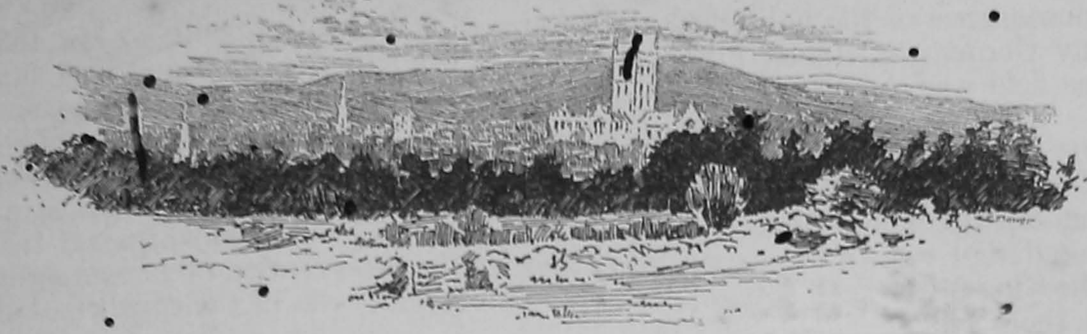

CHAPTER VIII

THE LATTER PART OF CHARLES II'S REIGN

[1668-1685 A.D.]

> It may seem rather an extraordinary position yet is strictly true, that the fundamental privileges of the subject were less invaded, the prerogative swerved into fewer excesses, during the reign of Charles II than in any former period of equal length. The frequent session of parliament, and its high estimation of its own privileges, furnished a security against illegal taxation. And as the nation happily escaped the attempts that were made after the restoration to revive the Star-Chamber and high commission courts, there were no means of chastising political delinquencies except through the regular tribunals of justice and through the verdict of a jury. Ill as the one were often constituted and submissive as the other might often be found, they afforded something more of a guarantee, were it only by the publicity of their proceedings, than the dark and silent divan of courtiers and prelates who sat in judgment under the two former kings of the house of Stuart. Though the bench was frequently subservient, the bar contained high-spirited advocates whose firm defence of their clients the judges often reproved, but no longer affected to punish. The press, above all, was in continual service.— HENRY HALLAM.[b]

FEW things in English history are more curious than the origin and growth of the power now possessed by the cabinet. From an early period the kings of England had been assisted by a privy council to which the law assigned many important functions and duties. During several centuries this body deliberated on the gravest and most delicate affairs. But by degrees its character changed. It became too large for despatch and secrecy. The rank of privy councillor was often bestowed as an honorary distinction on persons to whom nothing was confided, and whose opinion was never asked. The sovereign, on the most important occasions, resorted for advice to a small knot of leading ministers. The advantages and disadvantages of this course were early pointed out by Bacon, with his usual judgment and sagacity: but it was not till after the restoration that the interior council began to attract general notice. During many years old fashioned politicians continued to regard the cabinet as an unconstitutional and dangerous board. Nevertheless, it constantly became more and more important. It at length drew to itself the chief executive power, and has now been regarded, during several generations, as an essential part of English polity. Yet, strange to say, it still continues to be altogether unknown to the law. The names of the noblemen and gentlemen who compose it are never officially announced to the public. No record is kept of its meetings and resolutions; nor has its existence ever been recognised by any act of parliament.

During some years the word cabal was popularly used as synonymous with cabinet. But, as we have seen, it happened by a whimsical coincidence that, in 1671, the cabinet consisted of five persons the initial letters of whose names made up the word cabal, Clifford, Arlington, Buckingham, Ashley and Lauderdale. These ministers[1] were therefore emphatically called the Cabal; and they soon made that appellation so infamous that it has never since their time been used except as a term of reproach.c

Buckingham, without any ostensible post, was now in fact the prime minister, and one so profligate in morals has rarely been seen in England. He was living in open adultery with Lady Shrewsbury, which led at this very time (January 16th) to a duel, in which the injured husband was mortally wounded. The abandoned countess, it is said, dressed as a page, held the horse of her paramour while he was fighting with her husband. It served the cause of the non-conformists but little to be advocated, as it was, by a man of such a character; the commons, therefore, negatived by a large majority a bill introduced for their relief. They also voted only one-half of the sum demanded for the navy, and instituted a rigid inquiry into the conduct of various persons in the late war.

As money for the supply of the royal mistresses and the other profligacies of the court was not to be obtained from the parliament, Buckingham began to form other projects. The first was to reduce the royal expenditure below the revenues, but with a prince of Charles' character that was impracticable. It was then resolved to have recourse to the king of France; Buckingham therefore entered into a negotiation with the duchess of Orleans, and Charles himself apologised to the French resident for his share in the Triple Alliance. Louis, as usual, affected indifference, but the communications gradually became more confidential, and by the end of the year Louis had the leading English ministers in his pay.

It was not the mere gratification of his pleasures that Charles now looked to; he wished to be absolute. Not, however, that, like his father, he believed despotic power to be his right, or that he felt any pleasure in the exercise of it: what he wanted was freedom from restraint; he could not endure that his private life should be publicly criticised, or that parliaments should presume to inquire what had been done with the money they had granted. All this might be obviated by a standing army, which he might make it the interest of Louis to furnish him with the means of maintaining. But there was another motive operating on the mind of Charles, which, from the tenor of his life, one would be little apt to suspect.

THE KING AND THE DUKE OF YORK BECOME CATHOLICS (1668 A.D.)

The duke of York was at this time become a Catholic. His own account of his conversion is as follows. When he was in Flanders he read, at the request of a bishop of the Church of England, a treatise by that prelate, written to clear that church from the guilt of schism in separating from the church of Rome. He also, at the bishop's desire, read a reply which had been made to it, and the effect produced on his mind was the contrary of what was intended. After the restoration he read Heylin's *History of the Reforma-*

[[1] Gardiner,d however, insists that it is wrong to speak of the Cabal as a "ministry" in the modern sense, since they formed no council meeting agreed on nothing but toleration, and were never consulted as a body by the king.]

tion, and the preface to Hooker's *Ecclesiastical Polity*, and the result was a persuasion that none of the reformers "had power to do what they did." He went on inquiring, and gradually gave his assent to all the Roman doctrines. It must be observed that the duke, while thus solicitous about his religion, was leading a life nearly, if not altogether, as profligate as that of his brother. All this time he continued outwardly to conform to the Church of England. At length he consulted a Jesuit named Simons, on the subject of being reconciled, expressing his hope, that on account of the singularity of his case, he might have a dispensation to continue his outward conformity to the Church of England. To his surprise, the good father assured him that the pope had not the power to grant it, "for it was an unalterable doctrine of the Catholic church, not to do evil that good might follow." The duke wrote to the pope, and the reply which he received was to the same effect. Thinking it dangerous to delay any longer, he resolved to open his mind to the king, whom he knew to be of the same way of thinking. ~~He found~~ his brother equally sensible with himself as to the danger of his condition. It was agreed that the royal brothers should consult with the lords Arundel of Wardour and Arlington, and Sir Thomas Clifford (all in the royal secret), on the best mode of advancing the Catholic religion in the king's dominions.

On the 25th of January, 1669, the feast of the conversion of St. Paul, the meeting was held in the duke's closet. The king spoke with great earnestness, and with tears in his eyes, describing his uneasiness at not being able to profess the faith he believed; as he knew, he said, that he should meet with great difficulties in what he proposed to do, no time was to be lost, and it should be undertaken while he and his brother were in full strength and vigour, and able to undergo any fatigue. It was resolved to apply to the French king for aid, for which purpose his ambassador was to be let into the secret, and Lord Arundel, with Sir Richard Bellings, an Irish Catholic, for his secretary, was to go to the court of France. Arundel, when at Paris, required from Louis a large sum of money, to enable the king to suppress any insurrection that might break out, offering in return to aid him in his intended invasion of Holland. Louis was willing to assent to these terms; the only question was, which should be first, the war or the king's declaration of his religion. Charles, urged by his brother, was for the last; Louis more wisely recommended the former. The year passed away in discussions: at Christmas the king received the sacrament as usual in public, but it was observed that the duke of York did not accompany him.

The Conventicle Act was now near expiring. The lord keeper and Chief Justice Hale had, with the aid of bishops Wilkins and Reynolds, and of Tillotson, Stillingfleet, Burton, and other divines, been engaged in forming a scheme of comprehension, which was communicated to Baxter, Bates, and Morton, and by them to their non-conforming brethren. Nothing could be more reasonable than the alterations proposed, and an equally rational plan was devised. But Sheldon and the other intolerants took the alarm; the commons had not abated in their hostility, and the Conventicle Act was renewed[1] with the addition of a proviso, "that all clauses in it shall be construed most largely and beneficially for the suppressing conventicles, and for the justification and encouragement of all persons to be employed in the execution thereof." Could anything be more barbarous than this? The vile crew of informers was now unkennelled, houses were broken open, ministers and other persons were dragged to prison. Sheldon and those prelates, such as Ward and Lamplugh, who resembled himself, were zealous in causing the act to be enforced, and the court secretly encouraged them, in the hopes of driving the dissenters to look to a Catholic government for relief.

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[1] [According to Gardiner Charles sold his consent to this renewal for a grant of £300,000 a year for eight years.]

It is said that Buckingham was most anxious to prevent the succession of the duke of York. According to this prince's own account, his first project was to get the king to acknowledge the legitimacy of his son by Lucy Walters, whom he had created duke of Monmouth, and given him in marriage the countess of Buccleuch, the wealthiest heiress in Scotland; lords Carlisle and Ashley, he adds, had the boldness to hint to the king, that if he was desirous of doing so, it would not be difficult to procure witnesses of his marriage, but Charles replied, "that well as he loved the duke, he had rather see him hanged at Tyburn than own him for his legitimate son." To get rid of the sterile queen in some way, in order to enable the king to marry again, was the next plan. Buckingham proposed to seize her and convey her away ~~secretly to~~ the plantations, so that she might be no more heard of: but Charles rejected this course with horror. The next project was to deal with the queen's confessor, to induce her to go into a convent; but she had no mind to be a nun, and means, it is said, were employed to cause the pope to forbid her. Some talked of the king's taking another wife, but the public feeling was adverse to polygamy. A divorce was then proposed, and to this the king hearkened; but spiritual divorces were only from bed and board, and a precedent was wanting for the legal marriage of the innocent party. Lord Roos, therefore, whose wife was living in open adultery, got a bill to be moved in the upper house (March 5th, 1670), to enable him to marry again. The duke, seeing whither this tended, opposed it with all his might; all the bishops but Cosins and Wilkins were on his side, and all the Catholic and several Protestant peers. The king employed his influence in favour of it, and on the morning of the third reading (21st) he came and sat on the throne, saying, he was come to renew an old custom of attending at their debates, and desired them to go on as if he were not present. The bill was carried by a small majority, and became a precedent for bills of the same kind, but the king took no advantage of it. He continued for some time the practice of attending the debates; "it was as good," he said, "as going to a play," and his presence was some check on the opposition.

THE SECRET TREATY OF DOVER AND THE FRENCH ALLIANCE (1670 A.D.)

In the month of May Louis took occasion of a progress he was making through his lately acquired possessions to let the duchess of Orleans cross the sea to Dover to visit her brother, over whose mind she possessed great influence. Louis hoped that she would be able to prevail with him to commence with the war against the states instead of the declaration of religion, but Charles was immoveable on this head. The famous secret treaty was now concluded. Charles was to declare himself when he judged it expedient, and then to join Louis in a war with the Dutch; Louis was to give him two millions of livres, and a force of six thousand men; all the expenses of the war by land were to be borne by Louis, and he was to pay three millions of livres annually toward the charge of the English navy; the combined fleet to be commanded by the duke of York; if the states were conquered, Charles was to have Walcheren, Sluys, and Cadsand, and the prince of Orange to be provided for. It was further agreed, that if any new rights to the Spanish monarchy should accrue to Louis (by the death of the king, a puny boy), Charles should aid him in asserting them with all his power, and to get in return Ostend, Minorca, and such parts of South America as he could conquer.

Such was the conspiracy that was formed against the Protestant faith and the liberties of Europe; but many difficulties stood in the way of its success. Charles, when he reflected coolly, became aware of the Protestant spirit of his subjects: he did not venture to communicate the secret treaty to his Protestant ministers, and to blink them he let Buckingham[1] conclude one (the counterpart of it except as to the article of religion) with France (January 23rd, 1671). When urged by Louis to declare his religion, he hung back and made various objections, and the course of events soon caused Louis to cease from pressing him.

THE ACCESSION OF NELL GWYN; COVENTRY ACT

Charles had latterly recruited his harem from the theatre, where ~~now, in~~ imitation of the Continent, women performed. He had taken off no less than two actresses, the one named Moll Davies a dancer, the other the wild and witty Nell Gwyn. He soon grew tired of Davies, who had borne him a daughter, Mary Tudor, married in 1687 to Francis Ratcliffe, afterwards created earl of Derwentwater. But Nell, whom he appointed of the bed-chamber to his insulted queen, retained her hold on his affections through life, and the noble house of St. Albans derive their pedigree from this union of royalty with the stage. With the aid of Shaftesbury, it is said, he seduced the daughter of a clergyman named Roberts; but her early principles retained their hold on her mind, and Burnet[e] says that she died a sincere penitent. A further accession to the royal mistresses was Mademoiselle de Querouaille, a favourite maid of the duchess of Orleans, on whose sudden and mysterious death shortly after the interview at Dover, Charles invited her maid over to England, appointed her of the queen's bed-chamber, and added her to the roll of his mistresses. He afterwards (1672) created her duchess of Portsmouth, and Louis conferred on her the royal domain of Aubigni, which went to her son the duke of Richmond. As to Castlemain (now duchess of Cleveland), she still retained her place as a royal mistress; and if Charles was faithless to her, she was equally so to him. Her children by the king, named Fitzroy, were the dukes of Southampton and Grafton, the earl of Northumberland, and a daughter married to Sir Henry Lee of Ditchley, Oxon, afterwards earl of Litchfield.

In the debate on the supplies in the commons, it was proposed to lay a tax on the play-houses. To this it was objected, that the players were the king's servants and a part of his pleasure. Sir John Coventry asked, whether "his majesty's pleasure lay among the men or the women players?" This was reported at court, and the king, though earnestly dissuaded by the duke, resolved on a base and cowardly vengeance. The duke of Monmouth was the chief agent, with his lieutenant Sands and O'Brien, son of Lord Inchiquin; and as Coventry was returning one night (December 21st) to his lodgings, Sands and O'Brien, with thirteen of the guards, fell on him in the Haymarket. Coventry snatched the flambeau from his servant, and with it in one hand and his sword in the other, and placing his back against the wall, he defended himself stoutly. He wounded O'Brien in the arm; but they overpowered him, threw him on the ground, and slit his nose with a penknife. They then repaired to the duke of Monmouth to boast of what they had done.

[[1] Gardiner[d] says that "Charles particularly enjoyed making a fool of Buckingham, who imagined himself to be exceedingly clever."]

When the commons re-assembled, they were outrageous at this base assault on one of their members, and they passed an act banishing the perpetrators without pardon, unless they surrendered, and making it felony, without benefit of clergy, to maim or disfigure the person. This act is named the Coventry Act.

A still more atrocious attempt had lately been made on a more illustrious person. As the duke of Ormonde was returning in the dark (December 6th) from a dinner given by the city, his coach was stopped in St. James' street, he was dragged out of it, set behind a man on horseback and fastened to him by a belt. The man urged his horse and proceeded toward Hyde Park; but on the way the duke put his foot under the rider's, and leaning to the other side they both fell to the ground; the sound of footsteps being heard, the assassin loosed the belt and fired a pair of pistols at the duke, but without effect; he then fled away and escaped. An inquiry was instituted by the ~~house of~~ lords, a reward of 1,000*l.* and a pardon to any of the party who would turn informer, was offered by the king, but to no purpose.

Some time after, a person wearing a cassock formed an acquaintance with Edwards, the keeper of the regalia in the Tower. He proposed a match between a nephew of his and Edwards' daughter. At seven in the morning of the 9th of May, the pretended clergyman came with two companions and asked to see the regalia. While they were in the room they suddenly threw a cloak over Edwards' head and then put a gag in his mouth, and when he struggled they knocked him down and wounded him in the belly. The clergyman then placed the crown under his cloak, another put the globe in his breeches, and the third began to file the sceptre in two to put it into a bag. Edwards' son happening to come by, the alarm was given; the robbers ran, and had nearly reached their horses at St. Catherine's gate, when they were secured.

From curiosity, or some other motive, the king himself attended their examination. The chief said that his name was Colonel Blood; that it was he that had seized the duke of Ormonde, with the intention of hanging him at Tyburn; that he was one of a band of three hundred sworn to avenge each other's death; that he and others had resolved to kill the king for his severity to the godly, and that he had one time taken his station among the reeds at Battersea to shoot him as he was bathing, but the awe of majesty overcame him, and he relented; the king might now take his life if he pleased, but it would be at the risk of his own; whereas if he pardoned him, he would secure the gratitude of a band of faithful and resolute spirits. Charles pardoned him, nay, more, gave him an estate of 500*l.* a year in Ireland, of which country he was a native, and kept him at court, where he rose to the possession of much influence: he also requested Ormonde to pardon him, saying that he had certain reasons for asking it. The duke replied that his majesty's command was a sufficient reason. What are we to infer from all this? Was Charles a coward? or was some one of those who were in his confidence the secret instigator of the attempt on the life of the duke?

