tho' all endeavours were used to lessen the clamour this had raised, yet the King did not stick openly to condemn it, as both unchristian and unpolitick. He took pains to clear the Jesuits of it, and laid the blame of it chiefly on the King, on Madame de Maintenon, and the Archbishop of Paris. He spoke often of it with such vehemence, that there seemed to be an affectation in it. He did more. He was very kind to the Refugees. He was liberal to many of them. He ordered a brief for a charitable collection over the Nation for them all: Upon which great sums were sent in. They were deposited in good hands, and well distributed. The King also ordered them to be denisen'd without paying the fees, and gave them great immunities.

1685.

So that in all there came over first and last, between forty and fifty thousand of that Nation. Here was such a real instance of the cruel and persecuting spirit of Popery, wheresoever it prevailed, that few could resist this conviction. So that all men confessed, that the French persecution came very seasonably to awaken the Nation, and open mens eyes in so critical a conjuncture: For upon this session of Parliament all did depend.

The
King's
speech
against
the Test.

When it was opened, the King told them how happy his forces had been in reducing a dangerous rebellion, in which it had appeared, how weak and insignificant the Militia was: And therefore he saw the necessity of keeping up an Army for all their security. He had put some in commission, of whose loyalty he was well assured: And they had served him so well, that he would not put that affront on them and on himself, to turn them out. He told them, all the world saw, and they had felt the happiness of a good understanding between him and his Parliament: So he hoped, nothing should be done on their part to interrupt it; as he, on his own part, would observe all that he had promised.

Thus he fell upon the two most unacceptable points that he could have found out; which were, a standing Army, and a violation of the Act of the Test. There were some debates in the House of Lords about thanking the King for his speech. It was pressed by the Courtiers, as a piece of respect that was always paid. To this some answered, that was done when there were gracious assurances given. Only the Earl of Devonshire said, he was for giving thanks, because the King had spoken out so plainly, and warned them of what they might look for. It was carried in the House to make an address of thanks for the speech. The Lord Guilford, North, was now dead. He was a crafty and designing man. He had no mind to part with the great Seal: And yet he saw, he
could

could not hold it without an entire compliance with the pleasure of the Court. An appeal against a decree of his had been brought before the Lords in the former session: And it was not only reversed with many severe reflections on him that made it, but the Earl of Nottingham, who hated him because he had endeavoured to detract from his father's memory, had got together so many instances of his ill administration of justice, that he exposed him severely for it. And, it was believed, that gave the crisis to the uneasiness and distraction of mind he was labouring under. He languished for some time; and died despised, and ill thought of by the whole Nation.

Nothing but his successor made him be remembered with regret: For Jefferies had the Seals. He had been made a Peer while he was Chief Justice, which had not been done for some ages: But he affected to be an original in every thing. A day or two after the session was opened, the Lords went upon the consideration of the King's speech: And, when some began to make remarks upon it, they were told, that by giving thanks for the speech, they had precluded themselves from finding fault with any part of it. This was rejected with indignation, and put an end to that compliment of giving thanks for a speech, when there was no special reason for it. The Lords Halifax, Nottingham, and Mordaunt, were the chief arguers among the temporal Lords. The Bishop of London spoke often likewise: And twice or thrice he said, he spoke not only his own sense, but the sense of that whole Bench. They said, the Test was now the best fence they had for their religion: If they gave up so great a point, all the rest would soon follow: And if the King might by his authority supersede such a law, fortified with so many clauses, and above all with that of an incapacity, it was in vain to think of law any more: The government would become

Jefferies
made
Lord
Chancel-
lor.

1685. arbitrary and absolute. Jefferies began to argue in his rough manner: But he was soon taken down; it appearing, that how furiously soever he raved on the Bench, where he played the tyrant, yet where others might speak with him on equal terms, he was a very contemptible man: And he received as great a mortification, as such a brutal man was capable of.

The
House of
Commons
addresses
the King
for ob-
serving
the law.

But as the scene lay in the House of Commons, so the debates there were more important. A project was offered for making the Militia more useful in order to the disbanding the Army. But, to oppose that, the Court shewed, how great a danger we had lately escaped, and how much of an ill leaven yet remained in the Nation, so that it was necessary a force should be kept up. The Court moved for a subsidy, the King having been at much extraordinary charge in reducing the late rebellion. Many, that were resolved to assert the business of the Test with great firmness, thought, the voting of money first was the decenter way of managing the opposition to the Court: Whereas others opposed this, having often observed, that the voting of money was the giving up the whole session to the Court. The Court wrought on many weak men with this topick, that the only way to gain the King, and to dispose him to agree to them in the business of the Test, was to begin with the supply. This had so great an effect, that it was carried only by one vote to consider the King's speech, before they should proceed to the supply. It was understood, that when they received satisfaction in other things, they were resolved to give 500000 l.

They went next to consider the Act about the Test, and the violations of it, with the King's speech upon that head. The reasoning was clear and full on the one hand. The Court offered nothing on the other hand in the way of argument, but the danger of offending the King, and of raising

raising a misunderstanding between him and them. So the whole House went in unanimously into a vote for an address to the King, that he would maintain the laws, in particular that concerning the Test. But with that they offered to pass a bill, for indemnifying those who had broken that law; and were ready to have considered them in the supply that they intended to give.

The King expressed his resentments of this with much vehemence, when the address was brought to him. He said, some men intended to disturb the good correspondence that was between him and them, which would be a great prejudice to the Nation: He had declared his mind so positively in that matter, that he hoped, they would not have meddled with it: Yet, he said, he would still observe all the promises that he had made. This made some reflect on the violations of the edict of Nantes, by many of the late edicts that were set out in France, before the last that repealed it, in which the King of France had always declared, that he would maintain that edict, even when the breaches made upon it were the most visible and notorious. The House, upon this rough answer, was in a high fermentation. Yet, when one Cook said, that they were Englishmen, and were not to be threatned, because this seemed to be a want of respect, they sent him to the Tower; and obliged him to ask pardon for those indecent words. But they resolved to insist on their address, and then to proceed upon the petitions concerning elections. And now those, that durst not open their mouth before, spoke with much force upon this head. They said, it was a point upon which the Nation expected justice, and they had a right to claim it. And it was probable, they would have condemned a great many elections: For an intimation was set round, that all those who had stuck to the interest of the Nation, in the main points then before them, should be cho-

The King was much offended with it.

1685.

sen over again, tho' it should be found that their election was void, and that a new writ should go out. By this means those petitions were now encouraged, and were like to have a fair hearing, and a just decision: And it was believed, that the abject Courtiers would have been voted out.

The Parliament was prorogued.

The King saw, that both Houses were now so fixed, that he could carry nothing in either of them, unless he would depart from his speech, and let the Act of the Test take place. So he prorogued the Parliament, and kept it by repeated prorogations still on foot for about a year and a half, but without holding a session. All those, who had either spoken or voted for the Test, were soon after this disgraced, and turned out of their places, tho' many of these had served the King hitherto with great obsequiousness and much zeal. He called for many of them, and spoke to them very earnestly upon that subject in his closet: Upon which the term of closeting was much tossed about. Many of these gave him very flat and hardy denials: Others, tho' more silent, yet were no less steady. So that, when, after a long practice both of threatening and ill usage on the one hand, and of promises and corruption on the other, the King saw he could not bring them into a compliance with him, he at last dissolved the Parliament: By which he threw off a body of men, that were in all other respects sure to him, and that would have accepted a very moderate satisfaction from him at any time. And indeed in all England it would not have been easy to have found five hundred men, so weak, so poor, and so devoted to the Court, as these were. So happily was the Nation taken out of their hands, by the precipitated violence of a bigotted Court.

The Lord Delamer tried, and acquitted.

Soon after the prorogation, the Lord Delamer was brought to his trial. Some witnesses swore high treason against him only upon report, that he had designed to make a rebellion in Cheshire,

and

and to join with the Duke of Monmouth. But, since those swore only upon hear-say, that was no evidence in law. One witness swore home against him, and against two other Gentlemen, who, as he said, were in company with him; and that treasonable messages were then given to him by them all to carry to some others. That which gave the greatest credit to the evidence was, that this Lord had gone from London secretly to Cheshire, at the time of the Duke of Monmouth's landing, and that after he had staid a day or two in that Country, he had come up as secretly to London. This looked suspicious, and made it to be believed, that he went to try what could be done. The credit of that single witness was overthrown by many unquestionable proofs, by which it appeared that the two Gentlemen, who he said met with that Lord in Cheshire, were all that while still in London. The witness, to gain the more credit, had brought others into the plot, by the common fate of false swearers, who bring in such circumstances to support their evidence, as they think will make it more credible, but, being ill laid, give a handle to those concerned to find out their falshood. And that was the case of this witness: For, tho' little doubt was made of the truth of that which he swore against this Lord, as to the main of his evidence, yet he had added such a mixture of falshood to it, as being fully proved destroyed the evidence. As for the secret journey to and again between London and Cheshire, that Lord said, he had been long a prisoner in the Tower upon bare suspicion: He had no mind to be lodged again there: So he resolved in that time of jealousy to go out of the way: And hearing that a child, of which he was very fond, was sick in Cheshire, he went thither: And hearing from his Lady that his eldest son was very ill at London, he made haste back again. This was well proved by his physicians

1685.

cians and domesticks, tho' it was a thing of very ill appearance, that he made such journies so quick and so secretly at such a time. The Solicitor General, Finch, pursuant to the doctrine he had maintained in former trials, and perhaps to atone for the zeal he had shewed in the House of Commons, for maintaining the Act of the Test, made a violent declamation, to prove that one witness with presumptions was sufficient to convict one of high treason. The Peers did unanimously acquit the Lord. So that trial ended to the great joy of the whole Town; which was now turned to be as much against the Court, as it had been of late years for it. Finch had been continued in his employment only to lay the load of this judgment upon him: And he acted his part in it with his usual vehemence. He was presently after turned out. And Powis succeeded him, who was a compliant young aspiring Lawyer, tho' in himself he was no ill natured man. Now the posts in the law began to be again taken care of: For it was resolved to act a piece of pageantry in Westminster-Hall, with which the next year began.

1686.

A trial upon the Act for the Test.

Sir Edward Hales, a Gentleman of a noble family in Kent, declared himself a Papist, tho' he had long disguised it; and had once to my self so solemnly denied it, that I was led from thence to see, there was no credit to be given to that sort of men, where their Church or religion was concerned. He had an employment: And not taking the Test, his coachman was set up to inform against him, and to claim the 500 l. that the law gave to the informer. When this was to be brought to trial, the Judges were secretly asked their opinions: And such as were not clear, to judge as the Court did direct, were turned out: And upon two or three canvassings the half of them were dismissed, and others of more pliable and obedient understandings were put in their places. Some of these were weak
and

Many Judges turned out.

and ignorant to a scandal. The suit went on in a feeble prosecution: And in Trinity Term judgment was given. 1686.

There was a new Chief Justice found out, very different indeed from Jefferies, Sir Edward Herbert. He was a well bred and a virtuous man, generous, and good natured. He was but an indifferent Lawyer; and had gone to Ireland to find practice and preferment there. He unhappily got into a set of very high notions with relation to the King's prerogative. His gravity and virtues gave him great advantages, chiefly his succeeding such a monster as had gone before him. So he, being found to be a fit tool, was, without any application of his own, raised up all at once to this high post. After the coachman's cause had been argued with a most indecent coldness, by those who were made use of on design to expose and betray it, it was said, in favour of the prerogative, that the government of England was entirely in the King: That the Crown was an Imperial Crown, the importance of which was, that it was absolute: All penal laws were powers lodged in the Crown, to enable the King to force the execution of the law, but were not bars to limit or bind up the King's power: The King could pardon all offences against the law, and forgive the penalties: And why could not he as well dispense with them? Acts of Parliament had been oft superseded: The Judges had some times given directions in their charges at Circuits, to enquire after some Acts of Parliament no more: Of which one late instance happen'd during the former reign: An Act passed concerning the size of carts and waggons, with many penalties upon the transgressors: And yet, when it appeared that the model prescribed in the Act was not practicable, the Judges gave direction not to execute the Act.

Herbert,
Chief Justice, gives
Judgment
for the
King's
dispensing
power.

These

1686.

These were the arguments brought to support the King's dispensing power. In opposition to this it was said, tho' not at the bar, yet in the common discourse of the Town, that if penalties did arise only by virtue of the King's Proclamation, it was reasonable that the power of dispensing should be only in the King: But since the prerogative was both constituted and limited by law, and since penalties were imposed to force the observation of laws, that were necessary for the publick safety, it was an overturning the whole government, and the changing it from a legal into a despotick form, to say that laws, made and declared not to be capable of being dispensed with, where one of the penalties was an incapacity, which by a maxim of law cannot be taken away, even by a pardon, should at the pleasure of the Prince be dispensed with: A fine was also set by the Act on offenders, but not given to the King, but to the informer which thereby became his. So that the King could no more pardon that, than he could discharge the debts of the subjects, and take away property: Laws of small consequence, when a visible error not observed in making them was afterwards found out, like that of the size of carts, might well be superseded: For the intention of the Legislature being the good of the subject, that is always to be presumed for the repeal of an impracticable law. But it was not reasonable to infer from thence, that a law made for the security of the government, with the most effectual clauses that could be contrived, on design to force the execution of it, even in bar to the power of the prerogative, should be made so precarious a thing, especially when it was so lately asserted with so much vigour by the representatives of the Nation. It was said, that, tho' this was now only applied to one statute, yet the same force of reason would hold to annul all our laws: And the penalty being that which is the life of the law, the dispensing with penalties might soon be carried so

far,

far, as to dissolve the whole government: And the security that the subjects had were only from the laws, or rather from the penalties, since laws without these were feeble things, which tied men only according to their own discretion.

Thus was this matter tossed about in the arguments, with which all peoples mouths were now filled. But Judges, who are beforehand determined how to give their opinions, will not be much moved even by the strongest arguments. The ludicrous ones used on this occasion at the bar were rather a farce, fitter for a mock trial in a play, than such as became men of learning in so important a matter. Great expectations were raised, to hear with what arguments the Judges would maintain the judgment that they should give. But they made nothing of it; and without any arguing gave judgment for the defendant, as if it had been in a cause of course.

Now the matter was as much settled, as a decision in the King's Bench could settle it. Yet so little regard had the Chief Justice's nearest friends to his opinion in this particular, that his brother, Admiral Herbert, being pressed by the King to promise that he would vote the repeal of the Test, answered the King very plainly, that he could not do it either in honour nor conscience. The King said, he knew he was a man of honour, but the rest of his life did not look like a man that had great regard to conscience. He answered boldly, he had his faults, but they were such, that other people, who talked more of conscience, were guilty of the like. He was indeed a man abandoned to luxury and vice. But, tho' he was poor, and had much to lose, having places to the value of 4000 l. a year, he chose to lose them all rather than comply. This made much noise: For as he had a great reputation for his conduct in sea affairs, so he had been most passionately zealous in the King's service, from his first setting out to that day. It appeared

Admiral
Herbert's
firmness.

1686. by this, that no past services would be considered, if men were not resolved to comply in every thing. The door was now opened. So all regard to the Test was laid aside. And all men that intended to recommend themselves took employments, and accepted of this dispensing power. This was done even by some of those who continued still Protestants, tho' the far greater number of them continued to qualify themselves according to law.

Father
Peter a
Jesuit in
high fa-
vour.

Many of the Papists, that were men of quiet or of fearful tempers, did not like these methods. They thought the Priests went too fast, and the King was too eager in pursuing every thing that was suggested by them. One Peter, descended from a noble family, a man of no learning, nor any way famed for his virtue, but who made all up in boldness and zeal, was the Jesuit of them all that seemed animated with the most courage. He had, during the Popish plot, been introduced to the King, and had suggested things, that shewed him a resolute and undertaking man. Upon that the King looked on him as the fittest man to be set at the head of his counsels. So he was now considered, as the person who of all others had the greatest credit. He applied himself most to the Earl of Sunderland, and was for sometime chiefly directed by him.

The King
declared
for a To-
leration.

The maxim that the King set up, and about which he entertained all that were about him, was, the great happiness of an universal toleration. On this the King used to enlarge in a great variety of topicks. He said nothing was more reasonable, more christian, and more politick: And he reflected much on the Church of England, for the severities with which Dissenters had been treated. This, how true or just soever it might be, yet was strange doctrine in the mouth of a professed Papist, and of a Prince on whose account, and by whose direction, the Church party had been, indeed but too obsequiously, pushed on to that rigour. But, since the Church

Church party could not be brought to comply with the design of the Court, applications were now made to the Dissenters: And all on a sudden the Churchmen were disgraced, and the Dissenters were in high favour. Chief Justice Herbert went the Western Circuit after Jefferies's bloody one. And now all was grace and favour to them. Their former sufferings were much reflected on, and pitied. Every thing was offered that could alleviate their sufferings. Their teachers were now encouraged to set up their Conventicles again, which had been discontinued, or held very secretly, for four or five years. Intimations were every where given, that the King would not have them, or their meetings, to be disturbed. Some of them began to grow insolent upon this shew of favour. But wiser men among them saw thro' all this, and perceived the design of the Papists was now, to set on the Dissenters against the Church, as much as they had formerly set the Church against them: And therefore, tho' they returned to their Conventicles, yet they had a just jealousy of the ill designs, that lay hid under all this sudden and unexpected shew of grace and kindness: And they took care not to provoke the Church party.

Many of the Clergy acted now a part that made good amends for past errors. They began to preach generally against Popery, which the Dissenters did not. They set themselves to study the points of controversy. And upon that there followed a great variety of small books, that were easily purchased and soon read. They examined all the points of Popery with a solidity of judgment, a clearness of arguing, a depth of learning, and a vivacity of writing, far beyond any thing that had before that time appeared in our language. The truth is, they were very unequally yoked: For, if they are justly to be reckoned among the best writers that have yet appeared on the Protestant side, those they wrote against were certainly among the weakest that

The Clergy managed the points of controversy with great zeal and success.

1686. had ever appeared on the Popish side. Their books were poorly but insolently writ; and had no other learning in them, but what was taken out of some French writers, which they put into very bad English: So that a victory over them need have been but by a mean performance.

This had a mighty effect on the whole Nation: Even those who could not search things to the bottom, yet were amazed at the great inequality that appeared in this engagement. The Papists, who knew what service the Bishop of Meaux's book had done in France, resolved to pursue the same method here in several treatises, which they entitled "Papists represented and misrepresented;" to which such clear answers were writ, that what effect soever that artifice might have, where it was supported by the authority of a great King, and the terror of ill usage, and a dragoonade in conclusion, yet it succeeded so ill in England, that it gave occasion to enquire into the true opinions of that Church, not as some artful writers had disguised them, but as they were laid down in the books that are of authority among them, such as the decisions of Councils received among them, and their established Offices, and as they are held at Rome, and in all those countries where Popery prevails without any intermixture with hereticks, or apprehension of them, as in Spain and Portugal. This was done in so authentic a manner, that Popery it self was never so well understood by the Nation, as it came to be upon this occasion.

The persons who were chiefly engaged in this.

The persons, who both managed and directed this controversial war, were chiefly Tillotson, Stillingfleet, Tennison, and Patrick. Next them were Sherlock, Williams, Claget, Gee, Aldrich, Atterbury, Whitby, Hooper, and above all these, Wake, who having been long in France, Chaplain to the Lord Preston, brought over with him many curious discoveries, that were both useful and surprizing. Besides the chief writers of those books of contro-

versy,

verly, there were many sermons preached and printed on those heads, that did very much edify the whole Nation. And this matter was managed with that concert, that for the most part once a week some new book or sermon came out, which both instructed and animated those who read them. There were but very few profelytes gained to Popery: And these were so inconsiderable, that they were rather a reproach than an honour to them. Walker, the head of University College, and five or six more at Oxford, declared themselves to be of that religion; but with this branch of infamy, that they had continued for several years complying with the doctrine and worship of the Church of England after they were reconciled to the Church of Rome. The Popish Priests were enraged at this opposition made by the Clergy, when they saw their religion so exposed, and themselves so much despised. They said, it was ill manners and want of duty, to treat the King's religion with so much contempt.

It was resolved to proceed severely against some of the preachers, and to try if by that means they might intimidate the rest. Dr. Sharp was the Rector of St. Giles's, and was both a very pious man, and one of the most popular preachers of the age, who had a peculiar talent of reading his sermons with much life and zeal. He received one day, as he was coming out of the pulpit, a paper sent him, as he believed, by a Priest, containing a sort of challenge upon some points of controversy, touched by him in some of his sermons. Upon this, he, not knowing to whom he should send an answer, preached a sermon in answer to it: And, after he had confuted it, he concluded shewing how unreasonable it was for Protestants, to change their religion on such grounds. This was carried to Court, and represented there, as a reflection on the King for changing on those grounds.

Dr. Sharp
in trouble.

The Bishop of London required to suspend him.

The information, as to the words pretended to be spoken by Sharp, was false, as he himself assured me. But, without enquiring into that, the Earl of Sunderland sent an order to the Bishop of London, in the King's name, requiring him to suspend Sharp immediately, and then to examine the matter. The Bishop answered, that he had no power to proceed in such a summary way: But, if an accusation were brought into his Court in a regular way, he would proceed to such a censure, as could be warranted by the Ecclesiastical law: Yet, he said, he would do that which was in his power, and should be upon the matter a suspension; for he desired Sharp to abstain from officiating, till the matter should be better understood. But to lay such a censure on a Clergyman, as a suspension, without proof, in a judiciary proceeding, was contrary both to law and justice. Sharp went to Court to shew the notes of his sermon, which he was ready to swear were those from which he had read it, by which the falshood of the information would appear. But, since he was not suspended, he was not admitted. Yet he was let alone. And it was resolved to proceed against the Bishop of London for contempt.

Which he could not obey.

An Ecclesiastical Commission set up.

Jefferies was much sunk at Court, and Herbert was the most in favour. But now Jefferies, to recommend himself, offered a bold and illegal advice, for setting up an Ecclesiastical Commission, without calling it the High Commission, pretending it was only a standing Court of Delegates. The Act that put down the High Commission in the year 1640 had provided by a clause, as full as could be conceived, that no Court should be ever set up for those matters, besides the ordinary Ecclesiastical Courts. Yet in contempt of that a Court was erected, with full power to proceed in a summary and arbitrary way in all Ecclesiastical matters, without limitations to any rule of law in their proceedings. This stretch of the supremacy, so contrary

to law, was assumed by a King, whose religion made him condemn all that supremacy, that the law had vested in the Crown. 1686.

The persons, with whom this power was lodged, were the Archbishop of Canterbury, and the Bishops of Duresme and Rochester, and the Lord Chancellor, the Lord Treasurer, and Lord Chief Justice, the Lord Chancellor being made President in the Court "sine quo non;" for they would trust this to no other management. The Bishop of London was marked out to be the first sacrifice. Sancroft lay silent at Lambeth. He seemed zealous against Popery in private discourse: But he was of such a timorous temper, and so set on the enriching his nephew, that he shewed no sort of courage. He would not go to this Court, when it was first opened, and declare against it, and give his reasons why he could not sit and act in it, judging it to be against law: But he contented himself with his not going to it. The other two Bishops were more compliant. Duresme was lifted up with it, and said, now his name would be recorded in history: And, when some of his friends represented to him the danger of acting in a Court so illegally constituted, he said, he could not live if he should lose the King's gracious smiles: So low, and so fawning was he. Dolben, Archbishop of York, died this year. So, as Sprat had succeeded him in Rochester, he had some hopes let fall of succeeding likewise in York. But the Court had laid it down for a maxim, to keep all the great Sees, that should become vacant, still empty, till they might fill them to their own mind: So he was mistaken in his expectations, if he ever had them.

The Bishop of London was the first person, The Bishop of London brought before it. that was summoned to appear before this new Court. He was attended by many persons of great Quality, which gave a new offence: And the Lord Chancellor treated him in that brutal way, that was now become as it were natural to him. The Bishop said,

1686. here was a new Court of which he knew nothing :
 So he desired a copy of the commission that authorized them. And after he had drawn out the matters by delays for some time, hoping that the King might accept of some general and respectful submission, and so let the matter fall, at last he came to make his defence, all secret methods to divert the storm proving ineffectual. The first part of it, was an exception to the authority of the Court, as being not only founded on no law, but contrary to the express words of the Act of Parliament, that put down the High Commission. Yet this point was rather insinuated, than urged with the force that might have been used : For it was said, that, if the Bishop should insist too much on that, it would draw a much heavier measure of indignation on him ; therefore it was rather opened, and modestly represented to the Court, than strongly argued. But it may be easily believed, that those who fate by virtue of this illegal Commission would maintain their own authority. The other part of the Bishop of London's plea was, that he had obeyed the King's orders, as far as he legally could ; for he had obliged Dr. Sharp to act as a man that was suspended ; but that he could not lay an Ecclesiastical censure on any of his Clergy without a process, and articles, and some proof brought. This was justified by the constant practice of the Ecclesiastical Courts, and by the judgment of all lawyers. But arguments, how strong soever, are feeble things, when a sentence is resolved on before the cause is heard. So it was proposed, that he should be suspended during the King's Pleasure. The Lord Chancellor, and the poor-spirited Bishop of Duresme were for this : But the Earl and Bishop of Rochester, and the Lord Chief Justice Herbert, were for acquitting him. There was not so much as a colour of law to support the sentence : So none could be given.

But

But the King was resolved to carry this point, and spoke roundly about it to the Earl of Rochester. He saw he must either concur in the sentence, or part with the White Staff. So he yielded. And the Bishop was suspended ab officio. They did not think fit to meddle with his revenues. For the lawyers had settled that point, that benefices were of the nature of freeholds. So, if the sentence had gone to the temporalties, the Bishop would have had the matter tried over again in the King's-Bench, where he was like to find good justice, Herbert not being satisfied with the legality and justice of the sentence. While this matter was in dependence, the Princess of Orange thought it became her, to interpose a little in the Bishop's favour. He had confirmed, and married her. So she wrote to the King, earnestly begging him to be gentle to the Bishop, who she could not think would offend willingly. She also wrote to the Bishop, expressing the great share she took in the trouble he was fallen into. The Prince wrote to him to the same Purpose. The King wrote an answer to the Princess, reflecting severely on the Bishop, not without some sharpness on her for meddling in such matters. Yet the Court seemed uneasy, when they saw they had gained so poor a victory: For now the Bishop was more considered than ever. His Clergy, for all the suspension, were really more governed by the secret intimations of his pleasure, than they had been by his authority before. So they resolved to come off as well as they could. Dr. Sharp was admitted to offer a general petition, importing how sorry he was, to find himself under the King's displeasure: Upon which he was dismissed with a gentle reprimand, and suffered to return to the exercise of his function. According to the form of the Ecclesiastical Courts, a person under such a suspension must make a submission within six months: Otherwise he may be proceeded against as obstinate.

1686.
 And was
 suspended
 by it.

1686. So, six months after the sentence, the Bishop sent a petition to the King, desiring to be restor'd to the exercise of his Episcopal function. But he made no acknowledgment of any fault. So this had no other effect, but that it stopt all further proceedings: Only the suspension lay still on him. I have laid all this matter together, tho' the progress of it ran into the year eighty-seven.

Affairs in
Scotland.

Affairs in Scotland went on much at the same rate as they did in England. Some few profelytes were gained. But as they were very few, so they could do little service to the side to which they joined themselves. The Earl of Perth prevailed with his Lady, as she was dying, to change her religion. And in a very few weeks after her death he married very indecently a sister of the Duke of Gordon's. They were first cousins: And yet, without staying for a dispensation from Rome, they ventured on a marriage, upon the assurances that they said their Confessor gave them, that it would be easily obtained. But Pope Innocent was a stiff man, and did not grant those things easily: So that Cardinal Howard could not at first obtain it. The Pope said, these were strange converts, that would venture on such a thing without first obtaining a dispensation. The Cardinal pretended, that new converts did not so soon understand the laws of the Church: But he laid before the Pope the ill consequences of offending converts of such importance. So he prevailed at last, not without great difficulty. The Earl of Perth set up a private Chapel in the Court for Mass, which was not kept so private, but that many frequented it.

A tumult
at Edin-
burgh.

The Town of Edinburgh was much alarmed at this. And the rabble broke in with such fury, that they defaced every thing in the Chapel. And if the Earl of Perth had not been conveyed away in disguise, he had very probably fallen a sacrifice to popular rage. The guards upon the alarm came, and dispersed the rabble. Some were taken: And

one

1686.

one that was a ringleader in the tumult was executed for it. When he was at the place of execution, he told one of the Ministers of the Town, that was with him assisting him with his prayers, that he was offered his life, if he would accuse the Duke of Queensborough, as the person that had set on the tumult, but he would not save his life by so false a calumny. Mr. Macom, the Minister, was an honest but weak man. So, when the criminal charged him to make this discovery, he did not call any of those who were present to bear witness of it: But in the simplicity of his heart he went from the execution to the Archbishop of St. Andrews, and told him what had past. The Archbishop acquainted the Duke of Queensborough with it. And he writ to Court, and complained of it. The King ordered the matter to be examined. So the poor Minister, having no witness to attest what the criminal had said to him, was declared the forger of that calumny. And upon that he was turned out. But how severely soever those in authority may handle a poor incautious man, yet the publick is apt to judge true. And, in this case, as the Minister's weakness and misfortune was pitied, so the Earl of Perth's malice and treachery was as much detested.

In summer this year, the Earl of Murray, another new convert, was sent the King's Commissioner to hold a Parliament in Scotland, and to try if it would be more compliant than the English Parliament had been. The King did by his letter recommend to them, in very earnest words, the taking off all penal laws and tests relating to religion. And all possible methods were used to prevail on a majority. But two accidents happened before the opening the Parliament, which made great impression on the minds of many.

Whitford, son to one of their Bishops before the wars, had turned Papist. He was the person that killed Darislaus in Holland. And, that he

1686. might get out of Cromwell's reach, he had gone into the Duke of Savoy's service: and was there, when the last massacre was committed on the Vaudois. He had committed many barbarous murders with his own hands, and had a small pension given him after the Restoration. He died a few days before the Parliament met; and called for some Ministers, and to them declared his forsaking of Popery, and his abhorrence of it for its cruelty. He said, he had been guilty of some execrable murders in Piedmont, both of women and children, which had pursued him with an intolerable horror of mind ever after. He had gone to Priests of all sorts, the strictest as well as the easiest: And they had justified him in what he had done, and had given him absolution. But his conscience pursued him so, that he died as in despair, crying out against that bloody religion.

The other was more solemn. Sir Robert Sibbald, a Doctor of physick, and the most learned antiquary in Scotland, who had lived in a course of philosophical virtue, but in great doubts as to revealed religion, was prevailed on by the Earl of Perth to turn Papist, in hopes to find that certainty among them, which he could not arrive at upon his own principles. But he had no sooner done this, than he began to be ashamed, that he had made such a step upon so little enquiry. So he went to London, and retired for some months from all company, and went into a deep course of study, by which he came to see into the errors of Popery, with so full a conviction, that he came down to Scotland some weeks before the Parliament, and could not be at quiet till he had published his recantation openly in a Church. The Bishop of Edinburgh was so much a Courtier, that, apprehending many might go to hear it, and that it might give offence at Court, he sent him to do it in a Church in the Country. But the recantation of so learned a man, upon so much study, had a great effect upon many.

Rosse

Rosse and Paterfon, the two governing Bishops, resolved to let the King see how compliant they would be. And they procured an address to be signed, by several of their Bench, offering to concur with the King in all that he desired, with relation to those of his own religion, (for the courtly stile now was not to name Popery any other way than by calling it the King's religion) provided the laws might still continue in force and be executed against the Presbyterians. With this Paterfon was sent up. He communicated the matter to the Earl of Middleton, who advised him never to shew that paper: It would be made use of against them, and render them odious: And the King and all his Priests were so sensible, that it was an indecent thing for them, to pretend to any special favour, that they were resolved to move for nothing but a general toleration. And so he persuaded him to go back without presenting it. This was told me by one who had it from the Earl himself.

When the session of Parliament was opened, Duke Hamilton was silent in the debate. He promised he would not oppose the motion: But he would not be active to promote it. The Duke of Queensborough was also silent: But the King was made believe, that he managed the opposition under hand. Rosse and Paterfon did so entirely forget what became their characters, that they used their utmost endeavours, to persuade the Parliament to comply with the King's desire. The Archbishop of Glasgow opposed it, but fearfully. The Bishop of Dunkeld, Bruce, did it openly and resolutely: And so did the Bishop of Galloway. The rest were silent, but were resolved to vote for the continuance of the laws. Such was the meanness of most of the Nobility, and of the other members, that few did hope that a resistance to the Court could be maintained. Yet the Parliament would consent to nothing, further than to a suspension of those laws during the King's life. The King despised this. So the Session was put off,

Which refused to comply with the King's desires.

and

1686. and the Parliament was quickly dissolved. And, soon after that, both the Archbishop of Glasgow and the Bishop of Dunkeld were turned out, by an exprefs command from the King. And Paterfon was made Archbishop of Glasgow. And one Hamilton, noted for profanenefs and impiety, that sometimes broke out into blasphemy, was made Bishop of Dunkeld. No reason was affigned for turning out thofe Bifhops, but the King's pleasure.

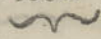
A zeal
appeared
there
againft
Popery.

The Nation, which was become very corrupt, and both ignorant and infenfible in the matters of religion, began now to return to its old zeal againft Popery. Few profelytes were made after this. The Epifcopal Clergy were in many places fo sunk into floth and ignorance, that they were not capable of conducting this zeal. Some of them about Edinburgh, and in divers other places, began to mind thofe matters, and recovered fome degrees of credit by the oppofition they made to Popery. But the Prefbyterians, tho' they were now freed from the great feverities they had long fmartered under, yet expreffed on all occafions their unconquerable averfion to Popery. So the Court was foen convinced, that they were not to be depended on.

Affairs in
Ireland.

But, what oppofition foever the King met with in the ifle of Britain, things went on more to his mind in Ireland. The Earl of Clarendon, upon his firft coming over gave publick and pofitive affurances, that the King would maintain their Act of Settlement. This he did very often, and very folemnly; and proceeded accordingly. In the mean while the Earl of Tirconnel went on more roundly. He not only put Irish Papifts into fuch pofts in the Army as became void, but upon the flighteft pretences he broke the Englifh Proteftant officers, to make room for the others: And in conclufion, without fo much as pretending a colour for it, he turned them all out. And now an Army, paid by virtue of the Act of Settlement to fecure it, was wreffed out of legal hands, and put in the hands of thofe who were engaged, both in religion

1686.



religion and interest, to destroy the Settlement, and those concerned in it; which was too gross a violation of law to be in any sort palliated. So the English Protestants of Ireland looked on themselves as at mercy, since the Army was now made up of their enemies. And all that the Lord Lieutenant, or the Lord Chancellor could say, did not quiet their fears: Good words could not give security against such deeds as they saw every day. Upon this the Earl of Clarendon and the Earl of Tirconnell fell into perpetual jarrings, and were making such complaints one of another, that the King resolved to put an end to those disorders by recalling both the Earl of Clarendon and Porter. He made the Earl of Tirconnell Lord Lieutenant, and Fitton Lord Chancellor, who were both not only professed but zealous Papists. Fitton knew no other law but the King's pleasure.

This struck all people there with great terror, when a man of Tirconnell's temper, so entirely trusted and depended on by the Irish, capable of the boldest undertakings, and of the cruelest execution, had now the government put so entirely in his hands. The Papists of England either dissembled very artificially, or they were much troubled at this, which gave so great an alarm every where. It was visible, that Father Peter and the Jesuits were resolved to engage the King so far, that matters should be put past all retreating and compounding; that so the King might think no more of governing by Parliament, but by a military force; and, if that should not stick firm to him, by assistance from France, and by an Irish Army.

An accident happened at this time, that gave the Queen great offence, and put the Priests much out of countenance. The King continued to go still to Mrs. Sidley. And she gained so much on him, that at last she prevailed to be made Countess of Dorchester. As soon as the Queen heard of this, she gave order to bring all the Priests, that were

The King made his mistress Countess of Dorchester.

1686. were admitted to a particular confidence, into her closet. And, when she had them about her, she sent to desire the King to come and speak to her. When he came, he was surpris'd to see such a company about her, but much more when they fell all on their knees before him. And the Queen broke out into a bitter mourning for this new honour, which they expected would be followed with the setting her up openly as mistress. The Queen was then in an ill habit of body; and had an illness that, as was thought, would end in a consumption. And it was believed that her sickness was of such a nature, that it gave a very melancholy presage, that, if she should live, she could have no children. The Priests said to the King, that a blemish in his life blasted their designs: And the more it appeared, and the longer it was continued, the more ineffectual all their endeavours would prove. The King was much moved with this, and was out of countenance for what he had done. But to quiet them all, he promised them, that he would see the Lady no more; and pretended, that he gave her this title in order to the breaking with her the more decently. And, when the Queen did not seem to believe this, he promised that he would send her to Ireland, which was done accordingly. But after a stay there for some months, she came over again: And that ill commerce was still continued. The Priests were no doubt the more apprehensive of this, because she was bold and lively, and was always treating them and their proceedings with great contempt.

The Court was now much set on making of converts, which failed in most instances, and produced repartees, that whether true or false, were much repeated, and were heard with great satisfaction.

Attempts
made on
many to
change
their re-
ligion.

The Earl of Mulgrave was Lord Chamberlain. He was apt to comply in every thing that he thought might be acceptable; for he went with the

1686.

the King to Mass, and kneeled at it. And, being looked on as indifferent to all religions, the Priests made an attack on him. He heard them gravely arguing for transubstantiation. He told them, he was willing to receive instruction: He had taken much pains to bring himself to believe in God, who had made the world and all men in it: But it must not be an ordinary force of argument, that could make him believe, that man was quits with God, and made God again.

The Earl of Middleton had married into a Popish family, and was a man of great parts and a generous temper, but of loose principles in religion. So a Priest was sent to instruct him. He began with Transubstantiation, of which he said he would convince him immediately: And began thus, You believe the Trinity. Middleton stopt him, and said, Who told you so? At which he seemed amazed. So the Earl said, he expected he should convince him of his belief, but not question him of his own. With this the Priest was so disordered, that he could proceed no further. One day the King gave the Duke of Norfolk the sword of State to carry before him to the Chapel: And he stood at the door. Upon which the King said to him, My Lord, your father would have gone further: To which the Duke answered, Your Majesty's father was the better man, and he would not have gone so far. Kirk was also spoken to, to change his religion; and replied briskly, that he was already pre-engaged, for he had promised the King of Morocco, that if ever he changed his religion, he would turn Mahometan.

But the person that was the most considered, was the Earl of Rochester. He told me, that upon the Duke of Monmouth's defeat the King did so immediately turn to other measures, that, tho' before that the King talked to him of all his affairs with great freedom, and commonly every morning of the business that was to be done that day;

Particularly on the Earl of Rochester.

1686. yet the very day after his execution the King changed his method, and never talked more to him of any business, but what concerned the Treasury: So that, he saw, he had now no more the root he formerly had. He was looked on, as so much united to the Clergy, that the Papists were all set against him. He had, in a want of money, procured a considerable loan, by which he was kept in his post longer than was intended. At last, as he related the matter to me, the King spoke to him, and desired he would suffer himself to be instructed in religion. He answered, he was fully satisfied about his religion. But upon the King's pressing it, that he would hear his Priests, he said, he desired then to have some of the English Clergy present, to which the King consented: Only he excepted to Tillotson, and Stillingfleet. Lord Rochester said, he would take those who should happen to be in waiting; for the forms of the Chapel were still kept up. And Doctor Patrick and Jane were the men. Upon this a day was set for the conference.

But his enemies had another story. He had notice given him, that he would shortly lose the White Staff: Upon which his Lady, who was then sick, wrote to the Queen, and begged she would honour her so far as to come, and let her have some discourse with her. The Queen came, and staid above two hours with her. She complained of the ill offices that were done them. The Queen said, all the Protestants were now turning against them, so that they knew not how they could trust any of them. Upon which that Lady said, her Lord was not so wedded to any opinion, as not to be ready to be better instructed. And it was said, that this gave the rise to the King's proposing a conference: For it has been observed to be a common method of making proselytes with the more pomp, to propose a conference: But this was generally done, after they were well assured, that,

1686.



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that, let the conference go which way it might, the person's decision for whom it was appointed should be on their side. The Earl denied, he knew any thing of all this to me: And his Lady died not long after. It was further said by his enemies, that the day before the conference he had an advertisement from a sure hand, that nothing he could do would maintain him in his post, and that the King had engaged himself to put the Treasury in commission, and to bring some of the Popish Lords into it. Patrick told me, that at the conference there was no occasion for them to say much.