The next event was the death of the duchess of York (May 31st). She died a Catholic; the secret efforts of her husband had had their effect, and she had been reconciled in the preceding month of August. Her father wrote, her brother remonstrated; but their efforts were fruitless; she received the last sacrament from the hands of a Franciscan friar. Her conversion was known, it is said, to but five persons; but the secret gradually transpired and caused the religion of the duke to be suspected. She had borne him eight children, of whom two daughters, Mary and Anne, alone survived.

During the last year the young prince of Orange had come over to visit his royal uncle. Charles, who had really a regard for him, wished to draw him into his projects; but he found him, as the French ambassador says, too zealous a Dutchman and Protestant to be trusted with the secret. It is curious enough that, as the prince told Burnet, the king gave him to understand that he was himself a Catholic.

THE STOP OF THE EXCHEQUER; THE DECLARATION OF INDULGENCE; THE DUTCH WAR (1672 A.D.)

The war with the states being decided on, the Cabal prepared to commence it with robbery at home and piracy abroad. To have a good supply of money to begin with, the fertile brain of Ashley,[1] it is said (but he always denied it), suggested to shut up the exchequer. To understand this, we must observe that since the time of Cromwell the bankers and others had been in the habit of advancing money at eight per cent. to the government, receiving in return an assignment of some branch of the revenue till principal and interest should be discharged. The new plan was to suspend all payments for twelve months, and to add the interest now due to the capital, allowing six per cent. interest on this new stock.[2] This was approved of by the privy-council, and the public was informed of it by proclamation (January 2nd, 1672). The consequences were, the ministers had a sum of 1,300,000*l.* at their disposal; many of the bankers failed; trade in general received a severe shock; numbers of widows, orphans, and other annuitants were reduced to misery.

There had been no declaration of war against the Dutch, with whom Charles was actually in alliance; but their Smyrna fleet would be coming up channel in March, and it was known to be wealthy, and it was supposed would suspect no danger. Holmes was therefore sent to intercept it; he was desired to take with him all the ships of war he should meet; but anxious to have all the glory and profit to himself, he let Sir Edward Spragge's squadron, returning from the Mediterranean, pass him by. Next morning (March 3rd) the Smyrna fleet of sixty sail came in sight. But the states had suspected the designs of their royal neighbours, and put their naval commanders on their guard. Many of these ships were well armed, and Van Nesse, who was convoying them with seven men-of-war, disposed his force so well as completely to baffle the English. Holmes being reinforced during the night, renewed the attack next day, and he succeeded in capturing one ship of war and four merchantmen, two of which were very valuable. This piratic enterprise (of which the disgrace was aggravated by its failure) was condemned both at home and abroad.

The next measure was to issue a Declaration of Indulgence (15th), in order to gain over the dissenters to the side of the court and to pave the way for a general toleration. The measure itself, which was suggested by Shaftesbury, was beneficent, had it originated in good motives; but it proceeded on the principle of an arbitrary dispensing power in the crown that might be carried to a dangerous extent. A portion of the dissenters received it with gratitude, and presented an address of thanks to the king; but the orthodox took alarm, and the pulpits resounded with arguments and declamation against popery.

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[1] [Gardiner[d] credits Clifford with the suggestion, since he was shortly afterward made a peer and Lord High Treasurer. Ashley was made the first earl of Shaftesbury in reward for his support of the Declaration of Indulgence. When later he joined the opposition, North[f] says the wags called him Shiftsbury.]

[2] "This," says Hallam[b] "was never paid till the latter part of William's reign; it may be considered as the beginning of our national debt."

Both kings now formally declared war against the states. Louis merely said that it did not consist with his reputation to put up any longer with insult from them. Charles (17th) enumerated several petty causes of hostility, "and surely," says Hume, "reasons more false and frivolous never were employed to justify a flagrant breach of treaty." The king of Sweden, the bishop of Münster, and the elector of Cologne were drawn into the confederacy against the states.

While preparations were being made to put the land forces of the states into a condition to resist the troops of France, De Ruyter got to sea with seventy-five men-of-war and a number of fire ships to prevent the junction of the French and English fleets; this, however, he was unable to effect, and the combined fleet having vainly tried to bring him to action off Ostend, returned to Southwold bay. De Ruyter, learning that they were occupied taking in men and provisions, resolved to fall on them while thus engaged. He was near surprising them (May 28th); but though the wind and tide were adverse, the duke of York, who commanded, got about twenty of his ships in line of battle, being part of the red squadron under himself and of the blue under the earl of Sandwich. D'Estrées, with the French fleet, was to the southward, opposed to the ships of Zealand. Though the disparity of numbers was great, the battle was obstinate. Sandwich, in the *Royal James*, took a ship of seventy guns and killed Admiral Van Ghent; but his own vessel having been much damaged, a fire ship grappled on her larboard and set her in flames, and the earl and all on board but two or three hundred perished. The duke, when his ship, *The Prince*, was disabled, shifted his flag to the *St. Michael;* and this vessel being also disabled, he finally hoisted it in *The London*. In the afternoon the other ships came into the action, and the Dutch finally fled with the loss of three ships; the English lost but one: the French had taken no part in the action.

Meantime Louis, at the head of one hundred thousand men, had burst like a flood over the frontiers. His disciplined legions were directed by the genius of Condé and Turenne, while the Dutch troops were raw levies and ill-officered. Fortress after fortress opened their gates, making hardly a show of resistance. The season happening to be very dry, the rivers were low, the passage of the Rhine offered no difficulty (June 2nd), and in the space of three weeks the French monarch reduced three of the provinces, and had advanced within three leagues of Amsterdam. Resistance appearing nearly hopeless, ambassadors were sent to learn on what terms peace might be obtained. Buckingham, Arlington, and Lord Saville (now earl of Halifax) were sent on the part of Charles to Utrecht, where Louis had fixed his quarters, and the demands of the two sovereigns were there communicated to the Dutch ministers. Louis required large cessions of forts and territory; seventeen millions of livres; a gold medal every year; the churches in the towns to be shared with the Catholics, and a provision for their clergy. Charles demanded the honour of the flag in the narrow seas; £10,000 a year for the liberty of fishing; a million sterling for the expenses of the war; the dignity of Stadholder for William III the prince of Orange.

This prince, though only in his twenty-second year, had been made general and admiral of the commonwealth; De Witt, who was his guardian, had, though hostile to his family, given him an excellent education; and the character of the prince himself was such as, joined with the remembrance of the services of his family, enabled him to gain the popular favour. The people were clamorous for the repeal of the Perpetual Edict, which had been framed for his exclusion; they rose in arms at Dordrecht (June 30th), and then in the other towns, and everywhere established the unlimited authority of the prince. An attempt was made to assassinate Jan De Witt; and his brother Cornelius being charged by an infamous wretch, named Tichelaer, with an endeavour to induce him to poison the prince, was put to the torture. A sentence of banishment was passed on him; his brother, the pensionary, came to the prison to convey him to his place of exile in his coach; instantly an infuriated rabble surrounded the prison, burst open the doors, seized the two brothers, despatched them by a multitude of wounds, and offered every species of indignity to their dead bodies. Such is the rabble in every country—brutal, bloody, and unreflecting: against their sudden fury neither private virtue nor the greatest public services are a protection.

The prince, by means of an atrocity which he abhorred, was now left uncontrolled. He urged the people not to despair, but to reject the humiliating conditions offered to them, and to resist to the uttermost. Their patriotic ardour revived; the sluices had already been opened, and the generous resolution was taken to fly, if all should fail, to their settlements in the east, and there to found a new empire. When Buckingham urged the prince to abandon the cause of the provinces, as their ruin was inevitable, "There is one certain means," he replied, "by which I can be sure never to see my country's ruin; I will die on the last dyke." The affairs of the provinces, under the guidance of their young hero, soon assumed a brighter aspect. A combined English and French fleet, with a land force on board, approached the coast; but winds and tide acted so opportunely to keep them off, that it was regarded as a special interference of Providence. Louis, weary of the toils of war, returned to the pleasures of Versailles, and the French arms became inactive. Spain had sent some forces to the aid of the prince, and the emperor and the elector of Brandenburg were preparing to impede the progress of the French monarch.

Charles, however, adhered firmly to his engagements with Louis; he also gave his own ministers proofs of his satisfaction with their conduct by bestowing honours on them: Buckingham and Arlington had the Garter and the latter an earldom; Clifford was made Lord Clifford of Chudleigh, and Ashley earl of Shaftesbury. This last, on the Lord-keeper Bridgeman's hesitating in some matter, represented him to the king as a mere old dotard, and the seals with the title of lord-chancellor were transferred to himself (November 17th). In his new office he displayed the levity and eccentricity of his character. He rode himself, and made the judges and law-officers ride in ancient-wise in procession to Westminister; he sat on the bench in "an ash-coloured gown, silver-laced"; he prided himself on his despatch of business; made his orders with rapidity and after his own fancy; but so many applications were made to him by counsel for explanations, that he soon became quite tame and humble in his court. Clifford at this time was made lord-treasurer.

PARLIAMENT BESTS THE KING; THE TEST ACT (1673 A.D.)

It was now nearly two years since parliament had met; the king, however willing, could no longer dispense with its services, as the only means of obtaining money. When it assembled (February 5th, 1673), he addressed it himself. He spoke of the war as just and necessary; and as to his Declaration of Indulgence, at which some cavilled, he told them plainly that he was resolved to stick to it; he also mentioned the army, which with their aid he intended to augment. Shaftesbury then spoke. He told them that the Dutch aimed at an empire as extensive as that of ancient Rome; that they were the eternal enemy of this country; that "*Delenda est Carthago*" was the maxim of the parliament, and a wise one; and that he had no doubt but that they would be liberal in their supplies.

Though the members were the same, the house was now different from what it had been. The fervour of their loyalty had cooled, and they saw clearly whither the court was tending. Their first care was therefore to vindicate their own authority. Ever since 1604 it had been the practice in case of a vacancy in the house for the speaker to issue a writ for a new election; but Shaftesbury had taken on him, as chancellor, to issue the writs, and thus to introduce his dependents into the house. The legality of these was questioned (February 6th); the elections were voted void, and the speaker was directed to issue new writs. As the king made no opposition, Shaftesbury saw plainly that he could not be relied on, and he took his measures accordingly.

The very next day the commons voted a supply of no less a sum than 1,260,000*l*. They then proceeded to their grand attack on the Declaration of Indulgence, to which Charles had affirmed he would "stick," and after a long and adjourned debate, in spite of all the efforts of the courtiers, it was resolved on the 10th, by a majority of 168 to 116, that "penal statutes in matters ecclesiastical cannot be suspended but by act of parliament." An address to this effect was presented to the king; he replied on the 24th, asserting his ecclesiastical authority, but expressing his willingness to assent to any bill for carrying the intents of his declaration into effect. This was voted insufficient, and in a second address they assured him that he was mistaken in supposing himself to possess that power. Charles was indignant, and talked of a dissolution; the duke, Clifford, Shaftesbury, and the more violent applauded his spirit; now was his time or never, they said — concessions had ruined his father and would ruin him. Ormonde and Arlington in vain advised him to yield. It was resolved to oppose the lords to the commons. The king solicited the advice of the peers (March 1st); Clifford addressed them with his usual violence; but Shaftesbury said that though his own opinion was in favour of the prerogative, he would not presume to set it against that of the house of commons. The lords resolved on the 4th that the king's was a good and gracious answer. Charles' resolution, however, had already begun to give way; the French ambassador counselled him to yield for the present; the women too, it is said, interfered. He sent for the declaration, and in the presence of his ministers broke off the seal, and on the morning of the 8th assured the two houses, that "what had been done should never be drawn into consequence." Acclamation followed, and at night bonfires flamed all through the city.

A few days after (12th) the Test Act, as it is named, passed the commons. In the lords, the earl of Bristol, though avowing himself a Catholic, spoke in favour of it; the king gave a ready consent to it; and what is most strange, it is said to have originated with Arlington. Its object was to exclude the Catholics from places of honour and profit. It required that every person holding any office of trust or profit should, beside taking the oaths of allegiance and supremacy, receive the sacrament according to the rites of the Church of England, and subscribe a declaration against transubstantiation. Immediately the duke of York waited on the king, and with tears resigned to him his commission as lord high admiral: his example was followed by Clifford, the lord high treasurer, Lord Bellasis, and others.

It is remarkable that the dissenters actually supported this bill, which excluded themselves as completely as the papists; but they willingly joined to oppose the common enemy; and in return a bill for their relief was passed and sent up to the lords on the 17th. Here however it received amendments to which the commons would not agree; Sheldon and his party too, it is said, exerted themselves to defeat it; a sudden prorogation on the 29th put an end to it, and the patriotic disinterestedness of the dissenters[1] was thus ill-rewarded.[h]

By the retirement of James, duke of York, the command of the combined fleet, amounting to ninety sail of the line, was given to Prince Rupert. With so formidable a force, it was expected that he would sweep the Dutch navy from the face of the ocean; but he performed nothing worthy of his reputation; and, though he fought three actions with De Ruyter, neither received nor inflicted considerable injury.[2] His friends complained that his powers were limited by unusual restrictions, and that his ships wanted stores and provisions; an officer who was present asserts that he was too closely leagued with the country party to obtain a victory, which might render their opponents lords of the ascendant. He was ordered to take under his protection the army commanded by Schomberg, and to land it on the coast of Holland. Schomberg, unacquainted with naval etiquette, affixed the colours of his regiment to the mast of his vessel, as a signal to the officers in the other transports; but Rupert considered his conduct as an act of insubordination or insult; two shots were fired through the rigging; and orders were given to sink the general's vessel unless the flag were immediately struck. Schomberg reluctantly submitted, and the armament proceeded to the Dutch coast (July 23rd), but no landing was effected. Rupert, having alarmed the inhabitants on several points, from the mouth of the Maese to that of the Ems, ordered the military force to return to Yarmouth (August 2nd), where it remained encamped during the rest of the season. Schomberg, attributing both the violence of the prince with respect to the flag, and his refusal to land the army in Holland, to personal dislike, sent him a challenge; but Charles interfered to prevent the meeting, and the general quitted the English service.[c]

A congress for peace was meantime sitting at Cologne, under the mediation of Sweden; but the states, now backed by the house of Austria, spurned at the conditions offered by the allied monarchs.

THE FALL OF THE CABAL (1674 A.D.); NEW OPPOSITION TO THE KING

The first question that engaged the attention of parliament when it reassembled in the latter end of October was the marriage of the duke of York, who had lately (September 30th) espoused, by proxy, Maria D'Este, sister to the duke of Modena, a princess only fifteen years of age, but a Catholic. They addressed the king, praying him not to allow the marriage to be consummated. [Her son would be reared as a Catholic and would be heir to the throne.] Charles pleaded his honour. They forthwith passed votes for refusing supplies, imposing a severer test, etc., when the king came to the house of lords and prorogued the parliament (November 4th). As he considered that Shaftesbury had played him false, he took the great seal from him on the 9th, and committed it to Sir Heneage Finch. Sir Thomas Osborne (now Lord Latimer and later created earl of Danby) had obtained the white staff resigned by Clifford. Shaftesbury now assumed the character of a patriot, and became the secret leader of the opposition.

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[1] [Thus from 1673 to 1828, the Protestant dissenters of England were proscribed by the constitution, as a people not to be trusted with any office that might be betrayed by them to the injury of their country. This stigma was somewhat diminished, but by no means removed, by the annual indemnity bill, which preceded the abolition of the Test Act.—VAUGHAN.[g]]

[2] [The first action on May 28 and the second on June 4, though fought in conjunction with the French under D'Estrées were undecisive. The third off the mouth of the Texel on Aug. 11, is called by Gardiner[d] a defeat as the French would not assist.]

When the parliament met (January 7th, 1674) the king addressed them with his usual affability; the lord-keeper then followed, in a long speech, the object of which was to obtain an immediate supply. The commons first passed an address, praying the king to enjoin a public fast, that the nation might implore heaven to preserve "the church and state against the undermining practices of popish recusants," and to adopt certain measures of precaution against them; they then voted the removal from office of persons "popishly inclined, or otherwise obnoxious or dangerous"; and, following up this vote, they proceeded to assail the individual members of the Cabal.

The first attacked was the duke of Lauderdale. He was charged with having raised an army in Scotland to be employed in setting up arbitrary power in England, and with having said to the king in council, "Your majesty's edicts are equal with the laws, and ought to be observed in the first place." Buckingham, aware that his own turn would come next, asked leave to address the house. His defence was feeble; his chief object was to shift the blame from himself to Arlington; one expression which he used seemed to go higher: "Hunting," he said, "is a good diversion; but if a man will hunt with a brace of lobsters he will have but ill sport." An address was voted for his removal from the royal presence and councils. Arlington defended himself before the commons with more spirit than was expected; and the motion for an address against him was lost.

All this time the commons were silent on the subject of a supply; and as the states just then made, through the Spanish ambassador, an offer of peace, which Charles, with the advice of both houses, resolved to accept, Sir William Temple was appointed to negotiate, and in three days the affair was brought to a conclusion (February 19th). The honour of the flag was yielded to England; colonial and commercial questions were to be settled by arbitration; and the Dutch agreed to pay 800,000 crowns in four annual instalments. The parliament was then prorogued on the 24th.

Two further attempts at weakening the influence of the duke were made; the one in the commons, by a more comprehensive test; the other in the lords, by an amendment to a bill brought in for restraining popery. This last was lost, and the prorogation stopped the other. The duke took alarm; his first thought was a dissolution, but to that course the king was very adverse, and the result of it was quite uncertain. He then bent his thoughts to delay the meeting of parliament; but for this purpose it was necessary that the king should be supplied with money. Fortunately for him, Louis XIV was as anxious as himself to keep the king and parliament asunder, for he feared that England might now join the confederacy against him. The duke therefore proposed that Louis should give the king £400,000; the usual chaffering took place, and Charles was obliged to be content with 500,000 crowns. The parliament was then prorogued from November till the April of the following year.

Of the persons who had been accused by the commons, Buckingham alone was abandoned by the king, and he forthwith, as a matter of course, joined

Shaftesbury and the opposition. Arlington, who saw his influence fading before that of the treasurer (the earl of Danby), sold, by the royal command, his place of secretary to Sir Joseph Williamson for £6,000, and was raised to the higher but less influential post of lord chamberlain. To prop his falling power, he proposed to the king to negotiate a match between the prince of Orange and Mary the eldest daughter of the duke of York. As the prince was well known to be a stanch Protestant, this measure, he said, would eminently serve to allay the apprehensions of the nation on the subject of religion, and be in fact advantageous in many respects. The king approved warmly of the project, but the proposition, when made to the prince by Lord Ossory, was coldly received; he said that, as circumstances were at present, he was not in a condition to think of taking a wife.

THE COUNTRY PARTY: THE NON-RESISTANCE BILL FAILS (1675 A.D.)

During the winter, the court and country parties were busily engaged in preparing their plans for the ensuing campaign in parliament. In the house of lords the crown had a decided majority; but the minority, headed by Shaftesbury, Buckingham, Salisbury, and Wharton, was formidable from its talent and union. The country party was strong in the commons, where it possessed Lord William Russell, esteemed for his probity and integrity; Lord Cavendish, less correct in morals, but far superior in parts; Sir William Coventry, deeply skilled in affairs, and free from passion and private resentments; Powle (Powell), learned in precedents and parliamentary usages; Littleton, the ablest in debate; and Birch, rough and bold and powerful above all men of the day to sway a popular assembly [1]; the veteran senators Lee and Garroway, together with Vaughan, Sacheverell, and many other able debaters. Their plan was, to urge the king to join the allies against France; to impeach the earl of Danby; and to refuse the supplies while he remained in office.

The plan of the court was to unite with the church, and thus deprive their opponents of their advantage in appearing as the champions of religion. A council was held at Lambeth, at which several prelates attended; they were assured of the king's attachment to the church, and called upon to give him their support; measures were devised for crushing popery, and a severe proclamation against recusants and non-conformists was forthwith issued. The duke of York remonstrated in vain; in contempt of his parental authority, the princesses Mary and Anne were led to church by their preceptor Compton, bishop of London, and confirmed.

When parliament met (April 13, 1675), the address against Lauderdale, of which the king had taken no notice, was renewed, but to as little effect. Seven articles of impeachment were then exhibited against the earl of Danby. He had however, like his predecessors, made large purchases of votes in the house, but on a more economical plan, we are told; for while they bought leading men at high prices, he looked out for those who had only their votes to sell, and consequently disposed of them more cheaply. The articles were therefore all thrown out. The grand attempt of the ministers was made in

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[[1] The country party at this period consisted for the most part, of men who were distinguished by their attachment to the constitution, and to the Church of England. It embraced a considerable number who were decidedly favourable to a toleration of the Protestant dissenters, being themselves Presbyterians or old parliamentarians; but a much greater number, especially if we include the two houses, who were stanch churchmen, or discontented cavaliers, and whose prepossessions in favour of the Church of England were not sufficiently modified by the slowly improving spirit of the times, to prevent their looking on the proposed concessions to dissenters with a degree of sullen distrust. — VAUGHAN.[g]]

the lords, where a bill for a new test [called the Non-Resistance Bill] was introduced. By this, every member of either house, and every person holding any office, was required to swear, that it is unlawful on any pretence whatsoever to take up arms against the king; that it is traitorous to take up arms by the king's authority against his person; and that he will not endeavour the alteration of the government either in church or state. The debate on this bill lasted seventeen days; the king occupied his usual place at the fire-side; but Shaftesbury and the other opponents of the measure, heedless of his presence, employed all their eloquence and all their powers of reason against it. It was carried by a majority of only two; had it come to the commons, it had probably been rejected by a much larger majority; but a question of privilege happening just then to arise between the two houses, the king took advantage of it to prorogue the parliament (June 9th).

CHARLES II ACCEPTS A PENSION FROM LOUIS XIV

When parliament met (October 13th), the king required money for the navy, and also a sum of £800,000 which had been borrowed on the revenue. This last was refused, but a sum of £300,000 was voted for the building of twenty ships of war, to which it was strictly appropriated. The contest with the lords was renewed; and such was the heat with which it was carried on, that it was moved in the lords to address the king to dissolve the parliament. This was opposed by the ministers, but supported by the duke of York and his friends. A prorogation for the long period of fifteen months was the result (November 22nd), for which Charles received 500,000 crowns from the king of France.[1]

The campaign of 1675 was favourable to the allies [as described in the histories of France and of the Netherlands]. The king of England, when he had concluded peace with the states, made an offer of his mediation to the other powers. The place fixed on for the congress was Nimeguen, whither the lord Berkeley, Sir William Temple, and Sir Leoline Jenkins repaired as the English ministers. After many delays the congress met in the summer of this year; but the ministers were more anxious to raise than to remove difficulties. The great object of the allies was to prevail on Charles to join them against France; but to this course he had many objections, of which not the least was the state of dependence on his parliament to which it would reduce him. Louis took advantage of this feeling; the ambassador Ruvigni received directions to offer the same amount of pension as before for his neutrality. An agreement was made between Charles and Ruvigni for a pension of 100,000*l.* a year to be paid to the former; in return for which he was to sign a treaty, by which the two monarchs were to bind themselves to enter into no engagements but by mutual consent, and to aid each other in case of any rebellion in their respective dominions. This was communicated to no one but the duke of York, Lauderdale, and Danby. The two former approved of it of course; Danby hesitated and advised to consult the privy council; but the king removed all difficulty, by writing out the treaty with his own hand and setting his private seal to it (February 17th, 1676). He then delivered it to Ruvigni, who forthwith set out for Paris in order to have it signed by Louis.[h]

By this secret proceeding both princes obtained their objects; Charles the money which had been refused by parliament, Louis security that Charles, for some time at least, would not make common cause with his enemies. But

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[[1] Louis who feared lest parliament should drive Charles into joining the alliance against him was so pleased to see its sittings interrupted for so long a time that he granted Charles a pension of £100,000 a year, to make him independent of his subjects. — GARDINER.[d]]

the English king, if he possessed the spirit of a man, must have keenly felt the degradation. He was become the yearly pensioner of another monarch; he was no longer the arbiter of his own conduct; he had bound himself to consult, with respect to foreign powers, the master whose money he received. Perhaps he might console himself with the notion, that it was less disgraceful to depend on a powerful monarch, from whose alliance he could disengage himself at pleasure, than on the party among his own subjects, which constantly opposed him in parliament: perhaps he felt a malicious pleasure in defeating the machinations of his adversaries, whom he knew to be, in pecuniary transactions, not more immaculate than himself; for it is a fact, that several among those who claimed the praise of patriotism for their opposition to the court, were accustomed to sell their services for money. It seemed as if the votes of the members of parliament were exposed for sale to all the powers of Europe. Some received bribes from the lord treasurer on account of the king; some from the Dutch, Spanish, and imperial ambassadors in favour of the confederates; some even from Louis at the very time when they loudly declaimed against Louis as the great enemy of their religion and liberties; for that prince, notwithstanding the recent treaty, did not implicitly rely on the faith of Charles; he sought in addition to secure the good will of those who, by their influence in parliament, might have it in their power to withdraw the king from his promise of neutrality. Ruvigni was recalled; Courtin succeeded him, and the accounts of Courtin will reveal the names of the patriots who sold themselves to France, and of the price at which their services were valued.

During the long prorogation, and with the aid of his foreign pension, the necessitous monarch enjoyed a seasonable relief from the cares and agitation in which he had lived for several years. Age and satiety had blunted his appetite for pleasure, and the enjoyment of ease was become the chief object of his wishes. He retired to Windsor, where he spent his time in the superintendence of improvements, the amusement of fishing, and the company and conversation of his friends. His neutrality in the great contest which divided the powers of the continent, whatever might be its real motive, found a sufficient justification in the numerous benefits which it conferred on the country.

While almost every other nation in Europe complained of the privations and charges of war, England enjoyed the blessings of peace. She was free from the pressure of additional taxation, and knew nothing of those evils which necessarily accompany the operations of armies. Her mariners monopolised the carrying trade of Europe; new channels of commerce were daily opened by the enterprise of her merchants; and their increasing prosperity gave a fresh stimulus to the industry of her inhabitants. It was, however, the care of the popular leaders to keep alive, as far as they were able, the spirit of discontent. Political clubs were established; pamphlets, renewing the old charges against the government, were published; the ears of men were perpetually assailed with complaints of the growth of popery, and of the progress of arbitrary power; their eyes were directed to the theatre of war on the Continent, as the great arena on which the fate of their liberty and religion was to be decided; and the preservation of these was described as depending on the humiliation of France, though France was aided in the contest by the Protestant state of Sweden, and opposed by the two great Catholic powers, Austria and Spain.[i]

Charles thus enjoyed the pension, the price of his dishonour, lived on indolently till the time came for the meeting of parliament (February 5, 1677). The opposition had discovered what they regarded as a vantage point against the court. There were two statutes of Edward III, which ordained that a parliament should be held "once a year or oftener if need be," and as fifteen months had elapsed since the last meeting, the parliament, they asserted, had in fact ceased to exist. This view was maintained with much boldness and ingenuity in the lords by Buckingham, supported by Shaftesbury, Salisbury, and Wharton; but Finch (now lord-chancellor and earl of Nottingham), showed, in opposition to them, that the Triennial Act of the 16th of the late king, and the act, had extended the term to three years. Buckingham's motion was negatived by a large majority; the four lords were required to acknowledge that their conduct was "ill-advised," and to beg pardon of the king and the house, and on their refusal they were committed to the Tower.

They remained there till the meeting of parliament in the following year, when the others took their seats, merely asking pardon. Shaftesbury, who had had himself brought before the court of king's bench by *habeas corpus*, was obliged to ask pardon for it on his knees.

In consequence, it is said, of the bribes which he liberally bestowed, the minister had a majority on finance questions in the commons. Money therefore was granted for the navy; but it was appropriated, and none of it came into the treasury, so that the king had still need of his pension. The parliament now began to urge him to war; for Louis had entered Flanders at the head of a large army, taken Valenciennes, Cambray, and St. Omer, and defeated the prince of Orange at Cassel. The king, in order to do so, demanded an additional £600,000, pledging his royal word[1] not to break trust with them, or employ the money for any other purposes but those for which it was granted. But the commons knew him too well to trust him. They voted an address (May 25), praying him to enter into an alliance with the states-general and other powers for the preservation of the Spanish Netherlands. Charles affected great anger at this, as an encroachment on his prerogative, and he commanded both houses to adjourn till July. [When the Dutch ambassador advised Charles to yield, he tossed his handkerchief in the air and sneered, "I care just that for parliament."] The court of France was still uneasy, and its envoy Courtin was urgent for a dissolution, or at least a prorogation till the following April. For this service Charles demanded an addition of £100,000 a year to his pension. The usual chaffering took place, but the French were finally obliged to come to his terms, and also to consent that the increased pension should be reckoned from the commencement of the current year. The parliament was therefore prorogued from July to December, with a promise to Courtin that if the money was regularly paid it should then be further adjourned to April. What Englishman can refrain from blushing at this disgraceful bargain? yet Charles, though the highest, was not the only criminal at this time; Courtin also bribed sundry members of the parliament to engage to forward the views of the two monarchs.

WILLIAM III OF ORANGE VISITS ENGLAND AND MARRIES THE PRINCESS MARY (1677 A.D.)

The prince of Orange had long looked forward to a union with his cousin the princess Mary; but the opposition party in England, who feared that this match might unite him more closely with his uncles, had endeavoured to divert him from it. Now however, seeing the necessity of an effort to induce the king of England to aid in checking the career of the French monarch, he resolved to seek the hand of the princess.

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[1] Hume having noticed the secret treaty with Louis which Charles had signed, calls his pledging of his word on the present occasion "one of the most dishonourable and most scandalous acts that ever proceeded from a throne."

The prince does not seem to have taken any further steps till the present year, when, having obtained the king's permission, he set out at the end of the campaign, and landing at Harwich proceeded to Newmarket, where his uncles then were (October 9th). He was very kindly received by the king, to whose surprise, however, he seemed disinclined to enter on discourse of business. Charles desired Temple to try to find out the cause, and the prince told him that he was resolved to see the princess before he proceeded any further, and also to settle the affair of his marriage previously to entering on that of the peace. The king, when informed of this, very kindly left Newmarket sooner than usual; the prince, on seeing the lady Mary in London, was so pleased with her, that he made his proposals at once to her father and uncle, by whom they were well received; but they insisted that the terms of the peace must be previously settled. The prince would not give way on this point; he said that "his allies, who were like to have hard terms of the peace as things then stood, would be apt to believe that he had made this match at their cost; and for his part he would never sell his honour for a wife." On the 4th of November this auspicious marriage was solemnised by the bishop of London.

INTRIGUES OF THE FRENCH AND VENALITY OF THE ENGLISH

The king, the duke, the prince, and Danby and Temple, now took into consideration the question of the peace. The prince, convinced that Louis would never abstain from war, insisted on a strong frontier on both sides of Flanders; the king was of opinion that Louis was weary of war, and would devote himself to ease and pleasure; Temple thought with the prince. They were, however, obliged to give way a little, and it was agreed that Louis should be obliged to resign all his conquests from the empire, and restore Lorraine to its duke; that France and Holland should mutually give back the places they had taken, but that Louis should retain all his conquests in Flanders, except Aeth, Charleroi, Oudenarde, Courtrai, Tournai, and Valenciennes, which would form a frontier between the French dominions and the United Provinces. The lord Duras, a Frenchman and attached to the duke (later created earl of Feversham), was sent over to Paris with this treaty. He was to demand a positive answer in two days, but pretexts were made for detaining him, and meantime the prince was obliged to return to the Continent. Louis was in fact highly indignant at the marriage of the princess Mary.

Louis seemed resolved to listen to no terms but such as he should dictate, and though the winter had commenced his army forthwith took the field. Charles then (December 3rd) appointed the parliament to meet on the 15th of January; Louis on the 17th stopped the payment of his pension, offering at the same time, if he would consent to his retention of Condé, Valenciennes, and Tournai, to send him the value of them in bars of gold, concealed in silk; and Danby was promised, if he would give his influence, any reward he should name in diamonds and pearls. Danby, however, was not to be bought; the king and duke were also displeased with Louis, and the duke looked forward to the command of an army and the acquisition of military fame. It is also likely, that the royal brothers thought their schemes of arbitrary power would be more likely to be effected by the force of a native army, than by the insidious aid of Louis.

When the parliament met (January 28th, 1678), Charles informed them that he had concluded an alliance offensive and defensive with the states for the protection of Flanders, and that he should require a fleet of ninety sail, and an army of from thirty to forty thousand men. After a good deal of opposition, a supply for that purpose was voted on February 5th. The king, however, was still desirous of peace; but the success of Louis, who had now reduced Ypres and Ghent, exasperated the English nation, and the commons hastened to pass a bill for a part of the supply. Charles forthwith sent a body of three thousand men to the defence of Ostend, and he issued money for raising twenty thousand more, to be accomplished within six weeks.

The troops when raised were, King James assures us, "as good as anywhere were to be seen." The commons, who, as the same prince tells us, "were in reality more jealous of the king's power than of the power of France," took alarm, and passed a resolution April 29th not to grant any more supplies till full satisfaction was given on the subject of religion. Charles, enraged at this disappointment, forthwith prorogued the parliament and commenced negotiations with Louis, with whom he subscribed on May 17th a secret treaty, engaging, in case the states would not accept the terms offered at Nimeguen, to withdraw his troops from the Continent, for which he was to receive from Louis £450,000 in four quarterly payments. When parliament met on the 23rd, an address was made that war should be declared or the army be disbanded. The king's reply was evasive, and the commons resolved that all the forces raised within the last seven months, "ought to be paid off and disbanded forthwith," and voted money for the purpose. The king, however, was not willing to part with his army. Urged by the duke of York, the council resolved to enter on the war; a corps of four thousand men was sent over to Flanders, and four thousand more, to be commanded by the duke, were in readiness for embarkation. At the same time on July 16th, a new treaty was concluded with the states, unless Louis should abandon some pretensions which he had lately made in favour of Sweden.

Louis knew when to recede as well as advance. During a fortnight his ministers employed all the resources of diplomatic tactics against those of the states, and then, when all men looked for a renewal of war, suddenly yielded on July 31st, and the peace between France and the states was signed the same day before midnight. Four days after the prince of Orange attacked the French army at St. Denis, near Mons, which town they were besieging. As it is not very likely that he could be ignorant of the actual signature of the Treaty of Nimeguen, the blood of the five thousand men who were slain in the action may be said to rest on his head. He probably hoped that a victory would prevent the ratification of the treaty, to which he was strongly opposed.