The Priests began the attack. And, when they had done, the Earl said, if they had nothing stronger to urge, he would not trouble those learned Gentlemen to say any thing: For he was sure he could answer all that he had heard. And so answered it all with much heat and spirit, not without some scorn, saying, were these grounds to persuade men to change their religion? This he urged over and over again with great vehemence. The King, seeing in what temper he was, broke off the conference, charging all that were present to say nothing of it.

Soon after that he lost his White Staff; but had a pension of 4000 l. a year for his own life and his son's, besides his grant upon the Lord Grey, and another valued at 20000 l. So here were great regards had to him: No place having ever been sold, even by a person in favour, to such advantage. The sum that he had procured to be lent the King being 400000 l. and it being all ordered to go towards the repair of the Fleet, this began to be much talked of. The stores were very ill furnished: And the vessels themselves were in decay. But now orders were given, with great dispatch to put the whole Fleet in condition to go to sea, tho' the King was then in full peace with all

He was
 turned
 out.

1686. his neighbours. Such preparations seemed to be made upon some great design.

Designs talked of against Holland. The Priests said every where, but chiefly at Rome, that the design was against the States; and that both France and England would make war on them all of the sudden: for it was generally known that the Dutch fleet was in no good condition. The interests of France and of the Priests made this to be the more easily believed. The embroiling the King with the Prince of Orange was that, which the French desired above all other things, hoping that such a war, being successful, might put the King on excluding the Prince from the succession to the Crown in the right of his wife, which was the thing that both the French and Priests desired most: For they saw that, unless the Queen had a son, all their designs must stand still at present, and turn abortive in conclusion, as long as the Nation had such a successor in view.

I staid some time in Geneva.

This carries me now to open the state of affairs in Holland, and at the Prince of Orange's Court. I must first say somewhat of myself: For this summer, after I had rambled above a year, I came into Holland. I staid three or four months in Geneva and Switzerland, after I came out of Italy. I staid also some time among the Lutherans at Strasbourg and Franckfort, and among the Calvinists at Heidleberg, besides the further opportunities I had to know their way in Holland. I made it my business to observe all their methods, and to know all the eminent men among them. I saw the Churches of France in their best state, while they were every day looking when this dreadful storm should break out, which has scattered them up and down the world. I was all the winter at Geneva, where we had constantly fresh stories brought us of the miseries of those who were suffering in France. Refugees were coming over every day, poor and naked, and half starved before they got thither:

And

And that small State was under great apprehensions of being swallowed up, having no strength of their own, and being justly afraid that those at Bern would grow weary of defending them, if they should be vigorously attacked. The rest of Switzerland was not in such imminent danger. But, as they were full of Refugees, and all sermons and discourses were much upon the persecution in France, so Basile was exposed in such manner, that the French could possess themselves of it when they pleased, without the least resistance. Those of Strasbourg, as they have already lost their liberty, so they were every day looking for some fatal edict, like that which the French had fallen under. The Churches of the Palatinate, as they are now the frontier of the Empire, exposed to be destroyed by every new war, so they are fallen into the hands of a bigotted family. All the other Churches on the Rhine see how near they are to ruin. And as the United Provinces were a few years before this very near being swallowed up, so they were now well assured, that two great Kings designed to ruin them.

Under so cloudy a prospect it should be expected, that a spirit of true devotion and of a real reformation should appear more, both among the Clergy and Laity; that they should all apprehend that God was highly offended with them, and was therefore punishing some, and threatening others, in a most unusual manner. It might have been expected, that those unhappy contests between Lutherans and Calvinists, Arminians and Anti-Arminians, with some minuter disputes that have enflamed Geneva and Switzerland, should have been at least suspended, while they had a common enemy to deal with, against whom their whole force united was scarce able to stand. But these things were carried on rather with more eagerness and sharpness than ever. It is true, there has appeared much of a primitive charity to-

The state and temper I observed among the Reformed.

1686. wards the French Refugees: They have been in all places well received, kindly treated, and bountifully supplied. Yet even among them there did not appear a spirit of piety and devotion suitable to their condition: Tho' persons who have willingly suffered the loss of all things, and have forsaken their country, their houses, estates, and their friends, and some of them their nearest relations, rather than sin against their consciences, must be believed to have a deeper principle in them, than can well be observed by others.

I was indeed amazed at the labours and learning of the Ministers among the Reformed. They understood the Scriptures well in the original tongues: They had all the points of controversy very ready, and did thoroughly understand the whole body of divinity. In many places they preached every day, and were almost constantly employed in visiting their flock. But they performed their devotions but slightly, and read their prayers, which were too long, with great precipitation and little zeal. Their sermons were too long and too dry. And they were so strict, even to jealousy, in the smallest points in which they put orthodoxy, that one who could not go into all their notions, but was resolved not to quarrel with them, could not converse much with them with any freedom. I have, upon all the observation that I have made, often considered the inward state of the Reformation, and the decay of the vitals of Christianity in it, as that which gives more melancholy impressions, than all the outward dangers that surround it.

In England things were much changed, with relation to the Court, in the compass of a year. The terror all people were under from an ill chosen and an ill constituted Parliament, was now almost over: And the Clergy were come to their wits, and were beginning to recover their reputation. The Nation was like to prove much firmer than could have been expected, especially in so short a time. Yet after
all,

all, tho' many were like to prove themselves better Protestants than was looked for, they were not become much better Christians: And few were turning to a stricter course of life: Nor were the Clergy more diligent in their labours among their people, in which respect it must be confessed that the English Clergy are the most remiss of any. The Curates in Popery, besides their saying Mass every day, their exactness to their breviary, their attending on confessions and the multiplicity of offices to which they are obliged, do so labour in instructing the youth and visiting the sick, that, in all the places in which I could observe them, it seemed to be the constant employment of their lives: And in the foreign Churches, tho' the labours of the Ministers may seem mean, yet they are perpetually in them. All these things lay so much on my thoughts, that I was resolved to retire into some private place, and to spend the rest of my life in a course of stricter piety and devotion, and in writing such books, as the state of matters with relation to religion should call for, whether in points of speculation or practice. All my friends advised my coming near England, that I might be easier sent to, and informed of all our affairs, and might accordingly employ my thoughts and time. So I came down the Rhine this summer; and was resolved to have settled in Groning or Frizeland.

When I came to Utrecht, I found letters writ to me by some of the Prince of Orange's Court, desiring me to come first to the Hague, and wait on the Prince and Princess, before I should settle any where. Upon my coming to the Hague, I was admitted to wait on them. I found they had received such characters of me from England, that they resolved to treat me with great confidence: For, at my first being with them, they entered into much free discourse with me concerning the affairs of England. The Prince, tho' naturally

I was invited by the Prince of Orange to come to the Hague.

1686. cold and reserved, yet laid aside a great deal of that with me. He seemed highly dissatisfied with the King's conduct. He apprehended that he would give such jealousies of himself, and come under such jealousies from his people, that these would throw him into a French management, and engage him into such desperate designs as would force violent remedies. There was a gravity in his whole deportment that struck me. He seemed very regardless of himself, and not apt to suspect designs upon his person. But I had learned somewhat of the design of a brutal Savoyard, who was capable of the blackest things, and who for a foul murder had fled into the territory of Geneva, where he lay hid in a very worthy family, to whom he had done some services before. He had formed a scheme of seizing on the Prince, who used to go in his chariot often on the sands near Scheveling, with but one person with him, and a page or two on the chariot. So he offered to go in a small vessel of twenty guns, that should lie at some distance at sea, and to land in a boat with seven persons besides himself, and to seize on the Prince, and bring him aboard, and so to France. This he wrote to Mr. de Louvoy, who upon that wrote to him to come to Paris, and ordered money for his journey. He, being a talking man, spoke of this, and shewed Mr. de Louvoy's letter, and the copy of his own: And he went presently to Paris. This was brought me by Mr. Fatio, the celebrated mathematician, in whose father's house that person had lodged. When I told the Prince this, and had Mr. Fatio at the Hague to attest it, he was not much moved at it. The Princess was more apprehensive. And by her direction I acquainted Mr. Fagel, and some others of the States, with it, who were convinced that the Thing was practicable. And so the States desired the Prince to suffer himself to be constantly attended on by a guard when he went abroad, with which he was not without some

some difficulty brought to comply. I fancied his belief of predestination made him more adventurous than was necessary. But he said as to that, he firmly believed a providence: For if he should let that go, all his religion would be much shaken: And he did not see, how providence could be certain, if all things did not arise out of the absolute will of God. I found those, who had the charge of his education, had taken more care to possess him with the Calvinistical notions of absolute decrees, than to guard him against the ill effects of those opinions in practice: For in Holland the main thing the Ministers infuse into their people, is an abhorrence of the Arminian doctrine, which spreads so much there, that their jealousies of it make them look after that, more than after the most important matters.

The Prince had been much neglected in his education: For all his life long he hated constraint. He spoke little. He put on some appearance of application: But he hated business of all sorts. Yet he hated talking, and all house games, more. This put him on a perpetual course of hunting, to which he seemed to give himself up, beyond any man I ever knew: But I looked on that always, as a flying from company and business. The depression of France was the governing passion of his whole life. He had no vice, but of one sort, in which he was very cautious and secret. He had a way that was affable and obliging to the Dutch. But he could not bring himself to comply enough with the temper of the English, his coldness and slowness being very contrary to the genius of the Nation.

The Princess possessed all that conversed with her with admiration. Her person was majestic and created respect. She had great knowledge, with a true understanding, and a noble expression. There was a sweetness in her deportment that charmed, and an exactness in piety and virtue that

A character of the Prince and Princess of Orange.

1686.

made her a pattern to all that saw her. The King gave her no appointments to support the dignity of a King's daughter. Nor did he send her any presents or jewels, which was thought a very indecent, and certainly was a very ill advised thing. For the settling an allowance for her and the Prince, would have given such a jealousy of them, that the English would have apprehended a secret correspondence and confidence between them; And the not doing it shewed the contrary very evidently. But, tho' the Prince did not increase her Court and State upon this additional dignity, she managed her Privy Purse so well, that she became eminent in her charities: And the good grace with which she bestowed favours did always increase their value. She had read much, both in history and divinity. And when a course of humours in her eyes forced her from that, she set herself to work with such a constant diligence, that she made the Ladies about her ashamed to be idle. She knew little of our affairs, till I was admitted to wait on her. And I began to lay before her the state of our Court, and the intrigues in it, ever since the Restoration; which she received with great satisfaction, and shewed true judgment, and a good mind, in all the reflections that she made. I will only mention one in this place: She asked me, what had sharpened the King so much against Mr. Jurieu, the copiouslest and the most zealous writer of the age, who wrote with great vivacity as well as learning. I told her, he mixed all his books with a most virulent acrimony of stile, and among other things he had writ with great indecency of Mary Queen of Scots, which cast reflections on them that were descended from her; and was not very decent in one, that desired to be considered as zealous for the Prince and herself. She said, Jurieu was to support the cause that he defended, and to expose those that persecuted it, in the best way he could. And, if what he

he said of Mary Queen of Scots was true, he was not to be blamed, who made that use of it: And, she added, that if Princes would do ill things, they must expect that the world will take revenges on their memory, since they cannot reach their persons: That was but a small suffering, far short of what others suffered at their hands. So far I have given the character of those persons, as it appeared to me upon my first admittance to them. I shall have occasion to say much more of them in the sequel of this work.

I found the Prince was resolved to make use of me. He told me, it would not be convenient for me to live any where but at the Hague: For none of the outlawed persons came thither. So I would keep myself, by staying there, out of the danger that I might legally incur by conversing with them, which would be unavoidable if I lived any where else. He also recommended me both to Fagel, Dykvelt, and Halewyn's confidence, with whom he chiefly consulted. I had a mind to see a little into the Prince's notions, before I should engage myself deeper into his service. I was afraid lest his struggle with the Louvestein party, as they were called, might have given him a jealousy of liberty and of a free government. He assured me, it was quite the contrary: Nothing but such a constitution could resist a powerful aggressor long, or have the credit that was necessary to raise such sums, as a great war might require. He condemned all the late proceedings in England, with relation to the Charters, and expressed his sense of a legal and limited authority very fully. I told him, I was such a friend to liberty, that I could not be satisfied with the point of religion alone, unless it was accompanied with the securities of law. I asked his sense of the Church of England. He said, he liked our worship well, and our government in the Church, as much better than paparity: But he blamed our condemning the foreign

I was much trusted by them.

The Prince's sense of our affairs.

1686. Churches, as he had observed some of our Divines did. I told him, whatever some hotter men might say, all were not of that mind. When he found I was in my opinion for toleration, he said, that was all he would ever desire to bring us to, for quieting our contentions at home. He also promised to me, that he should never be prevailed with to set up the Calvinistical notions of the decrees of God, to which I did imagine some might drive him. He wished, some of our ceremonies, such as the Surplice and the Cross in Baptism, with our bowing to the Altar, might be laid aside. I thought it necessary to enter with him into all these particulars, that so I might be furnished from his own mouth, to give a full account of his sense to some in England, who would expect it of me, and were disposed to believe what I should assure them of. This discourse was of some hours continuance: And it past in the Princess's presence. Great notice came to be taken of the free access and long conferences I had with them both. I told him, it was necessary for his service, to put the fleet of Holland in a good condition. And this he proposed soon after to the States, who gave the hundredth penny for a fund to perfect that. I moved to them both, the writing to the Bishop of London, and to the King concerning him. And, tho' the Princess feared it might irritate the King too much, in conclusion I persuaded them to it.

The King, hearing of this admission I had, began in two or three letters to reflect on me, as a dangerous man, whom they ought to avoid and beware of. To this no answer was made. Upon the setting up the Ecclesiastical Commission, some from England pressed them to write over against it, and to begin a breach upon that. I told them, I thought that was no way advisable: They could not be supposed to understand our laws so well, as to oppose those things on their own knowledge;

ledge: So that I thought, this could not be expected by them, till some resolute person would dispute the authority of the Court, and bring it to an argument, and so to a solemn decision. I likewise said, that I did not think every error in government would warrant a breach: If the foundations were struck at, that would vary the case: But illegal acts in particular instances could not justify such a conclusion. The Prince seemed surprized at this: For the King made me pass for a rebel in my heart. And he now saw, how far I was from it. I continued on this ground to the last.

That which fixed me in their confidence was, the liberty I took, in a private conversation with the Princess, to ask her, what she intended the Prince should be, if she came to the Crown. She, who was new to all matters of that kind, did not understand my meaning, but fancied that what ever accrued to her would likewise accrue to him in the right of marriage. I told her, it was not so: And I explained King Henry the seventh's title to her, and what had pass when Queen Mary married Philip King of Spain. I told her, a titular Kingship was no acceptable thing to a man, especially if it was to depend on another's life: And such a nominal dignity might endanger the real one that the Prince had in Holland. She desired me to propose a remedy. I told her, the remedy, if she could bring her mind to it, was to be contented to be his wife, and to engage herself to him, that she would give him the real authority as soon as it came into her hands, and endeavour effectually to get it to be legally vested in him during life: This would lay the greatest obligation on him possible, and lay the foundation of a perfect union between them, which had been of late a little embroiled: This would also give him another sense of all our affairs: I asked pardon for the presumption of moving her in such

The Princess's resolution with respect to the Prince.

a tender

1686.

a tender point: But I solemnly protested, that no person living had moved me in it, or so much as knew of it, or should ever know of it, but as she should order it. I hoped, she would consider well of it: For, if she once declared her mind, I hoped she would never go back or retract it. I desired her therefore to take time to think of it. She presently answered me, she would take no time to consider of any thing, by which she could express her regard and affection to the Prince; and ordered me to give him an account of all that I had laid before her, and to bring him to her, and I should hear what she would say upon it. He was that day a hunting: And next day I acquainted him with all that had past, and carried him to her; where she in a very frank manner told him, that she did not know that the laws of England were so contrary to the laws of God, as I had informed her: She did not think that the husband was ever to be obedient to the wife: She promised him, he should always bear rule: And she asked only, that he would obey the command of "husbands love your wives," as she should do that, "wives be obedient to your husbands in all things." From this lively introduction we engaged into a long discourse of the affairs of England. Both seemed well pleased with me, and with all that I had suggested. But such was the Prince's cold way, that he said not one word to me upon it, that looked like acknowledgment. Yet he spoke of it to some about him in another strain. He said, he had been nine years married, and had never the confidence to press this matter on the Queen, which I had now brought about easily in a day. Ever after that he seemed to trust me entirely.

Pen sent
over to
treat with
the
Prince.

Complaints came daily over from England of all the high things that the Priests were every where throwing out. Pen the Quaker came over to Holland. He was a talking vain man, who had

1686.

had been long in the King's favour, he being the Vice-Admiral's son. He had such an opinion of his own faculty of persuading, that he thought none could stand before it: Tho' he was singular in that opinion: For he had a tedious luscious way, that was not apt to overcome a man's reason, tho' it might tire his patience. He undertook to persuade the Prince to come into the King's measures, and had two or three long audiences of him upon the subject: And he and I spent some hours together on it. The Prince readily consented to a toleration of Popery, as well as of the Dissenters, provided it were proposed and passed in Parliament: And he promised his assistance, if there was need of it, to get it to pass. But for the Tests he would enter into no treaty about them. He said, it was a plain betraying the security of the Protestant Religion, to give them up. Nothing was left unsaid, that might move him to agree to this in the way of interest: The King would enter into an entire confidence with him, and would put his best friends in the chief trusts. Pen undertook for this so positively, that he seemed to believe it himself, or he was a great proficient in the art of dissimulation. Many suspected that he was a concealed Papist. It is certain, he was much with Father Peter, and was particularly trusted by the Earl of Sunderland. So, tho' he did not pretend any commission for what he promised, yet we looked on him as a man employed. To all this the Prince answered, that no man was more for toleration in principle, than he was: He thought the conscience was only subject to God: And as far as a general toleration, even of Papists, would content the King, he would concur in it heartily: But he looked on the Tests as such a real security, and indeed the only one, when the King was of another Religion, that he would join in no counsels with those that intended to repeal those laws that enacted them. Pen said,

1686. the King would have all or nothing: But that, if this was once done, the King would secure the toleration by a solemn and unalterable law. To this the late repeal of the edict of Nantes, that was declared perpetual and irrevocable, furnished an answer that admitted of no reply. So Pen's negotiation with the Prince had no effect.

He pressed me to go over to England, since I was in principle for toleration: And he assured me the King would prefer me highly. I told him, since the Tests must go with this toleration, I could never be for it. Among other discourses he told me one thing, that was not accomplished in the way in which he had a mind I should believe it would be, but had a more surprising accomplishment. He told me a long series of predictions, which, as he said, he had from a man that pretended a commerce with Angels, who had foretold many things that were past very punctually. But he added, that in the year 1688 there would such a change happen in the face of affairs as would amaze all the world. And after the Revolution, which happen'd that year, I asked him before much company, if that was the event that was predicted. He was uneasy at the question; but did not deny what he had told me, which, he said, he understood of the full settlement of the Nation upon a toleration, by which he believed all men's minds would be perfectly quieted and united.

Some Bishops died in England.

Now I go from this to prosecute the recital of English affairs. Two eminent Bishops died this year, Pearson Bishop of Chester, and Fell Bishop of Oxford. The first of these was in all respects the greatest Divine of the age: A man of great learning, strong reason, and of a clear judgment. He was a judicious and grave preacher, more instructive than affective; and a man of a spotless life, and of an excellent temper. His book on the Creed is among the best that our Church has produced,

produced: He was not active in his Diocese, but too remiss and easy in his Episcopal function; and was a much better Divine than a Bishop. He was a speaking instance of what a great man could fall to: For his memory went from him so entirely, that he became a child some years before he died.

Fell, Bishop of Oxford, was a man of great strictness in the course of his life, and of much devotion. His learning appears in that noble edition of St. Cyprian that he published. He had made great beginnings in learning before the Restoration: But his continued application to his employments after that, stopt the progress that otherwise he might have made. He was made soon after Dean of Christ-Church, and afterwards Bishop of Oxford. He set himself to promote learning in the University, but most particularly in his own College, which he governed with great care: And was indeed in all respects a most exemplary man, a little too much heated in the matter of our disputes with the Dissenters. But, as he was among the first of our Clergy that apprehended the design of bringing in Popery, so he was one of the most zealous against it. He had much zeal for reforming abuses; and managed it perhaps with too much heat, and in too peremptory a way. But we have so little of that among us, that no wonder if such men are censured by those, who love not such patterns, nor such severe task-masters.

Ward of Salisbury fell also under a loss of memory and understanding: So, that he, who was both in Mathematicks and Philosophy, and in the strength of judgment and understanding, one of the first men of his time, tho' he came too late into our profession to become very eminent in it, was now a great instance of the despicable weakness to which man can fall. The Court intended once to have named a Coadjutor for him. But,

there

1686.

Cartwright
and Parker promoted.

there being no precedent for that since the Reformation, they resolved to stay till he should die.

The other two Bishopricks were less considerable: So they resolved to fill them with the two worst men that could be found out. Cartwright was promoted to Chester. He was a man of good capacity, and had made some progress in learning. He was ambitious and servile, cruel and boisterous: And, by the great liberties he allowed himself, he fell under much scandal of the worst sort. He had set himself long to raise the King's authority above law; which, he said, was only a method of government to which Kings might submit as they pleased; but their authority was from God, absolute and superior to law, which they might exert, as oft as they found it necessary for the ends of government. So he was looked on as a man that would more effectually advance the design of Popery, than if he should turn over to it. And indeed, bad as he was, he never made that step, even in the most desperate state of his affairs.

The See of Oxford was given to Dr. Parker, who was a violent Independent at the time of the Restoration, with a high profession of piety in their way. But he soon changed, and struck into the highest form of the Church of England; and wrote many books with a strain of contempt and fury against all the Dissenters, that provoked them out of measure; of which an account was given in the history of the former reign. He had exalted the King's authority in matters of religion in so indecent a manner, that he condemned the ordinary form of saying the King was under God and Christ, as a crude and profane expression; saying, that tho' the King was indeed under God, yet he was not under Christ, but above him. Yet, not being preferred as he expected, he writ after that many books, on design to raise the authority of the Church to an independence on the Civil power. There was an entertaining liveliness in all his

his books: But it was neither grave nor correct. He was a covetous and ambitious man; and seemed to have no other sense of religion but as a political interest, and a subject of party and faction. He seldom came to prayers, or to any exercises of devotion; and was so lifted up with pride, that he was become insufferable to all that came near him. These two men were pitched on, as the fittest instruments that could be found among all the Clergy, to betray and ruin the Church. Some of the Bishops brought to Archbishop Sancroft articles against them, which they desired he would offer to the King in Council, and pray that the Mandate for consecrating them might be delayed, till time were given to examine particulars. And Bishop Lloyd told me, that Sancroft promised to him not to consecrate them, till he had examined the truth of the articles, of which some were too scandalous to be repeated. Yet, when Sancroft saw what danger he might incur, if he were sued in a Premunire, he consented to consecrate them.

The Deanry of Christ-Church, the most important post in the University, was given to Maffey, one of the new converts, tho' he had neither the gravity, the learning, nor the age that was suitable to such a dignity. But all was supplied by his early conversion: And it was set up for a maxim, to encourage all converts. He at first went to prayers in the Chapel. But soon after he declared himself more openly. Not long after this the President of Magdalen College died. That is esteemed the richest foundation in England, perhaps in Europe: For, tho' their certain rents are but about 4 or 5000 l. yet it is thought that the improved value of the estate belonging to it is about 40000 l. So it was no wonder that the Priests studied to get this endowment into their hands.

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They had endeavoured to break in upon the University of Cambridge, in a matter of less importance, but without success: And now they resolved to attack Oxford, by a strange fatality in their counsels. In all nations the privileges of Colleges and Universities are esteemed such sacred things, that few will venture to dispute these, much less to disturb them, when their title is good, and their possession is of a long continuance: For in these, not only the present body espouses the matter; but all who have been of it, even those that have only followed their studies in it, think themselves bound in honour and gratitude to assist and support them. The Priests began where they ought to have ended, when all other things were brought about to their mind. The Jesuits fancied, that, if they could get footing in the University, they would gain such a reputation by their methods of teaching youth, that they would carry them away from the University tutors, who were certainly too remiss. Some of the more moderate among them proposed, that the King should endow a new College in both Universities, which needed not have cost above two thousand pound a year, and in these set his Priests to work. But either the King stuck at the charge which this would put him to, or his Priests thought it too mean and below his dignity not to lay his hand upon those great bodies: So rougher methods were resolved on. It was reckoned, that by frightening them they might be driven to compound the matter, and deliver up one or two Colleges to them: And then, as the King said sometimes in the circle, they who taught best would be most followed.

The King's letter refused in Cambridge.

They began with Cambridge upon a softer point, which yet would have made way for all the rest. The King sent his letter, or Mandamus, to order F. Francis, an ignorant Benedictine Monk, to be received a Master of Arts; once to open the way for letting them into the degrees of the University.

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The truth is, the King's letters were scarce ever refused in conferring degrees: And when Embassadors or foreign Princes came to those places, they usually gave such degrees to those who belonged to them as were desired. The Morocco Embassador's Secretary, that was a Mahometan, had that degree given him, but a great distinction was made between honorary degrees given to strangers, who intended not to live among them, and those given to such as intended to settle among them: For every Master of Arts having a vote in the Convocation, they reckoned, that, if they gave this degree, they must give all that should be pretended to on the like authority: And they knew, all the King's Priests would be let in upon them, which might occasion in present great distraction and contentions among them; and in time they might grow to be a majority in the Convocation, which is their Parliament. They refused the Mandamus with great unanimity, and with a firmness that the Court had not expected from them. New and repeated orders, full of severe threatenings in case of disobedience, were sent to them: And this piece of raillery was every where set up, that a Papist was reckoned worse than a Mahometan, and that the King's letters were less considered than the Embassador from Morocco had been. Some feeble or false men of the University tried to compound the matter, by granting this degree to F. Francis, but enacting at the same time, that it should not be a precedent for the future for any other of the like nature. This was not given way to: For it was said, that in all such cases the obedience that was once paid, would be a much stronger argument for continuing to do it, as oft as it should be desired, than any such proviso could be against it.

Upon this the Vice-Chancellor was summoned before the Ecclesiastical Commission to answer this contempt. He was a very honest, but a very weak man. He made a poor defence. And it was no

The Vice-Chancellor turned out by the Ecclesiastical Commissioners.


1686.

small reflection on that great body, that their chief Magistrate was so little able to assert their privileges, or to justify their proceedings. He was treated with great contempt by Jefferies. But he having acted only as the chief person of that body, all that was thought fit to be done against him was, to turn him out of his office. That was but an annual office, and of no profit: So this was a slight censure, chiefly when it was all that followed on such heavy threatnings. The University chose another Vice-Chancellor, who was a man of much spirit: And in his speech, which in course he made upon his being chosen, he promised, that, during his magistracy, neither religion, nor the rights of the body, should suffer by his means. The Court did not think fit to insist more upon this matter; which was too plain a confession, either of their weakness in beginning such an ill grounded attempt, or of their feebleness in letting it fall, doing so little, after they had talked so much about it. And now all people began to see, that they had taken wrong notions of the King, when they thought that it would be easy to engage him into bold things, before he could see into the ill consequences that might attend them, but that being once engaged he would resolve to go through with them at all adventures. When I knew him, he seemed to have set up that for a maxim, that a King when he made a step was never to go back, nor to encourage faction and disobedience by yielding to it.

An attempt to impose a Popish President on Magdalen College.


After this unsuccessful attempt upon Cambridge, another was made upon Oxford, that lasted longer and had greater effects; which I shall set all down together, tho' the conclusion of this affair ran far into the year after this that I now write of. The Presidentship of Magdalen's was given by the election of the Fellows. So the King sent a Mandamus, requiring them to choose one Farmer, an ignorant and vicious person, who had not one qualification that could recommend him to so high a post,

post, besides that of changing his religion. Mandamus letters had no legal authority in them: But all the great preferments of the Church being in the King's disposal, those who did pretend to favour, were not apt to refuse his recommendation, lest that should be afterwards remembered to their prejudice. But now, since it was visible in what channel favour was like to run, less regard was had to such a letter. The Fellows of that house did upon this choose Dr. Hough, one of their body, who as he was in all respects a statutable man, so he was a worthy and a firm man, not apt to be threatened out of his right. They carried their election according to their statutes to the Bishop of Winchester, their Visitor: And he confirmed it. So that matter was legally settled. This was highly resented at Court. It was said, that, in case of a Mandamus for an undeerving man, they ought to have represented the matter to the King, and staid till they had his pleasure: It was one of the chief services that the Universities expected from their Chancellors, which made them always choose men of great credit at Court; that by their interest such letters might be either prevented or recalled. The Duke of Ormond was now their Chancellor: But he had little credit in the Court, and was declining in his age, which made him retire into the country. It was much observed, that this University, that had asserted the King's prerogative in the highest strains of the most abject flattery possible, both in their addresses, and in a wild decree they had made but three years before this, in which they had laid together a set of such high flown maxims as must establish an uncontrollable tyranny, should be the first body of the Nation that should feel the effects of it most sensibly. The cause was brought before the Ecclesiastical Commission. The Fellows were first asked, why they had not chosen Farmer in obedience to the King's letter? And to that they answered, by of-

1686.  ferer a list of many just exceptions against him. The subject was fruitful, and the scandals he had given were very publick. The Court was ashamed of him, and insisted no more on him: But they said, that the House ought to have shewed more respect to the King's letter, than to have proceeded to an election in contempt of it.

They disobey, and are censured for it. The Ecclesiastical Commission took upon them to declare Hough's election null, and to put the House under suspension. And, that the design of the Court in this matter might be carried on, without the load of recommending a Papist, Parker, Bishop of Oxford, was now recommended: And the Fellows were commanded to proceed to a new election in his favour. They excused themselves, since they were bound by their oaths to maintain their statutes: And by these, an election being once made and confirmed, they could not proceed to a new choice, till the former was annulled in some Court of law: Church benefices and College preferments were freeholds, and could only be judged in a Court of Record: And, since the King was now talking so much of liberty of conscience, it was said, that the forcing men to act against their oaths, seemed not to agree with those professions. In opposition to this it was said, that the statutes of Colleges had been always considered, as things that depended entirely on the King's good pleasure; so that no oaths to observe them could bind them, when it was in opposition to the King's command.

1687.

 This did not satisfy the Fellows: And, tho' the King, as he went thro' Oxford in his progress in the year 1687, sent for them, and ordered them to go presently and choose Parker for their President, in a strain of language ill suited to the Majesty of a crowned head, (for he treated them with foul language pronounced in a very angry tone;) yet it had no effect on them. They insisted still on their

their oaths, tho' with a humility and submission, that they hoped would have mollified him. They continued thus firm. A subaltern Commission was sent from the Ecclesiastical Commission to finish the matter. Bishop Cartwright was the head of this Commission, as Sir Charles Hedges was the King's Advocate to manage the matter. Cartwright acted in so rough a manner, that it shewed, he was resolved to sacrifice all things to the King's pleasure. It was an afflicting thing, which seemed to have a peculiar character of indignity in it, that this first act of violence committed against the legal possessions of the Church, was executed by one Bishop, and done in favour of another.

The new President was turned out. And, because he could not deliver the keys of his House, the doors were broken open: And Parker was put in possession. The Fellows were required to make their submission, to ask pardon for what was past, and to accept of the Bishop for their President. They still pleaded their oath: And were turned out, except two that submitted. So that it was expected, to see that House soon stocked with Papists. The Nation, as well as the University, looked on all this proceeding with a just indignation. It was thought an open piece of robbery and burglary, when men, authorized by no legal commission, came and forcibly turned men out of their possession and freehold. This agreed ill with the professions that the King was still making, that he would maintain the Church of England as by law established: For this struck at the whole estate, and all the temporalities of the Church. It did so inflame the Church party and the Clergy, that they sent over very pressing messages upon it to the Prince of Orange, desiring that he would interpose, and espouse the concerns of the Church; and that he would break upon it, if the King would not redress it. This I did not see in their letters. Those were of such importance, since the writing them

1687.

And were all turned out.

1687.

them might have been carried to high treason, that the Prince did not think fit to shew them. But he often said, he was pressed by many of those, who were afterwards his bitterest enemies, to engage in their quarrel. When that was communicated to me, I was still of opinion, that, tho' this was indeed an act of despotical and arbitrary power, yet I did not think it struck at the whole: So that it was not in my opinion a lawful case of resistance: And I could not concur in a quarrel occasioned by such a single act, tho' the precedent set by it might go to every thing.

Now the King broke with the Church of England. And, as he was apt to go warmly upon every provocation, he gave himself such liberties in discourse upon that subject, that it was plain, all the services they had done him, both in opposing the Exclusion, and upon his first accession to the Crown, were forgot. Agents were now found out, to go among the Dissenters, to persuade them to accept of the favour the King intended them, and to concur with him in his designs.

The Dissenters were much courted by the King.

The Dissenters were divided into four main bodies. The Presbyterians, the Independents, the Anabaptists, and the Quakers. The two former had not the visible distinction of different rites: And their depressed condition made, that the dispute about the constitution and subordination of Churches, which had broken them when power was in their hands, was now out of doors: And they were looked on as one body, and were above three parts in four of all the Dissenters. The main difference between these was, that the Presbyterians seemed reconcilable to the Church; for they loved Episcopal Ordination and a Liturgy, and upon some amendments seemed disposed to come into the Church; and they liked the civil government, and limited Monarchy. But as the Independents were for a Commonwealth in the State, so they put all the power of the Church in the people, and thought that

1687.

that their choice was an ordination: Nor did they approve of set forms of worship. Both were enemies to this high prerogative, that the King was assuming, and were very averſe to Popery. They generally were of a mind, as to the accepting the King's favour; but were not inclined to take in the Papiſts into a full toleration; much leſs could they be prevailed on to concur in taking off the Teſts. The Anabaptiſts were generally men of virtue, and of an univerſal charity: And as they were far from being in any treating terms with the Church of England, ſo nothing but an univerſal toleration could make them capable of favour or employments. The Quakers had ſet up ſuch a viſible diſtinction in the matter of the Hat, and ſaying Thou and Thee, that they had all as it were a badge fixed on them: So they were eaſily known. Among theſe Pen had the greateſt credit, as he had a free acceſs at Court. To all theſe it was propoſed, that the King deſigned the ſettling the minds of the different parties in the Nation, and the enriching it by enacting a perpetual law, that ſhould be paſſed with ſuch ſolemnities as had accompanied the Magna Charta; ſo that not only penal laws ſhould be for ever repealed, but that publick employments ſhould be opened to men of all perſuaſions, without any teſts or oaths limiting them to one ſort or party of men. There were many meetings among the leading men of the ſeveral ſects.

It was viſible to all men, that the courting them at this time was not from any kindneſs or good opinion that the King had of them. They had left the Church of England, becauſe of ſome forms in it, that they thought looked too like the Church of Rome. They needed not to be told, that all the favour expected from Popery was once to bring it in, under the colour of a general toleration, till it ſhould be ſtrong enough to ſet on a general perſecution: And therefore, as they could not engage themſelves to ſupport ſuch an arbitrary prerogative,

Debates
and reſo-
lutions
among
them.

1687.

as was now made use of, so neither should they go into any engagements for Popery. Yet they resolved to let the points of controversy alone, and leave those to the management of the Clergy, who had a legal bottom to support them. They did believe, that this indignation against the Church party, and this kindness to them were things too unnatural to last long. So the more considerable among them resolved, not to stand at too great a distance from the Court, nor to provoke the King so far, as to give him cause to think they were irreconcilable to him, lest they should provoke him to make up matters on any terms with the Church party. On the other hand, they resolved not to provoke the Church party, or by any ill behaviour of theirs drive them into a reconciliation with the Court. It is true, Pen shewed both a scorn of the Clergy, and virulent spite against them, in which he had not many followers.

The Army encamped at Hounslow-Heath.

The King was so fond of his Army, that he ordered them to encamp on Hounslow-Heath, and to be exercised all the summer long. This was done with great magnificence, and at a vast expence; but that which abated the King's joy in seeing so brave an Army about him was, that it appeared visibly, and on many occasions, that his soldiers had as great an aversion to his religion, as his other subjects had expressed. The King had a Chapel in his camp, where Mass was said: But so few went to it, and those few were treated by the rest with so much scorn, that it was not easy to bear it. It was very plain, that such an Army was not to be trusted in any quarrel, in which religion was concerned.

The few Papists that were in the Army were an unequal match for the rest. The heats about religion were like to breed quarrels: And it was once very near a mutiny. It was thought, that these encampments had a good effect on the Army. They encouraged one another, and vowed they would

1687.

would stick together, and never forsake their religion. It was no small comfort to them, to see they had so few Papists among them; which might have been better disguised at a distance, than when they were all in view. A resolution was formed upon this at Court, to make recruits in Ireland, and to fill them up with Irish Papists; which succeeded as ill as all their other designs did, as shall be told in its proper place.

The King had for above a year managed his correspondence with Rome secretly. But now the Priests resolved to drive the matter past reconciling. The correspondence with that Court, while there was none at Rome with a publick character, could not be decently managed, but by Cardinal Howard's means. He was no friend to the Jesuits; nor did he like their over driving matters. So they moved the King to send an Ambassador to Rome. This was high treason by law. Jefferies was very uneasy at it. But the King's power of pardoning had been much argued in the Earl of Danby's case, and was believed to be one of the unquestionable rights of the Crown. So he knew a safe way in committing crimes; which was, to take out pardons as soon as he had done illegal things.

An Embassador sent to Rome.

The King's choice of Palmer, Earl of Castlemain, was liable to great exception. For, as he was believed to be a Jesuit, so he was certainly as hot and eager in all high notions, as any of them could be. The Romans were amazed, when they heard that he was to be the person. His misfortunes were so eminent and publick, that they, who take their measures much from astrology, and from the characters they think are fixed on men, thought it strange to see such a negotiation put in the hands of so unlucky a man. It was managed with great splendor, and at a vast charge.

He

1687.

He managed every thing unhappily.

He was unhappy in every step of it. He disputed with a nice sort of affectation every punctilio of the ceremonial. And, when the day set for his audience came, there happen'd to be such an extraordinary thunder, and such deluges of rain, as disgraced the shew, and heightned the opinion of the ominoufness of this Embassy. After this was over, he had yet many disputes with relation to the ceremony of visits. The points he pressed were, first the making P. Renaldi of Este, the Queen's uncle, a Cardinal; in which he prevailed: And it was the only point in which he succeeded. He tried, if it was possible, to get Father Petre to be made a Cardinal. But the Pope was known to be intractable in that point, having fixed it as a maxim not to raise any of that Order to the Purple. Count Mansfield told me, as he came from Spain, that our Court had pressed the Court of Spain to join their interest with ours at Rome for his promotion. They gave it out, that he was a German by birth, and undertook that he should serve the Austrian interest. They also promised the Court of Madrid great assistance in other matters of the last importance, if they would procure this: Adding, that this would prove the most effectual means for the conversion of England. Upon which the Count told me, he was asked concerning Father Petre. He, who had gone often to Spain thro' England, happen'd to know that Jesuit; and told them, he was no German, but an Englishman. They tried their strength at Rome for his promotion, but with no success.

The Ambassador at Rome pressed Cardinal Cibo much, to put an end to the differences between the Pope and the King of France, in the matter of the franchises, that it might appear that the Pope had a due regard to a King that had extirpated heresy, and to another King who was endeavouring to bring other Kingdoms into the sheepfold.

1687.

sheepfold. What must the world say, if two such kings, like whom no ages had produced any, should be neglected and ill used at Rome for some punctilios? He added, that, if these matters were settled, and if the Pope would enter into concert with them, they would set about the destroying heresy every where, and would begin with the Dutch; upon whom, he said, they would fall without any declaration of war, treating them as a company of rebels and pirates, who had not a right, as free States and Princes have, to a formal denunciation of war. Cibo, who was then Cardinal Patron, was amazed at this, and gave notice of it to the Imperial Cardinals. They sent it to the Emperor, and he signified it to the Prince of Orange. It is certain, that one Prince's treating with another, to invade a third, gives a right to that third Prince to defend himself, and to prevent those designs. And, since what an Embassador says is understood, as said by the Prince whose character he bears, this gave the States a right to make use of all advantages, that might offer themselves. But they had yet better grounds to justify their proceedings, as will appear in the sequel.

When the Embassador saw that his remonstrances to the Cardinal Patron were ineffectual, he demanded an audience of the Pope. And there he lamented, that so little regard was had to two such great Kings. He reflected on the Pope, as shewing more zeal about temporal concerns than the spiritual; which, he said, gave scandal to all Christendom. He concluded, that, since he saw intercessions made in his master's name were so little considered, he would make haste home: To which the Pope made no other answer, but "*lei è padrone,*" he might do as he pleased. But he sent one after the Embassador, as he withdrew from the audience, to let him know, how much he was offended with his discourges, that he received

1687.

ceived no such treatment from any person, and that the Embassador was to expect no other private audience. Cardinal Howard did what he could to soften matters. But the Embassador was so entirely in the hands of the Jesuits, that he had little regard to any thing that the Cardinal suggested. And so he left Rome after a very expensive, but insignificant Embassy.