Spain and the emperor found it necessary to agree to the Peace of Nimeguen which left to Louis a large proportion of his conquests, and put it in his power to renew the war when he pleased with every advantage.

It is not to be denied, that the opposition in parliament this year played the game of the king of France, and thwarted all the efforts of Temple and Danby to urge the king into a war which was equally for the honour and interest of England. It is also well known, that the lords Hollis and Russell, and the other leaders of the country party, were in actual communication with Barillon and Ruvigni, and arranged with them the plan of operations in parliament.

The country party had a violent distrust of the king, who they well knew was bent on making himself absolute, and perhaps on changing the religion of the nation; they also knew that he looked to the money or the arms of Louis for aid in accomplishing his designs: it was therefore their object to deprive him of this support, and they probably thought that a few fortresses in Flanders were not to be put in the balance with the British constitution. On the other hand, Louis acted on the usual maxims of state policy, and he wished to see his neighbours weak rather than strong; he had therefore no vehement desire that Charles should be absolute or the nation Catholic: he was of course as little desirous of beholding a republic in England. What he wanted was, jealousy and disunion between the king and people, so that he might be able to play the two parties against each other, and thus be free from interruption from England in this project of extending the frontier of France to the Rhine, and establishing a dictatorship over the rest of Europe. For this purpose he had, in the beginning of the reign of Charles, kept up a communication with the commonwealth men; then, seeing a prospect of the king's becoming his stipendiary and vassal, he entered into close relations with him; but the marriage of the princess Mary having proved to him that no reliance could be placed on Charles, he resolved to try to form a connection with the popular leaders.

For this purpose, Ruvigni, who was a Protestant and first-cousin to Lady Russell, came over in the month of March, and he took occasion to assure Russell and Hollis, that his master did not at all conceive it to be for his interest that the king should be absolute, and that he was ready to aid in causing a dissolution of the parliament. They agreed, on their side, to take care that the grants of supplies should be clogged with such conditions as to be so disagreeable to the king that he would prefer a reunion with France to accepting them. Ruvigni offered to spend a considerable sum in the purchase of members' votes, and begged of Russell to name those who might be gained over. He replied, that he should be sorry to have to do with people who could be bought. He at the same time gave it as his opinion, that there was no chance of a dissolution but through the king of France, whose aid for that purpose Ruvigni freely promised.[h]

TITUS OATES AND THE ALLEGED "POPISH PLOT" (1678 A.D.)

Neither national pride nor anxiety for public liberty had so great an influence on the popular mind as hatred of the Roman Catholic religion. That hatred had become one of the ruling passions of the community, and was as strong in the ignorant and profane as in those who were Protestants from conviction. The cruelties of Mary's reign, cruelties which even in the most accurate and sober narrative excite just detestation, and which were neither accurately nor soberly related in the popular martyrologies, the conspiracies against Elizabeth, and above all the Gunpowder Plot, had left in the minds of the vulgar a deep and bitter feeling which was kept up by annual commemorations, prayers, bonfires, and processions. It should be added that those classes which were peculiarly distinguished by attachment to the throne, the clergy and the landed gentry, had peculiar reasons for regarding the church of Rome with aversion. The clergy trembled for their benefices; the landed gentry for their abbeys and great tithes. While the memory of the reign of the saints was still recent, hatred of popery had in some degree given place to hatred of Puritanism: but, during the eighteen years which had elapsed since the restoration, the hatred of Puritanism had abated, and the hatred of popery had increased. The stipulations of the Treaty of Dover were accurately known to very few: but some hints had got abroad. The general impression was that a great blow was about to be aimed at the Protestant religion. The king was suspected by many of a leaning towards Rome. His brother and heir presumptive was known to be a bigoted Roman Catholic. The first duchess of York had died a Roman Catholic. James had then, in defiance of the remonstrances of the house of commons, taken to wife the princess Mary of Modena, another Roman Catholic. If there should be sons by this marriage, there was reason to fear that they might be bred Roman Catholics, and that a long succession of princes, hostile to the established faith, might sit on the English throne. The constitution had recently been violated for the purpose of protecting the Roman Catholics from the penal laws. The ally by whom the policy of England had, during many years, been chiefly governed was not only a Roman Catholic, but a persecutor of the reformed churches. Under such circumstances it is not strange that the common people should have been inclined to apprehend a return of the times of her whom they called Bloody Mary.

Thus the nation was in such a temper that the smallest spark might raise a flame. At this conjuncture fire was set in two places at once to the vast mass of combustible matter; and in a moment the whole was in a blaze.

The French court, which knew Danby to be its mortal enemy, artfully contrived to ruin him by making him pass for its friend. Louis, by the instrumentality of Ralph Montague, a faithless and shameless man who had resided in France as minister from England, laid before the house of commons proofs that the treasurer had been concerned in an application made by the court of Whitehall to the court of Versailles for a sum of money. This discovery produced its natural effect. The treasurer was, in truth, exposed to vengeance of parliament, not on account of his delinquencies, but on account of his merits; not because he had been an accomplice in a criminal transaction, but because he had been a most unwilling and unserviceable accomplice. But of the circumstances, which have, in the judgment of posterity, greatly extenuated his fault, his contemporaries were ignorant. In their view he was the broker who had sold England to France. It seemed clear that his greatness was at an end, and doubtful whether his head could be saved.

Yet was the ferment excited by this discovery slight, when compared with the commotion which arose when it was noised abroad that a great popish plot had been detected. One Titus Oates, a clergyman of the Church of England, had, by his disorderly life and heterodox doctrine, drawn on himself the censure of his spiritual superiors, had been compelled to quit his benefice, and had ever since led an infamous and vagrant life. He had once professed himself a Roman Catholic, and had passed some time on the Continent in English colleges of the order of Jesus. In those seminaries he had heard much wild talk about the best means of bringing England back to the true church. From hints thus furnished he constructed a hideous romance, resembling rather the dream of a sick man than any transaction which ever took place in the real world. The pope, he said, had entrusted the government of England to the Jesuits. The Jesuits had, by commissions under the seal of their society, appointed Catholic clergymen, noblemen, and gentlemen, to all the highest offices in church and state. The papists had burned down London once. They had tried to burn it down again. They were at that moment planning a scheme for setting fire to all the shipping in the Thames. They were to rise at a signal and massacre all the Protestant neighbours. A French army was at the same time to land in Ireland. All the leading statesmen and divines of England were to be murdered. Three or four schemes had been formed for assassinating the king. He was to be stabbed. He was to be poisoned in his medicine. He was to be shot with silver bullets. The public mind was so sore and excitable that these lies readily found credit with the vulgar, and two events which speedily took place led even some reflecting men to suspect that the tale, though evidently distorted and exaggerated, might have some foundation.

Edward Coleman, a very busy, and not very honest, Roman Catholic intriguer, had been among the persons accused. Search was made for his papers. It was found that he had just destroyed the greater part of them. But a few which had escaped contained some passages which, to minds strongly prepossessed, might seem to confirm the evidence of Oates. Those passages indeed, when candidly construed, appear to express little more than the hopes which the posture of affairs, the predilections of Charles, the still stronger predilections of James, and the relations existing between the French and English courts, might naturally excite in the mind of a Roman Catholic strongly attached to the interests of his church. But the country was not then inclined to construe the letters of papists candidly; and it was urged, with some show of reason, that, if papers which had been passed over as unimportant were filled with matter so suspicious, some great mystery of iniquity must have been contained in those documents which had been carefully committed to the flames.

A few days later it was known that Sir Edmondsbury Godfrey, an eminent justice of the peace who had taken the depositions of Oates against Coleman, had disappeared. Search was made; and Godfrey's corpse was found in a field near London. It was clear that he had died by violence. It was equally clear that he had not been set upon by robbers. His fate is to this day a secret. Some think that he perished by his own hand; others that he was slain by a private enemy.

The capital and the whole nation went mad with hatred and fear. The penal laws, which had begun to lose something of their edge, were sharpened anew. Everywhere justices were busied in searching houses and seizing papers. All the gaols were filled with papists. London had the aspect of a city in a state of siege. The trainbands were under arms all night. Preparations were made for barricading the great thoroughfares. Patrols marched up and down the streets. Cannon were planted round Whitehall. No citizen thought himself safe unless he carried under his coat a small flail loaded with lead to brain the popish assassins. The corpse of the murdered magistrate was exhibited during several days to the gaze of great multitudes, and was then committed to the grave with strange and terrible ceremonies, which indicated rather fear and the thirst of vengeance than sorrow or religious hope. The houses insisted that a guard should be placed in the vaults over which they sat, in order to secure them against a second gunpowder plot. All their proceedings were of a piece with this demand.

Ever since the reign of Elizabeth the oath of supremacy had been exacted from members of the house of commons. Some Roman Catholics, however, had contrived so to interpret this oath that they could take it without scruple. A more stringent test was now added, and the Roman Catholic lords were for the first time excluded from their seats in parliament [October, 30, 1678. By this bill twenty Catholic peers lost their seats and for a hundred and fifty years their descendants were unable to sit]. Strong resolutions were adopted against the queen. The commons threw one of the secretaries of state into prison for having countersigned commissions directed to gentlemen who were not good Protestants. They impeached the lord treasurer of high treason. Nay, they so far forgot the doctrine which, while the memory of the civil war was still recent, they had loudly professed, that they even attempted to wrest the command of the militia out of the king's hands. To such a temper had eighteen years of misgovernment brought the most loyal parliament that had ever met in England.

Yet it may seem strange that, even in that extremity, the king should have ventured to appeal to the people; for the people were more excited than their representatives. The lower house, discontented as it was, contained a larger number of cavaliers than were likely to find seats again. But it was thought that a dissolution would put a stop to the prosecution of the lord treasurer, a prosecution which might probably bring to light all the guilty mysteries of the French alliance, and might thus cause extreme personal annoyance and embarrassment to Charles. Accordingly, in January 1679, the parliament, which had been in existence ever since the beginning of the year 1661, was dissolved; and writs were issued for a general election. [This was the second and last Long Parliament.]

During some weeks the contention over the whole country was fierce and obstinate beyond example. Unprecedented sums were expended. New tactics were employed. It was remarked by the pamphleteers of that time as something extraordinary that horses were hired at a great charge for the conveyance of electors. The practice of splitting freeholds for the purpose of multiplying votes dates from this memorable struggle. Dissenting preachers, who had long hidden themselves in quiet nooks from persecution, now emerged from their retreats, and rode from village to village, for the purpose of rekindling the zeal of the scattered people of God. The tide ran strong against the government. Most of the new members came up to Westminster in a mood little differing from that of their predecessors who had sent Strafford and Laud to the tower.[1]

Meanwhile the courts of justice, which ought to be, in the midst of political commotions, sure places of refuge for the innocent of every party, were disgraced by wilder passions and fouler corruptions than were to be found even on the hustings. The tale of Oates, though it had sufficed to convulse the whole realm, would not, until confirmed by other evidence, suffice to destroy the humblest of those whom he had accused. For, by the old law of England, two witnesses are necessary to establish a charge of treason. But the success of the first impostor produced its natural consequences. In a few weeks he had been raised from penury and obscurity to opulence, to power which made him the dread of princes and nobles, and to notoriety such as has for low and bad minds all the attractions of glory. He was not long without coadjutors and rivals. A wretch named Carstairs, who had earned a living in Scotland by going disguised to conventicles and then informing against the preachers, led the way. Bedloe, a noted swindler, followed; and soon, from all the brothels, gambling houses, and spunging houses of London, false witnesses poured forth to swear away the lives of Roman Catholics. One came with a story about an army of thirty thousand men who were to muster in the disguise of pilgrims at Corunna, and to sail thence to Wales. Another had been promised canonisation and five hundred pounds to murder the king. A third had stepped into an eating house in Covent Garden and had there heard a great Roman Catholic banker vow, in the hearing of all the guests and drawers, to kill the heretical tyrant. Oates, that he might not be eclipsed by his imitators, soon added a large supplement to his original narrative. He had the portentous impudence to affirm, among other things, that he had once stood behind a door which was ajar, and had there overheard the queen declare that she had resolved to give her consent to the assassination of her husband.[1] The vulgar believed, and the highest magistrates pretended to believe, even such fictions as these. The chief judges of the realm were corrupt, cruel, and timid. The leaders of the country party encouraged the prevailing delusion. The most respectable among them, indeed, were themselves so far deluded as to believe the greater part of the evidence of the plot to be true. Such men as Shaftesbury and Buckingham doubtless perceived that the whole was a romance. But it was a romance which served their turn; and to their seared consciences the death of an innocent man gave no more uneasiness than the death of a partridge. The juries partook of the feelings then common throughout the nation, and were encouraged by the bench to indulge those feelings without restraint. The multitude applauded Oates and his confederates, hooted and pelted the witnesses who appeared on behalf of the accused, and shouted with joy when the verdict of guilty was pronounced. It was in vain that the sufferers appealed to the respectability of their past lives: for the public mind was possessed with a belief that the more conscientious a papist was, the more likely he must be to plot against a Protestant government. It was in vain that, just before the cart passed from under their feet, they resolutely affirmed their innocence: for the general opinion was that a good papist considered all lies which were serviceable to his church as not only excusable but meritorious.

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[1] Seymour, the former speaker, was re-chosen; the king rejected him, and proposed another; the commons insisted on their right, the king on his: the dispute was terminated by appointing a third person. Henceforth it became a principle, that the house should choose, but that the crown may reject the speaker presented to it.— KEIGHTLEY.[h]

While innocent blood was shedding under the forms of justice, the new parliament met: and such was the violence of the predominant party that even men whose youth had been passed amidst revolutions, men who remembered the attainder of Strafford, the attempt on the five members, the abolition of the house of lords, the execution of the king, stood aghast at the aspect of public affairs. The impeachment of Danby was resumed. He pleaded the royal pardon. But the commons treated the plea with contempt, and insisted that the trial should proceed. Danby, however, was not their chief object. They were convinced that the only effectual way of securing the liberties and religion of the nation was to exclude the duke of York from the throne.

The king was in great perplexity. He had insisted that his brother, the sight of whom inflamed the populace to madness, should retire for a time to Brussels: but this concession did not seem to have produced any favourable effect. The roundhead party was now decidedly preponderant. Towards that party leaned millions who had, at the time of the restoration, leaned towards the side of prerogative. Of the old cavaliers many participated in the prevailing fear of popery, and many, bitterly resenting the ingratitude of the prince for whom they had sacrificed so much, looked on his distress as carelessly as he had looked on theirs. Even the Anglican clergy, mortified and alarmed by the apostasy of the duke of York, so far countenanced the opposition as to join cordially in the outcry against the Roman Catholics.

SIR WILLIAM TEMPLE'S PLAN OF GOVERNMENT

The king in this extremity had recourse to Sir William Temple. Of all the official men of that age Temple had preserved the fairest character. The Triple Alliance had been his work. He had refused to take any part in the politics of the Cabal, and had, while that administration directed affairs, lived in strict privacy. He had quitted his retreat at the call of Danby, had made

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[[1] When taken to the palace he could not find the room where he claimed to have stood.]

peace between England and Holland, and had borne a chief part in bringing about the marriage of the lady Mary to her cousin the prince of Orange. Thus he had the credit of every one of the few good things which had been done by the government since the Restoration. Of the numerous crimes and blunders of the last eighteen years none could be imputed to him. His private life, though not austere, was decorous: his manners were popular; and he was not to be corrupted either by titles or by money. Something, however, was wanting to the character of this respectable statesman. The temperature of his patriotism was lukewarm. He prized his ease and his personal dignity too much, and shrank from responsibility with a pusillanimous fear. Nor indeed had his habits fitted him to bear a part in the conflicts of our domestic factions. He had reached his fiftieth year without having sat in the English parliament; and his official experience had been almost entirely acquired at foreign courts. He was justly esteemed one of the first diplomatists in Europe: but the talents and accomplishments of a diplomatist are widely different from those which qualify a politician to lead the house of commons in agitated times.

The scheme which he proposed showed considerable ingenuity. Though not a profound philosopher, he had thought more than most busy men of the world on the general principles of government; and his mind had been enlarged by historical studies and foreign travel. He seems to have discerned more clearly than most of his contemporaries one cause of the difficulties by which the government was beset. The character of the English polity was gradually changing. The parliament was slowly, but constantly, gaining ground on the prerogative. The line between the legislative and executive powers was in theory as strongly marked as ever, but in practice was daily becoming fainter and fainter. The theory of the constitution was that the king might name his own ministers. But the house of commons had driven Clarendon, the Cabal, and Danby successively from the direction of affairs. The theory of the constitution was that the king alone had the power of making peace and war. But the house of commons had forced him to make peace with Holland, and had all but forced him to make war with France. The theory of the constitution was that the king was the sole judge of the cases in which it might be proper to pardon offenders. Yet he was so much in dread of the house of commons that, at that moment, he could not venture to rescue from the gallows men whom he well knew to be the innocent victims of perjury.

Temple, it should seem, was desirous to secure to the legislature its undoubted constitutional powers, and yet to prevent it, if possible, from encroaching further on the province of the executive administration. With this view he determined to interpose between the sovereign and the parliament a body which might break the shock of their collision. There was a body, ancient, highly honourable, and recognised by the law, which, he thought, might be so remodelled as to serve this purpose. He determined to give to the privy council a new character and office in the government. The number of councillors he fixed at thirty. Fifteen of them were to be the chief ministers of state, of law, and of religion. The other fifteen were to be unplaced noblemen and gentlemen of ample fortune and high character. There was to be no interior cabinet. All the thirty were to be entrusted with every political secret, and summoned to every meeting; and the king was to declare that he would, on every occasion, be guided by their advice.