Pope Innocent's character.

The Pope sent in return a Nuncio, Dada, now a Cardinal. He was highly civil in all his deportment. But it did not appear that he was a man of great depth, nor had he power to do much. The Pope was a jealous and fearful man, who had no knowledge of any sort, but in the matters of the revenue, and of money: For he was descended from a family, that was become rich by dealing in banks. And, in that respect, it was a happiness to the Papacy that he was advanced: For it was so involved in vast debts, by a succession of many wasteful Pontificates, that his frugal management came in good time to set those matters in better order. It was known, that he did not so much as understand Latin. I was told at Rome, that when he was made Cardinal, he had a master to teach him to pronounce that little Latin, that he had occasion for at high Masses. He understood nothing of Divinity. I remembered what a Jesuit at Venice had said to me, whom I met sometimes at the French Embassadors there, when we were talking of the Pope's infallibility: He said, that being in Rome during Altieri's Pontificate, who lived some years in a perfect dotage, he confessed it required a very strong faith to believe him infallible: But he added pleasantly, the harder it was to believe it, the act of faith was the more meritorious. The submitting to Pope Innocent's infallibility was a very implicit act of faith, when all appearances were so strongly against it. The Pope hated the Jesuits, and expressed a great esteem for the Jansenists; not that he understood
the

1687.



the ground of the difference, but because they were enemies to the Jesuits, and were ill looked on by the Court of France. He understood the business of the Regale a little better, it relating to the temporalities of the Church. And therefore he took all those under his protection, who refused to submit to it. Things seemed to go far towards a breach between the two Courts: Especially after the articles, which were set out by the Assembly of the Clergy of France in the year 1682, in favour of the Councils of Constance and Basile, in opposition to the Papal pretensions. The King of France, who was not accustomed to be treated in such a manner, sent many threatening messages to Rome, which alarmed the Cardinals so much, that they tried to mollify the Pope. But it was reported at Rome, that he made a noble answer to them, when they asked him, what he could do, if so great a King should send an Army to fall upon him? He said, he could suffer Martyrdom.

He was so little terrified with all those threatnings, that he had set on foot a dispute about the franchises. In Rome all those of a Nation put themselves under the protection of their Embassador, and are upon occasions of ceremony his Cortege. These were usually lodged in his neighbourhood, pretending that they belonged to him. So that they exempted themselves from the orders and justice of Rome, as a part of the Embassador's family. And that extent of houses or streets in which they lodged was called the franchises; for in it they pretended they were not subject to the government of Rome. This had made these houses to be well filled, not only with those of that Nation, but with such Romans as desired to be covered with that protection. Rome was now much sunk from what it had been: So that these franchises were become so great a part of the City, that the privileges of those that lived in them were giving every day new disturbances to the course

Disputes
about the
franchises.

1687. of justice, and were the common sanctuaries of criminals. So the Pope resolved to reduce the privileges of Embassadors to their own families, within their own palaces. He first dealt with the Emperor's, and the King of Spain's Embassadors: And brought them to quit their pretensions to the franchises, but with this provision, that, if the French did not the same, they would return to them. So now the Pope was upon forcing the French to submit to the same methods. The Pope said, his Nuntio or Legate at Paris, had no privilege but for his family, and for those that lived in his palace. The French rejected this with great scorn. They said, the Pope was not to pretend to an equality with so great a King. He was the common Father of Christendom: So those who came thither, as to the center of unity, were not to be put on the level with the Embassadors that passed between Sovereign Princes. Upon this the King of France pretended, that he would maintain all the privileges and franchises that his Embassadors were possessed of. This was now growing up to be the matter of a new quarrel, and of fresh disputes, between those Courts.

The English Embassador being so entirely in the French interests, and in the confidence of the Jesuits, he was much less considered at Rome, than he thought he ought to have been. The truth is, the Romans, as they have very little sense of religion, so they considered the reduction of England as a thing impracticable. They saw no prospect of any profits like to arise in any of their offices by bulls or compositions: And this was the notion that they had of the conversion of Nations, chiefly as it brought wealth and advantages to them.

I will conclude all that I shall say in this place of the affairs of Rome, with a lively saying of Queen Christina to myself at Rome. She said, it was certain that the Church was governed by the immediate care and providence of God: For

Queen
Christi-
na's cha-
racter of
some
Popes.

none of the four Popes that she had known, since she came to Rome had common sense. She added, they were the first and the last of men. She had given herself entirely for some years to the study of Astrology: And upon that she told me, the King would live yet many years, but added that he would have no son.

1687.

I come, from the relation of this Embassade to Rome, to give an account of other negotiations. The King found Skelton managed his affairs in Holland, with so little sense, and gave such an universal distaste, that he resolved to change him. But he had been so fervilely addicted to all his interests, that he would not discourage him. And, because all his concerns with the Court of France were managed with Barillon the French Ambassador at London, he was sent to Paris.

The King found out one White, an Irishman, who had been long a spy of the Spaniards. And when they did not pay his appointments well, he accepted of the title of Marquis d'Albeville from them in part of payment. And then he turned to the French, who paid their tools more punctually. But, tho' he had learned the little arts of corrupting Under-Secretaries, and had found out some secrets by that way, which made him pass for a good spy; yet, when he came to negotiate matters in a higher form, he proved a most contemptible and ridiculous man, who had not the common appearances either of decency or of truth.

D'Albeville sent Envoy to Holland.

He had orders, before he entred upon business with the Prince or Princess, to ask of them, not only to forbid me the Court, but to promise to see me no more. The King had writ two violent letters against me to the Princess. She trusted me so far, that she shewed them to me; and was pleased to answer them according to the hints that I suggested. But now it was put so home, that

I was upon the King's pressing instances forbid to see the Prince and Princess of Orange.

1687. this was to be complied with, or a breach was immediately to follow upon it. So this was done. And they were both so true to their promise, that I saw neither the one nor the other, till a few days before the Prince set sail for England. The Prince sent Dykvelt and Halewyn constantly to me, with all the advertisements that came from England. So I had the whole secret of English affairs still brought me.

Dykvelt
sent to
England.

That which was first resolved on was, to send Dykvelt to England with directions how to talk with all sorts of people: To the King, to those of the Church, and to the Dissenters. I was ordered to draw his instructions, which he followed very closely. He was ordered to expostulate decently, but firmly with the King, upon the methods he was pursuing, both at home and abroad; and to see, if it was possible to bring him to a better understanding with the Prince. He was also to assure all the Church party, that the Prince would ever be firm to the Church of England, and to all our national interests. The Clergy, by the methods in which they corresponded with him, which I suppose was chiefly by the Bishop of London's means, had desired him to use all his credit with the Dissenters, to keep them from going into the measures of the Court; and to send over very positive assurances, that, in case they stood firm now to the common interest, they would in a better time come into a comprehension of such, as could be brought into a conjunction with the Church, and to a toleration of the rest. They had also desired him to send over some of the preachers, whom the violence of the former years had driven to Holland; and to prevail effectually with them to oppose any false brethren, whom the Court might gain to deceive the rest: Which the Prince had done. And to many of them he gave such presents, as enabled them to pay their debts, and to undertake the journey. Dykvelt had

had orders to press them all to stand off; and not to be drawn in by any promises the Court might make them, to assist them in the elections of Parliament. He was also instructed to assure them of a full toleration; and likewise of a comprehension, if possible, whensoever the Crown should devolve on the Princess. He was to try all sorts of people, and to remove the ill impressions that had been given them of the Prince: For the Church party was made believe, he was a Presbyterian, and the Dissenters were possessed with a conceit of his being arbitrary and imperious. Some had even the impudence to give out, that he was a Papist. But the ill terms in which the King and he lived put an end to those reports at that time. Yet they were afterwards taken up, and managed with much malice to create a jealousy of him. Dykvelt was not gone off, when D'Albeville came to the Hague. He did all he could to divert the journey: For he knew well Dykvelt's way of penetrating into secrets, he himself having been often employed by him, and well paid for several discoveries made by his means.

D'Albeville assured the Prince and the States, that the King was firmly resolved to maintain his alliance with them: That his naval preparations were only to enable him to preserve the peace of Europe: For he seemed much concerned to find, that the States had such apprehensions of these, that they were putting themselves in a condition not to be surprized by them. In his secret negotiations with the Prince and Princess, he began with very positive assurances, that the King intended never to wrong them in their right of succession: That all that the King was now engaged in was only, to assert the rights of the Crown, of which they would reap the advantage in their turn: The Test was a restraint on the King's liberty, and therefore he was resolved to have it repealed: And he was also resolved to lay aside all penal laws in mat-

The negotiations between the King and the Prince.

1687.

ters of religion: They saw too well the advantages that Holland had, by the liberty of conscience that was settled among them, to oppose him in this particular: The King could not abandon men, because they were of his own religion, who had served him well, and had suffered only on his account, and on the account of their conscience. He told them, how much the King condemned the proceedings in France; and that he spoke of that King as a poor bigot, who was governed by the Archbishop of Paris and Madame de Maintenon, whereas he knew Pere de la Chaise had opposed the persecution as long as he could. But the King hated those maxims: And therefore he received the Refugees very kindly, and had given orders for a collection of charity over the kingdom for their relief.

This was the substance, both of what D'Albeville said to the Prince and Princess, and of what the King himself said to Dykvelt upon those subjects. At that time the King thought, he had made a majority of the House of Commons sure: And so he seemed resolved to have a session of Parliament in April. And of this D'Albeville gave the Prince positive assurances. But the King had reckoned wrong: For many of those, who had been with him in his closet, were either silent, or had answered him in such respectful words, that he took these for promises. But, when they were more strictly examined, the King saw his error: And so the sitting of the Parliament was put off.

To all these propositions the Prince and Princess, and Dykvelt in their name, answered, that they were fixed in a principle against persecution in matters of conscience: But they could not think it reasonable to let Papists in, to sit in Parliament, or to serve in Publick trusts: The restless spirit of some of that religion, and of their Clergy in particular, shewed they could not be at quiet till they were masters: And the power they had over the King's

1687.

King's spirit, in making him forget what he had promised upon his coming to the Crown, gave but too just a ground of jealousy: It appeared, that they could not bear any restraints, nor remember past services longer, than those who did them could comply in every thing, with that which was desired of them: They thought, the prerogative as limited by law was great enough: And they desired no such exorbitant power as should break thro' all laws: They feared, that such an attack upon the constitution might rather drive the Nation into a Commonwealth: They thought the surest, as well as the best way was, to govern according to law: The Church of England had given the King signal proofs of their affection and fidelity; and had complied with him in every thing, till he came to touch them in so tender a point, as the legal security they had for their religion: Their sticking to that was very natural: And the King's taking that ill from them was liable to great censure: The King, if he pleased to improve the advantages he had in his hand, might be both easy and great at home, and the arbiter of all affairs abroad: But he was prevailed on by the importunities of some restless Priests, to embroil all his affairs to serve their ends: They could never consent to abolish those laws, which were the best, and now the only fence of that religion, which they themselves believed true. This was the substance of their answers to all the pressing messages that were often repeated by D'Albeville. And upon this occasion the Princess spoke so often and with such firmness to him, that he said, she was more intractable on those matters than the Prince himself. Dykvelt told me, he argued often with the King on all these topicks: But he found him obstinately fixed in his resolution. He said, he was the head of the family, and the Prince ought to comply with him; but that he had always set himself against him. Dykvelt answered, that the

1687.

Prince could not carry his compliance so far, as to give up his religion to his pleasure; but that in all other things he had shewed a very ready submission to his will: The peace of Nimeguen, of which the King was guarantee, was openly violated in the article relating to the principality of Orange: Yet since the King did not think fit to espouse his interests in that matter, he had been silent, and had made no protestations upon it: So the King saw, that he was ready to be silent under so great an injury, and to sacrifice his own concerns, rather than disturb the King's affairs. To this the King made no answer. The Earl of Sunderland, and the rest of the Ministry, pressed Dykvelt mightily, to endeavour to bring the Prince to concur with the King. And they engaged to him, that, if that were once settled, the King would go into close measures with him against France. But he put an end to all those propositions. He said, the Prince could never be brought to hearken to them.

A letter writ by the Jesuits of Liege that discovers the King's designs.

At this time a great discovery was made of the intentions of the Court by the Jesuits of Liege, who in a letter that they wrote to their brethren at Friburg in Switzerland, gave them a long account of the Affairs of England. They told them, that the King was received into a communication of the merits of their Order: That he expressed great joy at his becoming a son of the society; and professed, he was as much concerned in all their interests, as in his own: He wished, they could furnish him with many Priests to assist him in the conversion of the Nation, which he was resolved to bring about, or to die a Martyr in endeavouring it; and that he would rather suffer death for carrying on that, than live ever so long and happy without attempting it. He said, he must make haste in this work: Otherwise, if he should die before he had compassed it, he would leave them worse than he found them. They added, among many particulars, that, when one
of

of them kneeled down to kiss his hand, he took him up, and said, since he was a Priest, he ought rather to kneel to him, and to kiss his hand. And, when one of them was lamenting that his next heir was an heretick, he said, God would provide an heir.

The Jesuits at Friburg shewed this about. And one of the Ministers, on whom they were taking some pains, and of whom they had some hopes, had got a sight of it. And he obtained leave to take a copy of it, pretending that he would make good use of it. He sent a copy of it to Heidegger, the famous Professor of Divinity at Zurich: And from him I had it. Other copies of it were likewise sent, both from Geneva and Switzerland. One of those was sent to Dykvelt; who upon that told the King, that his Priests had other designs, and were full of those hopes, that gave jealousies which could not be easily removed: And he named the Leige letter, and gave the King a copy of it. He promised to him, he would read it; and he would soon see, whether it was an imposture framed to make them more odious, or not. But he never spoke of it to him afterwards. This Dykvelt thought, was a confessing that the letter was no forgery. Thus Dykvelt's negotiation at London, and D'Albeville's at the Hague, ended without any effect on either side.

But, if his treating with the King was without success, his management of his instructions was more prosperous. He desired, that those who wished well to their religion and their country would meet together, and concert such advices and advertisements, as might be fit for the Prince to know, that he might govern himself by them. The Marquis of Halifax, and the Earls of Shrewsbury, Devonshire, Danby, and Nottingham, the Lords Mordaunt, and Lumley, Herbert and Russel among the Admirals, and the Bishop of London, were the persons chiefly trusted. And

Dykvelt's
conduct in
England.

1687. upon the advices that were sent over by them the Prince governed all his motions. They met often at the Earl of Shrewsbury's. And there they concerted matters, and drew the declaration on which they advised the Prince to engage.

A Proclamation of indulgence sent to Scotland. In this state things lay for some months. But the King resolved to go on in his design of breaking thro' the laws. He sent a Proclamation of indulgence to Scotland, in February. It set forth in the preamble, that the King had an absolute power vested in him, so that all his subjects were bound to obey him without reserve: By virtue of this power, the King repealed all the severe laws that were past in his Grandfather's name during his infancy: He with that took off all disabilities that were by any law laid on his Roman Catholick Subjects, and made them capable of all employments and benefices: He also slackened all the laws made against the moderate Presbyterians: And promised he would never force his subjects by any invincible necessity to change their religion: And he repealed all laws imposing tests on those who held any employments: Instead of which he set up a new one, by which they should renounce the principles of rebellion, and should oblige themselves to maintain the King in this his absolute power against all mortals.

Which was much censured. This was published in Scotland, to make way for that which followed it some months after in England. It was strangely drawn, and liable to much just censure. The King by this raised his power to a pitch, not only of suspending, but of repealing laws, and of enacting new ones by his own authority. His claiming an absolute power, to which all men were bound to obey without reserve, was an invasion of all that was either legal or sacred. The only precedent, that could be found for such an extraordinary pretension, was in the declaration that Philip the second of Spain sent by the Duke of Alva into the Netherlands, in which he

1687.

he founded all the authority that he committed to that bloody man, on the absolute power that rested in him. Yet in this the King went further than Philip, who did not pretend that the subjects were bound to obey without reserve. Every Prince that believes the truth of religion must confess, that there are reserves in the obedience of their subjects, in case their commands should be contrary to the laws of God. The requiring all persons that should be capable of employments to swear to maintain this, was to make them feel their slavery too sensibly. The King's promising to use "no invincible necessity" to force his subjects to change their religion, shewed that he allowed himself a very large reserve in this grace that he promised his subjects; tho' he allowed them none in their obedience. The laws that had passed during King James's minority had been often ratified by himself after he was of age, And they had received many subsequent confirmations in the succeeding reigns; and one in the King's own reign. And the test that was now taken away was past by the present King, when he represented his brother. Some took also notice of the word "moderate Presbyterians," as very ambiguous.

The Court finding that so many objections lay against this Proclamation, (as indeed it seemed penned on purpose to raise new jealousies) let it fall; and sent down another some months after, that was more cautiously worded; only absolute power was so dear to them, that it was still asserted in the new one. By it, full liberty was granted to all Presbyterians to set up Conventicles in their own way. They did all accept of it without pretending any scruples. And they magnified this, as an extraordinary stroke of Providence, that a Prince, from whom they expected an encrease of the severities under which the laws had brought them, should thus of a sudden allow them such an unconfined liberty. But they were not so blind, as

1687.

not to see what was aimed at by it. They made addressees upon it full of acknowledgments, and of protestations of loyalty. Yet, when some were sent among them, pressing them to dispose all their party to concur with the King in taking away the tests and penal laws, they answered them only in cold and general words.

A declaration for toleration in England.

In April the King set out a declaration of toleration and liberty of conscience for England. But it was drawn up in much more modest terms, than the Scotch Proclamation had been. In the preamble, the King expressed his aversion to persecution on the account of religion, and the necessity that he found of allowing his subjects liberty of conscience, in which he did not doubt of the concurrence of his Parliament: He renewed his promise of maintaining the Church of England, as it was by law established: But with this he suspended all penal and sanguinary laws in matters of religion: And, since the service of all his subjects was due to him by the laws of nature, he declared them all equally capable of employments, and suppressed all oaths or tests that limited this: In conclusion, he promised he would maintain all his subjects in all their properties, and particularly in the possession of the Abbey lands.

This gave great offence to all true patriots, as well as to the whole Church party. The King did now assume a power of repealing laws by his own authority: For though he pretended only to suspend them, yet no limitation was set to this suspension: So it amounted to a repeal, the laws being suspended for all time to come. The preamble, that pretended so much love and charity, and that condemned persecution, sounded strangely in the mouth of a Popish Prince. The King's saying that he did not doubt of the Parliament's concurring with him in this matter seemed ridiculous: For it was visible by all the prorogations, that the King was but too well assured, that the Parliament

liament would not concur with him in it. And the promise to maintain the subjects in their possessions of the Abbey lands, looked as if the design of setting up popery was thought very near being effected, since otherwise there was no need of mentioning any such thing.

Upon this a new set of addressess went round the Dissenters. And they, who had so long reproached the Church of England, as too courtly in their submissions and flatteries, seemed now to vie with them in those abject strains. Some of them, being penned by persons whom the Court had gained, contained severe reflections on the Clergy, and on their proceedings. They magnified the King's mercy and favour, and made great protestations of fidelity and gratitude. Many promised to endeavour, that such persons should be chosen to serve in Parliament, as should concur with the King in the enacting what he now granted so graciously. Few concurred in those addressess: And the persons that brought them up were mean and inconsiderable. Yet the Court was lifted up with this. The King and his Priests were delighted with these addressess out of measure: And they seemed to think that they had gained the Nation, and had now conquered those who were hitherto their most irreconcilable enemies. The King made the cruelty of the Church of England the common subject of discourse. He reproached them for setting on so often a violent persecution of the Dissenters. He said, he had intended to have set on this toleration sooner; but that he was restrained by some of them, who had treated with him, and had undertaken to shew favour to those of his religion, provided they might be still suffered to vex the Dissenters. He named the persons that had made those propositions to him. In which he suffered much in his honour: For as the persons denied the whole thing, so the freedom of discourse
in

1687.

Addressess
made up-
on it.

1687. in any such treaty, ought not to have been made use of to defame them.

The King's indignation against the Church party.

But, to carry this further, and to give a publick and an odious proof of the rigour of the Ecclesiastical Courts, the King ordered an enquiry to be made into all the vexatious suits into which Dissenters had been brought in these Courts, and into all the compositions that they had been forced to make, to redeem themselves from further trouble: which, as was said, would have brought a scandalous discovery of all the ill practices of those Courts. For the use that many that belonged to them had made of the laws with relation to the Dissenters, was, to draw presents from such of them as could make them; threatening them with a process in case they failed to do that, and upon their doing it leaving them at full liberty, to neglect the laws as much as they pleased. It was hoped at Court, that this fury against the Church would have animated the Dissenters, to turn upon the Clergy with some of that fierceness, with which they themselves had been lately treated. Some few of the hotter of the Dissenters answered their expectations. Angry speeches and virulent books were published. Yet these were disowned by the wiser men among them: And the Clergy, by a general agreement, made no answer to them. So that the matter was let fall, to the great grief of the Popish party. Some of the Bishops, that were gained by the Court, carried their compliance to a shameful pitch: For they set on addressees of thanks to the King for the promise he had made, in the late declaration of maintaining the Church of England: tho' it was visible that the intent of it was to destroy the Church. Some few were drawn into this. But the Bishop of Oxford had so ill success in his Diocese, that he got but one single Clergyman to concur with him in it. Some foolish men retained still their old peevishness.


But the far greater part of the Clergy began to open their eyes, and see how they had been engaged by ill meaning men, who were now laying by the mask, into all the fury that had been driven on for many years by a Popish party. And it was often said, that, if ever God should deliver them out of the present distress, they would keep up their domestick quarrels no more, which were so visibly and so artfully managed by our enemies to make us devour one another, and so in the end to be consumed one of another. And when some of those who had been always moderate told these, who were putting on another temper, that they would perhaps forget this as soon as the danger was over, they promised the contrary very solemnly. It shall be told afterwards, how well they remembred this. Now the Bed-chamber and Drawing-room were as full of stories to the prejudice of the Clergy, as they were formerly to the prejudice of the Dissenters. It was said, they had been loyal as long as the Court was in their interests, and was venturing all on their account; but as soon as this changed, they changed likewise.

The King, seeing no hope of prevailing on his Parliament, dissolved it; but gave it out, that he would have a new one before winter. And, the Queen being advised to go to the Bath for her health, the King resolved on a great progress thro' some of the Western Counties.

Before he set out, he resolved to give the Pope's Nuntio a solemn reception at Windsor. He apprehended some disorder might have hapned, if it had been done at London. He thought it below both his own dignity and the Pope's, not to give the Nuntio a publick audience. This was a hard point for those, who were to act a part in this ceremony; for all commerce with the See of Rome being declared high treason by law, this was believed to fall within the statute. It was so apprehended

The Parliament was dissolved.

The reception of the Pope's Nuntio.

1687.  prehended by Queen Mary. Cardinal Pool was obliged to stay in Flanders till all those laws were repealed. But the King would not stay for that. The Duke of Somerfet, being the Lord of the Bed-chamber then in waiting, had advised with his lawyers: And they told him, he could not safely do the part that was expected of him in the audience. So he told the King that he could not serve him upon that occasion; for he was assured it was against the law. The King asked him, if he did not know that he was above the law. The other answered, that, whatever the King might be, he himself was not above the law. The King expressed a high displeasure, and turned him out of all employments. The ceremony past very heavily: And the compliment was pronounced with so low a voice, that no person could hear it; which was believed done by concert.

The King made a progress through mary parts of England.

When this was over, the King set out for his progress, and went from Salisbury all round as far as to Chester. In the places thro' which the King past, he saw a visible coldness both in the Nobility and Gentry, which was not easily born by a man of his temper. In many places they pretended occasions to go out of their countries. Some staid at home. And those who waited on the King seemed to do it rather out of duty and respect, than with any cordial affection. The King on his part was very obliging to all that came near him, and most particularly to the Dissenters, and to those who had passed long under the notion of Commonwealth's men. He looked very graciously on all that had been of the Duke of Monmouth's party. He addressed his discourse generally to all sorts of people. He ran out on the point of liberty of conscience: He said, this was the true secret of the greatness and wealth of Holland. He was well pleased to hear all the ill-natured stories that were brought him of the violencies committed of late, either by the Justices of Peace, or by the Clergy.

1687.

Clergy. He every where recommended to them the choosing such Parliament men, as would concur with him in settling this liberty as firmly as the Magna Charta had been: And to this he never forgot to add the taking away the Tests. But he received such cold and general answers, that he saw, he could not depend on them. The King had designed to go thro' many more places: But the small success he had in those which he visited made him shorten his progress. He went and visited the Queen at the Bath, where he staid only a few days, two or three at most: And she continued on in her course of bathing. Many books were now writ for liberty of conscience: And, since all people saw what security the Tests gave, these spoke of an equivalent to be offered, that should give a further security, beyond what could be pretended from the Tests. It was never explained what was meant by this: So it was thought an artificial method to lay men asleep with a high sounding word. Some talked of new laws to secure civil liberty, which had been so much shaken by the practices of these last years, ever since the Oxford Parliament. Upon this a very extravagant thing was given out, that the King was resolved to set up a sort of a Commonwealth: And the Papists began to talk every where very high for publick liberty, trying by that to recommend themselves to the Nation.

When the King came back from his progress, he resolved to change the Magistracy in most of the cities of England. He began with London. He not only changed the Court of Aldermen, but the government of many of the Companies of the City: For great powers had been reserved in the new Charters that had been given, for the King to put in and to put out at pleasure: But it was said at the granting them, that these clauses were put in only to keep them in a due dependence on the Court, but that they should not be made use of, unless

A change of the Magistracy in London and over England.

great

1687. great provocation was given. Now all this was executed with great severity and contempt. Those, who had stood up for the King during the debates about the Exclusion, were now turned out with disgrace: And those who had appeared most violently against him were put in the Magistracy, who took liberties now in their turn to insult their neighbours. All this turned upon the King, who was so given up to the humours of his Priests, that he sacrificed both his honour and gratitude as they dictated. The new men, who were brought in, saw this too visibly to be much wrought on by it.

The King threw off his old party in too outrageous a manner ever to return to them again. But he was much surpris'd to find that the new Mayor and Aldermen took the Test, and ordered the observation of Gunpowder-treason day to be continued. When the Sheriffs came according to custom, to invite the King to the Lord Mayor's feast, he commanded them to go and invite the Nuntio; which they did. And he went upon the invitation, to the surprize of all who saw it. But the Mayor and Aldermen disowned the invitation; and made an entry of it in their books, that the Nuntio came without their knowledge. This the King took very ill. And upon it he said, he saw the Dissenters were an ill-natured sort of people, that could not be gained. The King signified to the Lord Mayor, that he might use what form of worship he liked best in Guildhall Chapel. The design in this was to engage the Dissenters to make the first change from the established worship: And, if a Presbyterian Mayor should do this in one year, a Popish Mayor might do it in another. But the Mayor put the decision of this, upon persons against whom the Court could have no exception. He sent to those, to whom the governing of the Diocese of London was committed during the suspension, and asked their opinion in it; which they could

1687.

could not but give in behalf of the established worship: And they added, that the changing it was against law. So this project miscarried: And the Mayor, tho' he went sometimes to the meetings of the Dissenters, yet he came often to Church, and behaved himself more decently than was expected of him.

This change in the City not succeeding as the Court had expected, did not discourage them from appointing a Committee to examine the Magistracy in the other Cities, and to put in or out as they saw cause for it. Some were putting the Nation in hope, that the old Charters were to be restored. But the King was so far from that, that he was making every day a very arbitrary use of the power of changing the Magistracy, that was reserved in the new Charters. These Regulators, who were for most part Dissenters gained by the Court, went on very boldly; and turned men out upon every story that was made of them, and put such men in their room as they confided in. And in these they took their measures often so hastily, that men were put in one week, and turned out the other.

After this the King sent orders to the Lords Lieutenants of the Counties, to examine the Gentlemen and Freeholders upon three questions. The first was, whether, in case they should be chosen to serve in Parliament, they would consent to repeal the penal laws, and those for the Tests. The second was, whether they would give their vote for choosing such men as would engage to do that. And the third was, whether they would maintain the King's declaration. In most of the Counties the Lord Lieutenants put those questions in so careless a manner, that it was plain they did not desire they should be answered in the affirmative. Some went further, and declared themselves against them. And a few of the more resolute refused to put them. They said, this was the prelimiting
and

Questions
put about
elections
of Par-
liaments.

1687.

and packing of a Parliament, which in its nature was to be free, and under no previous engagement. Many Counties answered very boldly in the negative: And others refused to give any answer, which was understood to be equivalent to a negative. The Mayor and most of the new Aldermen of London refused to answer. Upon this many were turned out of all Commissions.

This, as all the other artifices of the Priests, had an effect quite contrary to what they promised themselves from it: For those who had resolved to oppose the Court were more encouraged than ever, by the discovery now made of the sense of the whole Nation in those matters. Yet such care was taken in naming the Sheriffs and Mayors, that were appointed for the next year, that it was believed that the King was resolved to hold a Parliament within that time, and to have such a House of Commons returned, whether regularly chosen or not, as should serve his ends.

It was concluded, that the King would make use both of his power and of his troops, either to force elections, or to put the Parliament under a force when it should meet: For it was so positively said, that the King would carry his point, and there was so little appearance of his being able to do it in a fair and regular way, that it was generally believed, some very desperate resolution was now taken up. His Ministers were now so deeply engaged in illegal things, that they were very uneasy, and were endeavouring either to carry on his designs with success, so as to get all settled in a body, that should carry the face and appearance of a Parliament, or at least to bring him to let all fall, and to come into terms of agreement with his people; in which case, they reckoned, one article would be an indemnity for all that had been done.

The King was every day saying, that he was King, and he would be obeyed, and would make those


1687.

those who opposed him feel that he was their King: And he had both Priests and flatterers about him, that were still pushing him forward. All men grew melancholly with this sad prospect. The hope of the true Protestants was in the King's two daughters; chiefly on the eldest, who was out of his reach, and was known to be well instructed, and very zealous in matters of religion. The Princess Anne was still very stedfast and regular in her devotions, and was very exemplary in the course of her life. But, as care had been taken to put very ordinary Divines about her for her Chaplains, so she had never pursued any study in those points with much application. And, all her Court being put about her by the King and Queen, she was beset with spies. It was therefore much apprehended, that she would be strongly assaulted, when all other designs should so far succeed as to make that seasonable. In the mean while she was let alone by the King, who was indeed a very kind and indulgent Father to her. Now he resolved to make his first attack on the Princess of Orange. D'Albeville went over to England in the summer, and did not come back before the twenty fourth of December, Christmas Eve. And then he gave the Princess a letter from the King, bearing date the fourth of November. He was to carry this letter: And his dispatches being put off longer than was intended, that made this letter come so late to her.

The King wrote to the Princess of Orange about religion.

The King took the rise of his letter from a question she had put to D'Albeville, desiring to know what were the grounds upon which the King himself had changed his religion. The King told her, he was bred up in the doctrine of the Church of England by Dr. Stewart, whom the King his father had put about him; in which he was so zealous, that when he perceived the Queen his Mother had a design upon the Duke of Gloucester, tho' he preserved still the respect that he owed her, yet he took care to prevent it. All the while that

1687. he was beyond sea, no Catholick, but one Nun, had ever spoken one word to persuade him to change his religion: And he continued for the most part of that time firm to the doctrine of the Church of England. He did not then mind those matters much: And, as all young people are apt to do, he thought it a point of honour not to change his religion. The first thing that raised scruples in him was, the great devotion that he had observed among Catholicks: He saw they had great helps for it: They had their Churches better adorned, and did greater acts of charity, than he had ever seen among Protestants. He also observed, that many of them changed their course of life, and became good Christians, even tho' they continued to live still in the world. This made him first begin to examine both religions. He could see nothing in the three reigns in which religion was changed in England, to incline him to believe that they who did it were sent of God. He read the history of that time, as it was writ in the Chronicle. He read both Dr. Heylin, and Hooker's preface to his Ecclesiastical Policy, which confirmed him in the same opinion. He saw clearly, that Christ had left an infallibility in his Church, against which "the gates of Hell cannot prevail:" And it appeared that this was lodged with St. Peter from our Saviour's words to him, St. Mat. xvi. ver. 18. Upon this the certainty of the Scriptures, and even of Christianity itself, was founded. The Apostles acknowledged this to be in St. Peter, Acts xv. when they said, "It seemed good to the Holy Ghost and to us." It was the Authority of the Church that declared the Scriptures to be Canonical: And certainly they who declared them could only interpret them: And where ever this infallibility was, there must be a clear succession. The point of the infallibility being once settled, all other controversies must needs fall. Now the Roman Church was the only Church that either has

1687. 

infallibility, or that pretended to it. And they who threw off this authority did open a door to Atheism and Infidelity, and took people off from true devotion, and set even Christianity itself loose to all that would question it, and to Socinians and Latitudinarians who doubted of every thing. He had discoursed of these things with some Divines of the Church of England; but had received no satisfaction from them. The Christian Religion gained its credit by the miracles which the Apostles wrought, and by the holy lives and sufferings of the Martyrs, whose blood was the seed of the Church. Whereas Luther and Calvin, and those who had set up the Church of England, had their heads fuller of temporal matters than of spiritual, and had let the world loose to great disorders. Submission was necessary to the peace of the Church. And when every man will expound the Scriptures, this makes way to all sects, who pretend to build upon it. It was also plain, that the Church of England did not pretend to infallibility: Yet she acted as if she did: For ever since the Reformation she had persecuted those who differed from her, Dissenters as well as Papists, more than was generally known. And he could not see why Dissenters might not separate from the Church of England, as well as she had done from the Church of Rome. Nor could the Church of England separate herself from the Catholick Church, any more than a County of England could separate itself from the rest of the Kingdom. This, he said, was all that his leisure allowed him to write. But he thought that these things, together with the King his brother's papers, and the Dutchess's papers, might serve, if not to justify the Catholick Religion to an unbiassed judgment, yet at least to create a favourable opinion of it.

I read this letter in the original: For the Prince sent it to me together with the Princess's answer, but with a charge not to take a copy of either, but

1687.



to read them over as often as I pleased; which I did till I had fixed both pretty well in my memory. And, as soon as I had sent them back, I sat down immediately to write out all that I remembered, which the Princess owned to me afterwards, when she read the abstracts I made, were punctual almost to a tittle. It was easy for me to believe that this letter was all the King's enditing; for I had heard it almost in the very same words from his own mouth. The letter was writ very decently, and concluded very modestly. The Princess received this letter, as was told me, on the twenty fourth of December at night. Next day being Christmas day, she received the Sacrament, and was during the greatest part of the day in publick devotions: Yet she found time to draw first an answer, and then to writ it out fair: And she sent it by the post on the twenty sixth of December. Her draught, which the Prince sent me, was very little blotted or altered. It was long, about two sheets of paper: For as an answer runs generally out into more length than the paper that is to be answered, so the strains of respect, with which her letter was full, drew it out to a greater length.

Which
she an-
swered.

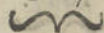
She began with answering another letter that she had received by the post; in which the King had made an excuse for failing to write the former post day. She was very sensible of the happiness of hearing so constantly from him: For no difference in religion could hinder her from desiring both his blessing and his prayers, tho' she was ever so far from him. As for the paper that M. Albeville delivered her, he told her, that his Majesty would not be offended, if she wrote her thoughts freely to him upon it.

She hoped, he would not look on that as want of respect in her. She was far from sticking to the religion in which she was bred out of a point of honour: for she had taken much pains to be settled in it upon better grounds. Those of the Church
of

of England who had instructed her, had freely laid before her that which was good in the Romish Religion, that so, seeing the good and the bad of both, she might judge impartially; according to the Apostle's rule of "proving all things, and holding fast that which was good." Tho' she had come young out of England, yet she had not left behind her either the desire of being well informed, or the means for it. She had furnished herself with books, and had those about her who might clear any doubts to her. She saw clearly in the Scriptures, that she must work her own salvation with fear and trembling, and that she must not believe by the faith of another, but according as things appeared to herself. It ought to be no prejudice against the Reformation, if many of those who professed it led ill lives. If any of them lived ill, none of the principles of their religion allowed them in it. Many of them led good lives, and more might do it by the grace of God. But there were many devotions in the Church of Rome, on which the Reformed could set no value.

She acknowledged, that, if there was an infallibility in the Church, all other controversies must fall to the ground. But she could never yet be informed where that infallibility was lodged: Whether in the Pope alone, or in a General Council, or in both. And she desired to know in whom the infallibility rested, when there were two or three Popes at a time, acting one against another, with the assistance of Councils, which they called General: And at least the succession was then much disordered. As for the authority that is pretended to have been given to St. Peter over the rest, that place which was chiefly alledged for it was otherwise interpreted by those of the Church of England, as importing only the confirmation of him in the office of an Apostle, when in answer to that question, "Simon, son of Jonas, lovest thou me," he had by a triple confession

1687.



washed off his triple denial. The words that the King had cited were spoken to the other Apostles, as well as to him. It was agreed by all, that the Apostles were infallible, who were guided by God's holy Spirit. But that gift, as well as many others, had ceased long ago. Yet in that St. Peter had no authority over the other Apostles: Otherwise St. Paul understood our Saviour's words ill, who "withstood him to his face, because he was to be blamed." And if St. Peter himself could not maintain that authority, she could not see how it could be given to his successors, whose bad lives agreed ill with his doctrine.

Nor did she see, why the ill use that some made of the Scriptures ought to deprive others of them. It is true, all sects made use of them, and find somewhat in them that they draw in to support their opinions: Yet for all this our Saviour said to the Jews, "search the Scriptures;" and St. Paul ordered his epistles to be read to all the Saints in the Churches; and he says in one place, "I write as to wisemen, judge what I say." And if they might judge an Apostle, much more any other teacher. Under the law of Moses, the Old Testament was to be read, not only in the hearing of the Scribes and the Doctors of the law; but likewise in the hearing of the women and children. And since God had made us reasonable creatures, it seemed necessary to employ our reason chiefly in the matters of the greatest concern. Tho' faith was above our reason, yet it proposed nothing to us that was contradictory to it. Every one ought to satisfy himself in these things: As our Saviour convinced Thomas, by making him to thrust his own hand into the print of the nails, not leaving him to the testimony of the other Apostles, who were already convinced. She was confident, that, if the King would hear many of his own subjects, they would fully satisfy him as to all those prejudices, that he had at the Reformation; in which
nothing

nothing was acted tumultuously, but all was done according to law. The design of it was only, to separate from the Roman Church, in so far as it had separated from the primitive Church: In which they had brought things to as great a degree of perfection, as those corrupt ages were capable of. She did not see, how the Church of England could be blamed for the persecution of the Dissenters: For the laws made against them were made by the State, and not by the Church: And they were made for crimes against the State. Their enemies had taken great care to foment the division, in which they had been but too successful. But, if he would reflect on the grounds upon which the Church of England had separated from the Church of Rome, he would find them to be of a very different nature from those, for which the Dissenters had left it.

Thus, she concluded, she gave him the trouble of a long account of the grounds upon which she was persuaded of the truth of her religion: In which she was so fully satisfied, that she trusted by the grace of God that she should spend the rest of her days in it: And she was so well assured of the truth of our Saviour's words, that she was confident the gates of hell should not prevail against it, but that he would be with it to the end of the world. All ended thus, that the religion which she professed taught her her duty to him, so that she should ever be his most obedient daughter and servant.

To this the next return of the post brought an answer from the King, which I saw not. But the account that was sent me of it was: The King took notice of the great progress he saw the Princess had made in her enquiries after those matters: The King's business did not allow him the time that was necessary to enter into the detail of her letter: He desired, she would read those books that he had mentioned to her in his former letters, and some others

1687.

that he intended to fend her: And, if ſhe deſired to be more fully ſatisfied, he propoſed to her to diſcourſe about them with F. Morgan, an Engliſh Jeſuit then at the Hague.

Reflections on theſe letters.