This plan, though in some respects not unworthy of the abilities of its author, was in principle vicious. The new board was half a cabinet and half a parliament, and, like almost every other contrivance, whether mechanical or political, which is meant to serve two purposes altogether different, failed of accomplishing either. It was too large and too divided to be a good administrative body. It was too closely connected with the crown to be a good checking body. It contained just enough of popular ingredients to make it a bad council of state, unfit for the keeping of secrets, for the conducting of delicate negotiations, and for the administration of war. The plan, even if it had been fairly tried, could scarcely have succeeded; and it was not fairly tried. The king was fickle and perfidious: the parliament was excited and unreasonable; and the materials out of which the new council was made, though perhaps the best which that age afforded, were still bad.

The commencement of the new system was, however, hailed with general delight; for the people were in a temper to think any change an improvement. They were also pleased by some of the new nominations. Shaftesbury, now their favourite, was appointed lord-president. Russell and some other distinguished members of the country party were sworn of the council. But in a few days all was again in confusion. The inconveniences of having so numerous a cabinet were such that Temple himself consented to infringe one of the fundamental rules which he had laid down, and to become one of a small knot which really directed everything. With him were joined three other ministers, Arthur Capel, earl of Essex, George Savile, viscount Halifax, and Robert Spencer, earl of Sunderland.

THE CHARACTER OF HALIFAX

Among the statesmen of that age Halifax was, in genius, the first. His intellect was fertile, subtle, and capacious. His polished, luminous, and animated eloquence, set off by the silver tones of his voice, was the delight of the house of lords. His conversation overflowed with thought, fancy, and wit. His political tracts well deserve to be studied for their literary merit, and fully entitle him to a place among English classics. To the weight derived from talents so great and various he united all the influence which belongs to rank and ample possessions. Yet he was less successful in politics than many who enjoyed smaller advantages. Indeed, those intellectual peculiarities which make his writings valuable frequently impeded him in the contests of active life. For he always saw passing events, not in the point of view in which they commonly appear to one who bears a part in them, but in the point of view in which, after the lapse of many years, they appear to the philosophic historian. With such a turn of mind, he could not long continue to act cordially with any body of men. All the prejudices, all the exaggerations of both the great parties in the state moved his scorn. He despised the mean arts and unreasonable clamours of demagogues. He despised still more the doctrines of divine right and passive obedience. He sneered impartially at the bigotry of the churchman and at the bigotry of the Puritan. He was equally unable to comprehend how any man should object to saints' days and surplices, and how any man should persecute any other man for objecting to them. In temper he was what, in our time, is called a conservative. In theory he was a republican. Even when his dread of anarchy and his disdain for vulgar delusions led him to side for a time with the defenders of arbitrary power, his intellect was always with Locke and Milton.

He was the chief of those politicians whom the two great parties contemptuously called trimmers. Instead of quarrelling with this nickname, he assumed it as a title of honour, and vindicated, with great vivacity, the dignity of the appellation. Everything good, he said, trims between extremes. Every faction in the day of its insolent and vindictive triumph incurred his censure; and every faction, when vanquished and persecuted, found in him a protector.

THE HABEAS CORPUS ACT (1679 A.D.)

The four confidential advisers of the crown soon found that their position was embarrassing and invidious. The other members of the council murmured at a distinction inconsistent with the king's promises; and some of them, with Shaftesbury at their head, again betook themselves to strenuous opposition in parliament. The agitation, which had been suspended by the late changes, speedily became more violent than ever. It was in vain that Charles offered to grant to the commons any security for the Protestant religion which they could devise, provided only that they would not touch the order of succession. They would hear of no compromise. They would have the Exclusion Bill and nothing but the Exclusion Bill. The king, therefore, a few weeks after he had publicly promised to take no step without the advice of his new council, went down to the house of lords without mentioning his intention in council, and prorogued the parliament.

The day of that prorogation, the twenty-sixth of May, 1679, is a great era in English history. For on that day the Habeas Corpus Act received the royal assent. From the time of the Great Charter, the substantive law respecting the personal liberty of Englishmen had been nearly the same as at present: but it had been inefficacious for want of a stringent system of procedure. What was needed was not a new right, but a prompt and searching remedy; and such a remedy the Habeas Corpus Act supplied. The king would gladly have refused his consent to that measure: but he was about to appeal from his parliament to his people on the question of the succession; and he could not venture, at so critical a moment, to reject a bill which was in the highest degree popular.

On the same day, the press of England became for a short time free. In old times printers had been strictly controlled by the court of Star Chamber. The Long Parliament had abolished the Star Chamber, but had, in spite of the philosophical and eloquent expostulation of Milton [in his *Areopagitica*], established and maintained a censorship. Soon after the Restoration, an act had been passed which prohibited the printing of unlicensed books; and it had been provided that this act should continue in force till the end of the first session of the next parliament. That moment had now arrived; and the king in the very act of dismissing the houses, emancipated the press.

THE EXCLUSION BILL AND THE DUKE OF MONMOUTH

Shortly after the prorogation came a dissolution and another general election. The zeal and strength of the opposition were at their height. The cry for the Exclusion Bill was louder than ever; and with this cry was mingled another cry, which fired the blood of the multitude, but which was heard with regret and alarm by all judicious friends of freedom. Not only the rights of the duke of York, an avowed papist, but those of his two daughters, sincere and zealous Protestants, were assailed. It was confidently affirmed that the eldest natural son of the king had been born in wedlock, and was lawful heir to the crown.

Charles, while a wanderer on the continent, had fallen in at the Hague with

Lucy Walters, a Welsh girl of great beauty, but of weak understanding and dissolute manners. She became his mistress, and presented him with a son [as we have seen in an earlier page]. A suspicious lover might have had his doubts; for the lady had several admirers, and was not supposed to be cruel to any. Charles, however, readily took her word, and poured forth on little James Crofts, as the boy was then called, an overflowing fondness, such as seemed hardly to belong to that cool and careless nature. Soon after the Restoration, the young favourite, who had learned in France the exercises then considered necessary to a fine gentleman, made his appearance at Whitehall. He was lodged in the palace, attended by pages, and permitted to enjoy several distinctions which had till then been confined to princes of the blood royal. He was married, while still in tender youth, to Anne Scott, heiress of the noble house of Buccleuch. He took her name, and received with her hand possession of her ample domains. The estate which he acquired by this match was popularly estimated at not less than ten thousand pounds a year.

Titles, and favours more substantial than titles, were lavished on him. He was made duke of Monmouth in England, duke of Buccleuch in Scotland, a knight of the Garter, master of the Horse, commander of the first troop of life guards, chief justice of Eyre south of Trent, and chancellor of the University of Cambridge. Nor did he appear to the public unworthy of his high fortunes. His countenance was eminently handsome and engaging, his temper sweet, his manners polite and affable. Though a libertine, he won the hearts of the Puritans. Though he was known to have been privy to the shameful attack on Sir John Coventry, he easily obtained the forgiveness of the country party. Even austere moralists owned that, in such a court, strict conjugal fidelity was scarcely to be expected from one who, while a child, had been married to another child. Even patriots were willing to excuse a headstrong boy for visiting with immoderate vengeance an insult offered to his father.

And soon the stain left by loose amours and midnight brawls was effaced by honourable exploits. When Charles and Louis united their forces against Holland, Monmouth commanded the English auxiliaries who were sent to the Continent, and approved himself a gallant soldier and a not unintelligent officer. On his return he found himself the most popular man in the kingdom. Nothing was withheld from him but the crown; nor did even the crown seem to be absolutely beyond his reach. The distinction which had most injudiciously been made between him and the highest nobles had produced evil consequences. When a boy he had been invited to put on his hat in the presence chamber, while Howards and Seymours stood uncovered round him. When foreign princes died, he had mourned for them in the long purple cloak, which no other subject, except the duke of York and Prince Rupert, was permitted to wear.

It was natural that these things should lead him to regard himself as a legitimate prince of the house of Stuart. Charles, even at a ripe age, was devoted to his pleasures and regardless of his dignity. It could hardly be thought incredible that he should at twenty have secretly gone through the form of espousing a lady whose beauty had fascinated him, and who was not to be won on easier terms. While Monmouth was still a child, and while the duke of York still passed for a Protestant, it was rumoured throughout the country, and even in circles which ought to have been well informed, that the king had made Lucy Walters his wife, and that, if every one had his right, her son would be prince of Wales.

Much was said of a certain "black box" which, according to the vulgar belief, contained the contract of marriage. When Monmouth had returned from the Low Countries with a high character for valour and conduct, and when the duke of York was known to be a member of a church detested by the great majority of the nation, this idle story became important. For it there was not the slightest evidence. Against it there was the solemn asseveration of the king, made before his council, and by his order communicated to his people. But the multitude, always fond of romantic adventures, drank in eagerly the tale of the secret espousals and the black box. Some chiefs of the opposition acted on this occasion as they acted with respect to the more odious fable of Oates, and countenanced a story which they must have despised.

The interest which the populace took in him whom they regarded as the champion of the true religion, and the rightful heir of the British throne, was kept up by every artifice. When Monmouth arrived in London at midnight, the watchmen were ordered by the magistrates to proclaim the joyful event through the streets of the city: the people left their beds: bonfires were lighted: the windows were illuminated: the churches were opened; and a merry peal rose from all the steeples. When he travelled, he was everywhere received with not less pomp, and with far more enthusiasm, than had been displayed when kings had made progresses through the realm. To such a height were his pretensions carried, that he not only exhibited on his escutcheon the lions of England and the lilies of France without the *bâton sinistre* under which, according to the law of heraldry, they were debruised in token of his illegitimate birth, but ventured to touch for the "king's evil." At the same time, he neglected no art of condescension by which the love of the multitude could be conciliated. He stood godfather to the children of the peasantry, mingled in every rustic sport, wrestled, played at quarterstaff, and won footraces in his boots against fleet runners in shoes.

It is a curious circumstance that, at two of the greatest conjunctures in English history, the chiefs of the Protestant party should have committed the same error, and should by that error have greatly endangered their country and their religion. At the death of Edward VI they set up the lady Jane, without any show of birthright, in opposition, not only to their enemy Mary, but also to Elizabeth, the true hope of England and of the Reformation. Thus the most respectable Protestants, with Elizabeth at their head, were forced to make common cause with the papists. In the same manner, a hundred and thirty years later, a part of the opposition, by setting up Monmouth as a claimant of the crown, attacked the rights, not only of James, whom they justly regarded as an implacable foe of their faith and their liberties, but also of the prince and princess of Orange, who were eminently marked out, both by situation and by personal qualities, as the defenders of all free governments and of all reformed churches.

In a few years the folly of this course became manifest. At present the popularity of Monmouth constituted a great part of the strength of the opposition. The elections went against the court; the day fixed for the meeting of the houses drew near; and it was necessary that the king should determine on some line of conduct. Those who advised him discerned the first faint signs of a change of public feeling, and hoped that, by merely postponing the conflict, he would be able to secure the victory. He therefore, without even asking the opinion of the Council of the Thirty, resolved to prorogue the new parliament before it entered on business. At the same time the duke of York, who had returned from Brussels, was ordered to retire to Scotland, and was placed at the head of the administration of that kingdom.

Temple's plan of government was now avowedly abandoned and very soon forgotten. The privy council again became what it had been. Shaftesbury and those who were connected with him in politics resigned their seats. Temple himself, as was his wont in unquiet times, retired to his garden and his library. Essex quitted the board of treasury, and cast in his lot with the opposition. But Halifax, disgusted and alarmed by the violence of his old associates, and Sunderland, who never quitted place while he could hold it, remained in the king's service.

In consequence of the resignations which took place at this conjuncture, the way to greatness was left clear to a new set of aspirants. Two statesmen, who subsequently rose to the highest eminence which a British subject can reach, soon began to attract a large share of the public attention. These were Lawrence Hyde and Sidney Godolphin. Lawrence Hyde was the second son of the chancellor Clarendon, and was brother of the first duchess of York.

Unlike most of the leading politicians of that generation he was a consistent, dogged, and rancorous party man, a cavalier of the old school, a zealous champion of the crown and of the church, and a hater of republicans and nonconformists. He had consequently a great body of personal adherents. The clergy especially looked on him as their own man, and extended to his foibles an indulgence of which, to say the truth, he stood in some need.

He now succeeded Essex at the treasury. It is to be observed that the place of first lord of the treasury had not then the importance and dignity which now belong to it. When there was a lord treasurer, that great officer was generally prime minister: but, when the white staff was in commission, the chief commissioner did not rank so high as a secretary of state. It was not till the time of Walpole that the first lord of the treasury was considered as the head of the executive administration.

VIOLENCE OF FACTIONS; WHIG AND TORY

Before the new parliament was suffered to meet for despatch of business, a whole year elapsed, an eventful year, which has left lasting traces in English manners and language. Never before had political controversy been carried on with so much freedom. Never before had political clubs existed with so elaborate an organisation, or so formidable an influence. The one question of the exclusion occupied the public mind. All the presses and pulpits of the realm took part in the conflict. On one side it was maintained that the constitution and religion of the state would never be secure under a popish king; on the other, that the right of James to wear the crown in his turn was derived from God, and could not be annulled, even by the consent of all the branches of the legislature. Every county, every town, every family, was in agitation. The civilities and hospitalities of neighbourhood were interrupted. The dearest ties of friendship and of blood were sundered. Even schoolboys were divided into angry parties; and the duke of York and the earl of Shaftesbury had zealous adherents on all the forms of Westminster and Eton. The theatres shook with the roar of the contending factions. Pope Joan was brought on the stage by the zealous Protestants. Pensioned poets filled their prologues and epilogues with eulogies on the king and the duke. The malcontents besieged the throne with petitions, demanding that parliament might be forthwith convened. The loyalists sent up addresses, expressing the utmost abhorrence of all who presumed to dictate to the sovereign.

The citizens of London assembled by tens of thousands to burn the pope in effigy. The government posted cavalry at Temple Bar, and placed ordnance round Whitehall. In that year the English tongue was enriched with two words, "mob" and "sham," remarkable memorials of a season of tumult and imposture. Opponents of the court were called Birminghams, petitioners,[1] and exclusionists. Those who took the king's side were Antibirminghams, abhorrers, and tantivies. These appellations soon became obsolete: but at this time were first heard two nicknames which, though originally given in insult, were soon assumed with pride, which are still in daily use, which have spread as widely as the English race, and which will last as long as the English literature. It is a curious circumstance that one of these nicknames was of Scotch, and the other of Irish, origin. Both in Scotland and in Ireland, misgovernment had called into existence bands of desperate men whose ferocity was heightened by religious enthusiasm. In Scotland, some of the persecuted covenanters, driven mad by oppression, had lately murdered the primate, had taken arms against the government, had obtained some advantages against the king's forces, and had not been put down till Monmouth, at the head of some troops from England, had routed them at Bothwell Bridge. These zealots were most numerous among the rustics of the western lowlands, who were vulgarly called Whigs.[2] Thus the appellation of whig was fastened on the Presbyterian zealots of Scotland, and was transferred to those English politicians who showed a disposition to oppose the court, and to treat Protestant non-conformists with indulgence. The bogs of Ireland, at the same time, afforded a refuge to popish outlaws, much resembling those who were afterwards known as whiteboys. These men were then called Tories. The name of tory was therefore given to Englishmen who refused to concur in excluding a Roman Catholic prince from the throne.

THE SECOND SHORT PARLIAMENT FAILS TO PASS THE EXCLUSION BILL
(1680-1681 A.D.)

The rage of the hostile factions would have been sufficiently violent, if it had been left to itself. But it was studiously exasperated by the common enemy of both. Louis still continued to bribe and flatter both court and opposition. He exhorted Charles to be firm: he exhorted James to raise a civil war in Scotland: he exhorted the whigs not to flinch, and to rely with confidence on the protection of France.

Through all this agitation a discerning eye might have perceived that the public opinion was gradually changing. The persecution of the Roman Catholics went on. [Six Jesuits were executed in 1679; and six or eight priests.] But convictions were no longer matters of course. A new brood of false witnesses, among whom a villain named Dangerfield was the most conspicuous, infested the courts: but the stories of these men, though better constructed than that of Oates, found less credit. Juries were no longer so easy of belief as during the panic which had followed the murder of Godfrey; and judges who, while the popular frenzy was at its height, had been its most obsequious instruments, now ventured to express some part of what they had from the first thought.

[[1] The Petitioners were so called from their sending petitions to the king to allow parliament to convene; the Abhorrers, from their counter-petitions expressing "abhorrence" at such interference with the king.]

[[2] In the history of Scotland it is stated that the same have devised the name "Whig," from "Whiggamore" or "Whig," *i.e.*, "a large whip," claiming that it was first applied to those engaged in the dash known as the Whiggamore Raid in 1649. Others have traced the word to an original "Whig," meaning corrupt or sour whey. Gardiner says it came from a cry "Whiggain" used to urge on a horse.]

At length, in October, 1680, the parliament met. The whigs had so great a majority in the commons that the Exclusion Bill went through all its stages there without difficulty. The king scarcely knew on what members of his own cabinet he could reckon. The duchess of Portsmouth implored her royal lover not to rush headlong to destruction. If there were any point on which he had a scruple of conscience or of honour, it was the question of the succession; but during some days it seemed that he would submit. He wavered, asked what sum the commons would give him if he yielded, and suffered a negotiation to be opened with the leading whigs. But a deep mutual distrust which had been many years growing, and which had been carefully nursed by the arts of France, made a treaty impossible. Neither side would place confidence in the other. The whole nation now looked with breathless anxiety to the house of lords. The assemblage of peers was large. The king himself was present. The debate was long, earnest, and occasionally furious. Some hands were laid on the pommels of swords, in a manner which revived the recollection of the stormy parliaments of Henry III and Richard II. Shaftesbury and Essex were joined by the treacherous Sunderland.

But the genius of Halifax bore down all opposition. Deserted by his most important colleagues, and opposed to a crowd of able antagonists, he defended the cause of the duke of York, in a succession of speeches which, many years later, were remembered as masterpieces of reasoning, of wit, and of eloquence. It is seldom that oratory changes votes. Yet the attestation of contemporaries leaves no doubt that, on this occasion, votes were changed by the oratory of Halifax. The bishops, true to their doctrines, supported the principle of hereditary right, and the bill was rejected by a great majority. The party which preponderated in the house of commons, bitterly mortified by this defeat, found some consolation in shedding the blood of Roman Catholics. William Howard, viscount Stafford, one of the unhappy men who had been accused of a share in the plot, was brought before the bar of his peers: and on the testimony of Oates and of two other false witnesses, Dugdale and Turberville, was found guilty of high treason, and suffered death, December 29th, 1680. But the circumstances of his trial and execution ought to have given an useful warning to the whig leaders. A large and respectable minority of the house of lords pronounced the prisoner not guilty. The multitude, which a few months before had received the dying declarations of Oates' victims with mockery and execrations, now loudly expressed a belief that Stafford was a murdered man. When he with his last breath protested his innocence, the cry was, "God bless you, my lord! We believe you, my lord." A judicious observer might easily have predicted that the blood then shed would shortly have blood.

THE OXFORD PARLIAMENT OF 1681

The king determined to try once more the experiment of a dissolution. A new parliament was summoned to meet at Oxford, in March, 1681. Since the days of the Plantagenets the houses had constantly sat at Westminster, except when the plague was raging in the capital: but so extraordinary a conjecture seemed to require extraordinary precautions. If the parliament were held in its usual place of assembling, the house of commons might declare itself permanent, and might call for aid on the magistrates and citizens of London. The train bands might rise to defend Shaftesbury as they had risen forty years before to defend Pym and Hampden. The guards might be overpowered, the palace forced, the king a prisoner in the hands of his mutinous subjects. At Oxford there was no such danger. The university was devoted to the crown; and the gentry of the neighbourhood were generally tories. Here, therefore, the opposition had more reason than the king to apprehend violence.

The elections were sharply contested. The whigs still composed a majority of the house of commons: but it was plain that the tory spirit was fast rising throughout the country. It should seem that the sagacious and versatile Shaftesbury ought to have foreseen the coming change, and to have consented to the compromise which the court offered, but he appears to have utterly forgotten his old tactics. Instead of making dispositions which, in the worst event, would have secured his retreat, he took up a position in which it was necessary that he should either conquer or perish. Perhaps his head, strong as it was, had been turned by popularity, by success, and by the excitement of conflict. Perhaps he had spurred his party till he could no longer curb it, and was really hurried on headlong by those whom he seemed to guide.

The eventful day arrived. The meeting at Oxford resembled rather that of a Polish diet than that of an English parliament. The whig members were escorted by great numbers of their armed and mounted tenants and serving men, who exchanged looks of defiance with the royal guards. The slightest provocation might, under such circumstances, have produced a civil war; but neither side dared to strike the first blow. The king again offered to consent to anything but the Exclusion Bill. The commons were determined to accept nothing but the Exclusion Bill. In a few days the parliament was again dissolved.

THE TORY REACTION AND PERSECUTION OF THE WHIGS

The king had triumphed. The reaction, which had begun some months before the meeting of the houses at Oxford, now went rapidly on. The nation, indeed, was still hostile to popery; but, when men reviewed the whole history of the plot, they felt that their Protestant zeal had hurried them into folly and crime, and could scarcely believe that they had been induced by nursery tales to clamour for the blood of fellow subjects and fellow Christians. The most loyal, indeed, could not deny that the administration of Charles had often been highly blamable. But men who had not the full information which we possess touching his dealings with France, and who were disgusted by the violence of the whigs, enumerated the large concessions which, during the last few years, he had made to his parliaments, and the still larger concessions which he had declared himself willing to make. He had consented to the laws which excluded Roman Catholics from the house of lords, from the privy council, and from all civil and military offices. He had passed the Habeas Corpus Act. If securities yet stronger had not been provided against the dangers to which the constitution and the church might be exposed under a Roman Catholic sovereign, the fault lay, not with Charles, who had invited the parliament to propose such securities, but with those whigs who had refused to hear of any substitute for the Exclusion Bill.

One thing only had the king denied to his people. He had refused to take away his brother's birthright. And was there not good reason to believe that this refusal was prompted by laudable feelings? What selfish motive could faction itself impute to the royal mind? The Exclusion Bill did not curtail the reigning king's prerogatives, or diminish his income. Indeed, by passing it, he might easily have obtained an ample addition to his own revenue. And what was it to him who ruled after him? Nay, if he had personal predilections, they were known to be rather in favour of the duke of Monmouth than the duke of York. The most natural explanation of the king's conduct therefore seemed to be that, careless as was his temper, and loose as were his morals, he had, on this occasion, acted from a sense of duty and honour. And, if so, would the nation compel him to do what he thought criminal and disgraceful? To apply, even by strictly constitutional means, a violent pressure to his conscience, seemed to zealous royalists ungenerous and undutiful.

But strictly constitutional means were not the only means which the whigs were disposed to employ. Signs were already discernible which portended the approach of great troubles. Men, who in the time of the civil war and of the commonwealth had acquired an odious notoriety, had emerged from the obscurity in which, after the restoration, they had hidden themselves from the general hatred, showed their confident and busy faces everywhere, and appeared to anticipate a second reign of the saints. Another Naseby, another high court of justice, another usurper on the throne, the lords again ejected from their hall by violence, the universities again purged, the church again robbed and persecuted, the Puritans again dominant, to such results did the desperate policy of the opposition seem to tend.

Animated by such feelings, the majority of the upper and middle classes hastened to rally round the throne. The situation of the king bore, at this time, a great resemblance to that in which his father stood just after the Remonstrance had been voted. But the reaction of 1641 had not been suffered to run its course. Charles I, at the very moment when his people, long estranged, were returning to him with hearts disposed to reconciliation, had, by a perfidious violation of the fundamental laws of the realm, forfeited their confidence forever. Had Charles II taken a similar course, had he arrested the whig leaders in an irregular manner, and impeached them of high treason before a tribunal which had no legal jurisdiction over them, it is highly probable that they would speedily have regained the ascendency which they had lost. Fortunately for himself he was induced, at this crisis, to adopt a policy which, for his ends, was singularly judicious. He determined to conform to the law, but at the same time to make vigorous and unsparing use of the law against his adversaries. He was not bound to convoke a parliament till three years should have elapsed. He was not much distressed for money. The produce of the taxes which had been settled on him for life exceeded the estimate. He was at peace with all the world. He could retrench his expenses by giving up the costly and useless settlement of Tangier; and he might hope for pecuniary aid from France. He had, therefore, ample time and means for a systematic attack on the opposition under the forms of the constitution. The judges were removable at his pleasure: the juries were nominated by the sheriffs; and, in almost all the counties of England, the sheriffs were nominated by himself. Witnesses, of the same class with those who had recently sworn away the lives of papists, were ready to swear away the lives of whigs.

The first victim was College, a noisy and violent demagogue of mean birth and education. He was by trade a joiner, and was celebrated as the inventor of the Protestant flail. He had been at Oxford when the parliament sat there, and was accused of having planned a rising and an attack on the king's guards. Evidence was given against him by Dugdale and Turberville, the same infamous men who had, a few months earlier, borne false witness against Stafford. In the sight of a jury of country squires no exclusionist was likely to find favour. College was convicted. The crowd which filled the court house of Oxford received the verdict with a roar of exultation, as barbarous as that which he and his friends had been in the habit of raising when innocent papists were doomed to the gallows. His execution was the beginning of a new judicial massacre, not less atrocious than that in which he had himself borne a share.

The government emboldened by this first victory, now aimed a blow at an enemy of a very different class. It was resolved that Shaftesbury should be brought to trial for his life. Evidence was collected which, it was thought, would support a charge of treason.[1] But the facts which it was necessary to prove were alleged to have been committed in London. The sheriffs of London, chosen by the citizens, were zealous whigs. They named a whig grand jury, which threw out the bill, November 24, 1681. This defeat, far from discouraging those who advised the king, suggested to them a new and daring scheme. Since the charter of the capital was in their way, that charter must be annulled. It was pretended, therefore, that the city of London had by some irregularities forfeited its municipal privileges; and proceedings were instituted against the corporation in the court of King's Bench. At the same time those laws which had, soon after the Restoration, been enacted against non-conformists, and which had remained dormant during the ascendency of the whigs, were enforced all over the kingdom with extreme rigour.

Yet the spirit of the whigs was not subdued. Though in evil plight, they were still a numerous and powerful party; and, as they mustered strong in the large towns, and especially in the capital, they made a noise and a show more than proportioned to their real force. Animated by the recollection of past triumphs, and by the sense of present oppression, they overrated both their strength and their wrongs. It was not in their power to make out that clear and overwhelming case which can alone justify so violent a remedy as resistance to an established government. Whatever they might suspect, they could not prove that their sovereign had entered into a treaty with France against the religion and liberties of England. What was apparent was not sufficient to warrant an appeal to the sword. If the Exclusion Bill had been thrown out, it had been thrown out by the lords in the exercise of a right coeval with the constitution. If the king had dissolved the Oxford Parliament, he had done so by virtue of a prerogative which had never been questioned. If the court had, since the dissolution, done some harsh things, still those things were in strict conformity with the letter of the law, and with the recent practice of the malecontents themselves. If the king had prosecuted his opponents, he had prosecuted them according to the proper forms, and before the proper tribunals. The evidence now produced for the crown was at least as worthy of credit as the evidence on which the noblest blood of England had lately been shed by the opposition. The treatment which an accused whig had now to expect from judges, advocates, sheriffs, juries, and spectators, was no worse than the treatment which had been thought by the whigs good enough for an accused papist. If the privileges of the city of London were attacked, they were attacked, not by military violence or by any disputable exercise of prerogative, but according to the regular practice of Westminster Hall. No tax was imposed by royal authority. No law was suspended. The Habeas Corpus Act was respected. Even the Test Act was enforced. The opposition therefore could not bring home to the king that species of misgovernment which alone could justify insurrection. And, even had his misgov-

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[1 While Shaftesbury was in prison Dryden issued his famous satire *Absalom and Achitophel* against Shaftesbury who is represented as the tempter Achitophel and Monmouth as the misguided Absalom.]

ernment been more flagrant than it was, insurrection would still have been criminal, because it was almost certain to be unsuccessful.

The situation of the whigs in 1682 differed widely from that of the roundheads forty years before. Those who took up arms against Charles I acted under the authority of a parliament which had been legally assembled, and which could not, without its own consent, be legally dissolved. The opponents of Charles II were private men. Almost all the military and naval resources of the kingdom had been at the disposal of those who resisted Charles I. All the military and naval resources of the kingdom were at the disposal of Charles II. The house of commons had been supported by at least half the nation against Charles I. But those who were disposed to levy war against Charles II were certainly a minority. It could not reasonably be doubted, therefore, that, if they attempted a rising, they would fail. Still less could it be doubted that their failure would aggravate every evil of which they complained.

THE RYEHOUSE PLOT: THE DEATH OF SHAFTESBURY, RUSSELL, AND OTHERS

(1683 A.D.)

The true policy of the whigs was to submit with patience to adversity which was the natural consequence and the just punishment of their errors, to wait patiently for that turn of public feeling which must inevitably come, to observe the law, and to avail themselves of the protection, imperfect indeed, but by no means nugatory, which the law afforded to innocence. Unhappily they took a very different course. Unscrupulous and hotheaded chiefs of the party formed and discussed schemes of resistance, and were heard, if not with approbation, yet with the show of acquiescence, by much better men than themselves. It was proposed that there should be simultaneous insurrections in London, in Cheshire, at Bristol, and at Newcastle. Communications were opened with the discontented Presbyterians of Scotland, who were suffering under a tyranny such as England, in the worst times, had never known.[1] While the leaders of the opposition thus revolved plans of open rebellion, but were still restrained by fears or scruples from taking any decisive step, a design of a very different kind was meditated by some of their accomplices.

To fierce spirits, unrestrained by principle, or maddened by fanaticism, it seemed that to waylay and murder the king and his brother was the shortest and surest way of vindicating the Protestant religion and the liberties of England. A place and a time were named; and the details of the butchery were frequently discussed, if not definitively arranged. This scheme was known but to few, and was concealed with especial care from the upright and humane Russell, and from Monmouth, who, though not a man of delicate conscience, would have recoiled with horror from the guilt of parricide. Thus there were two plots, one within the other. The object of the great whig plot was to raise the nation in arms against the government. The lesser plot, commonly called the Rye House Plot, in which only a few desperate men were concerned, had for its object the assassination of the king and of the heir presumptive [as they passed the Rye House].

Both plots were soon discovered. Cowardly traitors hastened to save themselves, by divulging all, and more than all, that had passed in the deliberations of the party. That only a small minority of those who meditated resistance had admitted into their minds the thought of assassination is fully established. but, as the two conspiracies ran into each other, it was not difficult for the government to confound them together. The just indignation excited by the Rye House Plot was extended for a time to the whole whig body. The king was now at liberty to exact full vengeance for years of restraint and humiliation.

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[1] For the account of the dramatic events in Scotland under Charles II's representatives we must again refer the reader to our history of Scotland.]

Shaftesbury, indeed, had escaped the fate which his manifold perfidy had well deserved.[1] He had seen that the ruin of his party was at hand, had in vain endeavoured to make his peace with the royal brothers, had fled to Holland, and had died there, January 22, 1683, under the generous protection of a government which he had cruelly wronged. Monmouth threw himself at his father's feet and found mercy, but soon gave new offence, and thought it prudent to go into voluntary exile. Essex perished by his own hand in the tower. Russell, who appears to have been guilty of no offence falling within the definition of high treason, and Sidney, of whose guilt no legal evidence could be produced, were beheaded in defiance of law and justice. Russell died with the fortitude of a Christian, Sidney with the fortitude of a stoic. Some active politicians of meaner rank were sent to the gallows. Many quitted the country. Numerous prosecutions for misprision of treason, for libel, and for conspiracy were instituted.

Convictions were obtained without difficulty from tory juries, and rigorous punishments were inflicted by courtly judges. With these criminal proceedings were joined civil proceedings scarcely less formidable. Actions were brought against persons who had defamed the duke of York; and damages tantamount to a sentence of perpetual imprisonment were demanded by the plaintiff, and without difficulty obtained.

SEIZURE OF CHARTERS AND OTHER VIOLATIONS OF THE CONSTITUTION

The court of King's Bench pronounced that the franchises of the city of London were forfeited to the crown. Flushed with this great victory the government proceeded to attack the constitutions of other corporations which were governed by whig officers, and which had been in the habit of returning whig members to parliament. Borough after borough was compelled to surrender its privileges; and new charters were granted which gave the ascendency everywhere to the tories.

These proceedings, however reprehensible, had yet the semblance of legality. They were also accompanied by an act intended to quiet the uneasiness with which many loyal men looked forward to the accession of a popish sovereign. The lady Anne, younger daughter of the duke of York by his first wife, was married to George, a prince of the orthodox house of Denmark. The tory gentry and clergy might now flatter themselves that the Church of England had been effectually secured without any violation of the order of succession. The king and his heir were nearly of the same age. Both were approaching the decline of life. The king's health was good. It was therefore probable that James, if he ever came to the throne, would have but a short reign. Beyond his reign there was the gratifying prospect of a long series of Protestant sovereigns.

The liberty of unlicensed printing was of little or no use to the vanquished party; for the temper of judges and juries was such that no writer whom the government prosecuted for a libel had any chance of escaping. The dread of punishment therefore did all that a censorship could have done. Meanwhile, the pulpits resounded with harangues against the sin of rebellion. The treatises in which Filmer maintained that hereditary despotism was the form of government ordained by God, and that limited monarchy was a pernicious absurdity, had recently appeared, and had been favourably received by a large section of the tory party. The university of Oxford, on the very day on which Russell was put to death, adopted by a solemn public act these strange doctrines, and ordered the political works of Buchanan, Milton, and Baxter to be publicly burned in the court of the schools.