I have ſet down very minutely every particular that was in thoſe letters, and very near in the ſame words. It muſt be confeſſed, that perſons of this Quality ſeldom enter into ſuch a diſcuſſion. The King's letter contained a ſtudied account of the change of his religion, which he had repeated often: And it was perhaps prepared for him by ſome others. There were ſome things in it, which, if he had made a little more reflection on them, it may be ſuppoſed he would not have mentioned. The courſe of his own life was not ſo ſtrict, as to make it likely that the good lives of ſome Papiſts had made ſuch impreſſions upon him. The eaſy abſolutions that are granted in that Church are a much juſter prejudice in this reſpect againſt it, than the good lives of a few can be ſuppoſed to be an argument for it. The adorning their Churches, was a reflection that did no great honour to him that made it. The ſeverities uſed by the Church of England, againſt the Diſſenters, were urged with a very ill grace by one of the Church of Rome, that has delighted herſelf ſo often by being, as it were, bathed with the blood of thoſe they call hereticks: And, if it had not been for the reſpect that a daughter paid her father, here greater advantages might have been taken. I had a high opinion of the Princeſs's good underſtanding, and of her knowledge in thoſe matters, before I ſaw this letter: But this ſurprized me. It gave me an aſtoniſhing joy, to ſee ſo young a perſon all on the ſudden, without conſulting any one perſon, to be able to write ſo ſolid and learned a letter, in which ſhe mixed with the reſpect that ſhe paid a father ſo great a firmneſs, that by it ſhe cut off all further treaty. And her repulſing the attack, that the King made upon her, with ſo much reſolution and force, did let the Popiſh

lish party see, that she understood her religion as well as she loved it. 1687.

But now I must say somewhat of myself: After I had staid a year in Holland, I heard from many hands, that the King seemed to forget his own greatness when he spoke of me, which he took occasion to do very often. I had published some account of the short Tour I had made, in several letters; in which my chief design was to expose both Popery and Tyranny. The book was well received, and was much read: And it raised the King's displeasure very high.

A prosecution set on against me.

My continuing at the Hague made him conclude, that I was managing designs against him. And some papers in single sheets came out, reflecting on the proceedings of England, which seemed to have a considerable effect on those who read them. These were printed in Holland: And many copies of them were sent into all the parts of England. All which inflamed the King the more against me; for he believed they were writ by me, as indeed most of them were. But that which gave the crisis to the King's anger was, that he heard I was to be married to a considerable fortune at the Hague. So a project was formed to break this, by charging me with high treason for corresponding with Lord Argile, and for conversing with some that were outlawed for high treason.

The King ordered a letter to be writ in his name to his Advocate in Scotland, to prosecute me for some probable thing or other; which was intended only to make a noise, not doubting but this would break the intended marriage. A ship coming from Scotland the day in which this prosecution was ordered, that had a quick passage, brought me the first news of it, long before it was sent to D'Albeville. So I petitioned the States, who were then sitting, to be naturalized in order to my intended marriage. And this past of course, without the least difficulty; which perhaps might have been made,

1687.

made, if this prosecution, now begun in Scotland, had been known. Now I was legally under the protection of the States of Holland. Yet I writ a full justification of myself, as to all particulars laid to my charge, in some letters that I sent to the Earl of Middleton. But in one of these I said, that, being now naturalized in Holland, my allegiance was, during my stay in these parts, transferred from his Majesty to the States. I also said in another letter, that, if upon my non-appearance a sentence should pass against me, I might be perhaps forced to justify myself, and to give an account of the share that I had in affairs these twenty years past: In which I might be led to mention some things, that I was afraid would displease the King: And therefore I should be sorry, if I were driven to it.

Now the Court thought they had somewhat against me: For they knew they had nothing before. So the first citation was let fall, and a new one was ordered on these two accounts. It was pretended to be high treason, to say my allegiance was now transferred: And it was set forth, as a high indignity to the King, to threaten him with writing a history of the transactions past these last twenty years. The first of these struck at a great point, which was a part of the law of Nations. Every man that was naturalized took an oath of allegiance to the Prince or State that naturalized him. And, since no man can serve two masters, or be under a double allegiance, it is certain, that there must be a transfer of allegiance, at least during the stay in the country where one is so naturalized.

This matter was kept up against me for some time, the Court delaying proceeding to any sentence for several months. At last a sentence of outlawry was given: And upon that Albeville said, that, if the States would not deliver me up, he would find such instruments as should seize on me, and carry me away forcibly. The methods he named of doing this were very ridiculous. And he spoke of it

to so many persons, that I believed his design was rather to frighten me, than that he could think to effect them. Many overtures were made to some of my friends in London, not only to let this prosecution fall, but to promote me, if I would make myself capable of it. I entertained none of these. I had many stories brought me of the discourses among some of the brutal Irish, then in the Dutch service. But, I thank God, I was not moved with them. I resolved to go on, and to do my duty, and to do what service I could to the publick, and to my Country: And resigned myself up entirely to that Providence, that had watched over me to that time with an indulgent care, and had made all the designs of my enemies against me turn to my great advantage.

1687.

I come now to the year 1688, which proved memorable, and produced an extraordinary and unheard-of Revolution. The year in this Century made all people reflect on the same year in the former Century, in which the power of Spain received so great a check, that the decline of that Monarchy began then; and England was saved from an invasion, that, if it had succeeded as happily as it was well laid, must have ended in the absolute conquest and utter ruin of the Nation. Our books are so full of all that related to that Armada, boasted to be invincible, that I need add no more to so known and so remarkable a piece of our history. A new eighty eight raised new expectations, in which the surprizing events did far exceed all that could have been looked for.

1688.

I begin the year with Albeville's negotiation after his coming to the Hague. He had before his going over given in a threatening memorial upon the business of Bantam, that looked like a prelude to a declaration of war; for he demanded a present answer, since the King could no longer bear the injustice done him in that matter, which

Albeville's memorial to the States.

was

1688. was fet forth in very high words. He fent this memorial to be printed at Amfterdam, before he had communicated it to the States. The chief effect that this had was, that the Actions of the Company did fink for fome days. But they rofe foon again: And by this it was faid, that Albeville himfelf made the greateft gain. The Eaft-India fleet was then expected home every day. So the Merchants, who remembered well the bufinefs of the Smirna fleet in the year feventy two, did apprehend that the King had fent a fleet to intercept them, and that this memorial was intended only to prepare an apology for that breach, when it fhould happen: But nothing of that fort followed upon it. The States did anfwer this memorial with another, that was firm, but more decently expreffed: By their laft treaty with England it was provided, that, in cafe any difputes fhould arife between the Merchants of either fide, Commiffioners fhould be named on both fides to hear and judge the matter: The King had not yet named any of his fide: So that the delay lay at his door: They were therefore amazed to receive a memorial in fo high a ftrain, fince they had done all that by the treaty was incumbent on them. Albeville after this gave in another memorial, in which he defired them to fend over Commiffioners for ending that difpute. But, tho' this was a great fall from the height in which the former memorial was conceived, yet in this the thing was fo ill apprehended, that the Dutch had reafon to believe that the King's Minifters did not know the treaty, or were not at leifure to read it: For, according to the treaty, and the prefent pofture of that bufinefs, the King was obliged to fend over Commiffioners to the Hague to judge of that affair. When this memorial was anfwered, and the treaty was examined, the matter was let fall.

Albeville's next negotiation related to myfelf. I had printed a paper in juftification of myfelf, together with my letters to the Earl of Middleton. And he

he in a memorial complained of two passages in that paper. One was, that I said it was yet too early to persecute men for religion, and therefore crimes against the State were pretended by my enemies: This, he said, did insinuate, that the King did in time intend to persecute for religion. The other was, that I had put in it an intimation, that I was in danger by some of the Irish Papists. This, he said, was a reflection on the King, who hated all such practices. And to this he added, that by the laws of England all the King's subjects were bound to seize on any person, that was condemned in his Courts, in what manner soever they could: And therefore he desired, that both I and the printer of that paper might be punished. But now upon his return to the Hague, I being outlawed by that time, he demanded, that, in pursuance of an article of the treaty that related to rebels or fugitives, I might be banished the Provinces. And to this he craved once and again a speedy answer.

I was called before the Deputies of the States of Holland, that I might answer the two memorials that lay before them relating to myself. I observed the difference between them. The one desired, that the States would punish me, which did acknowledge me to be their Subject. The other, in contradiction to that, laid claim to me as the King's rebel. As to the particulars complained of, I had made no reflection on the King; but to the contrary. I said, my enemies found it was not yet time to persecute for religion. This insinuated, that the King could not be brought to it. And no person could be offended with this, but he who thought it was now not too early to persecute. As to that of the danger in which I apprehended myself to be in, I had now more reason than before to complain of it, since the Envoy had so publickly affirmed, that every one of the King's subjects might seize on any one that was condemned, in what manner soever they could, which was either dead or alive. I was now the sub-
ject

1688.

ject of the States of Holland, naturalized in order to a marriage among them, as they all knew: And therefore I claimed their protection. So, if I was charged with any thing that was not according to law, I submitted myself to their justice. I should decline no trial, nor the utmost severity, if I had offended in any thing. As for the two memorials that claimed me as a fugitive and a rebel, I could not be looked on as a fugitive from Scotland. It was now fourteen years since I had left that Kingdom, and three since I came out of England with the King's leave. I had lived a year in the Hague openly; and nothing was laid to my charge. As for the sentence that was pretended to be past against me, I could say nothing to it, till I saw a copy of it.

The States answer to what related to me.

The States were fully satisfied with my answers; and ordered a memorial to be drawn according to them. They also ordered their Ambassador to represent to the King that he himself knew how sacred a thing naturalization was. The faith and honour of every State was concerned in it. I had been naturalized upon marrying one of their subjects, which was the justest of all reasons. If the King had any thing to lay to my charge, justice should be done in their Courts. The King took the matter very ill; and said, it was an affront offered him, and a just cause of war. Yet, after much passion, he said, he did not intend to make war upon it; for he was not then in a condition to do it. But he knew there were designs against him, to make war on him, against which he should take care to secure himself: And he should be on his guard. The Ambassador asked him, of whom he meant that. But he did not think fit to explain himself further. He ordered a third memorial to be put in against me, in which the article of the treaty was set forth: But no notice was taken of the answers made to that by the States: But it was insisted on, that, since the States were bound not to give sanctuary to fugitives and

and rebels, they ought not to examine the grounds on which such judgments were given, but were bound to execute the treaty. Upon this it was observed, that the words in treaties ought to be explained according to their common acceptation, or the sense given them in the civil law, and not according to any particular forms of Courts, where for non-appearance a writ of outlawry or rebellion might lie: The sense of the word Rebel in common use was, a man that had born arms, or had plotted against his Prince: And a fugitive was a man that fled from justice. The heat with which the King seemed inflamed against me, carried him to say and do many things that were very little to his honour.

I had advertisements sent me of a further progress in his designs against me. He had it suggested to him, that, since a sentence was past against me for non-appearance, and the States refused to deliver me up, he might order private persons to execute the sentence as they could: And it was writ over very positively, that 5000 l. would be given to any one that should murder me. A Gentleman of an unblemished reputation writ me word, that he himself by accident saw an order drawn in the Secretaries Office, but not yet signed, for 3000 l. to a blank person that was to seize or destroy me. And he also affirmed, that Prince George had heard of the same thing, and had desired the person to whom he trusted it to convey the notice of it to me: And my author was employed by that person to send the notice to me. The King asked Jefferies, what he might do against me in a private way, now that he could not get me into his hands. Jefferies answered, he did not see how the King could do any more than he had done. He told this to Mr. Kirk to send it to me: For he concluded, the King was resolved to proceed to extremities, and only wanted the opinion of a man of the law to justify a more violent method. I

Other designs against me.

had

1688. had so many different advertisements sent me of this, that I concluded a whisper of such a design might have been set about, on design to frighten me into some mean submission, or into silence at least. But it had no other effect on me, but that I thought fit to stay more within doors, and to use a little more than ordinary caution. I thank God, I was very little concerned at it. I resigned up my life very freely to God. I knew my own innocence, and the root of all the malice that was against me. And I never possessed my own soul in a more perfect calm, and in a clearer cheerfulness of spirit, than I did during all those threatenings, and the apprehensions that others were in concerning me.

Pensioner
Fagel's
letter.

Soon after this a letter writ by Fagel the Pensioner of Holland was printed: Which leads me to look back a little into a transaction that passed the former year. There was one Steward, a lawyer of Scotland, a man of great parts, and of as great ambition. He had given over the practice of the law, because all that were admitted to the bar in Scotland were required to renounce the Covenant, which he would not do. This recommended him to the confidence of that whole party. They had made great use of him, and trusted him entirely. Pen had engaged him, who had been long considered by the King, as the chief manager of all the rebellions and plots, that had been on foot these twenty years past, more particularly of Argile's, to come over: And he undertook, that he should not only be received into favour, but into confidence. He came, before he crossed the Seas, to the Prince, and promised an inviolable fidelity to him, and to the common interests of religion and liberty. He had been oft with the Pensioner, and had a great measure of his confidence. Upon his coming to Court, he was caressed to a degree that amazed all who knew him. He either believed, that the King was sincere in
the

the professions he made, and that his designs went no further, than to settle a full liberty of conscience: Or he thought, that it became a man who had been so long in disgrace, not to shew any jealousies at first, when the King was so gracious to him. He undertook to do all that lay in his power to advance his designs in Scotland, and to represent his intentions so at the Hague, as might incline the Prince to a better opinion of them.

1688.



He opened all this in several letters to the Pensioner. And in these he pressed him vehemently, in the King's name, and by his direction, to persuade the Prince to concur with the King in procuring the laws to be repealed. He laid before him the inconsiderable number of the Papists: So that there was no reason to apprehend much from them. He also enlarged on the severities that the penal laws had brought on the Dissenters. The King was resolved not to consent to the repealing them, unless the Tests were taken away with them: So that the refusing to consent to this might at another time bring them under another severe prosecution. Steward, after he had writ many letters to this purpose without receiving any answers, tried if he could serve the King in Scotland with more success, than it seemed he was like to have at the Hague. But he found there, that his old friends were now much alienated from him, looking on him as a person entirely gained by the Court.

The Pensioner laid all his letters before the Prince. They were also brought to me. The Prince upon this thought, that a full answer made by Fagel, in such a manner as that it might be published as a declaration of his intentions, might be of service to him in many respects; chiefly in Popish Courts, that were on civil accounts inclined to an alliance against France, but were now possessed with an opinion of the Prince, and of his party in England, as designing nothing but

1688. the ruin and extirpation of all the Papists in those Kingdoms. So the Pensioner wrote a long answer to Steward, which was put in English by me.

He began it with great assurances of the Prince and Princess's duty to the King. They were both of them much against all persecution on the account of religion. They freely consented to the covering Papists from the severities of the laws made against them, on the account of their religion, and also that they might have the free exercise of it in private. They also consented to grant a full liberty to Dissenters. But they could not consent to the repeal of those laws, that tended only to the securing the Protestant religion; such as those concerning the Tests, which imported no punishment, but only an incapacity of being in publick employments, which could not be complained of as great severities. This was a caution observed in all Nations, and was now necessary, both for securing the publick peace and the established religion. If the numbers of the Papists were so small as to make them inconsiderable, then it was not reasonable to make such a change for the sake of a few. And if those few, that pretended to publick employments, would do all their own party so great a prejudice, as not to suffer the King to be content with the repeal of the penal laws, unless they could get into the offices of trust, then their ambition was only to be blamed, if the offers now made were not accepted. The matter was very strongly argued thro' the whole letter: And the Prince and Princess's zeal for the Protestant Religion was set out in terms, that could not be very acceptable to the King. The letter was carried by Steward to the King, and was brought by him into the Cabinet Council. But nothing followed then upon it. The King ordered Steward to write back, that he would either have all or nothing. All the Lay-Papists of England,

1688.

England, who were not engaged in the intrigues of the Priests, pressed earnestly that the King would accept of the repeal of the penal laws; which was offered, and would have made them both easy and safe for the future. The Emperor was fully satisfied with what was offered; and promised to use his interest at Rome, to get the Pope to write to the King to accept of this, as a step to the other: But I could not learn whether he did it, or not. If he did, it had no effect. The King was in all points governed by the Jesuits, and the French Embassador.

Father Petre, as he had been long in the confidence, was now brought to the Council board, and made a Privy Counsellor: And it was given out, that the King was resolved to get a Cardinal's Cap for him, and to make him Archbishop of York. The Pope was still firm to his resolution against it. But it was hoped, that the King would conquer it, if not in the present, yet at furthest in the next Pontificate. The King resolved at the same time not to disgust the Secular Priests: So Bishop Leyburny, whom Cardinal Howard had sent over with the Episcopal character, was made much use of in appearance, tho' he had no great share in the counsels. There was a faction formed between the Seculars and the Jesuits, which was sometimes near breaking out into an open rupture. But the King was so partial to the Jesuits, that the others found they were not on equal terms with them. There were three other Bishops consecrated for England. And these four were ordered to make a progress and circuit over England, confirming, and doing other Episcopal offices, in all the parts of England. Great numbers gathered about them, wheresoever they went.

The Jesuits thought all was sure, and that their scheme was so well laid that it could not miscarry. And they had so possessed that contemptible tool of theirs, Albeville, with this, that he seemed up-

Father
Petre
made a
Privy
Counsellor.

The confidence of
the Jesuits.

1688. on his return to the Hague to be so sanguine, that he did not stick to speak out, what a wiser man would have suppressed tho' he had believed it. One day, when the Prince was speaking of the promises the King had made, and the oath that he had sworn to maintain the laws and the established Church, he, instead of pretending that the King still kept his word, said, upon some occasions Princes must forget their promises. And, when the Prince said, that the King ought to have more regard to the Church of England, which was the main body of the Nation, Albeville answered, that the body which he called the Church of England would not have a being two years to an end. Thus he spoke out the designs of the Court, both too early and too openly. But at the same time he behaved himself in all other respects so poorly, that he became the jest of the Hague. The foreign Ministers, Mr. D'Avaux the French Ambassador not excepted, did not know how to excuse or bear with his weakness, which appeared on all occasions and in all companies.

The Pensioner's letter was printed.

What he wrote to England upon his first audiences was not known. But it was soon after spread up and down the Kingdom, very artificially and with much industry, that the Prince and Princess had now consented to the repeal of the Tests, as well as of the penal laws. This was writ over by many hands to the Hague. The Prince, to prevent the ill effects that might follow on such reports, gave orders to print the Pensioner's letter to Steward; which was sent to all the parts of England, and was received with an universal joy. The Dissenters saw themselves now safe in his intentions towards them. The Church party was confirmed in their zeal for maintaining the Tests. And the Lay-Papists seemed likewise to be so well pleased with it, that they complained of those ambitious Priests, and hungry Courtiers, who were resolved,

resolved, rather than lay down their aspirings and other projects, to leave them still exposed to the severities of the laws, tho' a freedom from these was now offered to them. But it was not easy to judge, whether this was sincerely meant by them, or if it was only a popular art, to recommend themselves under such a moderate appearance. The Court saw the hurt that this letter did them. At first they hoped to have stifled it by calling it an imposture. But when they were driven from that, the King began to speak severely and indecently of the Prince, not only to all about him, but even to foreign Ministers: And resolved to put such marks of his indignation upon him, as should let all the world see how deep it was.

There were six Regiments of the King's subjects, three English and three Scotch, in the service of the States. Some of them were old Regiments, that had continued in their service during the two wars in the late King's reign. Others were raised since the peace in seventy three. But these came not into their service under any capitulation, that had reserved an authority to the King to call for them at his pleasure. When Argile and Monmouth made their invasion, the King desired that the States would lend them to him. Some of the towns of Holland were so jealous of the King, and wished Monmouth's success so much, that the Prince found some difficulty in obtaining the consent of the States to send them over. There was no distinction made among them between Papists and Protestants, according to a maxim of the States with relation to their armies: So there were several Papists in those Regiments. And the King had shewed such particular kindness to these, while they were in England, that at their return they formed a faction which was breeding great distractions among them. This was very uneasy to the Prince, who began to see that he might have occasion to make use of those bodies,

The King asked the Regiments of his subjects in the State's service.

1688. if things should be carried to a rupture between the King and him: And yet he did not know how he could trust them, while such Officers were in command. He did not see neither, how he could get rid of them well. But the King helped him out of that difficulty: He wrote to the States, that he had occasion for the six Regiments of his subjects that were in their service, and desired that they should be sent over to him.

Which was refused, but the Officers had leave to go.

This demand was made all of the sudden, without any previous application to any of the States, to dispose them to grant it, or to many of the Officers to persuade them to ask their Congè to go over. The States pretended the Regiments were theirs: They had paid levy money for them, and had them under no capitulation: So they excused themselves, that they could not part with them. But they gave orders, that all the Officers that should ask their Congè, should have it. Thirty or forty came and asked, and had their Congè. So now the Prince was delivered from some troublesome men by this management of the King's. Upon that, these bodies were so modeled, that the Prince knew, that he might depend entirely on them: And he was no more disturbed by those insolent Officers, who had for some years behaved themselves rather as enemies, than as persons in the States pay.

The discourse of a Parliament was often taken up, and as often let fall: And it was not easy to judge in what such fluctuating counsels would end. Father Petre had gained such an ascendant, that he was considered as the first Minister of State. The Nuntio had moved the King to interpose, and mediate a reconciliation between the Court of Rome and France. But he answered, that since the Pope would not gratify him in the promotion of Father Petre, he would leave him, to free himself of the trouble, into which he had involved himself the best way he could. And our Court reckoned,

1688.

reckoned, that as soon as the Pope felt himself pressed, he would fly to the King for protection, and grant him every thing that he asked of him in order to obtain it. That Jesuit gave daily new proofs of a weak and ill governed passion, and discovered all the ill qualities of one, that seemed raised up to be the common incendiary, and to drive the King and his party to the precipice.

Towards the end of April the King thought fit to renew the declaration, that he had set out the former year for liberty of conscience; with an addition, declaring that he would adhere firmly to it, and that he would put none in any publick employments, but such as would concur with him in maintaining it. He also promised, that he would hold a Parliament in the November following. This promise of a Parliament so long beforehand was somewhat extraordinary. Both Father Petre and Pen engaged the King to it, but with a different prospect. Pen, and all the tools who were employed by him, had still some hopes of carrying a Parliament to agree with the King, if too much time was not lost: Whereas the delaying a Parliament raised jealousies, as if none were intended, but that it was only talked of to amuse the Nation till other designs were ripe.

On the other hand, Father Petre and his cabal saw that the King was kept off from many things that they proposed, with the expectation of the concurrence of a Parliament: And the fear of giving new disgusts, which might obstruct that, had begot a caution that was very uneasy to them. They thought that much time was already lost, and that they made but a small progress. They began to apprehend, that the Regulators, who were still feeding them with hopes, and were asking more time and more money, did intend only to amuse them, and to wear out the business into more length, and to keep themselves the longer in credit and in pay; but that they did not in

A new declaration for toleration.

1688. their hearts wish well to the main design, and therefore acted but an insincere part with the King. Therefore they resolved to put that matter to the last trial, reckoning, that, if the King saw it was in vain to hope for any thing in a Parliamentary way, he might be more easily carried to extream and violent methods.

Which the
Clergy
were or-
dered to
read.

The King was not satisfied with the publishing his declaration: But he resolved to oblige the Clergy to read it in all their Churches in the time of divine service. And now it appeared, what bad effects were like to follow on that officious motion that Sancroft had made, for obliging the Clergy to read the declaration that King Charles set out in the year 1681, after the dissolution of the Oxford Parliament. An order past in Council, requiring the Bishops to send copies of the declaration to all their Clergy, and to order them to read it on two severall Sundays in time of divine service.

This put the Clergy under great difficulties. And they were at first much divided about it. Even many of the best and worthiest of them were under some distraction of thought. They had many meetings, and argued the point long among themselves, in and about London. On the one hand it was said, that if they refused to read it, the King would proceed against them for disobedience. It did not seem reasonable to run so great a hazard upon such a point, that was not strong enough to bear the consequences, that might follow on a breach. Their reading it did not import their approving it. But was only a publication of an act of their King's. So it was proposed, to save the whole by making some declaration, that their reading it was a meer act of obedience, and did not import any assent and approbation of theirs. Others thought, that the publishing this in such manner was only imposed on them, to make them odious and contemptible to the whole Nation.

Nation, for reading that which was intended for their ruin. If they carried their compliance so far, that might provoke the Nobility and Gentry to carry theirs much further. If they once yielded the point, that they were bound to read every declaration, with this salvo that it did not import their approving it, they would be then bound to read every thing that should be sent to them: The King might make declarations in favour of all the points of Popery, and require them to read them: And they could not see where they must make their stops, if they did it not now. So it seemed necessary to fix on this, as a rule, that they ought to publish nothing in time of divine service, but that which they approved of. The point at present was not, whether a toleration was a lawful or an expedient thing. The declaration was founded on the claim of a dispensing power, which the King did now assume, that tended to the total subversion of the government, and the making it arbitrary; whereas by the constitution it was a legal administration. It also allowed such an infinite liberty, with the suspension of all penal laws, and that without any limitation, that Paganism itself might be now publickly professed. It was visible, that the design in imposing the reading of it on them, was only to make them ridiculous, and to make them contribute to their own ruin. As for the danger that they might incur, they saw their ruin was resolved on: And nothing they could do was like to prevent it, unless they would basely sacrifice their religion to their worldly interests. It would be perhaps a year sooner or later by any other management: It was therefore fit, that they should prepare themselves for suffering; and not endeavour to prevent it by doing that, which would draw on them the hatred of their friends, and the scorn of their enemies.

These

1688. These reasons prevailed: And they resolved not to read the declaration. They saw of what importance it was, that they should be unanimous in this. Nothing could be of more fatal consequence than their being divided in their practice. For, if any considerable body of the Clergy, such as could carry the name of the Church of England, could have been prevailed on to give obedience, and only some number, how valuable soever the men might be, should refuse to obey; then the Court might still pretend, that they would maintain the Church of England, and single out all those who had not given obedience, and fall on them, and so break the Church within itself upon this point, and then destroy the one half by the means of the rest. The most eminent were resolved not to obey: And those who might be prevailed on to comply would by that means fall under such contempt, that they could not have the credit or strength to support the established religion. The Court depended upon this, that the greater part would obey: And so they would be furnished with a point of State, to give a colour for turning out the disobedient, who were like to be the men that stood most in their way, and crossed their designs most, both with their learning and credit.

Those few Bishops that were engaged in the design of betraying the Church, were persuaded that this would be the event of the matter: And they possessed the King with the hope of it so positively, that he seemed to depend upon it. The correspondence over England was managed with that secrecy, that these resolutions were so communicated to the Clergy in the Country, that they were generally engaged to agree in their conduct, before the Court came to apprehend that they would be so unanimous, as it proved in conclusion that they were.

1688.

The
Archbi-
shop and
six Bishops
petition
the King.

The Archbishop of Canterbury, Sancroft, resolved upon this occasion to act suitably to his post and character. He wrote round his Province, and desired that such of the Bishops as were able would come up, and consult together in a matter of this great concern: And he asked the opinion of those, whom their age and infirmities disabled from taking the journey. He found, that eighteen of the Bishops, and the main body of the Clergy, concurred in the resolution against reading the declaration. So he, with six of the Bishops that came up to London, resolved in a petition to the King, to lay before him the reasons that determined them not to obey the order of Council, that had been sent them: This flowed from no want of respect to his Majesty's authority, nor from any unwillingness to let favour be shewed to Dissenters; in relation to whom they were willing to come to such a temper, as should be thought fit, when that matter should be considered and settled in Parliament and Convocation: But, this declaration being founded on such a dispensing power, as had been often declared illegal in Parliament, both in the year 1662 and in the year 1672, and in the beginning of his own reign, and was a matter of so great consequence to the whole Nation, both in Church and State; they could not in prudence, honour, and conscience, make themselves so far parties to it, as the publication of it once and again in God's house, and in the time of divine service, must amount to.

The Archbishop was then in an ill State of health. So he sent over the six Bishops with the petition to the King, signed by himself and the rest. The King was much surpris'd with this, being flattered and deceived by his spies. Cartwright, Bishop of Chester, was possessed with a story that was too easily believed by him, and was by him carried to the King, who was very apt to believe every thing that suited with his own designs.

The

1688.

The story was, that the Bishops intended by a petition to the King to let him understand, that orders of this kind used to be addressed to their Chancellors, but not to themselves; and to pray him to continue that method: And that by this means they hoped to get out of this difficulty, This was very acceptable to the Court, and procured the Bishops a quick admittance. And they had proceeded so carefully that nothing concerted among them had broken out; for they had been very secret and cautious. The King, when he heard their petition, and saw his mistake, spoke roughly to them. He said, he was their King, and he would be obeyed: And they should be made to feel what it was to disobey him. The six Bishops were St. Asaph, Ely, Bath and Wells, Peterborough, Chichester, and Bristol. The answer they made the King was in these words: "The will of God be done." And they came from the Court in a sort of triumph. Now matters were brought to a crisis. The King was engaged on his part, as the Bishops were on theirs. So all people looked on with great expectations, reckoning that upon the issue of this business a great decision would be made, both of the designs of the Court, and of the temper of the Nation.

The King consulted for some days with all that were now employed by him, what he should do upon this emergent; and talked with people of all persuasions. Lob, an eminent man among the Dissenters, who was entirely gained to the Court, advised the King to send the Bishops to the Tower. Father Petre seemed now as one transported with joy: For he thought the King was engaged to break with the Church of England. And it was reported, that he broke out into that indecent expression upon it, that they should be made to eat their own dung. The King was long in doubt. Some of the Popish Nobility pressed him earnestly to let the matter fall: For

now

1688.

now it appeared, that the body of the Clergy were resolved not to read the declaration. Those who did obey, were few and inconsiderable. Only seven obeyed in the City of London, and not above two hundred all England over: And of these some read it the first Sunday, but changed their minds before the second: Others declared in their sermons, that tho' they obeyed the order, they did not approve of the declaration: And one, more pleasantly than gravely, told his people, that, tho' he was obliged to read it, they were not obliged to hear it; and he stopt till they all went out, and then he read it to the walls: In many places, as soon as the Minister began to read it, all the people rose, and went out.

The King did what he could to encourage those that did obey his order. Parker, Bishop of Oxford, died about this time. He wrote a book against the Tests full of petulant scurrility, of which I shall only give one instance. He had reflected much on the whole Popish Plot, and on Oates's evidence: And upon that he called the Test, the Sacrament of the Oatesian villainy. He treated the Parliament that enacted the Tests, with a scorn that no Popish writer had yet ventured on: And he said much to excuse transubstantiation, and to free the Church of Rome from the charge of idolatry. This raised such a disgust at him, even in those that had been formerly but too much influenced by him, that, when he could not help seeing that, he sunk upon it. I was desired to answer his book with the severity that he deserved: And I did it with an acrimony of stile, that nothing but such a time, and such a man, could in any sort excuse. It was said, the King sent him my papers, hearing that nobody else durst put them in his hands, hoping that it would raise his indignation, and engage him to answer them. One Hall, a Conformist in London, who was looked on as half a Presbyterian, yet, because

he

1688. he read the declaration, was made Bishop of Oxford. One of the Popish Bishops, was upon the King's Mandamus chosen, by the illegal Fellows of Magdalen's College, their President. The sense of the Nation, as well as of the Clergy, had appeared so signally on this occasion, that it was visible, that the King had not only the seven petitioning Bishops to deal with, but the body of the whole Nation, both Clergy and Laity.

The King ordered the Bishops to be prosecuted for it.

The violent advices of Father Petre, and the Jesuit party, were so fatally suited to the King's own temper and passion, that they prevailed over the wiser counsels of almost all that were advised with. But the King, before he would bring the matter to the Council, secretly engaged all the Privy Counsellors to concur with him: And, after a fortnight's consultation, the Bishops were cited to appear before the Council. The petition was offered to them; and they were asked, if they owned it to be their petition. They answered, it seemed they were to be proceeded against upon that account; so they hoped the King would not press them to a confession, and then make use of it against them: After they had offered this, they owned the petition. They were next charged with the publication of it; for it was then printed. But they absolutely denied that was done by their means. The Archbishop had written the petition all in his own hand, without employing any person to copy it out: And tho' there was one draught written of the petition, as it was agreed on, from which he had written out the original which they had all signed, yet he had kept that still in his own possession, and had never shewn it to any person: So it was not published by them: That must have been done by some of those to whom the King had shewed it.

They were sent to the Tower.

They were in the next place required to enter into bonds, to appear in the Court of the King's bench, and answer to an information of misdemeanor.

meanor. They excepted to this, and said, that by their Peerage they were not bound to do it. Upon their insisting on this, they were sent to the Tower, by a warrant signed by the whole board, except Father Petre, who was past over by the King's order. This set all the whole City into the highest fermentation, that was ever known in memory of man. The Bishops were sent by water to the Tower: And all along as they past, the banks of the river were full of people, who kneeled down and asked their blessing, and with loud shouts expressed their good wishes for them, and their concern in their preservation. The soldiers, and other officers in the Tower, did the same. An universal consternation appeared in all peoples looks. But the King was not moved with all this. And, tho' two days after, upon the Queen's pretended delivery, the King had a fair occasion to have granted a general pardon, to celebrate the joy of that birth, (and it was given out by those Papists that had always affected to pass for moderate men, that they had all pressed this vehemently,) the King was inflexible: He said, his authority would become contemptible, if he suffered such an affront to pass unpunished.

A week after their commitment, they were brought upon a Habeas Corpus to the King's bench bar, where their Counsel offered to make it appear to be an illegal commitment: But the Court allowed it good in law. They were required to enter into bonds for small sums, to answer to the information that day fortnight.

The Bishops were discharged of their imprisonment: And people of all sorts ran to visit them as Confessors, one company going in as another went out. The Appearance in Westminster-Hall was very solemn: About thirty of the Nobility accompanying them. All the streets were full of shoutings the rest of the day, and with bonfires at night.

But soon after discharged.

They
were tried.

When the day fixed for their trial came, there was a vast concourse. Westminster-Hall, and all the places about, were full of people, who were strangely affected with the matter. Even the Army, that was then encamped on Hounslow-Heath, shewed such a disposition to mutiny, that it gave the King no small uneasiness. The trial came on, which was chiefly managed against the Bishops by Sir William Williams. He had been Speaker in two successive Parliaments, and was a zealous promoter of the Exclusion: And he had continued many years a bold pleader in all causes against the Court: But he was a corrupt and vicious man, who had no principles, but followed his own interests. Sawyer the Attorney General, who had for many years served the ends of the Court in a most abject and obsequious manner, would not support the dispensing power: So he was turned out, Powis being advanced to be Attorney General: And Williams was made Solicitor General. Powis acted his part in this trial as fairly as his post could admit of. But Williams took very indecent liberties. And he had great advantages over Sawyer and Finch, who were among the Bishops Counsel, by reflecting on the precedents and proceedings during their being the King's Counsel. The King's Counsel could not have full proof, that the Bishops hands were truly theirs, and were forced to have recourse to the confession they had made at the Council board; which was thought very dishonourable, since they had made that confession in confidence, trusting to the King's honour, tho' it did not appear that any promise was made, that no advantage should be taken of that confession. No proof was brought of their publishing it, which was the main point. The presenting it to the King, and afterwards their owning it to be their petition, when it was put to them at the Council board, was all that the King's Counsel could offer for proof of this; which was an apparent strain, in which even
those

1688.



those Judges, that were the surest to the Court, did not seem to be satisfied. It was much urged against them, that this petition was a libel, tending to the defaming the King's government.

But to this it was answered, that they having received an order, to which they found they could not give obedience, thought it was incumbent on them, as Bishops and as subjects, to lay before the King their reasons for it: All subjects had a right to petition the King: They as Peers were of his great Council, and so had yet a better claim to that: And that more particularly in matters of religion; for the act of uniformity in Queen Elizabeth's time had required them under a curse to look carefully after those matters: The dispensing power had been often brought into debate in Parliament, and was always voted to be against law: And the late King had yielded the point by recalling his declaration: So they thought, they had a right to represent these things to the King. And occasion was often taken to reflect on the dispensing power. To this the King's Counsel replied, that the votes of one or both Houses were not laws, till they were enacted by King and Parliament: And the late King's passing once from a point of his prerogative did not give it up, but only waved it for that time: They urged much the sacredness of the King's authority; that a paper might be true in fact, and yet be a libel; that in Parliament the two Houses had a right to petition, but it was sedition to do it in a point of government out of Parliament.

The trial did last long, above ten hours. The crouds continued in expectation all the while, and expressed so great a concern for the Bishops, that the witnesses who were brought against them were not only treated with much scorn, and loud laughter upon every occasion, but seemed to be in such danger, that they escaped narrowly, going away by a back passage. Two of the Judges, Powel

1688. and Halloway, delivered their opinion, that there was no seditious matter in the petition, and that it was no libel. Wright was now brought into this Court and made Chief Justice; and Herbert was made Chief Justice of the Common Pleas: Herbert was with the Court in the main of the King's dispensing power, but was against them in most particulars: So he could not serve their ends in this Court. Wright was the properer tool. He in his charge called the petition a libel: But he did not think the publication was proved.

And acquitted.

The Jury was fairly returned. When they were shut up, they were soon agreed upon their verdict, to acquit the Bishops. But it was thought to be both the more solemn, and the safer way, to continue shut up till the morning. The King still flattered himself with the hope that the Bishops would be brought in guilty. He went that morning to the camp: For the ill humour the Army was in, the day before, made him think it necessary to go and keep them in awe and order, by his own presence.

To the great joy of the Town and Nation.

The Court sat again next day. And then the Jury came in with their verdict. Upon which there were such shoutings, so long continued, and as it were echoed into the City, that all people were struck with it. Every man seemed transported with joy. Bonfires were made all about the streets. And the news going over the Nation, produced the like rejoycings and bonfires all England over. The King's presence kept the Army in some order. But he was no sooner gone out of the camp, than he was followed with an universal shouting, as if it had been a victory obtained. And so fatally was the King pushed on to his ruin, that he seemed not to be by all this, enough convinced of the folly of those violent Counsels. He intended still to pursue them. It was therefore resolved on, to bring this matter of the contempt of the order of Council, in not reading the declaration, before the Ecclesiastical

Com-

Commissioners. They did not think fit to cite the Archbishop and Bishops before them: For they did not doubt they would plead to their jurisdiction, and refuse to acknowledge their authority; which they hoped their Chancellors, and the inferior Clergy, would not venture on.

Citations were sent out requiring the Chancellors, and Archdeacons to send in the lists of all the Clergy, both of such as had obeyed, and of those who had not obeyed the order of Council. Some of these were now so much animated, with the sense that the Nation had expressed of the Bishops imprisonment and trial, that they declared they would not obey this order: And others excused themselves in softer terms. When the day came to which they were cited, the Bishop of Rochester, tho' he himself had obeyed the order, and had hitherto gone along, sitting with the other Commissioners, but had always voted on the milder side, yet now, when he saw matters were running so fast to the ruin of the Church, he not only would sit no longer with them, but wrote a letter to them; in which he said, it was impossible for him to go on with them any longer, for tho' he himself had obeyed the order of Council, which he protested he did, because he thought he was bound in conscience to do it, yet he did not doubt but that those who had not obeyed it, had gone upon the same principle of following their conscience, and he would much rather choose to suffer with them, than to concur in making them suffer. This stopped proceedings for that day, and put the Court to a stand. So they adjourned themselves till December: And they never sat any more.

The Clergy was next designed against.

This was the progress of that transaction, which was considered all Europe over as the trial, whether the King or the Church were like to prevail. The decision was as favourable as was possible. The King did assume to himself a power to make laws void, and to qualify men for employments,

The Effect this had every where.

1688. whom the law had put under such incapacities, that all they did was null and void. The Sheriffs and Mayors of towns were no legal Officers: Judges, (one of them being a professed Papist, Alibon,) who took not the Test, were no Judges: So that the government, and the legal administration of it, was broken. A Parliament returned by such men was no legal Parliament. All this was done by virtue of the dispensing power, which changed the whole frame of our government, and subjected all the laws to the King's pleasure: For, upon the same pretence of that power, other declarations might have come out, voiding any other laws that the Court found stood in their way; since we had scarce any law that was fortified with such clauses, to force the execution of it, as those that were laid aside had in them. And when the King pretended, that this was such a sacred point of government, that a petition, offered in the modestest terms, and in the humblest manner possible, calling it in question, was made so great a crime, and carried so far against men of such eminence; this I confess satisfied me, that here was a total destruction of our constitution, avowedly began, and violently prosecuted. Here was not jealousies nor fears: The thing was open and avowed. This was not a single act of illegal violence, but a declared design against the whole of our constitution. It was not only the judgment of a Court of law: The King had now by two publick acts of state, renewed in two successive years, openly published his design. This appeared such a total subversion, that, according to the principles, that some of the highest assertors of submission and obedience, Barklay and Grotius, had laid down, it was now lawful for the Nation to look to itself, and see to its own preservation. And, as soon as any man was convinced that this was lawful, there remained nothing but to look to the Prince of Orange, who was the only person that either could save them,

or had a right to it: Since by all the laws in the world, even private as well as publick, he that has in him the reversion of any estate, has a right to hinder the possessor, if he goes about to destroy that, which is to come to him after the possessor's death.

Upon all this disorder that England was falling into, Admiral Ruffel came to the Hague. He had a good pretence for coming over to Holland, for he had a sister then living in it. He was desired by many of great power and interest in England to speak very freely to the Prince, and to know positively of him what might be expected from him. All people were now in a gaze: Those who had little or no religion had no mind to turn Papists, if they could see any probable way of resisting the fury with which the Court was now driving: But men of fortune, if they saw no visible prospect, would be governed by their present interest: They were at present united: But, if a breaking should once happen, and some men of figure should be prevailed on to change, that might go far; especially in a corrupt and dissolute Army, that was as it were let loose to commit crimes and violences every where, in which they were rather encouraged than punished; for it seemed to be set up as a maxim, that the Army by rendring it self odious to the Nation would become thereby entirely devoted to the Court: But after all, tho' soldiers were bad Englishmen and worse Christians, yet the Court found them too good Protestants to trust much to them. So Ruffel put the Prince to explain himself what he intended to do.

The Prince answered, that, if he was invited by some men of the best interest, and the most valued in the Nation, who should both in their own name, and in the name of others who trusted them, invite him to come and rescue the Nation and the Religion, he believed he could be ready by the end of September to come over. The main confidence

Ruffel
pressed
the
Prince.

The
Prince's
answer.

1688. we had was in the Electoral Prince of Brandenburg; for the old Elector was then dying. And I told Ruffel at parting, that, unless he died, there would be great difficulties, not easily mastered, in the design of the Prince's expedition to England.

The Elec-
tor of
Branden-
burg's
death.

He was then ill of a dropfy, which, coming after a gout of a long continuance, seemed to threaten a speedy end of his life. I had the honour to see him at Cleve; and was admitted to two long audiences, in which he was pleased to speak to me with great freedom. He was a Prince of great courage. He both understood military matters well, and loved them much. He had a very perfect view of the state Europe had been in for fifty years, in which he had born a great share in all affairs, having directed his own counsels himself. He had a wonderful memory, even in the smallest matters; for every thing past under his eye. He had a quick apprehension, and a choleric temper. The heat of his spirits was apt to kindle too quick, till his interest cooled him: And that fetched him back, which brought him under the censure of changing sides too soon and too often. He was a very zealous man in all the concerns of religion. His own life was regular and free of all blemishes. He tried all that was possible to bring the Lutherans and Calvinists to some terms of reconciliation. He complained much of the rigidity of the Lutherans, more particularly of those in Prussia: Nor was he well pleased with the stiffness of the Calvinists: And he inveighed against the Synod of Dort, as that which had set all on fire, and made matters almost past reconciling. He thought, all positive decisions in those matters ought to be laid aside by both parties, without which nothing could bring them to a better temper. He had a very splendid Court: And to maintain that, and his great armies, his subjects were pressed hard by many uneasy taxes. He seemed not to have a just sense of the miseries of his people. His Ministers had great power over him in all lesser matters,

matters, while he directed the greater: And he suffered them to enrich themselves excessively. 1688.

In the end of his life the Electorefs had gained great credit, and governed his counfels too much. He had fet it up for a maxim, that the Electoral families in Germany had weakned themselves fo much, that they would not be able to maintain the liberty of the Empire againft the Austrian Family, which was now rifing by their victories in Hungary: The Houfes of Saxe, and the Palatine, and of Brunfwick, and Hefse, had done this fo much, by the difmembring fome of their dominions to their younger children, that they were mouldring to nothing: He therefore refolved to keep all his dominions entire in one hand: This would make his Family the balance to the Houfe of Austria, on whom the reft of the Empire muft depend: And he fuffered his Electorefs to provide for her children, and to enrich herfelf by all the ways ſhe could think on, ſince he would not give them any ſhare of his dominions. This ſhe did not fail to do. And the Elector, having juft caufe of complaint for being abandoned by the Allies in the peace of Nimeguen, and fo forced to reftore what he had got from the Swedes, the French upon that gave him a great penſion, and made the Electorefs ſuch preſents, that he was prevailed on to enter into their intereſts: And in this he made ſome ill ſteps in the decline of his life. But nothing could ſoften him with relation to that Court, after they broke the edict of Nantes, and began the perſecution of the Proteſtants. He took great care of all the Refugees. He fet men on the frontier of France to receive and defray them; and gave them all the marks of Chriſtian compaſſion, and of a bounty becoming ſo great a Prince. But his age and infirmities, he being crippled with the gout, and the ill underſtanding that was between the Prince Electoral and Electorefs, had ſo diſjointed his Court, that little was to be expected from him.

1688.

Death came upon him quicker than was looked for. He received the intimations of it with the firmness that became both a Christian and a Hero. He gave his last advices to his son, and to his Ministers, with a greatness and a tenderness that both surpris'd and melted them all: And above all other things he recommended to them the concerns of the Protestant Religion, then in such an universal danger. His son had not his genius. He had not a strength of body nor a force of mind capable of great matters. But he was filled with zeal for the Reformed Religion: And he was at that time so entirely possess'd with a confidence in the Prince of Orange, and with a high esteem of him, as he was his cousin german, that we had a much better prospect of all our affairs, by his succeeding his father. And this was encreas'd by the great credit that Dankelman, who had been his Governor, continued to have with him: For he had true notions of the affairs of Europe, and was a zealous Protestant, and was like to prove a very good Minister, tho' he was too absolute in his favour, and was too much set on raising his own family. All at the Hague were looking with great concern on the affairs of Europe; these being, in many respects, and in many different places, brought to a very critical state.

The Queen gave out that she was with child.

I must now look back to England, where the Queen's delivery was the subject of all men's discourse. And since so much depends on this, I will give as full and as distinct an account of all that related to that matter, as I could gather up either at that time or afterwards. The Queen had been for six or seven years in such an ill state of health, that every winter brought her very near death. Those about her seem'd well assur'd that she, who had buried all her children, soon after they were born, and had now for several years ceas'd bearing, would have no more children. Her own Priests apprehended it, and seem'd to wish for her

her death. She had great and frequent distempers, that returned often, which put all people out of their hopes or fears of her having any children. Her spirits were now much on the fret. She was eager in the prosecution of all the King's designs. It was believed, that she had a main hand in driving him to them all. And he, perhaps to make her gentler to him in his vagrant amours, was more easy to her in every thing else. The Lady Dorchester was come back from Ireland: And the King went oft to her. But it was visible, she was not like to gain that credit in affairs, to which she had aspired: And therefore this was less considered.

She had another mortification, when Fitz-James the King's son was made Duke of Berwick. He was a soft and harmless young man, and was much beloved by the King: But the Queen's dislike kept him from making any great figure. He made two campaigns in Hungary, that were little to his honour: For, as his Governor diverted the allowance that was given for keeping a table, and sent him always to eat at other tables, so, tho' in the siege of Buda there were many occasions given him to have distinguished himself, yet he had appeared in none of them. There was more care taken of his person, than became his age and condition. Yet his Governor's brother was a Jesuit, and in the secret: So every thing was ventured on by him, and all was forgiven him.

In September, the former year, the Queen went to the Bath, where, as was already told, the King came and saw her, and staid a few days with her. She after that pursued a full course of bathing: And, having resolved to return in the end of September, an accident took her to which the sex is subject: And that made her stay there a week longer. She came to Windsor on the sixth of October. It was said, that, at the very time of her coming to the King, her mother, the Duchefs of Modena,

1688. Modena, made a vow to the Lady Loretto, that her daughter might by her means have a son. And it went current, that the Queen believed herself to be with child in that very instant, in which her mother made her vow: Of which, some travellers have assured me, there was a solemn record made at Loretto. A conception said to be thus begun looked suspicious. It was now fixed to the sixth of October: So the nine months were to run to the sixth of July. She was in the progress of her big belly let blood several times: And the most astringent things that could be proposed were used.

It was soon observed, that all things about her person were managed with a mysterious secrecy, into which none were admitted but a few Papists. She was not dressed nor undressed with the usual ceremony. Prince George told me, that the Princess went as far in desiring to be satisfied by feeling the motion, after she said she was quick, as she could go without breaking with her: And she had sometimes staid by her even indecently long in mornings, to see her rise, and to give her her shift: But she never did either. She never offered any satisfaction in that matter by letter to the Princess of Orange, nor to any of the Ladies of quality, in whose word the world would have acquiesced. The thing upon this began to be suspected: And some libels were writ, treating the whole as an imposture. The use the Queen made of this was, to say, that since she saw some were suspecting her as capable of so black a contrivance, she scorned to satisfy those who could entertain such thoughts of her. How just soever this might be with relation to the libellers, yet certainly, if she was truly with child, she owed it to the King and herself, to the King's daughters, but most of all to the infant she carried in her belly, to give such reasonable satisfaction, as might put an end to jealousy. This was in her power to do every day:

day: And her not doing it gave just grounds of suspicion. 1688.

Things went thus on till Monday in Easter week. On that day the King went to Rochester, to see some of the naval preparations; but was soon sent for by the Queen, who apprehended she was in danger of miscarrying. Dr. Scarborough was come to Knights-bridge to see Bishop Ward, my predecessor, who had been his antient friend, and was then his patient: But the Queen's coach was sent to call him in all haste, since she was near miscarrying. Dr. Windebank, who knew nothing of this matter, staid long that morning upon an appointment for Dr. Wallgrave, another of the Queen's physicians, who the next time he saw him excused himself, for the Queen, he said, was then under the most apparent signs of miscarrying. Of this the Doctor made oath: And it is yet extant.

On the same day the Countess of Clarendon, being to go out of town for a few days, came to see the Queen before she went, knowing nothing of what had happen'd to her. And she, being a Lady of the Bed-chamber to Queen Dowager, did, according to the rule of the Court, go into the Queen's Bed-chamber without asking admittance. She saw the Queen a bed, bemoaning herself in a most doleful manner, saying often, Undone, Undone: And one that belonged to her carried somewhat out of the bed, which she believed was linen taken from the Queen. She was upon this in some confusion: And the Countess of Powis coming in, went to her, and said with some sharpness, what do you here? And carried her to the door. Before she had got out of the Court, one of the Bed-chamber women followed her, and charged her not to speak of any thing she had seen that day. This matter, whatever was in it, was hushed up: And the Queen held on her course.

The Princess had miscarried in the spring. So, as soon as she had recovered her strength, the King pressed

1688. pressed her to go to the Bath, since that had so good an effect on the Queen. Some of her physicians, and all her other friends, were against her going. Lower, one of her physicians told me, he was against it: He thought, she was not strong enough for the Bath, tho' the King pressed it with an unusual vehemence. Millington, another physician, told the Earl of Shrewsbury, from whom I had it, that he was pressed to go to the Princess, and advise her to go to the Bath. The person that spoke to him told him, the King was much set on it, and that he expected it of him, that he would persuade her to it. Millington answered, he would not advise a patient according to direction, but according to his own reason: So he would not go. Scarborough and Witherly took it upon them to advise it: So she went thither in the end of May.

The
Queen's
reckoning
changed.

As soon as she was gone, those about the Queen did all of the sudden change her reckoning, and began it from the King's being with her at Bath. This came on so quick, that, tho' the Queen had set the fourteenth of June for her going to Windsor, where she intended to lie in, and all the preparations for the birth and for the child were ordered to be made ready by the end of June, yet now a resolution was taken for the Queen's lying in at St. James's; and directions were given to have all things quickly ready. The Bath water either did not agree with the Princess: Or the advices of her friends were so pressing, who thought her absence from the Court at that time of such consequence, that in compliance with them she gave it out, it did not, and that therefore she would return in a few days.

The day after the Court had this notice, the Queen said, she would go to St. James's, and look for the good hour. She was often told, that it was impossible upon so short a warning to have things ready. But she was so positive, that she said, she would lie there that night, tho' she should lie upon the

the boards. And at night, tho' the shorter and quicker way was to go from Whitehall to St. James's thro' the Park, and she always went that way, yet now, by a sort of affectation, she would be carried thither by Charing-Cross thro' the Pall-Mall. And it was given out by all her train, that she was going to be delivered. Some said, it would be next morning: And the Priests said very confidently, that it would be a boy.

1688.

The next morning, about nine a clock, she sent word to the King, that she was in labour. The Queen Dowager was next sent to. But no Ladies were sent for: So that no women were in the room, but two dressers and one undresser, and the midwife. The Earl of Arran sent notice to the Countess of Sunderland: So she came. The Lady Belafis came also in time. The Protestant Ladies that belonged to the Court, were all gone to Church before the news was let go abroad: For it happen'd on Trinity Sunday, it being that year on the tenth of June. The King brought over with him from Whitehall a great many Peers and Privy Counsellors. And of these eighteen were let into the Bed-chamber: But they stood at the furthest end of the room. The Ladies stood within the alcove. The curtains of the bed were drawn close, and none came within them, but the midwife, and an under dresser. The Queen lay all the while a bed: And, in order to the warming one side of it, a warming-pan was brought. But it was not opened, that it might be seen that there was fire and nothing else in it: So here was matter for suspicion, with which all people were filled.

The Queen
said to be
in labour.

A little before ten, the Queen cried out as in a strong pain, and immediately after the midwife said aloud, she was happily brought to bed. When the Lords all cried out of what, the midwife answered, the Queen must not be surpris'd: Only she gave a sign to the Countess of Sunderland, who upon that touched her forehead, by which, it being

And de-
livered of
a son.

the

1688. the sign before agreed on, the King said he knew it was a boy. No cries were heard from the child: Nor was it shewn to those in the room. It was pretended, more air was necessary. The under dresser went out with the child, or somewhat else, in her arms to a dressing room, to which there was a door near the Queen's bed: But there was another entry to it from other apartments.

Great grounds of jealousy appeared.

The King continued with the Lords in the Bed-chamber for some minutes, which was either a sign of much phlegm upon such an occasion; for it was not known whether the child was alive or dead: Or it looked like the giving time for some management. After a little while they went all into the dressing room: And then the news was published. In the mean while, no body was called to lay their hands on the Queen's belly, in order to a full satisfaction. When the Princess came to town three days after, she had as little satisfaction given her. Chamberlain, the man midwife, who was always ordered to attend her labour before, and who brought the plaisters for putting back the milk, wondered that he had not been sent to. He went according to custom with the plaisters: But he was told they had no occasion for him. He fancied, that some other person was put in his place: But he could not find that any had it. All that concerned the milk, or the Queen's purgations, was managed still in the dark. This made all people inclined more and more to believe, there was a base imposture now put on the Nation. That still increased. That night one Hemings, a very worthy man, an Apothecary by his trade, who lived in St. Martin's Lane, the very next door to a family of an eminent Papist: (Brown, brother to the Viscount Montacute, lived there:) The wall between his parlour and theirs being so thin, that he could easily hear any thing that was said with a louder voice, he (Hemings) was reading in his parlour late at night, when he heard one coming

ing into the neighbouring parlour, and say with a doleful voice, the Prince of Wales is dead: Upon which a great many that lived in the house came down stairs very quick: Upon this confusion he could not hear any thing more; but it was plain, they were in a great consternation. He went with the news next morning to the Bishops in the Tower. The Countess of Clarendon came thither soon after, and told them, she had been at the young Prince's door, but was denied access: She was amazed at it; and asked, if they knew her: They said, they did; but that the Queen had ordered, that no person whatsoever should be suffered to come in to him. This gave credit to Heming's story, and looked as if all was ordered to be kept shut up close, till another child was found. One, that saw the child two days after, said to me, that he looked strong, and not like a child so newly born. Windebank met Walgrave the day after this birth, and remembred him of what he had told him eight weeks before. He acknowledged what he had said, but added, that God wrought miracles: To which no reply could, or durst be made by the other: It needed none. So healthy a child being so little like any of those the Queen had born, it was given out, that he had fits, and could not live. But those who saw him every day observed no such thing. On the contrary the child was in a very prosperous state. None of those fits ever happen'd, when the Princess was at Court; for she could not be denied admittance, tho' all others were. So this was believed to be given out to make the matter more credible. It is true, some weeks after that, the Court being gone to Windsor, and the child sent to Richmond, he fell into such fits, that four physicians were sent for. They all looked on him as a dying child. The King and Queen were sent for. The Physicians went to a dinner prepared for them; and were often wondering that they were not called for. They took it

1688.



The child, as was believed, died, and another was put in his room.

for

1688. for granted, that the child was dead. But, when they went in after dinner to look on him, they saw a sound healthy child, that seemed to have had no sort of illness on him. It was said, that the child was strangely revived of a sudden. Some of the physicians told Lloyd, Bishop of St. Asaph, that it was not possible for them to think it was the same child. They looked on one another, but durst not speak what they thought.

Thus I have related such particulars as I could gather of this birth: To which some more shall be added, when I give an account of the proof that the King brought afterwards to put this matter out of doubt; but by which it became indeed more doubtful than ever. I took most of these from the informations that were sent over to the Prince and Princess of Orange, as I had many from the vouchers themselves. I do not mix with these the various reports that were, both then and afterwards, spread of this matter, of which Bishop Lloyd has a great collection, most of them well attested. What truth soever may be in these, this is certain, that the method in which this matter was conducted from first to last was very unaccountable. If an imposture had been intended, it could not have been otherwise managed. The pretended excuse that the Queen made, that she owed no satisfaction to those who could suspect her capable of such base forgery, was the only excuse that she could have made, if it had been really what it was commonly said to be. She seemed to be soon recovered, and was so little altered by her labour, either in her looks or voice, that this helped not a little to increase jealousies. The rejoycings over England upon this birth was very cold and forced. Bonfires were made in some places, and a set of congratulatory addresses went round the Nation. None durst oppose them. But all was formal, and only to make a shew.

The

1688.

The
Prince and
Princess of
Orange
sent to
congratu-
late.

The Prince and Princess of Orange received the news of this birth very decently. The first letters gave not those grounds of suspicion that were sent to them afterwards. So they sent over Zuylestein to congratulate: And the Princess ordered the Prince of Wales to be prayed for in her Chapel. Upon this occasion, it may not be improper to set down, what the Princess said to myself on this subject two years before. I had asked her, in the freedom of much discourse, if she knew the temper of her own mind, and how she could bear the Queen's having a son. She said, she was sure it would give her no concern at all on her own account: God knew best what was fit for her: And, if it was not to serve the great ends of providence, she was sure that, as to herself, she would rather wish to live and die in the condition she was then in. The advertisements formerly mentioned came over from so many hands, that it was impossible not to be shaken by them. It was also taken ill in England, that the Princess should have begun so early, to pray for the pretended Prince: Upon which the naming him discontinued. But this was so highly resented by the Court of England, that the Prince, fearing it might precipitate a rupture, ordered him to be again named in the prayers.

The
Prince de-
signs an
expedi-
tion to
England.

The Prince set himself with great application to prepare for the intended expedition: For Zuylestein brought him such positive advices, and such an assurance of the invitation he had desired, that he was fully fixed in his purpose. It was advised from England, that the Prince could never hope for a more favourable conjuncture, nor for better grounds to break on, than he had at that time. The whole Nation was in a high fermentation. The proceedings against the Bishops, and those that were still kept on foot against the Clergy, made all people think the ruin of the Church was resolved on, and that on the first occasion it would be executed, and that the Religion would be altered.

1688. tered. The pretended birth made them reckon that Popery and Slavery would be entailed on the Nation. And, if this heat went off, people would lose heart. It was also visible, that the Army continued well affected. They spoke openly against Popery: They drank the most reproachful healths against them that could be invented, and treated the few Papists that were among them with scorn and aversion. The King saw this so visibly, that he broke up the camp, and sent them to their quarters: And it was believed, that he would bring them no more together, till they were modelled more to his mind. The seamen shewed the same inclinations. The Dutch had set out a fleet of twenty four men of war, on pretence to secure their trade: So the King resolved to set out as strong a fleet. Strickland, who was a Papist, had the command. He brought some Priests aboard with him, who said Mass, or at least performed such offices of their Religion as are allowed in ships of war: And the Chaplain, that was to serve the Protestants in Strickland's ship, was sent away upon a slight pretence. This put the whole Fleet into such a disorder, that it was like to end in a mutiny. Strickland punished some for this: And the King came down to accommodate the matter. He spoke very softly to the seamen: Yet this made no great impression: For they hated Popery in general, and Strickland in particular. When some gained persons among the seamen tried their affections to the Dutch, it appeared they had no inclinations to make war on them. They said aloud, they were their friends and their brethren; but they would very willingly go against the French. The King saw all this, and was resolved to take other more moderate measures.

Sunderland advised more moderate proceedings.

These advices were suggested by the Earl of Sunderland, who saw the King was running violently to his own ruin. So, as soon as the Queen admitted men to audiences, he had some very long ones

1688.

of her. He represented to her, that the state of her affairs was quite changed by her having a son. There was no need of driving things fast, now they had a succession sure: Time would bring all about, if matters were but softly managed. He told her, it would become her to set up for the author of gentle counsels, that she might by another administration lay the flame that was now kindled. By this she would gain the hearts of the Nation, both to herself and to her son: She might be declared Regent, in case the King should die before her son came to be of age. He found these advices began to be hearkned to. But, that he might have the more credit in pressing them, he, who had but too slight notions of religion, resolved to declare himself a Papist. And then, he being in the same interest with her, and most violently hated for this ill step he had made, he gained such an ascendant over her spirit, that things were like to be put in another management.

He made the step to Popery all on the sudden, without any previous instruction or conference: So that the change he made looked too like a man who, having no religion, took up one, rather to serve a turn, than that he was truly changed from one religion to another. He has been since accused, as if he had done all this to gain the more credit, that so he might the more effectually ruin the King. There was a suspicion of another nature, that stuck with some in England, who thought that Mr. Sidney, who had the secret of all the correspondence that was between the Prince and his party in England, being in particular friendship with the Earl of Sunderland, the Earl had got into that secret: And they fancied he would get into the Prince's confidence by Sidney's means. So I was writ to, and desired to put it home to the Prince, whether he was in any confidence or correspondence with the Earl of Sunderland, or not? For, till they were satisfied in that matter, they would

And he
turned
Papist.

1688. not go on; since they believed he would betray all, when things were ripe for it, and that many were engaged in the design. The Prince upon that did say very positively, that he was in no sort of correspondence with him. His counsels lay then another way. And, if time had been given him to follow the scheme then laid down by him, things might have turned fatally: And the Nation might have been so laid asleep with new promises, and a different conduct, that in a slow method they might have gained that, which they were so near losing, by the violent proceedings in which they had gone so far. The Judges had orders in their circuits to proceed very gently, and to give new promises in the King's name. But they were treated every where with such contempt, that the common deficiencies were scarce paid them, when they were on the bench. And they now saw that the presentments of Grand Juries, and the verdicts of other Juries, were no more under their direction. Things slept in England, as is usual, during the long vacation. But the Court had little quiet, having every day fresh alarms from abroad, as well as great mortifications at home.

The
Prince of
Orange
treats
with some
Princes of
the Em-
pire.

I must now change the scene, and give a large account of the affairs abroad, they having such a connection with all that followed in England. Upon the Elector of Brandenburg's death, the Prince sent Mr. Bentink with the compliment to the new Elector: And he was ordered to lay before him the state of affairs, and to communicate the Prince's design to him, and to ask him, how much he might depend upon him for his assistance. The answer was full and frank. He offered all that was asked, and more. The Prince resolved to carry over to England an Army of nine thousand foot, and four thousand horse and dragoons. He intended to choose these out of the whole Dutch Army. But for the security of the States, under such a diminution of their force, it was necessary to have a strength

strength from some other Princes. This was soon concerted between the Prince and the new Elector, with the Landgrave of Hesse, and the Duke of Lunenburg and Zell, who had a particular affection to the Prince, and was a cordial friend to him on all occasions.

1688.

His brother, the Duke of Hannover, was at that time in some engagements with the Court of France. But, since he had married the Princess Sophia of the Palatine House, I ventured to send a message to her by one of their Court, who was then at the Hague. He was a French Refugee, named Mr. Boucour. It was to acquaint her with our design with relation to England, and to let her know, that, if we succeeded, certainly a perpetual exclusion of all Papists from the succession to the Crown would be enacted: And, since she was the next Protestant heir after the two Princesses, and the Prince of Orange, of whom at that time there was no issue alive, I was very confident, that, if the Duke of Hannover could be disengaged from the interests of France, so that he came into our interests, the succession to the Crown would be lodged in her person, and in her posterity; tho' on the other hand, if he continued, as he stood then, engaged with France, I could not answer for this. The Gentleman carried the message, and delivered it. The Dutchess entertained it with much warmth: And brought him to the Duke to repeat it to him. But at that time this made no great impression on him. He looked on it as a remote and a doubtful project. Yet when he saw our success in England, he had other thoughts of it. Some days after this Frenchman was gone, I told the Prince what I had done. He approved of it heartily; But was particularly glad, that I had done it, as of myself, without communicating it to him, or any way engaging him in it: For he said, if it should happen to be known that the proposition was made by him, it might do us hurt in England,

1688. as if he had already reckoned himself so far master, as to be forming projects concerning the succession to the Crown.

The
affairs of
Cologn.

But while this was in a secret management, the Elector of Cologn's death came in very luckily to give a good colour to intrigues and preparations. The old Elector was brother to Maximilian, Duke of Bavaria. He had been long Bishop, both of Cologn and Liege: He was also elected Bishop of Munster: But the Pope would never grant his Bulls for that See: But he had the temporalities, and that was all he thought on. He had thus a revenue of near four millions of Guilders, and four great Bishopricks; for he was likewise Bishop of Hildesheim. He could arm and pay twenty thousand men, besides that his dominions lay quite round the Netherlands. Munster lay between them and the Northern parts of Germany; and from thence their best recruits came. Cologn commanded twenty leagues of the Rhine; by which, as an entrance was opened into Holland, which they had felt severely in the year 1672, so the Spanish Netherlands were entirely cut off, from all assistance that might be sent them out of Germany: And Liege was a country full both of people and wealth, by which an entrance is open into Brabant: And if Maftriecht was taken, the Maese was open down to Holland. So it was of great importance to the States to take care who should succeed him. The old man was a weak Prince, much set on chymical processes, in hopes of the Philosopher's stone. He had taken one of the Princes of Furstenberg into his particular confidence, and was entirely governed by him. He made him one of the Canons of Cologn: And he came to be Dean at last. He made him not only his chief Minister, but left the nomination of the Canons that were preferred by him wholly to his choice. The Bishop, and the Dean and Chapter, name those by turns. So, what by those the Elector

tor named on his motion, what by those he got to be chosen, he reckoned he was sure of succeeding the Elector: And nothing but ill management could have prevented it. He had no hopes of succeeding at Munster. But he had taken much pains to secure Liege.

I need not enlarge further on this story, than to remember that he got the Elector to deliver his Country up to the French in year 1672, and that the treaty opened at Cologne was broken up, on his being seized by the Emperor's order. After he was set at liberty, he was, upon the recommendation of the Court of France, made a Cardinal, tho' with much difficulty. In the former winter, the Emperor had been prevailed on by the Palatine Family, to consent to the election of a Co-adjutor in Cologne. But this was an artifice of the Cardinal's, who deceived that family, into the hopes of carrying the election for one of their branches. And they obtained the Emperor's consent to it, without which it could not be done. But so ill grounded were the Palatine's hopes, that of twenty five voices the Cardinal had nineteen, and they had only six voices.

The contest at Rome about the Franchises had now occasioned such a rupture there, that France and Rome seemed to be in a state of war. The Count Lavardin was sent Embassador to Rome. But the Pope refused to receive him, unless he would renounce the pretension to the Franchises. So he entered Rome in a hostile manner, with some troops of horse, tho' not in form of troops: But the force was too great for the Pope. He kept guards about his house, and in the Franchises, and affronted the Pope's authority on all occasions. The Pope bore all silently; but would never admit him to an audience, nor receive any message nor intercession from the Court of France; and kept off every thing, in which they concerned themselves: And therefore he would not confirm

1688. the election of a Coadjutor to Cologn. So, that not being done when the Elector died, the Canons were to proceed to a new election, the former being void, because not confirmed: For if it had been confirmed, there would have been no vacancy.

The cabal against the Cardinal grew so strong, that he began to apprehend he might lose it, if he had not leave from the Pope to resign the Bishoprick of Straßburg, which the French had forced him to accept, only to lessen the pension that they paid him by giving him that Bishoprick. By the rules of the Empire, a man that is already a Bishop, cannot be chosen to another See, but by a postulation: And to that it is necessary to have a concurrence of two thirds of the Chapter. But it was at the Pope's choice, whether he would accept of the resignation of Straßburg or not: And therefore he refused it. The King of France sent a Gentleman to the Pope with a letter writ in his own hand, desiring him to accept of that resignation, and promising him upon it all reasonable satisfaction: But the Pope would not admit the bearer, nor receive the letter. He said, while the French Ambassador lived at Rome like an enemy, that had invaded it, he would receive nothing from that Court.

In the Bishopricks of Munster and Hildesheim, the Deans were promoted, of whom both the States and the Princes of the Empire were well assured. But a new management was set up at Cologn. The Elector of Bavaria had been disgusted at some things in the Emperor's Court. He complained, that the honour of the success in Hungary was given so entirely to the Duke of Lorraine, that he had not the share which belonged to him. The French instruments that were then about him took occasion to alienate him more from the Emperor, by representing to him, that, in the management now at Cologn, the Emperor shewed more regard

1688.

to the Palatine Family than to himself, after all the service he had done him. The Emperor, apprehending the ill consequences of a breach with him, sent and offered him the supreme command of his Armies in Hungary for that year, the Duke of Lorrain being taken ill of a fever, just as they were upon opening the Campaign. He likewise offered him all the voices, that the Palatine had made at Cologne, in favour of his brother Prince Clement. Upon this they were again reconciled: And the Elector of Bavaria commanded the Emperor's Army in Hungary so successfully, that he took Belgrade by storm after a short siege. Prince Clement was then but seventeen, and was not of the Chapter of Cologne. So he was not eligible according to their rules, till he obtained a Bull from the Pope dispensing with these things. That was easily got. With it the Emperor sent one to manage the Election in his name, with express instructions to offer the Chapter the whole revenue and government of the temporalities for five years, in case they would choose Prince Clement, who wanted all that time to be of age. If he could make nine voices sure for him, he was to stick firm to his interest. But, if he could not gain so many, he was to consent to any person that should be set up in opposition to the Cardinal. He was ordered to charge him severely before the Chapter, as one that had been for many years, an enemy and traitor to the Empire. This was done with all possible aggravations, and in very injurious words.

The Chapter saw, that this election was like to be attended with a war in their Country, and other dismal consequences: For the Cardinal was chosen by the Chapter Vicar, or Guardian of the temporalities: And he had put garrisons in all their fortified places, that were paid with French money: And they knew, he would put them all in the King of France's hands, if he was not elected. They had promised not to vote in favour of the
Bavarian

1638:

Bavarian Prince. So they offered to the Emperor's agent to consent to any third person. But ten voices were made sure to Prince Clement: So he was fixed to his interests. At the election, the Cardinal had fourteen voices, and Prince Clement had ten. By this means the Cardinal's postulation was defective, since he had not two thirds. And upon that, Prince Clement's election was first judged good by the Emperor, as to the temporalities; but was transmitted by him to Rome, where a congregation of Cardinals examined it: And it was judged in favour of Prince Clement. The Cardinal succeeded worse at Liege, where the Dean was without any difficulty chosen Bishop: And nothing but the Cardinal's purple saved him from the violences of the people at Liege. He met with all sorts of injurious usage, being hated there, both on the account of his depending so much on the protection of France, and for the effects they had felt of his violent and cruel Ministry under the old Elector. I will add one circumstance in honour of some of the Canons of Liege. They not only would accept of no presents, from those whom the States appointed, to assist in managing that election, before it was made; but they refused them after the election was over. This I saw in the letter that the States Deputy wrote to the Hague.

I have given a more particular account of this matter; because I was acquainted with all the steps that were made in it. And it had such an immediate relation to the peace and safety of Holland, that, if they had miscarried in it, the expedition designed for England would not have been so safe, nor could it have been proposed easily to the States. By this it appeared, what an influence the Papacy, low as it is, may still have in matters of the greatest consequence. The foolish pride of the French Court, which had affronted the Pope, in a point in which, since they allowed him to be the Prince of Rome, he certainly could lay down such rules

as he thought fit, did now defeat a design that they had been long driving at, and which could not have miscarried by any other means, than those that they had found out. Such great events may and do often rise from such inconsiderable beginnings. These things furnished the Prince with a good blind for covering all his preparations; since here a war in their neighbourhood was unavoidable, and it was necessary to strengthen both their alliances and their troops. For it was visible to all the world, that, if the French could have fixed themselves in the territory of Cologn, the way was open to enter Holland, or to seize on Flanders, when that King pleased; and he would have the four Electors on the Rhine at mercy. It was necessary to dislodge them, and this could not be done without a war with France. The Prince got the States to settle a fund for nine thousand seamen, to be constantly in their service. And orders were given to put the naval preparations in such a case, that they might be ready to put to sea upon orders. Thus things went on in July and August, with so much secrecy and so little suspicion, that neither the Court of England nor the Court of France seemed to be alarmed at them.

In July, Admiral Herbert came over to Holland, and was received with a particular regard to his pride and ill humour: For he was upon every occasion so sullen and peevish, that it was plain he set a high value on himself, and expected the same of all others. He had got his accounts past, in which he complained, that the King had used him not only hardly but unjustly. He was a man delivered up to pride and luxury. Yet he had a good understanding: And he had gained so great a reputation by his steady behaviour in England, that the Prince understood that it was expected, he should use him in the manner he himself should desire; in which it was not very easy for him to constrain himself so far as that required. The managing him was in a great measure put on me:

Herbert
came over
to Hol-
land.

And

1688. And it was no easy thing. It made me often reflect on the providence of God, that makes some men instruments in great things, to which they themselves have no sort of affection or disposition: For his private quarrel with the Lord Dartmouth, who he thought had more of the King's confidence than himself, was believed the root of all the fullness he fell into towards the King, and of all the firmness that grew out of that.

The advices from England. The Lord Mordaunt's character.

I now return to England, to give an account of a secret management there. The Lord Mordaunt was the first of all the English Nobility that came over openly, to see the Prince of Orange. He asked the King's leave to do it. He was a man of much heat, many notions, and full of discourse: He was brave and generous: But had not true judgment: His thoughts were crude and indigested: And his secrets were soon known. He was with the Prince in the year 1686: And then he pressed him to undertake the business of England: And he represented the matter as so easy, that this appeared too romantick to the Prince to build upon it. He only promised in general, that he should have an eye on the affairs of England; and should endeavour to put the affairs of Holland in so good a posture as to be ready to act when it should be necessary: And he assured him, that, if the King should go about either to change the established religion, or to wrong the Princess in her right, or to raise forged plots to destroy his friends, that he would try what he could possibly do. Next year a man of a far different temper came over to him:

The Earl of Shrewsbury's character.

The Earl of Shrewsbury. He had been bred a Papist, but had forsaken that religion, upon a very critical and anxious enquiry into matters of controversy. Some thought, that, tho' he had forsaken Popery, he was too sceptical, and too little fixed in the points of religion. He seemed to be a man of great probity, and to have a high sense of

of honour. He had no ordinary measure of learning, a correct judgment, with a sweetness of temper that charmed all who knew him. He had at that time just notions of government; and so great a command of himself, that, during all the time that he continued in the Ministry, I never heard any one complaint of him, but for his silent and reserved answers, with which his friends were not always well pleased. His modest deportment gave him such an interest in the Prince, that he never seemed so fond of any of his Ministers, as he was of him. He had only in general laid the state of affairs before the Prince, without pressing him too much.

But Ruffel coming over in May brought the matter nearer a point. He was a cousin german to the Lord Ruffel. He had been bred at sea, and was Bed-chamber-man to the King, when he was Duke of York: But, upon the Lord Ruffel's death, he retired from the Court. He was a man of much honour, and great courage. He had good principles, and was firm to them. The Prince spoke more positively to him, than he had ever done before. He said, he must satisfy both his honour and conscience, before he could enter upon so great a design, which, if it miscarried, must bring ruin both on England and Holland: He protested, that no private ambition nor resentment of his own could ever prevail so far with him, as to make him break with so near a relation, or engage in a war, of which the consequences must be of the last importance, both to the interests of Europe and of the Protestant Religion: Therefore he expected formal and direct invitations. Ruffel laid before him the danger of trusting such a secret to great numbers. The Prince said, if a considerable number of men, that might be supposed to understand the sense of the Nation best, should do it, he would acquiesce in it.

Ruffel's
character.

1688.

Ruffel told me, that, upon his return to England, he communicated the matter, first to the Earl of Shrewsbury, and then to the Lord Lumly, who was a late convert from Popery, and had stood out very firmly all this reign. He was a man, who laid his interest much to heart: And he resolved to embark deep in this design.

Sidney's
character.

But the man in whose hands the conduct of the whole design was chiefly deposited, by the Prince's own order, was Mr. Sidney, brother to the Earl of Leicester and to Algernoon Sidney. He was a graceful man, and had lived long in the Court, where he had some adventures that became very publick. He was a man of a sweet and caressing temper, had no malice in his heart, but too great a love of pleasure. He had been sent Envoy to Holland in the year 1679, where he entred into such particular confidences with the Prince, that he had the highest measure of his trust and favour, that any Englishman ever had. This was well known over England: So that all who desired to recommend themselves to the Prince did it thro' his hands. He was so apprehensive of the dangers this might cast him in, that he travelled almost a year round Italy. But now matters ripened faster: So all centered in him. But, because he was lazy, and the business required an active man, who could both run about, and write over long and full accounts of all matters, I recommended a kinsman of my own, Johnstoun, whom I had formed, and knew to be both faithful and diligent, and very fit for the employment he was now trusted with.

Many en-
gaged in
the de-
sign.

Sidney tried the Marquis of Hallifax, if he would advise the Prince's coming over. But, as this matter was opened to him at a great distance, he did not encourage a further freedom. He looked on the thing as impracticable: It depended on so many accidents, that he thought it was a rash and desperate project, that ventured all upon such a dangerous issue, as might turn on seas and winds.

1688.

It was next opened to the Earl of Danby: And he not only went in heartily to it himself, but drew in the Bishop of London to join in it. By their advice it was proposed to the Earl of Nottingham, who had great credit with the whole Church party: For he was a man possessed with their notions, and was grave and virtuous in the course of his life. He had some knowledge of the law, and of the records of Parliament, and was a copious Speaker, but too florid and tedious. He was much admired by many. He had stood at a great distance from the Court all this reign: For, tho' his name was still among the Privy Counsellors, yet he never went to the board. He upon the first proposition entertained it, and agreed to it. But at their next meeting he said, he had considered better of that matter: His conscience was so restrained in those points, that he could not go further with them in it: He said, he had talked with some Divines, and named Tillotson and Stillingfleet, in general of the thing; and they were not satisfied with it: (Tho' they protested to me afterwards, that they remembered no such thing:) He confessed, he should not have suffered them to go so far with him in such a secret, till he had examined it better: They had now, according to Italian notions, a right to murder him: But, tho' his principles restrained him, so that he could not go on with them, his affections would make him to wish well to them, and be so far a criminal as concealment could make him one. The Earl of Devonshire was spoke to: And he went into it with great resolution. It was next proposed to three of the chief Officers of the Army, Trelawny, Kirk, and the Lord Churchill. These went all into it. And Trelawny engaged his brother, the Bishop of Bristol, into it.

But, having now named the Lord Churchill, who is like to be mentioned oft by me in the sequel of this work, I will say a little more of him.

Lord Churchill's character.

He

1688. He was a man of a noble and graceful appearance, bred up in the Court with no literature: But he had a solid and clear understanding, with a constant presence of mind. He knew the arts of living in a Court beyond any man in it. He charmed all people with a soft and obliging deportment, and was always ready to do good offices. He had no fortune to set up on: This put him on all the methods of acquiring one. And that went so far into him, that he did not shake it off, when he was in a much higher elevation: Nor was his expence suited enough to his posts. But, when allowances are made for that, it must be acknowledged, that he is one of the greatest men the age has produced. He was in high favour with the King. But his Lady was much more in Princess Anne's favour. She had an ascendant over her in every thing. She was a woman of little knowledge, but of a clear apprehension, and a true judgment, a warm and hearty friend, violent and sudden in her resolutions, and impetuous in her way of speaking. She was thought proud and insolent on her favour, tho' she used none of the common arts of a Court to maintain it: For she did not beset the Princess, nor flatter her. She staid much at home, and looked very carefully after the education of her children. Having thus opened both their characters, I will now give an account of this Lord's engagements in this matter; for which he has been so severely censured, as guilty both of ingratitude and treachery, to a very kind and liberal master. He never discovered any of the King's secrets; nor did he ever push him on to any violent proceedings. So that he was in no contrivance to ruin or betray him. On the contrary, whensoever he spoke to the King of his affairs, which he did but seldom, because he could not fall in with the King's notions, he always suggested moderate counsels. The Earl of Gallway told me, that when he came over with the first
com-

compliment upon the King's coming to the Crown, he said then to him, that, if the King was ever prevailed on to alter our religion, he would serve him no longer, but withdraw from him. So early was this resolution fixed in him. When he saw how the King was set, he could not be contented to see all ruined by him. He was also very doubtful as to the pretended birth. So he resolved, when the Prince should come over, to go in to him; but to betray no post, nor do any thing more than the withdrawing himself, with such Officers as he could trust with such a secret. He also undertook, that Prince George and the Princess Anne would leave the Court, and come to the Prince, as soon as was possible.