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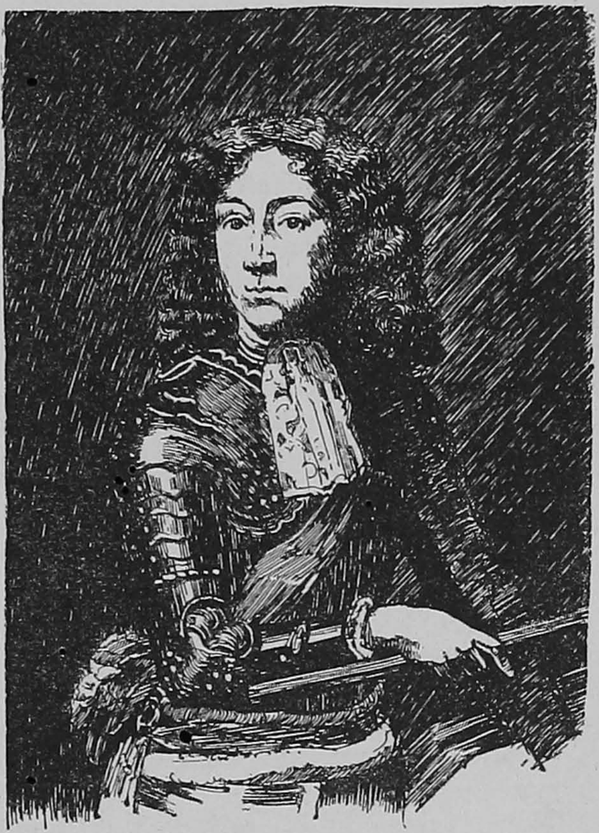
[1] But Gardiner[d] says, "With all his faults he had led the way on that path in which the English nation was, before long, to walk."]

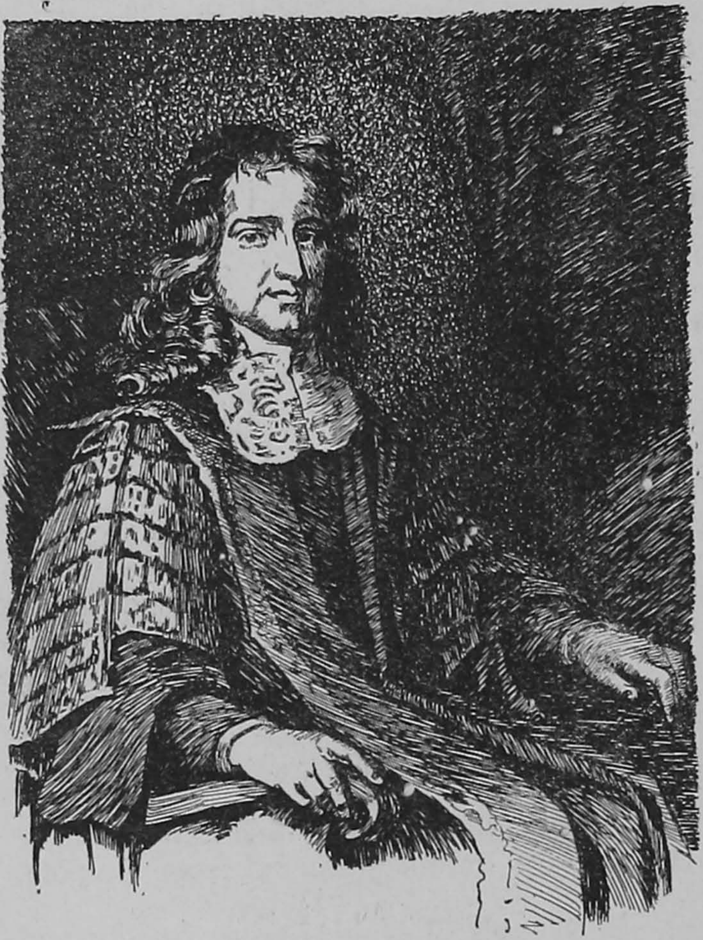
Thus emboldened, the king at length ventured to overstep the bounds which he had during some years observed, and to violate the plain letter of the law. The law was that not more than three years should pass between the dissolving of one parliament and the convoking of another. But, when three years had elapsed after the dissolution of the parliament which sat at Oxford, no writs were issued for an election. This infraction of the constitution was the more reprehensible, because the king had little reason to fear a meeting with a new house of commons. The counties were generally on his side; and many boroughs in which the whigs had lately held sway had been so remodelled that they were certain to return none but courtiers.



Duke of Monmouth

(1649–1685)

In a short time the law was again violated in order to gratify the duke of York. That prince was, partly on account of his religion, and partly on account of the sternness and harshness of his nature, so unpopular that it had been thought necessary to keep him out of sight while the Exclusion Bill was before parliament, lest his public appearance should give an advantage to the party which was struggling to deprive him of his birthright. He had therefore been sent to govern Scotland, where the savage old tyrant Lauderdale was sinking into the grave. Even Lauderdale was now outdone. The administration of James was marked by odious laws, by barbarous punishments, and by judgments to the iniquity of which even that age furnished no parallel. The Scottish privy council had power to put state prisoners to the question. But the sight was so dreadful that, as soon as the boots appeared, even the most servile and hardhearted courtiers hastened out of the chamber. The board was sometimes quite deserted: and it was at length found necessary to make an order that the members should keep their seats on such occasions. The duke of York, it was remarked, seemed to take pleasure in the spectacle which some of the worst men then living were unable to contemplate without pity and horror. He not only came to council when the torture was to be inflicted, but watched the agonies of the sufferers with that sort of interest and complacency with which men observe a curious experiment in science. Thus he employed himself at Edinburgh, till the event of the conflict between the court and the whigs was no longer doubtful. He then returned to England, but he was still excluded by the Test Act from all public employment; nor did the king at first think it safe to violate a statute which the great majority of his most loyal subjects regarded as one of the chief securities of their religion and of their civil rights. When, however, it appeared, from a succession of trials, that the nation had patience to endure almost anything that the government had courage to do, Charles ventured to dispense with the law in his brother's favour. The duke again took his seat in the council, and resumed the direction of naval affairs.



Francis North

(1637–1685)

These breaches of the constitution excited, it is true, some murmurs among the moderate tories, and were not unanimously approved even by the king's ministers. Halifax in particular, now a marquis and lord privy seal, had, from the very day on which the tories had by his help gained the ascendent, begun to turn whig. As soon as the Exclusion Bill had been thrown out, he had pressed the house of lords to make provision against the danger to which in the next reign, the liberties and religion of the nation might be exposed. He now saw with alarm the violence of that reaction which was, in no small measure, his own work. He did not try to conceal the scorn which he felt for the servile doctrines of the university of Oxford. He detested the French alliance. He disapproved of the long intermission of parliaments. He regretted the severity with which the vanquished party was treated. He who, when the whigs were predominant, had ventured to pronounce Stafford not guilty, ventured, when they were vanquished and helpless, to intercede for Russell.

At one of the last councils which Charles held a remarkable scene took place. The charter of Massachusetts had been forfeited. A question arose how, for the future, the colony should be governed. The general opinion of the board was that the whole power, legislative as well as executive, should abide in the crown. Halifax took the opposite side, and argued with great energy against absolute monarchy, and in favour of representative government. It was vain, he said, to think that a population, sprung from the English stock, and animated by English feelings, would long bear to be deprived of English institutions. Life, he exclaimed, would not be worth having in a country where liberty and property were at the mercy of one despotic master. The duke of York was greatly incensed by this language, and represented to his brother the danger of retaining in office a man who appeared to be infected with all the worst notions of Marvell and Sidney.

Some modern writers have blamed Halifax for continuing in the ministry while he disapproved of the manner in which both domestic and foreign affairs were conducted. But this censure is unjust. Indeed it is to be remarked that the word ministry, in the sense in which we use it, was then unknown. The thing itself did not exist; for it belongs to an age in which parliamentary government is fully established. At present the chief servants of the crown form one body. They are understood to be on terms of friendly confidence with each other, and to agree as to the main principles on which the executive administration ought to be conducted. If a slight difference of opinion arises among them, it is easily compromised; but, if one of them differs from the rest on a vital point, it is his duty to resign. While he retains his office, he is held responsible even for steps which he has tried to dissuade his colleagues from taking.

In the seventeenth century, the heads of the various branches of the administration were bound together in no such partnership. Each of them was accountable for his own acts, for the use which he made of his own official seal, for the documents which he signed, for the counsel which he gave to the king. No statesman was held answerable for what he had not himself done, or induced others to do. If he took care not to be the agent in what was wrong, and if, when consulted, he recommended what was right, he was blameless. It would have been thought strange scrupulosity in him to quit his post, because his advice as to matters not strictly within his own department was not taken by his master; to leave the board of admiralty, for example, because the finances were in disorder, or the board of treasury because the foreign relations of the kingdom were in an unsatisfactory state. It was, therefore, by no means unusual to see in high office, at the same time, men who avowedly differed from one another as widely as ever Pulteney differed from Walpole, Fox from Pitt.

The moderate and constitutional counsels of Halifax were timidly and feebly seconded by Francis North, Lord Guildford, who had lately been made keeper of the great seal. The character of Guildford has been drawn at full length by his brother Roger North, a most intolerant tory, a most affected and pedantic writer, but a vigilant observer of all those minute circumstances which throw light on the dispositions of men. It is remarkable that the biographer, though he was under the influence of the strongest fraternal partiality and though he was evidently anxious to produce a flattering likeness, was yet unable to portray the lord keeper otherwise than as the most ignoble of mankind. Yet the intellect of Guildford was clear, his industry great, his proficiency in letters and science respectable, and his legal learning more than respectable. His faults were selfishness, cowardice, and meanness. He was not insensible to the power of female beauty, nor averse from excess in wine. Yet neither wine nor beauty could ever seduce the cautious and frugal libertine, even in his earliest youth, into one fit of indiscreet generosity.

The chief opponent of Halifax was Lawrence Hyde, who had recently been created earl of Rochester. Of all tories, Rochester was the most intolerant and uncompromising. The moderate members of his party complained that the whole patronage of the treasury, while he was first commissioner there, went to noisy zealots, whose only claim to promotion was that they were always drinking confusion to whiggery, and lighting bonfires to burn the Exclusion Bill. The duke of York, pleased with a spirit which so much resembled his own, supported his brother-in-law passionately and obstinately.

The attempts of the rival ministers to surmount and supplant each other kept the court in incessant agitation. Halifax pressed the king to summon a parliament, to grant a general amnesty, to deprive the duke of York of all share in the government, to recall Monmouth from banishment, to break with Louis, and to form a close union with Holland on the principles of the Triple Alliance. The duke of York, on the other hand, dreaded the meeting of a parliament, regarded the vanquished whigs with undiminished hatred, still flattered himself that the design formed fourteen years before at Dover might be accomplished, daily represented to his brother the impropriety of suffering one who was at heart a republican to hold the privy seal, and strongly recommended Rochester for the great place of lord treasurer.

Nor was Louis negligent or inactive. Everything at that moment favoured his designs. He had nothing to apprehend from the German empire, which was then contending against the Turks on the Danube. Holland could not, unsupported, venture to oppose him. He was therefore at liberty to indulge his ambition and insolence without restraint. He seized Dixmude and Courtray. He bombarded Luxemburg. He exacted from the republic of Genoa the most humiliating submissions.

The power of France at that time reached a higher point than it ever before or ever after attained, during the ten centuries which separated the reign of Charlemagne and the reign of Napoleon. It was not easy to say where her acquisitions would stop, if only England could be kept in a state of vassalage. The first object of the court of Versailles was therefore to prevent the calling of a parliament and the reconciliation of English parties. To this end bribes, promises, and menaces were unsparingly employed. Charles was sometimes allured by the hope of a subsidy, and sometimes frightened by being told that, if he convoked the houses, the secret articles of the Treaty of Dover should be published. Several privy councillors were bought; and attempts were made to buy Halifax, but in vain. When he had been found incorruptible, all the art and influence of the French embassy were employed to drive him from office: but his polished wit and his various accomplishments had made him so agreeable to his master, that the design failed.

Halifax was not content with standing on the defensive. He openly accused Rochester of malversation. An inquiry took place. It appeared that forty thousand pounds had been lost to the public by the mismanagement of the first lord of the treasury. In consequence of this discovery he was not only forced to relinquish his hopes of the white staff, but was removed from the direction of the finances to the more dignified but less lucrative and important post of lord president. "I have seen people kicked down stairs," said Halifax; "but my lord Rochester is the first person that I ever saw kicked up stairs." Godolphin, now a peer, became first commissioner of the treasury.

Still, however, the contest continued. The event depended wholly on the will of Charles; and Charles could not come to a decision. In his perplexity he promised everything to everybody. He would stand by France: he would break with France: he would never meet another parliament: he would order writs for a parliament to be issued without delay. He assured the duke of

York that Halifax should be dismissed from office, and Halifax that the duke should be sent to Scotland. In public he affected implacable resentment against Monmouth, and in private conveyed to Monmouth assurances of unalterable affection. How long, if the king's life had been protracted, his hesitation might have lasted, and what would have been his resolve, can only be conjectured.

THE DEATH OF CHARLES II (FEBRUARY 6TH, 1685)

The palace had seldom presented a gayer or a more scandalous appearance than on the evening of Sunday, the 1st of February, 1685. The great gallery of Whitehall, an admirable relic of the magnificence of the Tudors, was crowded with revellers and gamblers. The king sat there chatting and toying with three women, whose charms were the boast, and whose vices were the disgrace, of three nations. Barbara Palmer, duchess of Cleveland, was there, no longer young, but still retaining some traces of that superb and voluptuous loveliness which twenty years before overcame the hearts of all men. There, too, was the duchess of Portsmouth, whose soft and infantine features were lighted up with the vivacity of France. Hortensia Mancini, duchess of Mazarin, and niece of the great cardinal, completed the group. Charles himself, during his exile, had sought her hand in vain. No gift of nature or of fortune seemed to be wanting to her. But her diseased mind required stronger stimulants, and sought them in gallantry, in basset, and in usquebaugh. While Charles flirted with his three sultanas, Hortensia's French page, a handsome boy, whose vocal performances were the delight of Whitehall, and were rewarded by numerous presents of rich clothes, ponies, and guineas, warbled some amorous verses. A party of twenty courtiers was seated at cards round a large table on which gold was heaped in mountains. Even then the king had complained that he did not feel quite well. He had no appetite for his supper: his rest that night was broken; but on the following morning he rose as usual, early.

To that morning the contending factions in his council had, during some days, looked forward with anxiety. The struggle between Halifax and Rochester seemed to be approaching a decisive crisis. Halifax, not content with having already driven his rival from the board of treasury, had undertaken to prove him guilty of such dishonesty or neglect in the conduct of the finances as ought to be punished by dismission from the public service. It was even whispered that the lord president would probably be sent to the Tower. The king had promised to inquire into the matter. The 2nd of February had been fixed for the investigation; and several officers of the revenue had been ordered to attend with their books on that day. But a great turn of fortune was at hand.

Scarcely had Charles risen from his bed when his attendants perceived that his utterance was indistinct, and that his thoughts seemed to be wandering. Several men of rank had, as usual, assembled to see their sovereign shaved and dressed. He made an effort to converse with them in his usual gay style; but his ghastly look surprised and alarmed them. Soon his face grew black; his eyes turned in his head; he uttered a cry, staggered, and fell into the arms of Thomas, lord Bruce, son of the earl of Ailesbury. A physician who had charge of the royal retorts and crucibles happened to be present. He had no lancet; but he opened a vein with a penknife. The blood flowed freely; but the king was still insensible.

He was laid on his bed, where, during a short time, the duchess of Portsmouth hung over him with the familiarity of a wife. But the alarm had been given. The queen and the duchess of York were hastening to the room. The favourite concubine was forced to retire to her own apartments. Those apartments had been thrice pulled down and thrice rebuilt by her lover to gratify her caprice. The very furniture of the chimney was massive silver. Several fine paintings, which properly belonged to the queen, had been transferred to the dwelling of the mistress. The sideboards were piled with richly wrought plate. In the midst of this splendour, purchased by guilt and shame, the unhappy woman gave herself up to an agony of grief, which, to do her justice, was not wholly selfish.

All the medical men of note in London were summoned. So high did political animosities run that the presence of some whig physicians was regarded as an extraordinary circumstance. One Roman Catholic whose skill was then widely renowned, Doctor Thomas Short, was in attendance. Several of the prescriptions have been preserved. One of them is signed by fourteen doctors. The patient was bled largely. Hot iron was applied to his head. A loathsome volatile salt, extracted from human skulls, was forced into his mouth. He recovered his senses; but he was evidently in a situation of extreme danger.

The queen was for a time assiduous in her attendance. The duke of York scarcely left his brother's bedside.

On the morning of Thursday, the 5th of February, the *London Gazette* announced that his majesty was going on well, and was thought by the physicians to be out of danger. The bells of all the churches rang merrily; and preparations for bonfires were made in the streets. But in the evening it was known that a relapse had taken place, and that the medical attendants had given up all hope.

The king was in great pain, and complained that he felt as if a fire was burning within him. Yet he bore up against his sufferings with a fortitude which did not seem to belong to his soft and luxurious nature. The sight of his misery affected his wife so much that she fainted, and was carried senseless to her chamber. The prelates who were in waiting had from the first exhorted him to prepare for his end. They now thought it their duty to address him in a still more urgent manner. William Sancroft, archbishop of Canterbury, used great freedom. "It is time," he said, "to speak out; for, Sir, you are about to appear before a judge who is no respecter of persons." The king answered not a word. Thomas Ken, bishop of Bath and Wells, then tried his powers of persuasion. His solemn and pathetic exhortation awed and melted the bystanders to such a degree that some among them believed him to be filled with the same spirit which, in the old time, had, by the mouths of Nathan and Elias, called sinful princes to repentance. Charles however was unmoved. He made no objection indeed when the Service for the Visitation of the Sick was read. In reply to the pressing questions of the divines, he said that he was sorry for what he had done amiss; and he suffered the absolution to be pronounced over him according to the forms of the Church of England: but, when he was urged to declare that he died in the communion of that church, he seemed not to hear what was said; and nothing could induce him to take the eucharist from the hands of the bishops. A table with bread and wine was brought to his bedside, but in vain. Sometimes he said that there was no hurry, and sometimes that he was too weak.