With these invitations and letters the Earl of Shrewsbury and Russel came over in September: And soon after them came Sidney with Johnstoun. And they brought over a full scheme of advices, together with the heads of a declaration, all which were chiefly penned by Lord Danby. He and the Earl of Devonshire, and the Lord Lumly undertook for the North: And they all dispersed themselves into their several countries, and among their friends. The thing was in the hands of many thousands, who yet were so true to one another, that none of them made any discovery, no not by their rashness: Tho' they were so confident, that they did not use so discreet a conduct as was necessary. Matters went on in Holland with great secrecy till September. Then it was known, that many arms were bespoke. And, tho' those were bargained for in the name of the King of Sweden, and of some of the Princes of Germany, yet there was ground enough for suspicion. All those that were trusted proved both faithful and discreet. And here an eminent difference appeared between the hearty concurrence of those, who went into a design upon principles of religion and honour, and the forced compliance of mercenary Soldiers, or

VOL. II. K k corrupt

1688. corrupt Ministers, which is neither cordial nor secret. France took the alarm first, and gave it to the Court of England.

The Court of France gave the alarm.

D'Avaux, the French Embassador, could no more give the Court of France those advertisements, that he was wont to send of all that past in Holland. He had great allowances for entertaining agents and spies every where. But Louvoy, who hated him, suggested that there was no more need of these: So they were stopped: And the Embassador was not sorry, that the Court felt their error so sensibly. The King published the advertisements he had from France a little too rashly: For all people were much animated, when they heard it from such a hand. The King soon saw his error: And, to correct it, he said on many occasions, that whatever the designs of the Dutch might be, he was sure they were not against him. It was given out sometimes, that they were against France, and then that they were against Denmark. Yet the King shewed he was not without his fears: For he ordered fourteen more ships to be put to sea with many fireships. He recalled Strickland, and gave the command to the Lord Dartmouth; who was indeed one of the worthiest men of his Court: He loved him, and had been long in his service, and in his confidence: But he was much against all the conduct of his affairs: Yet he resolved to stick to him at all hazards. The seamen came in slowly: And a heavy backwardness appeared in every thing.

Recruits from Ireland refused.

A new and unlooked for accident gave the King a very sensible trouble. It was resolved, as was told before, to model the Army, and to begin with recruits from Ireland. Upon which the English Army would have become insensibly an Irish one. The King made the first trial on the Duke of Berwick's Regiment, which being already under an illegal Colonel, it might be supposed they were ready to submit to every thing.

Five

1688.

Five Irishmen were ordered to be put into every company of that Regiment, which then lay at Portsmouth. But Beaumont, the Lieutenant Colonel, and five of the Captains refused to receive them. They said, they had raised their men upon the Duke of Monmouth's invasion, by which their zeal for the King's service did evidently appear. If the King would order any recruits, they doubted not, but that they should be able to make them. But they found, it would give such an universal discontent, if they should receive the Irish among them, that it would put them out of a capacity of serving the King any more. But as the order was positive, so the Duke of Berwick was sent down to see it obeyed. Upon which they desired leave to lay down their commissions. The King was provoked by this to such a degree that he could not govern his passion. The Officers were put in arrest, and brought before a Council of war, where they were broken with reproach, and declared incapable to serve the King any more. But upon this occasion, the whole Officers of the Army, declared so great an unwillingness to mix with those of another Nation and Religion, that, as no more attempts were made of this kind, so it was believed that this fixed the King in a point, that was then under debate.

The King of France, when he gave the King the advertisements of the preparations in Holland, offered him such a force as he should call for. Twelve or fifteen thousand were named, or as many more as he should desire. It was proposed, that they should land at Portsmouth, and that they should have that place to keep the communication with France open, and in their hands. All the Priests were for this: So were most of the Popish Lords. The Earl of Sunderland was the only man in credit that opposed it. He said, the offer of an Army of forty thousand men might be a real strength: But then it would depend on the

Offers
made by
the
French.

1688. orders that came from France: They might perhaps master England: But they would become the King's masters at the same time: So that he must govern under such orders as they should give: And thus he would quickly become only a Viceroy to the King of France: Any Army less than that would lose the King the affections of his people, and drive his own Army to desertion, if not to mutiny.

Not entertained at that time.

The King did not think matters were yet so near a crisis: So he did neither entertain the proposition, nor let it fall quite to the ground. There was a treaty set on foot, and the King was to have an hundred merchant ships, ready for the transportation of such forces as he should desire, which it was promised should be ready when called for. It is certain, that the French Embassador then at London, who knew the Court better than he did the Nation, did believe, that the King would have been able to have made a greater division of the Nation, than it proved afterwards he was able to do. He believed, it would have gone to a civil war; and that then the King would have been forced to have taken assistance from France on any terms: And so he encouraged the King of France to go on with his designs that winter, and he believed he might come in good time next year to the King's assistance. These advices proved fatal to the King, and to Barrillon himself: For, when he was sent over to France, he was so ill looked on, that it was believed it had an ill effect on his health; for he died soon after.

Albeville came over fully persuaded that the Dutch designed the expedition against England, but plaid the Minister so, that he took pains to infuse into all people that they designed no such thing; which made him to be generally laughed at. He was soon sent back: And, in a memorial he gave into the States, he asked, what was the design of those great and surprising preparations

at

at such a season. The States, according to their flow forms let this lie long before them, without giving it an answer. 1688.

But the Court of France made a greater step. The French Embassador in a memorial told the States, that his master understood their design was against England, and in that case he signified to them, that there was such a strait alliance between him and the King of England, that he would look on every thing done against England, as an invasion of his own Crown. This put the King and his Ministers much out of countenance: For, upon some surmises of an alliance with France, they had very positively denied there was any such thing. Albeville did continue to deny it at the Hague, even after the memorial was put in. The King did likewise deny it to the Dutch Embassador at London. And the blame of the putting it into the memorial was cast on Shelton the King's Envoy at Paris, who was disowned in it, and upon his coming over was put in the Tower for it. This was a short disgrace; for he was soon after made Lieutenant of the Tower. His rash folly might have procured the order from the Court of France, to own this alliance: He thought it would terrify the States: And so he pressed this officiously, which they easily granted. That related only to the owning it in so publick a manner. But this did clearly prove, that such an alliance was made: Otherwise no instances, how pressing soever, would have prevailed with the Court of France to have owned it in so solemn a manner: For what Embassadors say in their master's name, when they are not immediately disowned, passes for authentick. So that it was a vain cavil that some made afterwards, when they asked, how was this alliance proved? The memorial was a full proof of it: And the shew of a disgrace on Shelton did not at all weaken that proof.

1688.

But I was more confirmed of this matter by what Sir William Trumball, then the English Embassador at Constantinople, told me at his return to England. He was the eminentest of all our Civilians, and was by much the best pleader in those Courts, and was a learned, a diligent, and a virtuous man. He was sent Envoy to Paris upon the Lord Preston's being recalled. He was there, when the edict that repealed the edict of Nantes was past, and saw the violence of the persecution, and acted a great and worthy part in harbouring many, in covering their effects, and in conveying over their jewels and plate to England; which disgusted the Court of France, and was not very acceptable to the Court of England, tho' it was not then thought fit to disown or recall him for it. He had orders to put in memorials, complaining of the invasion of the Principality of Orange; which he did in so high a strain, that the last of them was like a denunciation of war. From thence he was sent to Turkey. And, about this time, he was surprized one morning by a visit that the French Embassador made him, without those ceremonies that pass between Embassadors. He told him, there was no ceremony to be between them any more; for their masters were now one. And he shewed him Monsieur de Croissy's letter, which was written in cypher. The decyphering he read to him, importing, that now an alliance was concluded between the two Kings. So, this matter was as evidently proved, as a thing of such a nature could possibly be.

The
strange
conduct of
France.

The conduct of France at that time with relation to the States was very unaccountable; and proved as favourable to the Prince of Orange's designs, as if he had directed it. All the manufacture of Holland both linen and woollen was prohibited in France. The importation of herrings was also prohibited, except they were cured with French salt.

This

1688.

This was contrary to the treaty of commerce. The manufacture began to suffer much. And this was sensible to those who were concerned in the herring trade. So the States prohibited the importing of French wine or brandy, till the trade should be set free again of both sides. There was nothing that the Prince had more reason to apprehend, than that the French should have given the States some satisfaction in the point of trade, and offered some assurances with relation to the territory of Cologn. Many of the towns of Holland might have been wrought on by some temper in these things; great bodies being easily deceived, and not easily drawn into wars, which interrupt that trade which they subsist by. But the height the Court of France was then in, made them despise all the world. They seemed rather to wish for a war, than to fear it. This disposed the States to an unanimous concurrence in the great resolutions that were now agreed on, of raising ten thousand men more, and of accepting thirteen thousand Germans, for whom the Prince had, as was formerly mentioned, agreed with some of the Princes of the Empire. Amsterdam was at first cold in the matter: But they consented with the rest. Reports were given out, that the French would settle a regulation of commerce, and that they would abandon the Cardinal, and leave the affairs of Cologn to be settled by the laws of the Empire. Expedients were also spoke of for accommodating the matter, by Prince Clement's being admitted Coadjutor, and by his having some of the strong places put in his hands. This was only given out to amuse.

But while these things were discoursed of at the Hague, the world was surprized with a Manifesto set out, in the King of France's name, against the Emperor. In it, the Emperor's ill designs against France were set forth. It also complained of the Elector Palatine's injustice to the Dutchess of Orleans, in not giving her the succession that fell

A Mani-
festo of
war
against the
Empire.

1688.

to her by her brother's death, which consisted in some lands, cannon, furniture, and other moveable goods. It also charged him with the disturbances in Cologne, he having intended first to gain that to one of his own sons, and then engaging the Bavarian Prince into it; whose elder brother having no children, he hoped, by bringing him into an Ecclesiastical State, to make the succession of Bavaria fall into his own family. It charged the Emperor likewise with a design to force the Electors to choose his son King of the Romans; and that the Elector Palatine was pressing him to make peace with the Turks, in order to the turning his arms against France. By their means a great alliance was projected among many Protestant Princes to disturb Cardinal Furstemberg in the possession of Cologne, to which he was postulated by the majority of the Chapter. And this might turn to the prejudice of the Catholick Religion in that territory. Upon all these considerations, the King of France; seeing that his enemies could not enter into France by any other way but by that of Philipsburg, resolved to possess himself of it, and then to demolish it. He resolved also to take Kaiserslauter from the Palatine, and to keep it, till the Dutchess of Orleans had justice done her in her pretensions. And he also resolved to support the Cardinal in his possession of Cologne. But, to balance this, he offered to the House of Bavaria, that Prince Clement should be chosen Coadjutor. He offered also to raise Fribourg, and to restore Kaiserslauter, as soon as the Elector Palatine should pay the Dutchess of Orleans the just value of her pretensions. He demanded, that the truce between him and the Empire should be turned into a peace. He proposed, that the King of England and the Republick of Venice should be the mediators of this peace. And he concluded all, declaring that he would not bind himself to stand to the conditions

Reflections
made
upon it.

tions now offered by him, unless they were accepted of before January.

I have given a full abstract of this Manifesto: For upon it did the great war begin, which lasted till the peace of Ryſwick. And, upon the grounds laid down in this Manifesto, it will evidently appear, whether the war was a just one, or not. This declaration was much censured, both for the matter and for the stile. It had not the air of greatness, which became crowned heads. The Dutchess of Orleans's pretensions to old furniture, was a strange rise to a war; especially when it was not alledged, that these had been demanded in the forms of law, and that justice had been denied, which was a course necessarily to be observed in things of that nature. The judging of the secret intentions of the Elector Palatine with relation to the House of Bavaria was absurd. And the complaints of designs to bring the Emperor to a peace with the Turks, that so he might make war on France, and of the Emperor's design to force an election of a King of the Romans, was the entring into the secrets of those thoughts, which were only known to God. Such conjectures, so remote and uncertain, and that could not be proved, were a strange ground of war. If this was once admitted, all treaties of peace were vain things, and were no more to be reckoned or relied on. The reason given of the intention to take Philipsbourg, because it was the properest place by which France could be invaded, was a throwing off all regards to the common decencies observed by Princes. All fortified places on frontiers are intended both for resistance and for magazines; and are of both sides conveniences for entring into the neighbouring territory, as there is occasion for it. So here was a pretence set up, of beginning a war, that puts an end to all the securities of peace.

The business of Cologn was judged by the Pope, according to the laws of the Empire: And his sentence

1688.

sentence was final : Nor could the postulation of the majority of the Chapter be valid, unless two thirds joined in it. The Cardinal was commended in the Manifesto, for his care in preserving the peace of Europe. This was ridiculous to all, who knew that he had been for many years the great incendiary, who had betrayed the Empire, chiefly in the year 1672. The charge that the Emperor's agent had laid on him before the Chapter was also complained of, as an infraction of the Amnesty stipulated by the peace of Nimeguen. He was not indeed to be called to an account, in order to be punished for any thing done before that peace. But that did not bind up the Emperor from endeavouring to exclude him from so great a dignity, which was like to prove fatal to the Empire. These were some of the censures that past on this Manifesto ; which was indeed looked on, by all who had considered the rights of peace and the laws of war, as one of the most avowed and solemn declarations, that ever was made, of the perfidiousness of that Court. And it was thought to be some degrees beyond that in the year 1672, in which that King's glory was pretended as the chief motive of that war. For, in that, particulars were not reckoned up : So it might be supposed, he had met with affronts, which he did not think consistent with his greatness to be mentioned. But here all that could be thought on, even the hangings of Heidelberg, were enumerated : And all together amounted to this, that the King of France thought himself tied by no peace ; but that, when he suspected his neighbours were intending to make war upon him, he might upon such a suspicion begin a war on his part.

Another
against
the Pope.

This Manifesto against the Emperor was followed by another against the Pope, writ in the form of a letter to Cardinal D'Estrees, to be given by him to the Pope. In it, he reckoned all the partiality that the Pope had shewed during his whole Pontificate,

Pontificate, both against France and in favour of the House of Austria. He mentioned the business of the Regale; his refusing the Bulls to the Bishops nominated by him; the dispute about the franchises, of which his Embassadors had been long in possession; the denying audience, not only to his Embassador, but to a Gentleman whom he had sent to Rome without a character, and with a letter writ in his own hand: In conclusion, he complained of the Pope's breaking the Canons of the Church, in granting Bulls in favour of Prince Clement, and in denying justice to Cardinal Furtemberg: For all these reasons the King was resolved to separate the character of the Most Holy Father, from that of a temporal Prince: And therefore he intended to seize on Avignon, as likewise on Castro, until the Pope should satisfy the pretensions of the Duke of Parma. He complained of the Pope's not concurring with him in the concerns of the Church, for the extirpation of heresy: In which the Pope's behaviour gave great scandal both to the old Catholicks, and to the new converts. It also gave the Prince of Orange the boldness to go and invade the King of England, under the pretence of supporting the Protestant religion, but indeed to destroy the Catholick religion, and to overturn the Government: Upon which his emissaries and the writers in Holland gave out, that the birth of the Prince of Wales was an imposture.

This was the first publick mention that was made of the imposture of that birth: For the author of a book writ to that purpose was punished for it in Holland. It was strange to see the disputes about the Franchises made a pretence for a war: For certainly all sovereign Princes can make such regulations as they think fit in those matters. If they cut Embassadors short in any privilege, their Embassadors are to expect the same treatment from other Princes: And as long as the sacredness

Censures
that pass
upon it.

1688.

of an Embassador's person, and of his family, was still preserved, which was all that was a part of the law of Nations, Princes may certainly limit the extent of their other privileges, and may refuse any Embassadors, who will not submit to their regulation. The number of an Embassador's retinue is not a thing that can be well defined: But if an Embassador comes with an Army about him, instead of a retinue, he may be denied admittance. And if he forces it, as Lavardin had done, it was certainly an act of hostility: And, instead of having a right to the character of an Embassador, he might well be considered and treated as an enemy.

The Pope had observed the Canons in rejecting Cardinal Furstemberg's defective postulation. And, whatever might be brought from ancient Canons, the practice of that Church for many ages, allowed of the dispensations that the Pope granted to Prince Clement. It was looked on by all people, as a strange reverse of things, to see the King of France, after all his cruelty to the Protestants, now go to make war on the Pope; and on the other hand to see the whole Protestant body concurring to support the authority of the Pope's Bulls in the business of Cologne; and to defend the two Houses of Austria and Bavaria, by whom they were laid so low but threescore years before this. The French, by the war that they had now begun, had sent their troops towards Germany and the upper Rhine; and so had rendred their sending an Army over to England impracticable: Nor could they send such a force into the Bishoprick of Cologne, as could any ways alarm the States. So that the invasion of Germany made the designs, that the Prince of Orange was engaged in, both practicable and safe.

Marshal
Schomberg sent
to Cleve.

Marshal Schomberg came at this time into the country of Cleve. He was a German by birth: So when the persecution was begun in France, he desired leave to return into his own Country.

That

That was denied him. All the favour he could obtain, was leave to go to Portugal. And so cruel is the spirit of Popery, that, though he had preserved that Kingdom from falling under the yoke of Castille, yet now that he came thither for refuge, the Inquisition represented that matter of giving harbour to a heretick so odiously to the King, that he was forced to send him away. He came from thence, first to England: And then he passed thro' Holland, where he entred into a particular confidence with the Prince of Orange. And being invited by the old Elector of Brandenburg, he went to Berlin: Where he was made Governor of Prussia, and set at the head of all the Elector's armies. The son treated him now with the same regard that the father had for him: And sent him to Cleve, to command the troops that were sent from the Empire to the defence of Cologn. The Cardinal offered a neutrality to the Town of Cologn. But they chose rather to accept a garrison that Schomberg sent them: By which not only that Town was secured, but a stop was put to any progress the French could make, till they could get that great Town into their hands. By these means the States were safe on all hands for this winter: And this gave the Prince of Orange great quiet in prosecuting his designs upon England. He had often said, that he would never give occasion to any of his enemies to say, that he had carried away the best force of the States, and had left them exposed to any impressions, that might be made on them in his absence. He had now reason to conclude, that he had no other risk to run in his intended expedition, but that of the seas and the weather. The seas were then very boisterous: And the season of the year was so far spent, that he saw he was to have a campaign in winter. But all other things were now well secured by this unexpected conduct of the French.

1688.

The
Dutch
fleet at
sea.

There was a fleet now set to sea of about fifty sail. Most of them were third or fourth rates, commanded by Dutch Officers. But Herbert, as representing the Prince's person, was to command in chief, as Lieutenant General Admiral. This was not very easy to the States, nor indeed to the Prince himself; who thought it an absurd thing, to set a stranger at the head of their fleet. Nothing less would content Herbert. And it was said, that nothing would probably make the English fleet come over, and join with the Prince, so much as the seeing one that had lately commanded them, at the head of the Dutch fleet. There was a transport fleet hired for carrying over the army. And this grew to be about five hundred vessels: For, tho' the horse and dragoons in pay were not four thousand, yet the horses for officers and volunteers, and for artillery and baggage, were above seven thousand. There were arms provided for twenty thousand more. And, as things were thus made ready,

The
Prince of
Orange's
declara-
tion.

The declaration that the Prince was to publish came to be considered. A great many draughts were sent from England by different hands. All these were put in the Pensioner Fagel's hands, who upon that made a long and heavy draught, founded on the grounds of the civil law, and of the law of Nations. That was brought to me to be put in English. I saw he was fond of his own draught: And the prince left that matter wholly to him: Yet I got it to be much shortned, tho' it was still too long. It set forth at first a long recital of all the violations of the laws of England, both with relation to religion, to the civil government, and to the administration of justice, which have been all opened in the series of the history. It set forth next all remedies that had been tried in a gentler way; all which had been ineffectual. Petitioning by the greatest persons, and in the privatest man-

ner, was made a crime. Endeavours were used to pack a Parliament, and to pre-engage both the votes of the electors, and the votes of such as upon the election should be return'd to sit in Parliament. The writs were to be address'd to unlawful officers, who were disabled by law to execute them: So that no legal Parliament could now be brought together. In conclusion, the reasons of suspecting the Queen's pretended delivery were set forth in general terms. Upon these grounds the Prince, seeing how little hope was left of succeeding in any other method, and being sensible of the ruin both of the Protestant religion, and of the constitution of England and Ireland, that was imminent, and being earnestly invited by men of all ranks, and in particular by many of the Peers, both Spiritual and Temporal, he resolv'd, according to the obligation he lay under, both on the Princess's account, and on his own, to go over into England, and to see for proper and effectual remedies for redressing such growing evils, in a Parliament that should be lawfully chosen, and should sit in full freedom, according to the ancient custom and constitution of England, with which he would concur in all things that might tend to the peace and happiness of the Nation. And he promised in particular, that he would preserve the Church and the established religion, and that he would endeavour to unite all such as divided from the Church to it, by the best means that could be thought on, and that he would suffer such as would live peaceably, to enjoy all due freedom in their consciences, and that he would refer the enquiry into the Queen's delivery to a Parliament, and acquiesce in its decision. This the Prince signed and sealed on the tenth of October. With this the Prince ordered letters to be writ in his name, inviting both the soldiers, seamen, and others to come and join with him, in order to the securing their religion, laws, and liberties. Another short paper was drawn by me

1688. me concerning the measures of obedience, justifying the design, and answering the objections that might be made to it. Of all these many thousand copies were printed, to be dispersed at our landing.

I was desired to go with the Prince.

The Prince desired me to go along with him as his Chaplain, to which I very readily agreed: For, being fully satisfied in my conscience that the undertaking was lawful and just, and having had a considerable hand in advising the whole progress of it, I thought it would have been an unbecoming fear in me to have taken care of my own person, when the Prince was venturing his, and the whole was now to be put to hazard. It is true, I being a Scotchman by birth, had reason to expect, that, if I had fallen into the enemies hands, I should have been sent to Scotland, and put to the torture there. And, having this in prospect, I took care to know no particulars of any of those who corresponded with the Prince. So that knowing nothing against any, even torture itself could not have drawn from me that, by which any person could be hurt. There was another declaration prepared for Scotland. But I had no other share in that, but that I corrected it in several places, chiefly in that which related to the Church: For the Scots at the Hague, who were all Presbyterians, had drawn it so, that, by many passages in it, the Prince by an implication declared in favour of Presbytery. He did not see what the consequences of those were, till I explained them. So he ordered them to be altered. And by the declaration that matter was still entire.

Advices from England.

As Sidney brought over letters from the persons formerly mentioned, both inviting the Prince to come over to save and rescue the Nation from ruin, and assuring him that they wrote that which was the universal sense of all the wise and good men in the Nation: So they also sent over with him a scheme of advices. They advised his having a great Fleet, but a small Army: They thought, it should not

not exceed six or seven thousand men. They apprehended, that an ill use might be made of it, if he brought over too great an Army of foreigners, to infuse into people a jealousy that he designed a conquest: They advised his landing in the North, either in Burlington bay, or a little below Hull: Yorkshire abounded in horse: And the Gentry were generally well affected, even to zeal, for the design: The country was plentiful, and the roads were good till within fifty miles of London. The Earl of Danby was earnest for this, hoping to have had a share in the whole management, by the interest he believed he had in that country. It was confessed, that the western counties were well affected: But it was said, that the miscarriage of Monmouth's invasion, and the executions which followed it, had so dispirited them, that it could not be expected they would be forward to join the Prince: Above all things they pressed dispatch, and all possible haste: The King had then but eighteen ships riding in the Downs: But a much greater Fleet was almost ready to come out: They only wanted seamen, who came in very slowly.

When these things were laid before the Prince, he said, he could by no means resolve to come over with so small a force: could not believe what they suggested, concerning the King's Army's being disposed to come over to him: Nor did he reckon, so much as they did, on the people of the country's coming in to him: He said, he could trust to neither of these: He could not undertake so great a design, the miscarriage of which would be the ruin both of England and Holland, without such a force, as he had reason to believe would be superior to the King's own, tho' his whole Army should stick to him. Some proposed, that the Prince would divide his force, and land himself with the greatest part in the North, and send a detachment to the West un-

1688.

der Marshal Schömburg. They pressed the Prince very earnestly to bring him over with him, both because of the great reputation he was in, and because they thought it was a security to the Prince's person, and to the whole design, to have another General with him, to whom all would submit in case of any dismal accident: For it seemed too much to have all depend on a single life: And they thought that would be the safer, if their enemies saw another person capable of the command, in case they should have a design upon the Prince's person. With this the Prince complied easily, and obtained the Elector's consent to carry him over with him. But he rejected the motion of dividing his Fleet and Army. He said, such a divided force might be fatal: For if the King should send his chief strength against the detachment, and have the advantage, it might lose the whole business; since a misfortune in any one part might be the ruin of the whole.

When these advices were proposed to Herbert, and the other seamen, they opposed the landing in the North vehemently. They said, no seamen had been consulted in that: The North coast was not fit for a Fleet to ride in during an East wind, which it was to be expected in winter might blow so fresh, that it would not be possible to preserve the Fleet: And if the Fleet was left there, the Channel was open for such forces as might be sent from France: The Channel was the safer sea for the Fleet to ride in, as well as to cut off the assistance from France. Yet the advices for this were so positive, and so often repeated from England, that the Prince was resolved to have split the matter, and to have landed in the North, and then to have sent the Fleet to lie in the Channel.

Artifices
to cover
the design.

The Prince continued still to cover his design, and to look towards Cologn. He ordered a review of his Army, and an encampment for two months

months at Nimeguen. A train of artillery was also ordered. By these orders the Officers saw a necessity of furnishing themselves for so long a time. The main point remained, how money should be found for so chargeable an expedition. The French Embassador had his eye upon this; and reckoned that, whensoever any thing relating to it should be moved, it would be then easy to raise an opposition, or at least to create a delay. But Fagel's great foresight did prevent this. In the July before, it was represented to the States, that now by reason of the neighbourhood of Cologne, and the war that was like to arise there, it was necessary to repair their places, both on the Rhine and the Issel, which were in a very bad condition. This was agreed to: And the charge was estimated at four millions of Guilders. So the States created a fund for the interest of that money, and ordered it to be taken up by a loan. It was all brought in in four days. About the end of September a message was delivered to the States from the Elector of Brandenburg, by which he undertook to send an Army into his country of Cleve, and to secure the States from all danger on that side for this winter.

Upon this, it was proposed, to lend the Prince the four millions. And this passed easily in the States, without any opposition, to the amazement of all that saw it: For it had never been known, that so great and so dangerous an expedition in such a season had been so easily agreed to, without so much as one disagreeing vote, either at the Hague, or in any of the Towns of Holland. All people went so cordially into it, that it was not necessary to employ much time in satisfying them, both of the lawfulness and of the necessity of the undertaking. Fagel had sent for all the eminent Ministers of the chief Towns of Holland: And, as he had a vehemence as well as a tenderness in speaking, he convinced them evidently, that both

1688. their religion and their country were in such imminent danger, that nothing but this expedition could save them: They saw the persecution in France: And in that they might see what was to be expected from that religion: They saw the violence with which the King of England was driving matters in his country, which if not stopped would soon prevail. He sent them thus full of zeal, to dispose the people to a hearty approbation and concurrence in this design. The Ministers in Holland are so watched over by the States, that they have no more authority when they meet in a body, in a Synod or in a Classis, than the States think fit to allow them. But I was never in any place, where I thought the Clergy had generally so much credit with the people, as they have there: And they employed it all upon this occasion very diligently, and to good purpose. Those who had no regard to religion, yet saw a war begun in the Empire by the French. And the publication of the alliance between France and England by the French Embassador, made them conclude that England would join with France. They reckoned, they could not stand before such an united force, and that therefore it was necessary to take England out of the hands of a Prince, who was such a firm ally to France. All the English that lived in Holland, especially the merchants that were settled in Amsterdam, where the opposition was like to be strongest, had such positive advices of the disposition that the Nation, and even the Army were in; that, as this undertaking was considered as the only probable means of their preservation, it seemed so well concerted, that little doubt was made of success, except what arose from the season; which was not only far spent, but the winds were both so contrary and so stormy for many weeks, that a forcible stop seemed put to it by the hand of heaven.

Herbert

Herbert went to sea with the Dutch Fleet: 1688.
 And was ordered to stand over to the Downs, and to look on the English Fleet, to try if any would come over, of which some hopes were given; or to engage them, while they were then not above eighteen or twenty ships strong. But the contrary winds made this not only impracticable, but gave great reason to fear that a great part of the Fleet would be either lost or disabled. These continued for above a fortnight, and gave us at the Hague a melancholy prospect. Herbert also found, that the Fleet was neither so strong, nor so well manned, as he had expected.

The Dutch put to sea.

All the English, that were scattered about the Provinces, or in Germany, came to the Hague. Among these there was one Wildman, who, from being an agitator in Cromwell's Army, had been a constant meddler on all occasions in every thing that looked like sedition, and seemed inclined to oppose every thing that was uppermost. He brought his usual ill humour along with him, having a peculiar talent in possessing others by a sort of contagion with jealousy and discontent. To these the Prince ordered his declaration to be shewed. Wildman took great exceptions to it, with which he possessed many to such a degree, that they began to say, they would not engage upon those grounds. Wildman had drawn one, in which he had laid down a scheme of the government of England, and then had set forth many particulars in which it had been violated, carrying these a great way into King Charles's reign; all which he supported by many authorities from law books. He objected to the Prince's insisting so much on the Dispensing Power, and on what had been done to the Bishops. He said, there was certainly a Dispensing Power in the Crown, practised for some ages: Very few Patents passed in which there was not a "non obstante" to one or more acts of Parliament: Thi

Some factious motions at the Hague.

1688. power had been too far stretched of late: But the stretching of a power that was in the Crown, could not be a just ground of war: The King had a right to bring any man to a trial: The Bishops had a fair trial, and were acquitted, and discharged upon it: In all which there was nothing done contrary to law. All this seemed mysterious, when a known Republican was become an advocate for Prerogative. His design in this was deep and spiteful. He saw that, as the declaration was drawn, the Church party would come in, and be well received by the Prince: So he, who designed to separate the Prince and them at the greatest distance from one another, studied to make the Prince declare against those grievances, in which many of them were concerned, and which some among them had promoted. The Earl of Macclesfield, with the Lord Mordaunt, and many others, joined with him in this. But the Earl of Shrewsbury, together with Sidney, Russel, and some others, were as positive in their opinion, that the Prince ought not to look so far back as into King Charles's reign: This would disgust many of the Nobility and Gentry, and almost all the Clergy: So they thought the declaration was to be so conceived, as to draw in the body of the whole Nation: They were all alarmed with the Dispensing Power: And it would seem very strange to see an invasion, in which this was not set out as the main ground of it: Every man could distinguish between the dispensing with a special act in a particular case, and a total dispensing with laws to secure the Nation and the Religion: The ill designs of the Court, as well as the affections of the Nation, had appeared so evidently in the Bishops trial, that if no notice was taken of it, it would be made use of to possess all people, with an opinion of the Prince's ill will to them. Russel said, that any reflections made on King Charles's reign would not only

carry over all the high Church party, but all the Army, entirely to the King. Wildman's declaration was much objected to. The Prince could not enter into a discussion of the law and government of England: That was to be left to the Parliament: The Prince could only set forth the present and publick grievances, as they were transmitted to him by those, upon whose invitation he was going over. This was not without some difficulty overcome, by altering some few expressions in the first draught, and leaving out some circumstances. So the declaration was printed over again, with some amendments.

In the beginning of October, the troops marched from Nimeguen were put on board in the Zuyder sea, where they lay above ten days before they could get out of the Texel. Never was so great a design executed in so short a time. A transport fleet of five hundred vessels was hired in three days time. All things, as soon as they were ordered, were got to be so quickly ready, that we were amazed at the dispatch. It is true, some things were wanting, and some things had been forgot. But when the greatness of the equipage was considered, together with the secrecy with which it was to be conducted, till the whole design was to be avowed, it seemed much more strange that so little was wanting, or that so few things had been forgot. Benthink, Dykvelt, Herbert, and Van Hulst, were for two months constantly at the Hague, giving all necessary orders, with so little noise that nothing broke out all that while. Even in lesser matters favourable circumstances concurred to cover the design. Benthink used to be constantly with the Prince, being the person that was most entirely trusted and constantly employed by him: So that his absence from him, being so extraordinary a thing, might have given some umbrage. But all the summer his Lady was so very ill, that she was looked on

The Army was shipped.

1688. every day as one that could not live three days to an end: So that this was a very just excuse for his attendance at the Hague.

The Princess's sense of things.

I waited on the Princess a few days before we left the Hague. She seemed to have a great load on her spirits, but to have no scruple as to the lawfulness of the design. After much other discourse, I said, that if we got safe to England, I made no great doubt of our success in all other things. I only begged her pardon to tell her, that if there should happen to be at any time any disjointing between the Prince and her, that would ruin all. She answered me, that I needed fear no such thing: If any person should attempt that, she would treat them so, as to discourage all others from venturing on it for the future. She was very solemn and serious, and prayed God earnestly to bless and direct us.

The Prince took leave of the States.

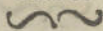
On the sixteenth of October O. S. the wind that had stood so long in the West, came into the East. So orders were sent to all to haste to Helvoet-Sluis. That morning the Prince went into the assembly of the States General, to take leave of them. He said to them, he was extream sensible of the kindness they had all shewed him upon many occasions: He took God to witness, he had served them faithfully, ever since they had trusted him with the government, and that he had never any end before his eyes but the good of the country: He had pursued it always: And if at any time he erred in his judgment, yet his heart was ever set on procuring their safety and prosperity. He took God to witness, he went to England with no other intentions, but those he had set out in his declaration: He did not know how God might dispose of him: To his providence he committed himself: Whatsoever might become of him, he committed to them the care of their country, and recommended the Princess to them in a most particular manner: He assured them, she loved their

their

their Country perfectly, and equally with her own: He hoped, that whatever might happen to him, they would still protect her, and use her as she well deserved: And so he took leave. It was a sad, but a kind parting. Some of every Province offered at an answer to what the Prince had said: But they all melted into tears and passion: So that their speeches were much broken, very short, and extream tender. Only the Prince himself continued firm in his usual gravity and phlegm. When he came to Helvoet-Sluys, the transport fleet had consumed so much of their provisions, that three days of the good wind were lost, before all were supplied anew.

At last, on the nineteenth of October, the Prince went aboard, and the whole Fleet sailed out that night. But the next day the wind turned into the North, and settled in the North-West. At night a great storm rose. We wrought against it all that night, and the next day. But it was in vain to struggle any longer. And so vast a Fleet run no small hazard, being obliged to keep together, and yet not to come too near one another. On the twenty first in the afternoon the signal was given to go in again: And on the twenty second the far greater part got safe into port. Many ships were at first wanting, and were believed to be lost. But after a few days all came in. There was not one ship lost; nor so much as any one man, except one that was blown from the shrouds into the sea. Some ships were so shattered, that as soon as they came in, and all was taken out of them, they immediately sunk down. Only five hundred horses died for want of air. Men are upon such occasions apt to flatter themselves upon the points of providence. In France and England, as it was believed that our loss was much greater than it proved to be, so they triumphed not a little, as if God had fought against us, and defeated the whole design. We on our part,

1688.



We failed out of the Maes.

But were forced back.

1688. part, who found our selves delivered out of so great a storm and so vast a danger, looked on it as a mark of God's great care of us, who, tho' he had not changed the course of the winds, and seas in our favour, yet had preserved us while we were in such apparent danger, beyond what could have been imagined. The States were not at all discouraged with this hard beginning, but gave the necessary orders for supplying us with every thing that we needed. The Princess behaved herself at the Hague suitably to what was expected from her. She ordered prayers four times a day, and assisted at them with great devotion. She spoke to no body of affairs, but was calm and silent. The States ordered some of their body to give her an account of all their proceedings. She indeed answered little: But in that little she gave them cause often to admire her judgment.

Confulta-
tions in
England.

In England the Court saw now, that it was in vain to dissemble or disguise their fears any more. Great consultations were held there. The Earl of Melfort, and all the Papists, proposed the seizing on all suspected persons, and the sending them to Portsmouth. The Earl of Sunderland opposed this vehemently. He said, it would not be possible to seize on many at the same time: And the seizing on a few would alarm all the rest: It would drive them in to the Prince, and furnish them with a pretence for it: He proposed rather, that the King would do such popular things, as might give some content, and lay that fermentation with which the Nation was then, as it were, distracted. This was at that time complied with: But all the Popish party continued upon this to charge Lord Sunderland, as one that was in the King's counsels only to betray them; that had before diverted the offer of assistance from France, and now the securing those who were the most likely to join and assist the Prince. By their importunities the King was at last so prevailed on, that he turned him out of all his places: And Lord Preston was made Secretary of State.

The

The Fleet was now put out, and was so strong, 1688. that, if they had met the Dutch Fleet, probably they would have been too hard for them, especially considering the great transport fleet that they were to cover. All the forces that were in Scotland were ordered into England: And that Kingdom was left in the hands of their Militia. Several Regiments came likewise from Ireland. So that the King's Army was then about thirty thousand strong. But, in order to lay the heat that was raised in the Nation, the King sent for the Bishops; and set out the injustice of this unnatural invasion that the Prince was designing: He assured them of his affections to the Church of England; and protested, he had never intended to carry things further than to an equal liberty of conscience: He desired, they would declare their abhorrence of this invasion, and that they would offer him their advice, what was fit for him to do. They declined the point of abhorrence, and advised the present summoning a Parliament; and that in the mean while the Ecclesiastical Commission might be broken, the proceedings against the Bishop of London and Magdalen College might be reversed, and that the law might be again put in its channel. This they delivered with great gravity, and with a courage that recommended them to the whole Nation. There was an order sent them from the King afterwards, requiring them to compose an office for the present occasion. The prayers were so well drawn, that even those who wished for the Prince might have joined in them. The Church party did now shew their approbation of the Prince's expedition in such terms, that many were surprized at it, both then, and since that time. They spoke openly in favour of it. They expressed their grief to see the wind so cross. They wished for an East wind, which on that occasion was called the Protestant wind. They spoke with great scorn of all that the Court was then doing to regain the hearts of the Nation. And indeed

1688. deed the proceedings of the Court that way were so cold, and so forced, that few were like to be deceived by them, but those who had a mind to be deceived. The writs for a Parliament were often ordered to be made ready for the Seal, and were as often stopt. Some were sealed, and given out: But they were quickly called in again. The old Charters were ordered to be restored again. Jefferies himself carried back the Charter of the City of London, and put on the appearances of joy and heartiness when he gave it to them. All men saw thro' that affectation: For he had raised himself chiefly upon the advising, or promoting, that matter of the surrender, and the forfeiture of the Charters. An order was also sent to the Bishop of Winchester, to put the President of Magdalen College again in possession. Yet, that order not being executed when the news was brought that the Prince and his Fleet were blown back, it was countermanded; which plainly shewed what it was that drove the Court into so much compliance, and how long it was like to last.

Proofs
brought
for the
birth of
the Prince
of Wales.

The matter of the greatest concern, and that could not be dropt, but was to be supported, was the birth of the Prince of Wales. And therefore the Court thought it necessary, now in an after-game, to offer some satisfaction in that point. So a great meeting was called not only of all the Privy Counsellors and Judges, but of all the Nobility then in Town. To these the King complained of the great injury that was done both him and the Queen by the Prince of Orange, who accused them of so black an imposture: He said, he believed there were few Princes then alive, who had been born in the presence of more witnesses than were at his son's birth: He had therefore called them together, that they might hear the proof of that matter. It was first proved, that the Queen was delivered abed, while many were in the room; and that they saw the

the child soon after he was taken from the Queen by the midwife. But in this the midwife was the single witness; for none of the Ladies had felt the child in the Queen's belly. The Countess of Sunderland did indeed depose, that the Queen called to her to give her her hand, that she might feel how the child lay, to which she added, "which I did;" but did not say, whether she felt the child, or not: And she told the Dutchess of Hamilton, from whom I had it, that when she put her hand into the bed, the Queen held it, and let it go no lower than her breasts. So that really she felt nothing. And this deposition, brought to make a shew, was an evidence against the matter, rather than for it; and was a violent presumption of an imposture, and of an artifice to cover it. Many Ladies deposed, that they had often seen the marks of milk on the Queen's linen, near her breasts. Two or three deposed, that they saw it running out at the nipple. All these deposed, that they saw milk before the pretended delivery. But none of them deposed concerning milk after the delivery, tho' nature sends it then in greater abundance: And the Queen had it always in such a plenty, that some weeks passed after her delivery, before she was quite freed from it. The Ladies did not name the time in which they saw the milk, except one, who named the month of May. But, if the particulars mentioned before, that happen'd on Easter Monday, are reflected on, and if it appears probable by these that the Queen miscarried at that time; then all that the Ladies mentioned of milk in her breasts, particularly she that fixed it to the month of May, might have followed upon that miscarriage, and be no proof concerning the late birth. Mrs. Pierce, the landress, deposed that she took linen from the Queen's body once, which carried the marks of a delivery. But she spoke only to one time. That was a main circumstance. And, if it had been true, it must have been often done,

and

1688.

and was capable of a more copious proof, since there is occasion for such things to be often looked on, and well considered. The Lady Wentworth was the single witness that deposed, that she had felt the child move in the Queen's belly. She was a Bed-chamber woman, as well as a single witness: And she fixed it on no time. If it was very early, she might have been mistaken: Or if it was before Easter Monday, it might be true, and yet have no relation to this birth. This was the substance of this evidence, which was ordered to be enrolled and printed. But when it was published, it had a quite contrary effect to what the Court expected from it. The presumption of law before this was all in favour of the birth, since the parents owned the child: So that the proof lay on the other side, and ought to be offered by those who called it in question. But, now that this proof was brought, which was so apparently defective, it did not lessen but increase the jealousy with which the Nation was possessed: For all people concluded, that, if the thing had been true, it must have been easy to have brought a much more copious proof than was now published to the world. It was much observed, that Princess Anne was not present. She indeed excused herself. She thought she was breeding: And all motion was forbidden her. None believed that to be the true reason; for it was thought, that the going from one apartment of the Court to another could not hurt her. So it was looked on as a colour that shewed she did not believe the thing; and that therefore she would not by her being present seem to give any credit to it.

This was the state of affairs in England, while we lay at Helvoet-Sluis, where we continued till the first of November. Here Wildman created a new disturbance. He plainly had a shew of courage, but was, at least, then a coward. He possessed some of the English with an opinion, that the design was now irrecoverably lost. This was entertained
by

by many, who were willing to hearken to any proposition, that set danger at a distance from themselves. They were still magnifying the English Fleet, and undervaluing the Dutch. They went so far in this, that they proposed to the Prince, that Herbert should be ordered to go over to the coast of England, and either fight the English Fleet, or force them in: And in that case the Transport Fleet might venture over; which otherwise they thought could not be safely done. This some urged with such earnestness, that nothing but the Prince's authority, and Schomberg's credit, could have withstood it. The Prince told them, the season was now so far spent, that the losing of more time was the losing the whole design: Fleets might lie long in view of one another, before it could be possible for them to come to an engagement, tho' both sides equally desired it; but much longer, if any one of them avoided it: It was not possible to keep the Army, especially the horse, long at sea: And it was no easy matter to take them all out, and to ship them again: After the wind had stood so long in the West, there was reason to hope it would turn to the East: And when that should come, no time was to be lost: For it would sometimes blow so fresh in a few days as to freeze up the river; so that it would not be possible to get out all the winter long. With these things he rather silenced than quieted them. All this while the men of war were still riding at sea, it being a continued storm for some weeks. The Prince sent out several advice boats with orders to them to come in. But they could not come up to them. On the twenty seventh of October there was for six hours together a most dreadful storm: So that there were few among us, that did not conclude, that the best part of the Fleet, and by consequence that the whole design, was lost. Many, that have past for Heroes, yet shewed then the agonies of fear in their looks, and whole deportment. The Prince still retained his usual

1688.

usual calmness, and the same tranquillity of spirit, that I had observed in him in his happiest days. On the twenty eighth it calmed a little, and our Fleet came all in, to our great joy. The rudder of one third rate was broken: And that was all the hurt that the storm had done. At last the much longed for East wind came. And so hard a thing it was to set so vast a body in motion, that two days of this wind were lost before all could be quite ready.

We failed
out more
happily a
second
time.

On the first of November O. S. we failed out with the evening tide; but made little way that night, that so our Fleet might come out, and move in order. We tried next day till noon, if it was possible to sail Northward: But the Wind was so strong, and full in the East, that we could not move that way. About noon the signal was given to steer Westward. This wind not only diverted us from that unhappy course, but it kept the English Fleet in the river: So that it was not possible for them to come out, tho' they were come down as far as to the Gunfleet. By this means we had the sea open to us, with a fair wind, and a safe navigation. On the third we past between Dover and Calais, and before night came in sight of the isle of Wight. The next day being the day in which the Prince was both born and married, he fancied, if he could land that day, it would look auspicious to the Army, and animate the soldiers. But we all, who considered, that the day following, being Gunpowder Treason day, our landing that day might have a good effect on the minds of the English Nation, were better pleased to see that we could land no sooner. Torbay was thought the best place for our great Fleet to lie in: And it was resolved to land the Army, where it could be best done near it; reckoning, that being at such a distance from London, we could provide ourselves with horses, and put every thing in order before the King could march his Army towards us, and that we should lie
some

some time at Exeter for the refreshing our men. I 1688
 was in the ship, with the Prince's other domesticks, that went in the van of the whole Fleet. At noon on the fourth Russel came on board us, with the best of all the English pilots that they had brought over. He gave him the steering of the ship; and ordered him to be sure to sail so, that next morning we should be short of Dartmouth: For it was intended that some of the ships should land there, and that the rest should sail into Torbay. The pilot thought, he could not be mistaken in measuring our course; and believed that he certainly kept within orders, till the morning shewed us we were past Torbay and Dartmouth. The wind, tho' it had abated much of its first violence, yet was still full in the East. So now it seemed necessary for us to sail on to Plymouth, which must have engaged us in a long and tedious campaign in winter, thro' a very ill Country. Nor were we sure to be received at Plymouth. The Earl of Bath, who was Governor, had sent by Russel a promise to the Prince to come and join him: Yet it was not likely, that he would be so forward as to receive us at our first coming. The delays he made afterwards, pretending that he was managing the garrison, whereas he was indeed staying till he saw how the matter was like to be decided, shewed us how fatal it had proved, if we had been forced to sail on to Plymouth. But while Russel was in no small disorder, after he saw the pilot's error, (upon which he bid me go to my prayers, for all was lost) and as he was ordering the boat to be cleared to go aboard the Prince, on a sudden to all our wonder it calmed a little. And then the wind turned into the South: And a soft and happy gale of wind carried in the whole Fleet in four hours time into Torbay. Immediately as many landed as conveniently We land-
 could. As soon as the Prince and Marshal Schom- ed at
 berg got to shore, they were furnished with such Torbay.
 horses as the village of Broxholme could afford;

1688. and rode up to view the grounds, which they found as convenient as could be imagined for the foot in that season. It was not a cold night: Otherwise the soldiers, who had been kept warm aboard, might have suffered much by it. As soon as I landed, I made what haste I could to the place where the Prince was; who took me heartily by the hand, and asked me, if I would not now believe predestination. I told him, I would never forget that providence of God, which had appeared so signally on this occasion. He was cheerfuller than ordinary. Yet he returned soon to his usual gravity. The Prince sent for all the fishermen of the place; and asked them, which was the properest place for landing his horse, which all apprehended would be a tedious business, and might hold some days. But next morning he was shewed a place, a quarter of a mile below the village, where the ships could be brought very near the land, against a good shore, and the horses would not be put to swim above twenty yards. This proved to be so happy for our landing, tho' we came to it by meer accident, that, if we had ordered the whole Island round to be founded, we could not have found a properer place for it. There was a dead calm all that morning: And in three hour's time all our horse were landed, with as much baggage as was necessary till we got to Exeter. The artillery and heavy baggage were left aboard, and ordered to Topsham the sea-port to Exeter. All that belonged to us was so soon and so happily landed, that by the next day at noon we were in full march, and marched four miles that night. We had from thence twenty miles to Exeter: And we resolved to make haste thither. But, as we were now happily landed, and marching, we saw new and unthought of characters of a favourable providence of God watching over us. We had no sooner got thus disengaged from our Fleet, than a new and great storm blew from the West; from which our Fleet, being covered by the land, could receive no prejudice:

1688.

prejudice: But the King's Fleet had got out as the wind calmed, and in pursuit of us was come as far as the isle of Wight, when this contrary wind turned upon them. They tried what they could to pursue us: But they were so shattered by some days of this storm, that they were forced to go into Portsmouth, and were no more fit for service that year. This was a greater happiness than we were then aware of: For the Lord Dartmouth assured me some time after, that, whatever stories we had heard and believed, either of Officers or seamen, he was confident they would all have fought very heartily. But now, by the immediate hand of heaven, we were masters of the sea without a blow. I never found a disposition to superstition in my temper: I was rather inclined to be philosophical upon all occasions. Yet I must confess, that this strange ordering of the winds and seasons, just to change as our affairs required it, could not but make deep impressions on me, as well as on all that observed it. Those famous verses of Claudian seemed to be more applicable to the Prince, than to him they were made on:

“ O nimium dilecte Deo, cui militat æther,
“ Et conjurati veniunt ad classica venti!”

Heaven's favourite, for whom the skies do fight,
And all the winds conspire to guide thee right!

The Prince made haste to Exeter, where he staid ten days, both for refreshing his troops, and for giving the Country time to shew their affections. Both the Clergy and Magistrates of Exeter were very fearful, and very backward. The Bishop and the Dean ran away. And the Clergy stood off, tho' they were sent for, and very gently spoke to by the Prince. The truth was, the doctrines of Passive Obedience and Non-resistance had been carried so far, and preached so much, that Cler-

1688. gymen either could not all on the sudden get out of that entanglement, into which they had by long thinking and speaking all one way involved themselves, or they were ashamed to make so quick a turn. Yet care was taken to protect them and their houses every where: So that no sort of violence nor rudeness was offered to any of them. The Prince gave me full authority to do this: And I took so particular a care of it, that we heard of no complaints. The Army was kept under such an exact discipline, that every thing was paid for where it was demanded; tho' the soldiers were contented with such moderate entertainment, that the people generally asked but little for what they did eat. We staid a week at Exeter, before any of the Gentlemen of the country about came in to the Prince. Every day some persons of condition came from other parts. The first were the Lord Colchester the eldest son of the Earl of Rivers, and the Lord Wharton, Mr. Russel the Lord Russel's brother, and the Earl of Abington.

The
King's
Army be-
gan to
come over
to the
Prince.

The King came down to Salisbury, and sent his troops twenty miles further. Of these, three Regiments of horse and dragoons were drawn on by their Officers, the Lord Cornbury and Colonel Langston, on design to come over to the Prince. Advice was sent to the Prince of this. But because these Officers were not sure of their subalterns, the Prince ordered a body of his men to advance, and assist them in case any resistance was made. They were within twenty miles of Exeter, and within two miles of the body that the Prince had sent to join them, when a whisper ran about among them that they were betrayed. Lord Cornbury had not the presence of mind that so critical a thing required. So they fell in confusion, and many rode back. Yet one Regiment came over in a body, and with them about a hundred of the other two. This gave us great courage; and shewed us, that we had not been deceived in what

1688.

was told us of the Inclinations of the King's Army. Yet, on the other hand, those who studied to support the King's spirit by flatteries told him, that in this he saw that he might trust his Army, since these who intended to carry over those Regiments, were forced to manage it with so much artifice, and durst not discover their design either to Officers or soldiers; and that, as soon as they perceived it, the greater part of them had turned back. The King wanted support: For his spirits sunk extremely. His blood was in such fermentation, that he was bleeding much at the nose, which returned often upon him every day. He sent many spies over to us. They all took his money, and came and joined themselves to the Prince, none of them returning to him. So that he had no intelligence brought him, of what the Prince was doing, but what common reports furnished, which magnified our numbers, and made him think we were coming near him, while we were still at Exeter. He heard that the City of London was very unquiet. News was brought him, that the Earls of Devonshire and Danby, and the Lord Lumley, were drawing great bodies together, and that both York and Newcastle had declared for the Prince. The Lord Delamer had raised a Regiment in Cheshire. And the body of the Nation did every where discover their inclinations for the Prince so evidently, that the King saw he had nothing to trust to, but his Army. And the ill disposition among them was so apparent, that he reckoned he could not depend on them. So that he lost both heart and head at once. But that which gave him the last and most confounding stroke was, that the Lord Churchill and the Duke of Grafton left him, and came and joined the Prince at Axminster, twenty miles on that side of Exeter. After this he could not know on whom he could depend. The Duke of Grafton was one of King Charles's sons, by the Dutchess of Cleveland. He

1688. had been some time at sea, and was a gallant but rough man. He had more spirit than any one of the King's sons. He made an answer to the King about this time, that was much talked of. The King took notice of somewhat in his behaviour that looked factious: And he said, he was sure he could not pretend to act upon principles of conscience; for he had been so ill bred, that as he knew little of religion, so he regarded it less. But he answered the King, that, tho' he had little conscience, yet he was of a party that had a great deal. Soon after that, Prince George, the Duke of Ormond, and the Lord Drumlanerick the Duke of Queensbury's eldest son, left him, and came over to the Prince, and joined him, when he was come as far as the Earl of Bristol's house at Sherburn. When the news came to London, the Princess was so struck with the apprehensions of the King's displeasure, and of the ill effects that it might have, that she said to the Lady Churchill, that she could not bear the thoughts of it, and would leap out at window, rather than venture on it. The Bishop of London was then lodged very secretly in Suffolk street. So the Lady Churchill, who knew where he was, went to him, and concerted with him the method of the Princess's withdrawing from the Court. The Princess went sooner to bed than ordinary. And about midnight she went down a back-stairs from her closet, attended only by the Lady Churchill, in such haste that they carried nothing with them. They were waited for by the Bishop of London, who carried them to the Earl of Dorset's, whose Lady furnished them with every thing. And so they went Northward, as far as Northampton; where that Earl attended on them with all respect, and quickly brought a body of horse to serve for a guard to the Princess. And in a little while a small Army was formed about her, who chose to be commanded by the Bishop of London; of which he too easily accepted.

These

1688.

These things put the King in an inexpressible confusion. He saw himself now forsaken, not only by those whom he had trusted and favoured most, but even by his own children. And the Army was in such distraction, that there was not any one body that seemed entirely united and firm to him. A foolish ballad was made at that time, treating the Papists, and chiefly the Irish, in a very ridiculous manner, which had a burden, said to be Irish words, " lero lero lilibulero," that made an impression on the Army, that cannot be well imagined by those who saw it not. The whole Army, and at last all people both in city and country, were singing it perpetually. And perhaps never had so slight a thing so great an effect.

While the Prince staid at Exeter, the rabble of the people came in to him in great numbers. So that he could have raised many Regiments of foot, if there had been any occasion for them. But what he understood of the temper the King's Army was in, made him judge it was not necessary to arm greater numbers. After he had staid eight days at Exeter, Seimour came in with several other Gentlemen of quality and estate. As soon as he had been with the Prince, he sent to seek for me. When I came to him, he asked me, why we had not an Association signed by all that came to us, since, till we had that done, we were as a rope of sand: Men might leave us when they pleased, and we had them under no tie: Whereas, if they signed an Association, they would reckon themselves bound to stick to us. I answered, it was because we had not a man of his authority and credit to offer and support such an advice. I went from him to the Prince, who approved of the motion; as did also the Earl of Shrewsbury, and all that were with us. So I was ordered to draw it. It was, in few words, an engagement to stick together in pursuing the ends of the Prince's declaration; and that, if any attempt should be made on

An Association among those who came to the Prince.

1688.

his person, it should be revenged on all by whom or from whom any such attempt should be made. This was agreed to by all about the Prince. So it was engrossed in parchment, and signed by all those that came in to him. The Prince put Devonshire and Exeter under Seimour's government, who was Recorder of Exeter. And he advanced with his Army, leaving a small garrison there with his heavy artillery under Col. Gibson, whom he made Deputy Governor as to the military part.

The
Heads in
Oxford
sent to
him.

At Crookhorn, Dr. Finch, son of the Earl of Winchelsea, and Warden of All-Souls College in Oxford, was sent to the Prince from some of the Heads of Colleges; assuring him, that they would declare for him, and inviting him to come thither, telling him, that their plate should be at his service, if he needed it. This was a sudden turn from those principles that they had carried so high a few years before. The Prince had designed to have secured Bristol and Gloucester, and so to have gone to Oxford, the whole West being then in his hands, if there had been any appearance of a stand to be made against him by the King and his Army; for, the King being so much superior to him in horse, it was not advisable to march thro' the great plains of Dorsetshire and Wiltshire. But the King's precipitate return to London put an end to this precaution. The Earl of Bath had prevailed with the garrison of Plymouth: And they declared for the Prince. So now all behind him was safe. When he came to Sherburn, all Dorsetshire came in a body, and joined him. He resolved to make all the haste he could to London, where things were in a high fermentation.

Great dis-
orders in
London.

A bold man ventured to draw and publish another declaration in the Prince's name. It was penned with great spirit: And it had as great an effect. It set forth the desperate designs of the Papists, and the extream danger the Nation was in by their means, and required all persons immedi-
ately

1688.

ately to fall on such Papists as were in any employments, and to turn them out, and to secure all strong places, and to do every thing else that was in their power in order to execute the laws, and to bring all things again into their proper channels. This set all men at work: For no doubt was made, that it was truly the Prince's declaration. But he knew nothing of it. And it was never known, who was the author of so bold a thing. No person ever claimed the merit of it: For, tho' it had an amazing effect, yet, it seems, he that contrived it apprehended, that the Prince would not be well pleased with the author of such an imposture in his Name. The King was under such a consternation, that he neither knew what to resolve on, nor whom to trust. This pretended declaration put the City in such a flame, that it was carried to the Lord Mayor, and he was required to execute it. The apprentices got together, and were falling upon all Mass-houses, and committing many irregular things. Yet their fury was so well governed, and so little resisted, that no other mischief was done: No blood was shed.

The King now sent for all the Lords in Town, that were known to be firm Protestants. And, upon speaking to some of them in private, they advised him to call a general meeting of all the Privy Counsellors, and Peers, to ask their advice, what was fit to be done. All agreed in one opinion, that it was fit to send Commissioners to the Prince to treat with him. This went much against the King's own inclinations: Yet the dejection he was in, and the desperate state of his affairs, forced him to consent to it. So the Marquis of Halifax, the Earl of Nottingham, and the Lord Godolphin, were ordered to go to the Prince, and to ask him, what it was that he demanded. The Earl of Clarendon reflected the most, on the King's former conduct, of any in that assembly, not without some indecent and insolent words, which were generally condemned.

A treaty
began
with the
Prince.

1688.

condemned. He expected, as was said, to be one of the Commissioners: And, upon his not being named, he came and met the Prince near Salisbury. Yet he suggested so many peevish and peculiar things, when he came, that some suspected, all this was but collusion, and that he was sent to raise a faction among those that were about the Prince. The Lords sent to the Prince to know where they should wait on him: And he named Hungerford. When they came thither, and had delivered their message, the Prince called all the Peers and others of chief note about him, and advised with them what answer should be made. A day was taken to consider of an answer. The Marquis of Halifax sent for me. But the Prince said, tho' he would suspect nothing from our meeting, others might. So I did not speak with him in private, but in the hearing of others. Yet he took occasion to ask me, so as no body observed it, if we had a mind to have the Kind in our hands? I said, by no means; for we would not hurt his person. He asked next, what if he had a mind to go away? I said, nothing was so much to be wished for. This I told the Prince. And he approved of both my answers. The Prince ordered the Earls of Oxford, Shrewsbury, and Clarendon to treat with the Lords the King had sent. And they delivered the Prince's answer to them on Sunday the eighth of December.

He desired a Parliament might be presently called, that no men should continue in any employment, who were not qualified by law, and had not taken the Tests; that the Tower of London might be put in the keeping of the City; that the Fleet, and all the strong places of the Kingdom, might be put in the hands of Protestants; that a proportion of the revenue might be set off for the pay of the Prince's Army; and that during the sitting of the Parliament, the Armies of both sides might not come within twenty miles of London; but,

but, that the Prince might come on to London, and have the same number of his guards about him, that the King kept about his person. The Lords seemed to be very well satisfied with this answer. They sent it up by an express, and went back next day to London.

But now strange counsels were suggested to the King and Queen. The Priests, and all the violent Papists, saw a treaty was now opened. They knew, that they must be the sacrifice. The whole design of Popery must be given up, without any hope of being able in an age to think of bringing it on again. Severe laws would be made against them. And all those who intended to stick to the King, and to preserve him, would go into those laws with a particular zeal: So that they, and their hopes, must be now given up, and sacrificed for ever. They infused all this into the Queen. They said, she would certainly be impeached: And witnesses would be set up against her, and her son: The King's Mother had been impeached in the long Parliament: And she was to look for nothing but violence. So the Queen took up a sudden resolution of going to France with the child. The midwife, together with all who were assisting at the birth, were also carried over, or so disposed of, that it could never be learned what became of them afterwards. The Queen prevailed with the King, not only to consent to this, but to promise to go quickly after her. He was only to stay a day or two after her, in hope that the shadow of authority that was still left in him might keep things so quiet, that she might have an undisturbed passage. So she went to Portsmouth. And from thence, in a man of war, she went over to France, the King resolving to follow her in disguise. Care was also taken to send all the Priests away. The King staid long enough to get the Prince's answer. And when he had read it, he said, he did not expect so good terms. He order-

1688.

The King
left the
Kingdom.

1688. ed the Lord Chancellor to come to him next morning. But he had called secretly for the Great Seal. And the next morning, being the tenth of December, about three in the morning, he went away in disguise with Sir Edward Hales, whose servant he seemed to be. They past the river, and flung the Great Seal into it; which was some months after found by a fisherman near Fox-Hall. The King went down to a miserable fisher-boat, that Hales had provided for carrying them over to France.

He is
much
censured.

Thus a great King, who had a good Army and a strong Fleet, did choose rather to abandon all, than either to expose himself to any danger with that part of the Army that was still firm to him, or to stay and see the issue of a Parliament. Some attributed this mean and unaccountable resolution to a want of courage. Others thought it was the effect of an ill conscience, and of some black thing under which he could not now support himself. And they who censured it the most moderately, said, that it shewed, that his Priests had more regard to themselves than to him; and that he considered their interest more than his own; and that he chose rather to wander abroad with them, and to try what he could do by a French force to subdue his people, than to stay at home, and be shut up within the bounds of law, and be brought under an incapacity of doing more mischief; which they saw was necessary to quiet those fears and jealousies, for which his bad government had given so much occasion. It seemed very unaccountable, since he was resolved to go, that he did not choose rather to go in one of his Yachts or Frigates, than to expose himself in so dangerous and ignominious a manner. It was not possible to put a good construction on any part of the dishonourable scene which he then acted.

With this his reign ended: For this was a plain deserting his people, and the exposing the Nation

to the pillage of an Army, which he had ordered the Earl of Feversham to disband. And the doing this without paying them, was the letting so many armed men loose upon the Nation; who might have done much mischief, if the execution of those orders that he left behind him had not been stopped. I shall continue the recital of all that past in this Interregnum, till the Throne, which he now left empty, was filled.

He was not gone far, when some fishermen of Feversham, who were watching for such Priests, and other delinquents, as they fancied were making their escape, came up to him. And they, knowing Sir Edward Hales, took both the King and him, and brought them to Feversham. The King told them who he was. And that flying about brought a vast croud together, to look on that astonishing instance of the uncertainty of all worldly greatness; when he who had ruled three Kingdoms, and might have been the arbiter of all Europe, was now in such mean hands, and so low an equipage. The people of the town were extremely disordered with this unlooked for accident: And, tho' for a while they kept him as a prisoner, yet they quickly changed that into as much respect as they could possibly pay him. Here was an accident that seemed of no great consequence. Yet all the strugglings which that party have made ever since that time to this day, which from him were called afterwards the Jacobites, did rise out of this: For, if he had got clear away, by all that could be judged, he would not have had a party left: All would have agreed, that here was a desertion, and that therefore the Nation was free, and at liberty to secure itself. But what followed upon this gave them a colour to say, that he was forced away, and driven out. Till now, he scarce had a party, but among the Papists. But from this incident a party grew up, that has been long very active for his interests. As soon as it was
known

But is
brought
back.

1688.

known at London that the King was gone, the apprentices and the rabble, who had been a little quieted when they saw a treaty on foot between the King and the Prince, now broke out again upon all suspected houses, where they believed there was either Priests or Papists. They made great havock of many places, not sparing the houses of Embassadors. But none were killed, no houses burnt, nor were any robberies committed. Never was so much fury seen under so much management. Jefferies, finding the King was gone, saw what reason he had to look to himself: And, apprehending that he was now exposed to the rage of the people, whom he had provoked with so particular a brutality, he had disguised himself to make his escape. But he fell into the hands of some who knew him. He was insulted by them with as much scorn and rudeness as they could invent. And, after many hours tossing him about, he was carried to the Lord Mayor; whom they charged to commit him to the Tower, which the Lord Lucas had then seized, and in it had declared for the Prince. The Lord Mayor was so struck with the terror of this rude populace, and with the disgrace of a man who had made all people tremble before him, that he fell into fits upon it, of which he died soon after.

The Prince is desired to come and take the government into his hands.

To prevent the further growth of such disorders, he called a meeting of the Privy Counsellors and Peers, who met at Guild-Hall. The Archbishop of Canterbury was there. They gave a strict charge for keeping the peace; and agreed to send an invitation to the Prince, desiring him to come and take the government of the Nation into his hands, till a Parliament should meet to bring all matters to a just and full settlement. This they all signed; and sent it to the Prince by the Earl of Pembroke, the Viscount Weymouth, the Bishop of Ely, and the Lord Culpepper. The Prince went on from Hungerford to Newbury, and from thence

thence to Abington, resolving to have gone to Oxford to receive the compliments of the University, and to meet the Princess Anne who was coming thither. At Abington he was surprized with the news of the strange catastrophe of affairs now at London, the King's desertion, and the disorders which the City and neighbourhood of London were falling into. One came from London, and brought him the news, which he knew not well how to believe, till he had an express sent him from the Lords, who had been with him from the King. Upon this the Prince saw, how necessary it was to make all possible haste to London. So he sent to Oxford, to excuse his not coming thither, and to offer the Association to them, which was signed by almost all the heads, and the chief men of the University; even by those, who, being disappointed in the preferments they aspired to, became afterwards his most implacable enemies.

Hitherto the expedition had been prosperous, beyond all that could have been expected. There had been but two small engagements, during this unseasonable campaign. One was at Winkington in Dorsetshire, where an advanced party of the Prince's met one of the King's that was thrice their number: Yet they drove them before them into a much greater body, where they were overpowered with numbers. Some were killed on both sides. But there were more prisoners taken of the Prince's men. Yet, tho' the loss was of his side, the courage that his men shewed in so great an inequality as to number, made us reckon that we gained more than we lost on that occasion. Another action happened at Reading, where the King had a considerable body, who, as some of the Prince's men advanced, fell into a great disorder, and ran away. One of the Prince's Officers was shot. He was a Papist: And the Prince in consideration of his religion was willing to leave him behind him in Holland: But he very earnestly begged he might

1688.

might come over with his company : And he was the only Officer that was killed in the whole expedition.

Different
advice
given to
the Prince
concern-
ing the
King's
person.

Upon the news of the King's desertion, it was proposed that the Prince should go on with all possible haste to London. But that was not advisable. For the King's Army lay so scattered thro' the road all the way to London, that it was not fit for him to advance faster, than as his troops marched before him: Otherwise, any resolute Officer might have seized or killed him. Tho', if it had not been for that danger, a great deal of mischief, that followed, would have been prevented by his speedy advance: For now began that turn, to which all the difficulties, that did afterwards disorder our affairs, may be justly imputed. Two Gentlemen of Kent came to Windsor the morning after the Prince came thither. They were addressed to me. And they told me of the accident at Feversham, and desired to know the Prince's pleasure upon it. I was affected with this dismal reverse of the fortune of a great Prince, more than I think fit to express. I went immediately to Bentinck, and wakned him, and got him to go in to the Prince, and let him know what had happen'd, that some order might be presently given for the security of the King's person, and for taking him out of the hands of a rude multitude, who said, they would obey no orders but such as came from the Prince. The Prince ordered Zuylestein to go immediately to Feversham, and to see the King safe, and at full liberty to go whithersoever he pleased. But, as soon as the news of the King's being at Feversham came to London, all the indignation that people had formerly conceived against him, was turned to pity and compassion. The Privy Council met upon it. Some moved, that he should be sent for. Others said, he was King, and might send for his guards and coaches, as he pleased: But it became not them to send for him. It was left to his General,

neral, the Earl of Feversham, to do what he thought best. So he went for him with his coaches and guards. And; as he came back thro' the City, he was welcomed with expressions of joy by great numbers: So slight and unstable a thing is a multitude; and so soon altered. At his coming to Whitehall, he had a great Court about him. Even the Papists crept out of their lurking holes, and appeared at Court with much assurance. The King himself began to take heart. And both at Feversham; and now at Whitehall, he talked in his ordinary high strain, justifying all he had done: Only he spoke a little doubtfully of the business of Magdalen College. But when he came to reflect on the state of his affairs, he saw it was so broken, that nothing was now left to deliberate upon. So he sent the Earl of Feversham to Windsor; without demanding any passport: And ordered him to desire the Prince to come to St. James's, to consult with him of the best way for settling the Nation.

When the news of what had past at London came to Windsor, the Prince thought the Privy Council had not used him well, who, after they had sent to him to take the government upon him, had made this step without consulting him. Now the scene was altered, and new counsels were to be taken. The Prince heard the opinions, not only of those who had come along with him, but of such of the Nobility as were now come to him, among whom the Marquis of Halifax was one. All agreed, that it was not convenient that the King should stay at Whitehall. Neither the King, nor the Prince, nor the City; could have been safe, if they had been both near one another. Tumults would probably have arisen out of it. The guards, and the officious flatterers of the two Courts, would have been unquiet neighbours. It was thought necessary to stick to the point of the King's

1688. deserting his people, and not to give up that, by entering upon any treaty with him. And since the Earl of Feversham, who had commanded the Army against the Prince, was come without a passport, he was for some days put in arrest.

It was a tender point how to dispose of the King's person. Some proposed rougher methods: The keeping him a prisoner, at least till the Nation was settled, and till Ireland was secured. It was thought, his being kept in custody, would be such a tie on all his party, as would oblige them to submit, and be quiet. Ireland was in great danger. And his restraint might oblige the Earl of Tirconnell to deliver up the government, and to disarm the Papists, which would preserve that Kingdom, and the Protestants in it. But, because it might raise too much compassion, and perhaps some disorder, if the King should be kept in restraint within the Kingdom, therefore the sending him to Breda was proposed. The Earl of Clarendon pressed this vehemently, on the account of the Irish Protestants, as the King himself told me: For those that gave their opinions in this matter did it secretly, and in confidence to the Prince. The Prince said, he could not deny, but that this might be good and wise advice: But it was that to which he could not hearken: He was so far satisfied with the grounds of this expedition, that he could act against the King in a fair and open war: But for his person, now that he had him in his power, he could not put such a hardship on him, as to make him a prisoner: And he knew the Princess's temper so well, that he was sure she would never bear it: Nor did he know what disputes it might raise, or what effect it might have upon the Parliament that was to be called: He was firmly resolved never to suffer any thing to be done against his person: He saw it was necessary to send him out of London: And he would order a guard

a guard to attend upon him, who should only defend and protect his person, but not restrain him in any sort.

A resolution was taken of sending the Lords Halifax, Shrewsbury, and Delamer, to London, who were first to order the English guards that were about the Court to be drawn off, and sent to quarters out of town: And, when that was done, the Count of Solms with the Dutch guards was to come and take all the posts about the Court. This was obeyed without any resistance or disorder, but not without much murmuring. It was midnight before all was settled. And then these Lords sent to the Earl of Middleton, to desire him to let the King know, that they had a message to deliver to him from the Prince. He went in to the King, and sent them word from him, that they might come with it immediately. They came, and found him abed. They told him, the necessity of affairs required, that the Prince should come presently to London: And he thought, it would conduce to the safety of the King's person, and the quiet of the town, that he should retire to some house out of town: And they proposed Ham. The King seemed much dejected; and asked, if it must be done immediately. They told him, he might take his rest first: And they added, that he should be attended by a guard, who should only guard his person, but should give him no sort of disturbance. Having said this they withdrew. The Earl of Middleton came quickly after them, and asked them, if it would not do as well, if the King should go to Rochester; for since the Prince was not pleased with his coming up from Kent, it might be perhaps acceptable to him, if he should go thither again. It was very visible, that this was proposed in order to a second escape.

They promised to send word immediately to the Prince of Orange, who lay that night at Sion,

1688. within eight miles of London. He very readily consented to it. And the King went next day to Rochester, having ordered all that which is called the moving Wardrobe to be sent before him, the Count of Solms ordering every thing to be done, as the King desired. A guard went with him that left him at full liberty, and paid him rather more respect than his own guards had done of late. Most of that body, as it happen'd, were Papists. So when he went to Mass, they went in, and assist-ed very reverently. And, when they were asked, how they could serve in an expedition that was intended to destroy their own religion, one of them answered, his soul was God's, but his sword was the Prince of Orange's. The King was so much delighted with this answer, that he repeated it to all that came about him. On the same day the Prince came to St. James's. It happen'd to be a very rainy day. And yet great numbers came to see him. But, after they had stood long in the wet, he disappoynted them: For, he who neither loved shews nor shoutings, went thro' the park. And even this trifle helped to set peoples spirits on the fret.

The Prince came to London, and the King went to Rochester.

The Revolution was thus brought about, with the universal applause of the whole Nation: Only these last steps began to raise a fermentation. It was said, here was an unnatural thing, to waken the King out of his sleep, in his own Palace, and to order him to go out of it, when he was ready to submit to every thing. Some said, he was now a prisoner, and remembered the saying of King Charles the first, that the prisons and the graves of Princes lay not far distant from one another: The person of the King was now struck at, as well as his government: And this specious undertaking would now appear to be only a disguised and designed usurpation. These things began to work on great numbers. And the posting the Dutch guards,

guards, where the English guards had been, gave a general disgust to the whole English Army. They indeed hated the Dutch besides, on the account of the good order and strict discipline they were kept under; which made them to be as much beloved by the Nation, as they were hated by the soldiery. The Nation had never known such an inoffensive march of an Army. And the peace and order of the suburbs, and the freedom of markets in and about London, was so carefully maintained, that in no time fewer disorders had been committed, than were heard of this winter.

None of the Papists or Jacobites were insulted in any sort. The Prince had ordered me, as we came along, to take care of the Papists, and to secure them from all violence. When he came to London, he renewed these orders, which I executed with so much zeal and care, that I saw all the complaints that were brought me fully redressed. When we came to London I procured passports for all that desired to go beyond sea. Two of the Popish Bishops were put in Newgate. I went thither in the Prince's name. I told them, the Prince would not take upon him yet to give orders about prisoners: As soon as he did that, they should feel the effects of it. But in the mean while I ordered them to be well used, and to be taken care of, and that their friends might be admitted to come to them. So truly did I pursue the principle of moderation, even towards those from whom nothing of that sort was to be expected.

Now that the Prince was come, all the bodies about the town came to welcome him. The Bishops came the next day. Only the Archbishop of Canterbury, tho' he had once agreed to it, yet would not come. The Clergy of London came next. The City, and a great many other bodies, came likewise, and expressed a great deal of joy for the deliverance wrought for them by the

1688. Prince's means. Old Serjeant Maynard came with the men of the law. He was then near ninety, and yet he said the liveliest thing that was heard of on that occasion. The Prince took notice of his great age, and said, that he believed he had outlived all the men of the law of his time: He answered, he should have out-lived the law it self, if his Highness had not come over.

Confulta-
tions a-
bout the
settlement
of the
Nation.

The first thing to be done after the compliments were over, was to consider how the Nation was to be settled. The lawyers were generally of opinion, that the Prince ought to declare himself King, as Henry the seventh had done. This, they said, would put an end to all disputes, which might otherwise grow very perplexing and tedious: And, they said, he might call a Parliament which would be a legal assembly, if summoned by the King in fact, tho' his title was not yet recognized. This was plainly contrary to his declaration, by which the settlement of the Nation was referred to a Parliament: Such a step would make all that the Prince had hitherto done, pass for an aspiring ambition, only to raise himself: And it would disgust those who had been hitherto the best affected to his designs; and make them less concerned in the quarrel, if, instead of staying till the Nation should offer him the Crown, he would assume it as a conquest. These reasons determined the Prince against that proposition. He called all the Peers, and the members of the three last Parliaments, that were in town, together with some of the Citizens of London. When these met, it was told them, that, in the present distraction, the Prince desired their advice about the best methods of settling the Nation. It was agreed in both these Houses, such as they were, to make an address to the Prince, desiring him to take the administration of the government into his hands in the interim. The next proposition pass not so unanimously: For, it being moved,

1688. moved, that the Prince should be likewise desired to write missive-letters to the same effect, and for the same persons to whom writs were issued out for calling a Parliament, that so there might be an assembly of men in the form of a Parliament, tho' without writs under the Great Seal, such as that was that had called home King Charles the second: The Earl of Nottingham objected to this, that such a Convention of the States could be no legal assembly, unless summoned by the King's writ. Therefore he moved, that an address might be made to the King, to order the writs to be issued out. Few were of his mind. The matter was carried the other way: And orders were given for those letters to be sent round the Nation.

The King continued a week at Rochester. And both he himself, and every body else, saw that he was at full liberty, and that the guard about him put him under no sort of restraint. Many that were zealous for his interests went to him, and pressed him to stay, and to see the issue of things: A party would appear for him: Good terms would be got for him: And things would be brought to a reasonable agreement. He was much distracted between his own inclinations, and the importunities of his friends. The Queen, hearing what had happen'd, writ a most vehement letter to him, pressing his coming over, remembering him of his promise, which she charged on him in a very earnest, if not in an imperious strain. This letter was intercepted. I had an account of it from one that read it. The Prince ordered it to be conveyed to the King: And that determin'd him. So he gave secret orders to prepare a vessel for him; and drew a paper, which he left on his table, reproaching the Nation for their forsaking him. He declared, that tho' he was going to seek for foreign aid, to restore him to his Throne, yet he would not make use of it to overthrow either the

The King
went over
into
France.

1688. religion established, or the laws of the land. And so he left Rochester very secretly, on the last day of this memorable year, and got safe over to France.

The af-
fairs of
Scotland.

But, before I enter into the next year, I will give some account of the affairs of Scotland. There was no force left there, but a very small one, scarce able to defend the Castle of Edinburgh, of which the Duke of Gordon was Governor. He was a Papist; but had neither the spirit, nor the courage, which such a post required at that time. As soon as the news came to Scotland of the King's desertion, the rabble got together there, as they had done in London. They broke into all Popish Chapels, and into the Church of Holy Rood House, which had been adorned at a great charge to be a Royal Chapel, particularly for the order of St. Andrew and the Thistle, which the King had resolved to set up in Scotland in imitation of the order of the Garter in England. They defaced it quite, and seized on some that were thought great delinquents, in particular on the Earl of Perth, who had disguised himself, and had got aboard a small vessel: But he was seized on, and put in prison. The whole Kingdom, except only the Castle of Edinburgh, declared for the Prince, and received his declaration for that Kingdom with great joy. This was done in the North very unanimously, by the Episcopal, as well as by the Presbyterian party. But in the Western Counties, the Presbyterians, who had suffered much in a course of many years, thought that the time was now come, not only to procure themselves ease and liberty, but to revenge themselves upon others. They generally broke in upon the Episcopal Clergy with great insolence and much cruelty. They carried them about the parishes in a mock procession: They tore their gowns, and drove them from their Churches and houses.

houses. Nor did they treat those of them, who had appeared very zealously against Popery, with any distinction. The Bishops of that Kingdom had writ a very indecent letter to the King, upon the news of the Prince's being blown back by the storm, full of injurious expressions towards the Prince, expressing their abhorrence of his design: And, in conclusion, they wished that the King might have the necks of his enemies. This was sent up as a pattern to the English Bishops, and was printed in the Gazette. But they did not think fit to copy after it in England. The Episcopal party in Scotland saw themselves under a great cloud: So they resolved all to adhere to the Earl of Dundee, who had served some years in Holland, and was both an able Officer, and a man of good parts, and of some very valuable virtues: But, as he was proud and ambitious, so he had taken up a most violent hatred of the whole Presbyterian party, and had executed all the severest orders against them with great rigour; even to the shooting many on the highway, that refused the oath required of them. The Presbyterians looked on him, as their most implacable enemy: And the Episcopal party trusted most entirely to him. Upon the Prince's coming to London, the Duke of Hamilton called a meeting of all the men of Quality of the Scotch Nation then in town: And these made an address to the Prince with relation to Scotland, almost in the same terms in which the English address was conceived. And now the administration of the government of the whole Isle of Britain was put in the Prince's hands.