Many attributed this apathy to contempt for divine things, and many to the stupor which often precedes death. But there were in the palace a few persons who knew better. Charles had never been a sincere member of the established church. His mind had long oscillated between Hobbism and popery. When his health was good and his spirits high, he was a scoffer. In his few serious moments he was a Roman Catholic. The duke of York was aware of this, but was entirely occupied with the care of his own interests. He had ordered the outports to be closed. He had posted detachments of the guards in different parts of the city. He had also procured the feeble signature of the dying king to an instrument by which some duties, granted only till the demise of the crown, were let to farm for a term of three years. These things occupied the attention of James to such a degree that, though, on ordinary occasions, he was indiscreetly and unseasonably eager to bring over proselytes to his church, he never reflected that his brother was in danger of dying without the last sacraments.

A life of frivolity and vice had not extinguished in the duchess of Portsmouth all sentiments of religion. The French ambassador Barillon, found her in an agony of sorrow. She took him into a secret room, and poured out her whole heart to him. "I have," she said, "a thing of great moment to tell you. If it were known, my head would be in danger. The king is really and truly a Catholic; but he will die without being reconciled to the church. His bedchamber is full of Protestant clergymen. I cannot enter it without giving scandal. The duke is thinking only of himself. Speak to him. Remind him that there is a soul at stake. He is master now. He can clear the room. Go this instant, or it will be too late."

Barillon hastened to the bedchamber, took the duke aside, and delivered the message of the mistress. The conscience of James smote him. The duke commanded the crowd to stand aloof, went to the bed, stooped down, and whispered something which none of the spectators could hear, but which they supposed to be some question about affairs of state. Charles answered in an audible voice, "Yes, yes, with all my heart." None of the bystanders, except the French ambassador, guessed that the king was declaring his wish to be admitted into the bosom of the church of Rome.

"Shall I bring a priest?" said the duke. "Do, brother," replied the sick man. "For God's sake do, and lose no time. But no; you will get into trouble." "If it costs me my life," said the duke, "I will fetch a priest."

To find a priest, however, for such a purpose, at a moment's notice, was not easy. They heard that a Benedictine monk, named John Huddleston, happened to be at Whitehall. This man had, with great risk to himself, saved the king's life after the battle of Worcester, and had, on that account, been, ever since the Restoration, a privileged person. In the sharpest proclamations which had been put forth against popish priests, when false witnesses had inflamed the nation to fury, Huddleston had been excepted by name. He readily consented to put his life a second time in peril for his prince; but there was still a difficulty. The honest monk was so illiterate that he did not know what he ought to say on an occasion of such importance. He however obtained some hints from a Portuguese ecclesiastic, and, thus instructed, was brought up the back stairs by Chiffinch, a confidential servant, who, if the satires of that age are to be credited, had often introduced visitors of a very different description by the same entrance.

The duke's orders were obeyed, and even the physicians withdrew. The back door was then opened, and Father Huddleston entered. A cloak had been thrown over his sacred vestments, and his shaven crown was concealed by a flowing wig. "Sir," said the duke, "this good man once saved your life. He now comes to save your soul." Charles faintly answered, "He is welcome." Huddleston went through his part better than had been expected. He knelt by the bed, listened to the confession, pronounced the absolution, and administered extreme unction. He asked if the king wished to receive the Lord's Supper. "Surely," said Charles, "if I am not unworthy." The host was brought in. Charles feebly strove to rise and kneel before it. The priest bade him lie still, and assured him that God would accept the humiliation of the soul, and would not require the humiliation of the body. The king found so much difficulty in swallowing the bread that it was necessary to open the door and to procure a glass of water. This rite ended, the monk held up a crucifix before the penitent, charged him to fix his last thoughts on the sufferings of the Redeemer, and withdrew. The whole ceremony had occupied about three-quarters of an hour; and, during that time, the courtiers who filled the outer room had communicated their suspicions to each other by whispers and significant glances. The door was at length thrown open, and the crowd again filled the chamber of death.

It was now late in the evening. The king seemed much relieved by what had passed. His natural children were brought to his bedside; the dukes of Grafton, Southampton, and Northumberland, sons of the duchess of Cleveland, the duke of Saint Albans, son of Eleanor Gwyn, and the duke of Richmond, son of the duchess of Portsmouth. Charles blessed them all, but spoke with peculiar tenderness to Richmond. One face which should have been there was wanting. Monmouth, the eldest and best beloved child was an exile and a wanderer. His name was not once mentioned by his father.

During the night Charles earnestly recommended the duchess of Portsmouth and her boy to the care of James, "And do not," he good-naturedly added, "let poor Nelly starve." The queen sent her excuses for her absence by Halifax. She said that she was too much disordered to resume her post by the couch, and implored pardon for any offence which she might unwittingly have given. "She ask my pardon, poor woman!" cried Charles; "I ask hers with all my heart."

The morning light began to peep through the windows of Whitehall; and Charles desired the attendants to pull aside the curtains, that he might have one more look at the day. He remarked that it was time to wind up a clock which stood near his bed. These little circumstances were long remembered, because they proved beyond dispute that, when he declared himself a Roman Catholic, he was in full possession of his faculties. He apologised to those who had stood round him all night for the trouble which he had caused. He had been, he said, a most unconscionable time dying; but he hoped that they would excuse it. This was the last glimpse of that exquisite urbanity, so often found potent to charm away the resentment of a justly incensed nation. Soon after dawn the speech of the dying man failed. Before ten his senses were gone. Great numbers had repaired to the churches at the hour of morning service. When the prayer for the king was read, loud groans and sobs showed how deeply his people felt for him. At noon on Friday, the 6th of February, he passed away without a struggle.[c]

BUCKLE'S WEIGHING OF THE GOOD AND EVIL OF THE REIGN

If we look only at the characters of the rulers, and at their foreign policy we must pronounce the reign of Charles II to be the worst that has ever been seen in England. If, on the other hand, we confine our observations to the laws which were passed, and to the principles which were established, we shall be obliged to confess that this same reign forms one of the brightest epochs in our national annals.

Politically and morally, there were to be found in the government all the elements of confusion, of weakness, and of crime. The king himself was a mean and spiritless voluptuary, without the morals of a Christian, and almost without the feelings of a man.[1] His ministers, with the exception of Clarendon, whom he hated for his virtues, had not one of the attributes of statesmen, and nearly all of them were pensioned by the crown of France. The weight of taxation was increased, while the security of the kingdom was diminished.[2] By the forced surrender of the charters of the towns, our municipal rights were endangered.[3] By shutting the exchequer, our national credit was destroyed.[4] Though immense sums were spent in maintaining our naval and military power, we were left so defenceless, that when a war broke out, which had long been preparing, we seemed suddenly to be taken by surprise. Such was the miserable incapacity of the government, that the fleets of Holland were able, not only to ride triumphant round our coasts, but to sail up the Thames, attack our arsenals, burn our ships and insult the metropolis of England.

Yet, notwithstanding all these things, it is an undoubted fact, that in this same reign of Charles II more steps were taken in the right direction than had been taken, in any period of equal length, during the twelve centuries we had occupied the soil of Britain. By the mere force of that intellectual movement, which was unwittingly supported by the crown, there were effected, in the course of a few years, reforms which changed the face of society. The most important of these reforms were carried, as is nearly always the case, in opposition to the real wishes of the ruling classes. Charles II and James II often said of the Habeas Corpus Act, "that a government could not subsist with such a law." The two great obstacles by which the nation had long been embarrassed, consisted of a spiritual tyranny and a territorial tyranny: the tyranny of the church and the tyranny of the nobles. An attempt was now made to remedy these evils; not by palliatives, but by striking at the power of the classes who did the mischief. For now it was that a law was placed on the statute-book, taking away that celebrated writ, which enabled the bishops or their delegates to cause those men to be burned whose religion was different to their own. This destruction of the writ *De Hæretico comburendo* was in 1667. Now it was that the clergy were deprived of the privilege of taxing themselves, and were forced to submit to an assessment made by the ordinary legislature. Now, too, there was enacted a law forbidding any bishop, or any ecclesiastical court, to tender the *ex-officio* oath, by which the church had hitherto enjoyed the power of compelling a suspected person to criminate himself. In regard to the nobles, it was also during the reign of Charles II that the house of lords, after a sharp struggle, was obliged to abandon its pretensions to an original jurisdiction in civil suits, and thus lost for ever an important resource for extending its own influence.

It was in the same reign that there was settled the right of the people to be taxed entirely by their representatives; the house of commons having ever since retained the sole power of proposing money bills, and regulating the amount of imposts, merely leaving to the peers the form of consenting to what has been already determined. These were the attempts which were made to bridle the clergy and the nobles. But there were also effected other things of equal importance.

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[1] His treatment of his young wife immediately after marriage is perhaps the worst thing recorded of this base and contemptible prince.

[2] Immediately after the Restoration, the custom began of appointing to naval commands incompetent youths of birth, to the discouragement of those able officers who had been employed under Cromwell.

[3] The court was so bent on abrogating the charter of the city of London, that Saunders was made chief-justice for the express purpose.

[4] The panic caused by this scandalous robbery is described by De Foe.

By the destruction of the scandalous prerogatives of purveyance and pre-emption, a limit was set to the power of the sovereign to vex his refractory subjects. By the Habeas Corpus Act, the liberty of every Englishman was made as certain as law could make it; it being guaranteed to him, that if accused of crime, he, instead of languishing in prison, as had often been the case, should be brought to a fair and speedy trial. By the Statute of Frauds and Perjuries, a security hitherto unknown was conferred upon private property. By the abolition of general impeachments, an end was put to a great engine of tyranny, with which powerful and unscrupulous men had frequently ruined their political adversaries.

By the cessation of those laws which restricted the liberty of printing, there was laid the foundation of that great public press, which, more than any other single cause, has diffused among the people a knowledge of their own power, and has thus, to an almost incredible extent, aided the progress of English civilisation. And, to complete this noble picture, there were finally destroyed those feudal incidents, which our Norman conquerors had imposed — the military tenures; the court of wards; the fines for alienation; the right of forfeiture for marriage by reason of tenure; the aids, the homages, the escuages, the primer seisins, and all those mischievous subtleties, of which the mere names sound in modern ears as a wild and barbarous jargon, but which pressed upon our ancestors as real and serious evils.

These were the things which were done in the reign of Charles II; and if we consider the miserable incompetence of the king, the idle profligacy of his court, the unblushing venality of his ministers, the constant conspiracies to which the country was exposed from within, and the unprecedented insults to which it was subjected from without; if we, moreover, consider that to all this there were added two natural calamities of the most grievous description — a great plague, which thinned society in all its ranks, and scattered confusion through the kingdom, and a great fire, which, besides increasing the mortality from the pestilence, destroyed in a moment those accumulations of industry by which industry itself is nourished — if we put all these things together, how can we reconcile inconsistencies apparently so gross? How could so wonderful a progress be made in the face of these unparalleled disasters? How could such men, under such circumstances, effect such improvements? These are questions which our political compilers are unable to answer; because they look too much at the peculiarities of individuals, and too little at the temper of the age in which those individuals live.

Such writers do not perceive that the history of every civilised country is the history of its intellectual development, which kings, statesmen, and legislators are more likely to retard than to hasten; because, however great their power may be, they are at best the accidental and insufficient representatives of the spirit of their time; and because, so far from being able to regulate the movements of the national mind, they themselves form the smallest part of it, and, in a general view of the progress of man, are only to be regarded as the puppets who strut and fret their hour upon a little stage; while, beyond them, and on every side of them, are forming opinions and principles which they can scarcely perceive, but by which alone the whole course of human affairs is ultimately governed.

The truth is, that the vast legislative reforms, for which the reign of Charles II is so remarkable, merely form a part of that movement, which, though traceable to a much earlier period, had only for three generations been in undisguised operation. These important improvements were the result of that bold, sceptical, inquiring, and reforming spirit, which had now seized the three great departments of theology, of science, and of politics. The old principles of tradition, of authority, and of dogma, were gradually becoming weaker; and of course, in the same proportion, there was diminished the influence of the classes by whom those principles were chiefly upheld. As the power of particular sections of society thus declined, the power of the people at large increased. The real interests of the nation began to be perceived, so soon as the superstitions were dispersed by which those interests had long been obscured. This, I believe, is the real solution of what at first seems a curious problem — namely, how it was that such comprehensive reforms should have been accomplished in so bad, and in many respects so infamous, a reign.

It is, no doubt, true, that those reforms were essentially the result of the intellectual march of the age; but, so far from being made in spite of the vices of the sovereign, they were actually aided by them. With the exception of the needy profligates who thronged his court, all classes of men soon learned to despise a king who was a drunkard, a libertine, and a hypocrite; who had neither shame nor sensibility; and who, in point of honour, was unworthy to enter the presence of the meanest of his subjects. To have the throne filled for a quarter of a century by such a man as this, was the surest way of weakening that ignorant and indiscriminate loyalty, to which the people have often sacrificed their dearest rights. Thus, the character of the king, merely considered from this point of view, was eminently favourable to the growth of national liberty.[1]

But the advantage did not stop there. The reckless debaucheries of Charles made him abhor everything approaching to restraint; and this gave him a dislike to a class, whose profession, at least, pre-supposes a conduct of more than ordinary purity. The consequence was, that he, not from views of enlightened policy, but merely from a love of vicious indulgence, always had a distaste for the clergy; and, so far from advancing their power, frequently expressed for them an open contempt. His most intimate friends directed against them those coarse and profligate jokes which are preserved in the literature of the time; and which, in the opinion of the courtiers, were to be ranked among the noblest specimens of human wit. From men of this sort the church had, indeed, little to apprehend; but their language, and the favour with which it was received, are part of the symptoms by which we may study the temper of that age. Many other illustrations will occur to most readers; I may, however, mention one, which is interesting on account of the eminence of the philosopher concerned in it.

The most dangerous opponent of the clergy in the seventeenth century, was certainly Hobbes, the subtlest dialectician of his time; a writer, too, of singular clearness, and among British metaphysicians, inferior only to Berkeley. This profound thinker published several speculations very unfavourable to the church, and directly opposed to principles which are essential to ecclesiastical authority. As a natural consequence, he was hated by the clergy;

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[1] Mr. Hallam[b] has a noble passage on the services rendered to English civilisation by the vices of the English court: "We are, however, much indebted to the memory of Barbara duchess of Cleveland, Louisa duchess of Portsmouth, and Mrs. Eleanor Gwyn. We owe a tribute of gratitude to the Mays, the Killigrews, the Chiffinches, and the Grammonts. They played a serviceable part in ridding the kingdom of its besotted loyalty. They saved our forefathers from the Star Chamber and the High-commission court; they laboured in their vocation against standing armies and corruption; they pressed forward the great ultimate security of English freedom — the expulsion of the House of Stuart."

his doctrines were declared to be highly pernicious; and he was accused of wishing to subvert the national religion, and corrupt the national morals. So far did this proceed, that, during his life, and for several years after his death, every man who ventured to think for himself was stigmatised as a Hobbist, or, as it was sometimes called, a Hobbian. This marked hostility on the part of the clergy was a sufficient recommendation to the favour of Charles. The king, even before his accession, had imbibed many of his principles; and, after the Restoration, he treated the author with what was deemed a scandalous respect.

If we look for a moment at the ecclesiastical appointments of Charles, we shall find evidence of the same tendency. In his reign, the highest dignities in the church were invariably conferred upon men who were deficient either in ability or in honesty. It would perhaps be an over-refinement to ascribe to the king a deliberate plan for lowering the reputation of the Episcopal bench; but it is certain, that if he had such a plan, he followed the course most likely to effect his purpose. For it is no exaggeration to say, that, during his life, the leading English prelates were, without exception, either incapable or insincere; they were unable to defend what they really believed; or else they did not believe what they openly professed. Never before were the interests of the Anglican church so feebly guarded.

The truth seems to be, that Charles was unwilling to confer ecclesiastical promotion upon any one who had ability enough to increase the authority of the church, and restore it to its former pre-eminence. At his accession, the two ablest of the clergy were undoubtedly Jeremy Taylor and Isaac Barrow. Both of them were notorious for their loyalty; both of them were men of unspotted virtue; and both of them have left a reputation which will hardly perish while the English language is remembered. But Taylor, though he had married the king's sister, was treated with marked neglect; and, being exiled to an Irish bishopric, had to pass the remainder of his life in what, at that time, was truly called a barbarous country. As to Barrow, who, in point of genius, was probably superior to Taylor, he had the mortification of seeing the most incapable men raised to the highest posts in the church, while he himself was unnoticed.

It is hardly necessary to point out how all this must have tended to weaken the church, and accelerate that great movement for which the reign of Charles II is remarkable. At the same time, there were many other circumstances which it is impossible to notice, but which were stamped with the general character of revolt against ancient authority. Enough, however, has been stated, to indicate the general march of the English mind, and supply the reader with a clue by which he may understand those still more complicated events, which, as the seventeenth century advanced, began to thicken upon us.