The prospect from Ireland was more dreadful. Tyrconnell gave out new commissions for levying thirty thousand men. And reports were spread about that Island, that a general massacre of the Protestants was fixed to be in November. Upon which

The affairs of Ireland.

1688.

which the Protestants began to run together for their common defence, both in Munster and in Ulster. They had no great strength in Munster. They had been disarmed, and had no store of ammunition for the few arms that were left them. So they despaired of being able to defend themselves, and came over to England in great numbers, and full of dismal apprehensions for those they had left behind them. They moved earnestly, that a speedy assistance might be sent to them. In Ulster the Protestants had more strength: But they wanted a head. The Lords of Grenard and Mountjoy, who were the chief military men among them, in whom they confided most, kept still such measures with Tyrconnell, that they would not take the conduct of them. Two towns, that had both very little defence about them, and a very small store of provisions within them, were by the rashness or boldness of some brave young men secured: So that they refused to receive a Popish garrison, or to submit to Tyrconnell's orders. These were London-Derry, and Iniskilling. Both of them were advantageously situated. Tyrconnell sent troops into the North to reduce the country. Upon which great numbers fled into those places, and brought in provisions to them. And so they resolved to defend themselves, with a firmness of courage that cannot be enough admired: For when they were abandoned, both by the Gentry and the military men, those two small unfurnished and unfortified places, resolved to stand to their own defence, and at all perils to stay till supplies should come to them from England. I will not enlarge more upon the affairs of that Kingdom; both because I had no occasion to be well informed of them, and because Dr. King, now Archbishop of Dublin, wrote a copious history of the government of Ireland during this reign, which is so well received, and so universally acknowledged

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knowned to be as truly as it is finely written, 1688.
 that I refer my reader to the account of those matters, which is fully and faithfully given by that learned and zealous Prelate.

And now I enter upon the year 1689. In which the two first things to be considered, before the Convention could be brought together, were, the settling the English Army, and the affairs of Ireland. As for the Army, some of the bodies, those chiefly that were full of Papists, and of men ill affected, were to be broken. And, in order to that, a loan was set on foot in the City, for raising the money that was to pay their arrears at their disbanding, and for carrying on the pay of the English and Dutch Armies till the Convention should meet, and settle the Nation. This was the great distinction of those who were well affected to the Prince: For, whereas those who were ill affected to him refused to join in the loan, pretending there was no certainty of their being repayed; the others did not doubt but the Convention would pay all, that was advanced in so great an exigence, and so they subscribed liberally, as the occasion required.

As for the affairs of Ireland, there was a great variety of opinions among them. Some thought, that Ireland would certainly follow the fate of England. This was managed by an artifice of Tyrconnell's, who, what by deceiving, what by threatning the eminentest Protestants in Dublin, got them to write over to London, and give assurances that he would deliver up Ireland, if he might have good terms for himself, and for the Irish. The Earl of Clarendon was much depended on by the Protestants of Ireland, who made all their applications to the Prince by him. Those, who were employed by Tyrconnell to deceive the Prince, made their applications by Sir William Temple,

1689.

Temple, who had a long and well established credit with him. They said, Tyrconnell would never lay down the government of Ireland, unless he was sure that the Earl of Clarendon was not to succeed: He knew his peevishness and spite, and that he would take severe revenges for what injuries he thought had been done to himself, if he had them in his power: And therefore he would not treat, till he was assured of that. Upon this the Prince did avoid the speaking to the Earl of Clarendon of those matters. And then he, who had possessed himself in his expectation of that post, seeing the Prince thus shut him out of the hopes of it, became a most violent opposer of the new settlement. He reconciled himself to King James: And has been ever since, one of the hottest promoters of his interest of any in the Nation. Temple entred into a management with Tyrconnell's agents, who, it is very probable, if things had not taken a great turn in England, would have come to a composition. Others thought, that the leaving Ireland in that dangerous state, might be a mean to bring the Convention to a more speedy settlement in England; and that therefore the Prince ought not to make too much haste to relieve Ireland. This advice was generally believed to be given by the Marquis of Halifax: And it was like him. The Prince did not seem to apprehend enough the consequences of the revolt of Ireland; and was much blamed for his slowness in not preventing it in time.

The
Prince in
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Earl of
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The truth was, he did not know whom to trust. A general discontent, next to mutiny, began to spread itself thro' the whole English Army. The turn, that they were now making from him, was almost as quick as that which they had made to him. He could not trust them. Probably, if he had sent any of them over, they would have joined with Tyrconnell. Nor could he well send

over



over any of his Dutch troops. It was to them that he chiefly trusted, for maintaining the quiet of England. Probably the English Army would have become more insolent, if the Dutch force had been considerably diminished. And the King's magazines were so exhausted, that till new stores were provided, there was very little ammunition to spare. The raising new troops was a work of time. There was no ship of war in those seas, to secure the transport. And to send a small company of Officers with some ammunition, which was all that could be done on the sudden, seemed to be an exposing them to the enemy. These considerations made him more easy to entertain a proposition that was made to him, as was believed, by the Temples; (for Sir William had both a brother and a son that made then a considerable figure;) which was, to send over Lieutenant General Hamilton, one of the Officers that belonged to Ireland. He was a Papist, but was believed to be a man of honour: And he had certainly great credit with the Earl of Tyrconnell. He had served in France with great reputation, and had a great interest in all the Irish, and was now in the Prince's hands; and had been together with a body of Irish soldiers, whom the Prince kept for some time as prisoners in the Isle of Wight; whom he gave afterwards to the Emperor, tho', as they passed thro' Germany, they deserted in great numbers, and got into France. Hamilton was a sort of prisoner of war. So he undertook to go over to Ireland, and to prevail with the Earl of Tyrconnell to deliver up the government; and promised, that he would either bring him to it, or that he would come back, and give an account of his negotiation. This step had a very ill effect: For before Hamilton came to Dublin, the Earl of Tyrconnell was in such despair, looking on all as lost, that he seemed to be very near
a full

1689. a full resolution of entering on a treaty, to get the best terms that he could. But Hamilton's coming changed him quite. He represented to him, that things were turning fast in England in favour of the King: So that, if he stood firm, all would come round again. He saw, that he must study to manage this so dextrously, as to gain as much time as he could, that so the Prince might not make too much haste, before a Fleet and supplies might come from France. So several letters were writ over by the same management, giving assurances that the Earl of Tyrconnell was fully resolved to treat and submit. And, to carry this further, two Commissioners were sent from the Council-board to France. The one was a zealous Protestant, the other was a Papist. Their instructions were, to represent to the King the necessity of Ireland's submitting to England. The Earl of Tyrconnell pretended, that in honour he could do no less than disengage himself to his master, before he laid down the government. Yet he seemed resolved not to stay for an answer, or a consent; but as soon as this message was delivered, he would submit upon good conditions: And for these, he knew, he would have all that he asked. With this management he gained his point, which was much time. And he now fancied, that the honour of restoring the King would belong chiefly to himself. Thus Hamilton, by breaking his own faith, secured the Earl of Tyrconnell to the King: And this gave the beginning to the war of Ireland. Mountjoy, the Protestant Lord that was sent to France, instead of being heard to deliver his message, was clapt up in the Bastille; which, since he was sent in the name of a Kingdom, was thought a very dishonourable thing, and contrary to the law of Nations. Those who had advised the sending over Hamilton were now much out of countenance:

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1689.

And the Earl of Clarendon was a loud declaimer against it. It was believed, that it had a terrible effect on Sir William Temple's son, who had raised in the Prince a high opinion of Hamilton's honour. Soon after that, he, who had no other visible cause of melancholy besides this, went in a boat on the Thames, near the Bridge, where the river runs most impetuously, and leaped into the river and was drowned.

The sitting of the Convention was now very near. And all men were forming their schemes, and fortifying their party all they could. The elections were managed fairly all England over. The Prince did in no sort interpose in any recommendation, directly or indirectly. Three parties were formed about the town. The one was for calling back the King, and treating with him for such securities to our religion and laws, as might put them out of the danger, for the future of a Dispensing or Arbitrary Power. These were all of the high Church party, who had carried the point of Submission and Non resistance so far, that they thought nothing less than this, could consist with their duty and their oaths. When it was objected to them, that, according to those notions that they had been possessed with, they ought to be for calling the King back without conditions: When he came, they might indeed offer him their petitions, which he might grant or reject as he pleased: But that the offering him conditions, before he was recalled, was contrary to their former doctrine of unconditional allegiance. They were at such a stand upon this objection, that it was plain, they spoke of conditions, either in compliance with the humour of the Nation; or that, with relation to their particular interest, nature was so strong in them, that it was too hard for their principle.

When this notion was tossed and talked of about the town, so few went into it, that the party which supported

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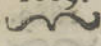
Some are
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Regent.

1689.

supported it went over to the scheme of a second party; which was, that King James had by his ill administration of the government, brought himself into an incapacity of holding the exercise of the sovereign authority any more in his own hand: But, as in the case of lunaticks, the right still remained in him: Only the guardianship, or the exercise, of it was to be lodged with a Prince Regent: So that the right of sovereignty should be owned to remain still in the King, and that the exercise of it should be vested in the Prince of Orange as Prince Regent. A third party was for setting King James quite aside, and for setting the Prince on the Throne.

When the Convention was opened on the twenty fourth of January, the Archbishop came not to take his place among them. He resolved neither to act for nor against the King's interest; which, considering his high post, was thought very unbecoming. For if he thought, as by his behaviour afterwards it seems he did, that the Nation was running into treason, rebellion, and perjury, it was a strange thing to see one, who was at the head of the Church, sit silent all the while that this was in debate; and not once so much as declare his opinion by speaking, voting, or protesting, not to mention the other Ecclesiastical methods that certainly became his character. But he was a poor spirited, and fearful man; and acted a very mean part in all this great transaction. The Bishop's Bench was very full, as were also the Benches of the Temporal Lords. The Earls of Nottingham, Clarendon, and Rochester, were the men that managed the debates in favour of a Regent, in opposition to those who were for setting up another King.

They thought this would save the Nation, and yet secure the honour of the Church of England, and the sacredness of the Crown. It was urged, that if, upon any pretence whatsoever, the Nation might



might throw off their King, then the Crown must become precarious, and the power of judging the King must be in the people. This must end in a Commonwealth. A great deal was brought from both the laws and history of England, to prove, that not only the person, but the authority of the King was sacred. The law had indeed provided a remedy of a Regency for the infancy of our Kings. So, if a King should fall into such errors in his conduct, as shewed that he was as little capable of holding the government as an infant was, then the Estates of the Kingdom might, upon this parity of the case, seek to the remedy provided for an infant, and lodge the power with a Regent. But the right was to remain, and to go on in a lineal succession: For, if that was once put ever so little out of its order, the Crown would in a little time become elective; which might rend the Nation in pieces by a diversity of elections, and by the different factions that would adhere to the person whom they had elected. They did not deny, but that great objections lay against the methods that they proposed. But affairs were brought into so desperate a state by King James's conduct, that it was not possible to propose a remedy, that might not be justly excepted to. But they thought, their expedient would take in the greatest, as well as the best, part of the nation: Whereas all other expedients gratified a Republican party, composed of the Dissenters, and of men of no religion, who hoped now to see the Church ruined, and the government set upon such a bottom, as that we should have only a titular King; who, as he had his power from the people, so should be accountable to them for the exercise of it, and should forfeit it at their pleasure. The much greater part of the House of Lords was for this, and stuck long to it: And so was about a third part of the House of Commons. The greatest part of the Clergy declared themselves for it.

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1689.

But of those who agreed in this expedient, it was visible there were two different parties. Some intended to bring King James back; and went into this, as the most probable way for laying the Nation asleep, and for overcoming the present aversion that all people had to him. That being once done, they reckoned it would be no hard thing, with the help of some time, to compass the other. Others seemed to mean more sincerely. They said, they could not vote or argue but according to their own principles, as long as the matter was yet entire: But they owned that they had taken up another principle, both from the law and from the history of England: which was, that they would obey and pay allegiance to the King for the time being: They thought a King thus de facto had a right to their obedience, and that they were bound to adhere to him, and to defend him, even in opposition to him with whom they thought the right did still remain. The Earl of Nottingham was the person that owned this doctrine the most during these debates. He said to myself, that tho' he could not argue nor vote, but according to the scheme and principles he had, concerning our laws and constitution, yet he should not be sorry to see his side out voted; and that, tho' he could not agree to the making a King as things stood, yet if he found one made, he would be more faithful to him, than those that made him could be according to their own principles.

Others
are for
another
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The third party was made up of those, who thought that there was an original contract between the Kings and the people of England; by which the Kings were bound to defend their people, and to govern them according to law, in lieu of which the people were bound to obey and serve the King. The proof of this appeared in the ancient forms of Coronations still observed: By which the people were asked, if they would have that person before them to be their King: And, upon their shouts

of

of consent, the Coronation was gone about. But, before the King was crowned, he was asked, if he would not defend and protect his people, and govern them according to law: And, upon his promising and swearing this, he was crowned: And then homage was done him. And, tho' of late the Coronation has been considered rather as a solemn instalment, than that which gave the King his authority, so that it was become a maxim in law that the King never died, and that the new King was crowned in the right of his succession, yet these forms, that were still continued, shewed what the government was originally. Many things were brought to support this from the British and Saxon times. It was urged, that William the Conqueror was received upon his promising to keep the laws of Edward the Confessor, which was plainly the original contract between him and the Nation. This was often renewed by his successors. Edward the second, and Richard the second, were deposed for breaking these laws: And these depositions were still good in law, since they were not reversed, nor was the right of deposing them ever renounced or disowned. Many things were alledged, from what had pass during the Barons wars, for confirming all this. Upon which I will add one particular circumstance, that the original of King John's Magna Charta, with his Great Seal to it, was then given to me by a Gentleman that found it among his Father's papers, but did not know how he came by it: And it is still in my hands. It was said in this argument, what did all the limitations of the Regal Power signify, if upon a King's breaking thro' them all, the people had not a right to maintain their laws, and to preserve their constitution? It was indeed confessed, that this might have ill consequences and might be carried too far. But the denying this right in any case whatsoever, did plainly destroy all liberty, and establish tyranny.

1689.

The present alteration proposed would be no precedent, but to the like case. And it was fit that a precedent should be made for such occasions; if those of Edward the second, and Richard the second, were not acknowledged to be good ones. It was said, that, if King James had only broken some laws, and done some illegal acts, it might be justly urged, that it was not reasonable on account of these to carry severities too far. But he had broken thro' the laws in many publick and avowed instances: He had set up an open treaty with Rome: He had shaken the whole settlement of Ireland; and had put that Island, and the English and Protestants that were there, in the power of the Irish: The Dispensing Power took away not only those laws to which it was applied, but all other laws whatsoever by the precedent it had set, and by the consequences that followed upon it: By the Ecclesiastical Commission he had invaded the liberty of the Church, and subjected the Clergy to meer will and pleasure: And all was concluded by his deserting his people, and flying to a foreign power, rather than stay and submit to the determinations of a free Parliament. Upon all which it was inferred, that he had abdicated the government, and had left the Throne vacant: Which therefore ought now to be filled, that so the Nation might be preserved, and the Regal government continued in it.

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against a
Regency.

As to the proposition for a Prince Regent, it was argued, that this was as much against Monarchy, or rather more, than what they moved for. If a King's ill government did give the people a right in any case to take his power from him, and to lodge it with another, owning that the right to it still remained with him, this might have every whit as bad consequences, as the other seemed to have: For recourse might be had to this violent remedy too often, and too rashly. By this proposition

position of a Regent, here were to be upon the matter two Kings at the same time: One with the title, and another with the power of a King. This was both more illegal, and more unsafe, than the method they proposed. The law of England had settled the point of the subjects security in obeying the King in possession, in the statute made by Henry the seventh. So every man knew he was safe under a King, and so would act with zeal and courage. But all such as should act under a Prince Regent, created by this Convention, were upon a bottom that had not the necessary forms of law for it. All that was done by them would be thought null and void in law: So that no man could be safe that acted under it. If the oaths to King James were thought to be still binding, the subjects were by these not only bound to maintain his title to the Crown, but all his prerogatives and powers. And therefore it seemed absurd to continue a government in his name, and to take oaths still to him, when yet all the power was taken out of his hands: This would be an odious thing, both before God and the whole world, and would cast a reproach on us at present, and bring certain ruin for the future on any such mixed and unnatural sort of government. Therefore, if the oaths were still binding, the Nation was still bound by them, not by halves, but in the whole extent. It was said, that, if the government should be carried on in King James's name, but in other hands, the body of the Nation would consider him as the person that was truly their King. And if any should plot or act for him, they could not be proceeded against for high treason, as conspiring against the King's person or government; when it would be visible, that they were only designing to preserve his person, and to restore him to his government. To proceed against any, or to take their lives for such practices, would be to add murder to per-

1689. jury. And it was not to be supposed, that Juries would find such men guilty of treason. In the weakness of infancy, a Prince Regent was in law the same person with the King, who had not yet a will: And it was to be presumed, the Prince Regent's will was the King's will. But that could not be applied to the present case; where the King and the Regent must be presumed to be in a perpetual struggle, the one to recover his power, the other to preserve his authority. These Things seemed to be so plainly made out in the debate, that it was generally thought that no man could resist such force of argument, but those who intended to bring back King James. And it was believed, that those of his party, who were looked on as men of conscience, had secret orders from him to act upon this pretence; since otherwise they offered to act clearly in contradiction to their own oaths and principles.

But those who were for continuing the government, and only for changing the persons, were not at all of a mind. Some among them had very different views and ends from the rest. These intended to take advantage from the present conjuncture, to depress the Crown, to render it as much precarious and elective as they could, and to raise the power of the people upon the ruin of Monarchy. Among those some went so far as to say, that the whole government was dissolved. But this appeared a bold and dangerous assertion: For that might have been carried so far, as to infer from it, that all men's properties, honours, rights, and franchises, were dissolved. Therefore it was thought safer to say, that King James had dissolved the tie that was between him and the Nation. Others avoided going into new speculations, or schemes of government. They thought it was enough to say, that in extream cases all obligations did cease; and that in our present circumstances the extremity of affairs,

by

by reason of the late ill government, and by King James's flying over to the enemy of the nation, rather than submit to reasonable terms, had put the people of England on the necessity of securing themselves upon a legal bottom. It was said, that tho' the vow of marriage was made for term of life, and without conditions expressed, yet a breach in the tie itself sets the innocent party at liberty. So a King, who had his power both given him and defined by the law, and was bound to govern by law, when he set himself to break all laws, and in conclusion deserted his people, did, by so doing, set them at liberty to put themselves in a legal and safe state. There was no need of fearing ill consequences from this. Houses were pulled down or blown up in a fire: And yet men found themselves safe in their houses. In extream dangers the common sense of mankind would justify extream remedies; tho' there was no special provision that directed to them, or allowed of them. Therefore, they said, a Nation's securing itself against a King, who was subverting the government, did not expose Monarchy, nor raise a popular authority, as some did tragically represent the matter.

There were also great disputes about the original contract: Some denying there was any such thing, and asking where it was kept, and how it could be come at. To this others answered, that it was implied in a legal government: Tho' in a long tract of time, and in dark ages, there was not such an explicit proof of it to be found. Yet many hints from law-books and histories were brought to shew, that the Nation had always submitted, and obeyed in consideration of their laws, which were still stipulated to them.

There were also many debates on the word "abdicate:" For the Commons came soon to a resolution, that King James, by breaking the original contract, and by withdrawing himself, had

1689.

abdicated the government; and that the Throne was thereby become vacant. They sent this vote to the Lords, and prayed their concurrence. Upon which many debates and conferences arose. At last it came to a free conference, in which, according to the sense of the whole Nation, the Commons had clearly the advantage on their side. The Lords had some more colour for opposing the word "abdicate," since that was often taken in a sense that imported the full purpose and consent of him that abdicated; which could not be pretended in this case. But there were good authorities brought, by which it appeared, that when a person did a thing upon which his leaving any office ought to follow, he was said to abdicate. But this was a critical dispute: And it scarce became the greatness of that assembly, or the importance of the matter.

It was a more important debate, whether, supposing King James had abdicated, the Throne could be declared vacant. It was urged, that, by the law, the King did never die; but that with the last breath of the dying King the Regal authority went to the next heir. So it was said, that supposing King James had abdicated, the Throne was (*ipso facto*) filled in that instant by the next heir. This seemed to be proved by the heirs of the King being sworn to in the oath of allegiance; which oath was not only made personally to the King, but likewise to his heirs and successors. Those who insisted on the abdication, said, that, if the King dissolved the tie between him and his subjects to himself, he dissolved their tie likewise to his posterity. An heir was one that came in the room of a person that was dead; it being a maxim that no man can be the heir of a living man. If therefore the King had fallen from his own right, as no heir of his could pretend to any inheritance from him, as long as he was alive, so they could succeed to nothing;

thing, but to that which was vested in him at the time of his death. And, as in the case of attainder every right that a man was divested of before his death was, as it were, annihilated in him; and by consequence could not pass to his heirs by his death, not being then in himself: So, if a King did set his people free from any tie to himself they must be supposed to be put in a state, in which they might secure themselves; and therefore could not be bound to receive one, who they had reason to believe would study to dissolve and revenge all they had done. If the principle of self preservation did justify a Nation in securing itself from a violent invasion, and a total subversion, then it must have its full scope, to give a real, and not a seeming and fraudulent, security. They did acknowledge, that upon the grounds of natural equity, and for securing the Nation in after times, it was fit to go as near the lineal succession as might be: Yet they could not yield that point, that they were strictly bound to it.

It was proposed, that the birth of the pretended Prince might be examined into. Some pressed this, not so much from an opinion that they were bound to assert his right, if it should appear that he was born of the Queen, as because they thought it would justify the Nation, and more particularly the Prince and the two Princesses, if an imposture in that matter could have been proved. And it would have gone far to satisfy many of the weaker sort, as to all the proceeding against King James. Upon which I was ordered to gather together all the presumptive proofs that were formerly mentioned, which were all ready to have been made out. It is true, these did not amount to a full and legal proof: Yet they seemed to be such violent presumptions, that, when they were all laid together, they were more convincing than plain and downright evidence: For that was liable to the

Some
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1689.

suspicion of subornation: Whereas the other seemed to carry on them very convincing characters of truth and certainty. But, when this matter was in private debated; some observed, that, as King James by going about to prove the truth of the birth, and yet doing it so defectively, had really made it more suspicious than it was before; so, if there was no clear and positive proof made of an imposture, the pretending to examine into it, and then the not being able to make it out, beyond the possibility of contradiction, would really give more credit to the thing, than it then had, and, instead of weakening it, would strengthen the pretension of his birth.

But it
was re-
jected.

When this debate was proposed in the House of Lords, it was rejected with indignation. He was now sent out of England to be bred up in France, an enemy both to the Nation, and to the established religion: It was impossible for the people of England to know, whether he was the same person that had been carried over, or not: If he should die, another might be put in his room, in such a manner that the nation could not be assured concerning him: The English nation ought not to send into another country, for witnesses to prove that he was their Prince; much less receive one upon the testimony of such, as were not only aliens, but ought to be presumed enemies: It was also known, that all the persons, who had been the confidants in that matter, were conveyed away: So it was impossible to come at them, by whose means only the truth of that birth could be found out. But while these things were fairly debated by some, there were others who had deeper and darker designs in this matter.

They thought, it would be a good security for the Nation, to have a dormant title to the Crown lie as it were neglected, to oblige our Princes to govern well, while they would apprehend the danger

of

of a revolt, to a pretender still in their eye. Wild-
 man thought, it was a deep piece of policy to let
 this lie in the dark, and undecided. Nor did they
 think it an ill precedent, that they should so neglect
 the right of succession, as not so much as to en-
 quire into this matter. Upon all these considera-
 tions no further enquiry was made into it. It is
 true, this put a plausible objection in the mouth of
 all King James's party: Here, they said, an in-
 fant was condemned, and denied his right, without
 either proof or enquiry. This still takes with ma-
 ny in the present age. And, that it may not take
 more in the next, I have used more than ordi-
 nary care to gather together all the particulars, that
 were then laid before me as to that matter.

1689.

The next thing in debate was, who should fill
 the Throne. The Marquis of Halifax intended,
 by his zeal for the Prince's interest, to atone for
 his backwardness in not coming early into it: And,
 that he might get before Lord Danby, who was in
 great credit with the Prince, he moved, that the
 Crown should be given to the Prince, and to the
 two Princesses after him. Many of the Republi-
 can party approved of this: For by it they gained
 another point: The people in this case would plain-
 ly elect a King, without any critical regard to the or-
 der of succession. How far the Prince himself en-
 tertained this, I cannot tell. But I saw it made a
 great impression on Bentinck. He spoke of it to
 me, as asking my opinion about it, but so, that I
 plainly saw what was his own: For he gave me all
 the arguments that were offered for it; as that it
 was most natural that the sovereign power should
 be only in one person; that a man's wife ought
 only to be his wife; that it was a suitable return to
 the Prince for what he had done for the Nation;
 that a divided sovereignty was liable to great incon-
 veniencies; and, tho' there was less to be apprehend-

Some
 were for
 making
 the Prince
 King.

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1689:

ed from the Princess of any thing of that kind than from any woman alive, yet all mortals were frail, and might at some time or other of their lives be wrought on.

To all this I answered, with some vehemence, that this was a very ill return for the steps the Princess had made to the Prince three years ago: It would be thought both unjust and ungrateful: It would meet with great opposition, and give a general ill impression of the Prince, as insatiable and jealous in his ambition: There was an ill humour already spreading it self thro' the Nation, and thro' the Clergy: It was not necessary to encrease this; which such a step, as was now proposed, would do out of measure: It would engage the one sex generally against the Prince: And in time they might feel the effects of that very sensibly: And, for my own part, I should think myself bound to oppose it all I could, considering what had passed in Holland on that head. We talked over the whole thing for many hours, till it was pretty far in the morning. I saw he was well instructed in the argument: And he himself was possessed with it. So next morning I came to him, and desired my Conge. I would oppose nothing in which the Prince seemed to be concerned, as long as I was his servant. And therefore I desired to be disengaged, that I might be free to oppose this proposition, with all the strength and credit I had. He answered me, that I might desire that, when I saw a step made: But till then he wished me to stay where I was. I heard no more of this; in which the Marquis of Halifax was single among the Peers: For I did not find there was any one of them of his mind; unless it was the Lord Culpepper, who was a vicious and corrupt man, but made a figure in the debates that were now in the House of Lords, and died about the end of them. Some moved, that the Princess of Orange might be put in the Throne; and

1689.

and that it might be left to her, to give the Prince such a share either of dignity or power as she should propose, when she was declared Queen. The agents of Princess Anne began to go about, and to oppose any proposition for the Prince to her prejudice. But she thought fit to disown them. Dr. Doughty, one of her Chaplains, spoke to me in her room on the subject. But she said to myself, that she knew nothing of it.

The proposition, in which all that were for the filling the Throne agreed at last, was, that both the Prince and Princess should be made conjunct Sovereigns. But, for the preventing of any distractions, that the administration should be singly in the Prince. The Princess continued all the while in Holland, being shut in there, during the East winds, by the freezing of the rivers, and by contrary winds after the thaw came. So that she came not to England till all the debates were over. The Prince's enemies gave it out, that she was kept there by order, on design that she might not come over to England to claim her right. So parties began to be formed, some for the Prince, and others for the Princess. Upon this the Earl of Danby sent one over to the Princess, and gave her an account of the present state of that debate: And desired to know her own sense of the matter; for, if she desired it, he did not doubt but he should be able to carry it, for setting her alone on the Throne. She made him a very sharp answer: She said, she was the Prince's wife, and would never be other, than what she should be in conjunction with him, and under him; and that she would take it extreme unkindly, if any, under a pretence of their care of her, would set up a divided interest between her and the Prince. And, not content with this, she sent both Lord Danby's letter, and her answer, to the Prince: Her sending it thus to him was the most effectual discouragement possible, to any attempt for the future to create

1689.



a misunderstanding or jealousy between them. The Prince bore this with his usual phlegm: For he did not expostulate with the Earl of Danby upon it, but continued still to employ and to trust him. And afterwards he advanced him, first to be a Marquis, and then to be a Duke.

The Prince declared his mind after long silence.

During all these debates, and the great heat with which they were managed, the Prince's own behaviour was very mysterious. He staid at St. James's: He went little abroad: Access to him was not very easy. He heard all that was said to him: But seldom made any answers. He did not affect to be affable, or popular: Nor would he take any pains to gain any one person over to his party. He said, he came over, being invited, to save the Nation: He had now brought together a free and true representative of the Kingdom: He left it therefore to them to do what they thought best for the good of the Kingdom: And, when things were once settled, he should be well satisfied to go back to Holland again. Those who did not know him well, and who imagined that a Crown had charms, which human nature was not strong enough to resist, looked on all this as an affectation, and as a disguised threatening, which imported, that he would leave the Nation to perish, unless his method of settling it was followed. After a reservedness, that had continued so close for several weeks, that no body could certainly tell what he desired, he called for the Marquis of Hallifax, and the Earls of Shrewsbury and Danby, and some others, to explain himself more distinctly to them.

He told them, he had been till then silent, because he would not say or do any thing, that might seem in any sort to take from any person the full freedom of deliberating and voting in matters of such importance: He was resolved neither to court nor threaten any one: And therefore he had declined to give out his own thoughts: Some were

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1689.

for putting the government in the hands of a Regent: He would say nothing against it, if it was thought the best mean for settling their affairs: Only he thought it necessary to tell them, that he would not be the Regent: So, if they continued in that design, they must look out for some other person to be put in that post: He himself saw what the consequences of it were like to prove: So he would not accept of it: Others were for putting the Princess singly on the Throne, and that he should reign by her courtesy: He said, no man could esteem a woman more than he did the Princess: But he was so made, that he could not think of holding any thing by apron-strings: Nor could he think it reasonable to have any share in the government, unless it was put in his person, and that for term of life: If they did think it fit to settle it otherwise, he would not oppose them in it: But he would go back to Holland, and meddle no more in their affairs: He assured them, that whatsoever others might think of a Crown, it was no such thing in his eyes, but that he could live very well, and be well pleased without it. In the end he said, that he could not resolve to accept of a dignity, so as to hold it only for the life of another: Yet he thought, that the issue of Princess Anne should be preferred, in the succession, to any issue that he might have by any other wife than the Princess. All this he delivered to them in so cold and unconcerned a manner, that those, who judged of others by the dispositions that they felt in themselves, looked on it all as artifice and contrivance.

This was presently told about, as it was not intended to be kept secret. And it helped not a little to bring the debates at Westminster to a speedy determination. Some were still in doubt with relation to the Princess. In some it was conscience: For they thought the equitable right

It was resolved to put the Prince and Princess both in the Throne.

1689.

was in her. Others might be moved by interest, since if she should think herself wronged, and ill used in this matter, she, who was like to outlive the Prince, being so much younger and healthier than he was, might have it in her power to take her revenges, on all that should concur in such a design. Upon this, I, who knew her sense of the matter very perfectly by what had passed in Holland, as was formerly told, was in a great difficulty. I had promised her never to speak of that matter, but by her order. But I presumed, in such a case I was to take orders from the Prince. So I asked him, what he would order me to do. He said, he would give me no orders in that matter, but left me to do as I pleased. I looked on this, as the allowing me to let the Princess's resolution in that be known; by which many, who stood formerly in suspense, were fully satisfied. Those to whom I gave the account of that matter were indeed amazed at it; and concluded, that the Princess was either a very good, or a very weak woman. An indifferency for power and rule seemed so extraordinary a thing, that it was thought a certain character of an excess of goodness or simplicity. At her coming to England, she not only justified me, but approved of my publishing that matter; and spoke particularly of it to her sister Princess Anne. There were other differences in the form of the settlement. The Republican party were at first for deposing King James by a formal sentence, and for giving the Crown to the Prince and Princess by as formal an election. But that was over-ruled in the beginning. I have not pursued the relation of the debates, according to the order in which they passed, which will be found in the journal of both Houses during the Convention. But, having had a great share myself in the private managing of those debates, particularly with many of the Clergy, and with

with the men of the most scrupulous and tender consciences, I have given a very full account of all the reasonings on both sides, as that by which the reader may form and guide his own judgment of the whole affair. Many protests past in the House of Lords, in the progress of the debate. The party for a Regency was for some time most prevailing: And then the protests were made by the Lords that were for the new settlement. The House was very full: About a hundred and twenty were present. And things were so near an equality, that it was at last carried by a very small majority, of two or three, to agree with the Commons in voting the Abdication, and the Vacancy of the Throne: Against which a great protest was made; as also against the final vote, by which the Prince and Princess of Orange were desired to accept of the Crown, and declared to be King and Queen; which went very hardly. The poor Bishop of Durham who had absconded for some time, and was waiting for a ship to get beyond sea, fearing publick affronts, and had offered to compound by resigning his Bishoprick, was now prevailed on to come, and by voting the new settlement, to merit at least a pardon for all that he had done: Which, all things considered, was thought very indecent in him, yet not unbecoming the rest of his life and character:

But, before matters were brought to a full conclusion, an enumeration was made of the chief heads of King James's ill government. And in opposition to these, the rights and liberties of the people of England were stated. Some officious people studied to hinder this at that time. They thought they had already lost three weeks in their debates: And the doing this, with the exactness that was necessary, would take up more time: Or it would be done too much in a hurry, for matters of so nice a nature. And therefore it was moved, that

They draw an Instrument about it.

1689. this should be done more at leisure after the settlement. But that was not hearkned to. It was therefore thought necessary to frame this Instrument so, that it should be like a new Magna Charta. In the stating these grievances and rights, the Dispensing Power came to be discussed. And then the power of the Crown to grant a Non-obstante to some statutes was objected. Upon opening this, the debate was found to be so intricate, that it was let fall at that time only for dispatch. But afterwards an act past condemning it singly. And the power of granting a Non-obstante was for the future taken away. Yet King James's party took great advantage from this; and said, that tho' the main clamour of the Nation was against the Dispensing Power, yet when the Convention brought things to a settlement that did not appear to be so clear a point as had been pretended: And it was not so much as mentioned in this Instrument of government: So that, by the confession of his enemies, it appeared to be no unlawful power: Nor was it declared contrary to the liberties of the people of England. Whereas, its not being mentioned then, was only upon the opposition that was made, that so more time might not be lost, nor this Instrument be clogged with disputable points.

The
Oaths
were al-
tered.

The last debate was, concerning the oaths that should be taken to the King and Queen. Many arguments were taken during the debate, from the oaths in the form in which the allegiance was sworn to the Crown, to shew that in a new settlement these could not be taken. And to this it was always answered, that care should be taken, when other things were settled, to adjust these oaths, so that they should agree to the new settlement. In the oaths, as they were formerly conceived, a previous title seemed to be asserted, when the King was

was sworn to, "as rightful and lawful King." It was therefore said, that these words could not be said of a King who had not a precedent right, but was set up by the Nation. So it was moved, that the oaths should be reduced to the ancient simplicity, of swearing to bear faith and true allegiance to the King and Queen. This was agreed to. And upon this began the notion of a King de facto, but not de jure. It was said, that according to the common law, as well as the statute in King Henry the seventh's reign, the subjects might securely obey any King that was in possession, whether his title was good, or not. This seemed to be a doctrine necessary for the peace and quiet of mankind, that so the subjects may be safe in every Government, that bringeth them under a superior force, and that will crush them, if they do not give a security for the protection that they enjoy under it. The Lawyers had been always of that opinion, that the people were not bound to examine the titles of their Princes, but were to submit to him that was in possession. It was therefore judged just and reasonable, in the beginning of a new government, to make the oaths as general and comprehensive as might be: For it was thought, that those who once took the oaths to the government, would be after that faithful and true to it. This tenderness, which was shewed at this time, to a sort of people that had shewed very little tenderness to men of weak or ill informed consciences, was afterwards much abused by a new explanation, or rather a gross equivocation, as to the signification of the words in which the oath was conceived. The true meaning of the words, and the express sense of the imposers was, that, whether men were satisfied or not with the putting the King and Queen on the Throne, yet, now they were on it, they would be true to them, and

1689.

The ill
sense that
was put
on the
new oath.

defend them. But the sense that many put on them was, that they were only to obey them as usurpers, during their usurpation, and that therefore, as long as they continued in quiet possession, they were bound to bear them, and to submit to them: But that it was still lawful for them to assist King James, if he should come to recover his Crown, and that they might act and talk all they could, or durst, in his favour, as being still their King de jure. This was contrary to the plain meaning of the words; "faith, and true allegiance;" and was contrary to the express declaration in the act that enjoined them. Yet it became too visible, that many in the Nation, and particularly among the Clergy, took the oath in this sense, to the great reproach of their profession. The prevarication of too many in so sacred a matter contributed not a little to fortify the growing Atheism of the present age. The truth was, the greatest part of the Clergy had entangled themselves so far, with those strange conceits of the divine right of Monarchy, and the unlawfulness of resistance in any case: And they had so engaged themselves, by asserting these things so often and so publickly, that they did not know how to disengage themselves in honour or conscience.

A notion was started, which by its agreement with their other principles had a great effect among them, and brought off the greatest number of those who came in honestly to the new government. This was chiefly managed by Dr. Lloyd, Bishop of St. Asaph, now translated to Worcester. It was laid thus: The Prince had a just cause of making war on the King. In that most of them agreed. In a just war, in which an appeal is made to God, success is considered as the decision of heaven. So the Prince's success against King James gave him the right of conquest over him.


And

And by it all his rights were transferred to the Prince. His success was indeed no conquest of the Nation; which had neither wronged him, nor resisted him. So that, with relation to the people of England, the Prince was no conqueror, but a preserver, and a deliverer, well received, and gratefully acknowledged. Yet with relation to King James, and all the right that was before vested in him, he was, as they thought, a conqueror. By this notion they explained those passages of Scripture, that speak of God's disposing of Kingdoms, and of pulling down one and setting up another; and also our Saviour's arguing from the inscription on the coin, that they ought to render to Cæsar the things that were Cæsar's; and St. Paul's charging the Romans to obey the powers that then were, who were the Emperors that were originally the invaders of publick liberty which they had subdued, and had forced the people and Senate of Rome by subsequent acts to confirm an authority that was so ill begun. This might have been made use of more justly, if the Prince had assumed the Kingship to himself, upon King James's withdrawing; but did not seem to belong to the present case. Yet this had the most universal effect on the far greater part of the Clergy.


And now I have stated all the most material parts of these debates, with the fulness that I thought became one of the most important transactions that is in our whole History, and by much the most important of our time.

All things were now made ready for filling the Throne. And the very night before it was to be done the Princess arriv'd safely. It had been given out, that she was not well pleased with the late transaction, both with relation to her father and to the present settlement. Upon which the Prince wrote to her, that it was necessary she should ap-

The Princess
came to
England.

1689.  pear at first so chearful, that no body might be discouraged by her looks, or be led to apprehend that she was uneasy, by reason of what had been done. This made her put on a great air of gaiety when she came to Whitehall, and, as may be imagined, had great crouds of all forts coming to wait on her. I confess, I was one of those that censured this in my thoughts. I thought a little more seriousness had done as well, when she came into her father's Palace, and was to be set on his Throne next day. I had never seen the least indecency in any part of her deportment before: Which made this appear to me so extraordinary, that some days after I took the liberty to ask her, how it came that what she saw in so sad a revolution, as to her father's person, made not a greater impression on her. She took this freedom with her usual goodness. And she assured me, she felt the sense of it very lively upon her thoughts. But she told me, that the letters which had been writ to her had obliged her to put on a chearfulness, in which she might perhaps go too far, because she was obeying directions, and acting a part which was not very natural to her. This was on the 12th of February, being Shrove-Tuesday. The thirteenth was the day set for the two Houses to come with the offer of the Crown. So here ends the Interregnum.

And thus I have given the fullest and most particular account that I could gather of all that pass'd during this weak, unactive, violent, and superstitious reign; in which all regard to the affairs of Europe seem'd to be laid aside, and nothing was thought on but the spiteful humours of a revengeful Italian Lady, and the ill laid, and worse managed, projects of some hot meddling Priests, whose learning and politicks were of a piece, the one exposing them to contempt, and the other to ruin; involving in it a Prince, who, if it had not
been

been for his being delivered up to such counsels, 1689. 
might have made a better figure in history. But they managed both themselves and him so ill, that a reign, whose rise was bright and prosperous, was soon set in darkness and disgrace. But I break off here, lest I should seem to aggravate misfortunes, and load the unfortunate too much.

The END of the SECOND VOLUME.



of King James II.
been for his being delivered up to such counsels
might have made a better figure in history. But
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a reign, whose title was bright and glorious, was
soon set in darkness and disgrace. But I break off
here, lest I should seem to aggravate his misfortune,
and lose the opportunity too much.

The History of Voltaire





