The Secret History Of The Court And Reign Of Charles II

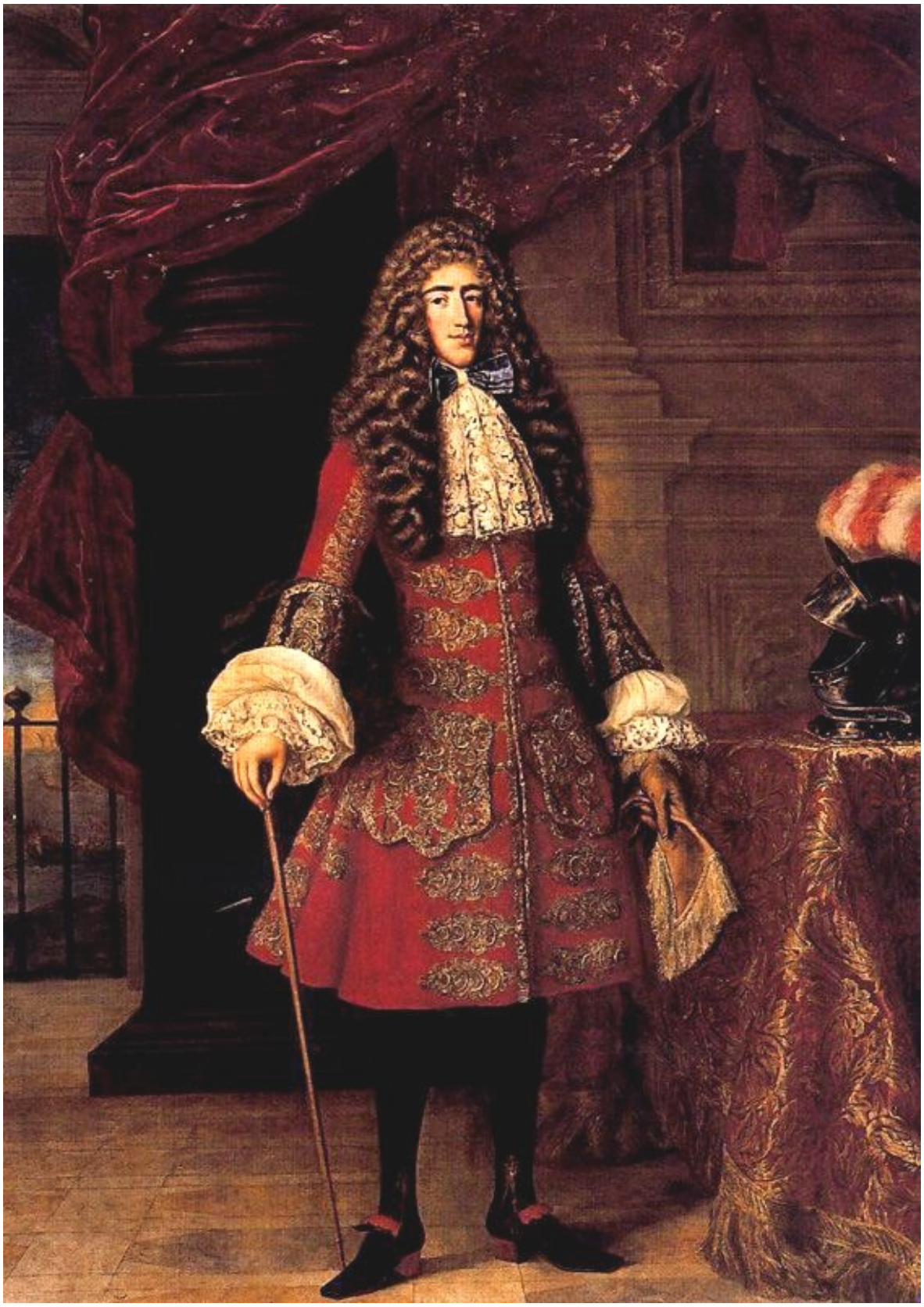
By
A Member of His Privy Council

1792
Volume 1

The Secret History
Of The
Court And Reign
Of
Charles The Second
By
A Member Of His Privy Council
To Which Are Added
Introductory Sketches
Of The Proceeds Period From The Session Of
James I
With Notes And A Supplement
Continuing The Narrative In They Summary Manner To
The Revolution
By The Editor
Charles McCormick

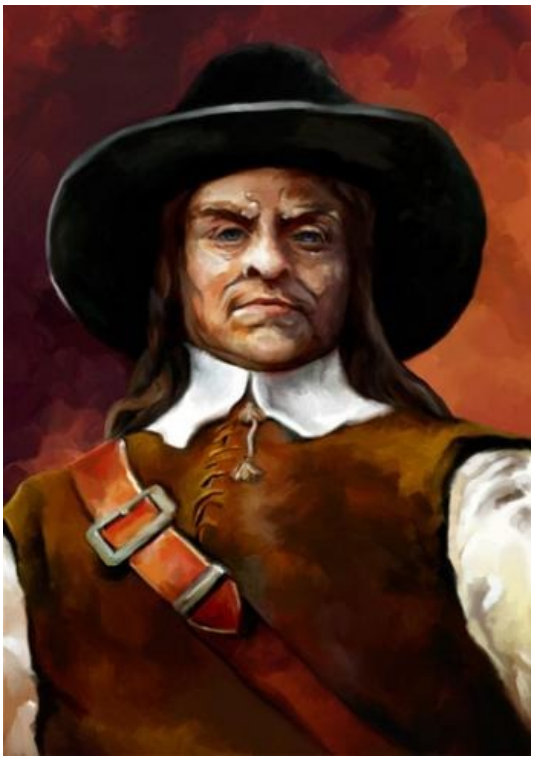
Luaque ipse miserrimavidi,
Etquorum parsmagna fui

In Two Volumes:
Vol. I
London:
Printed by T. Gillet number 19, Bartholomew Close,
for J. Bew, No. 28 Paternoster Row
1792



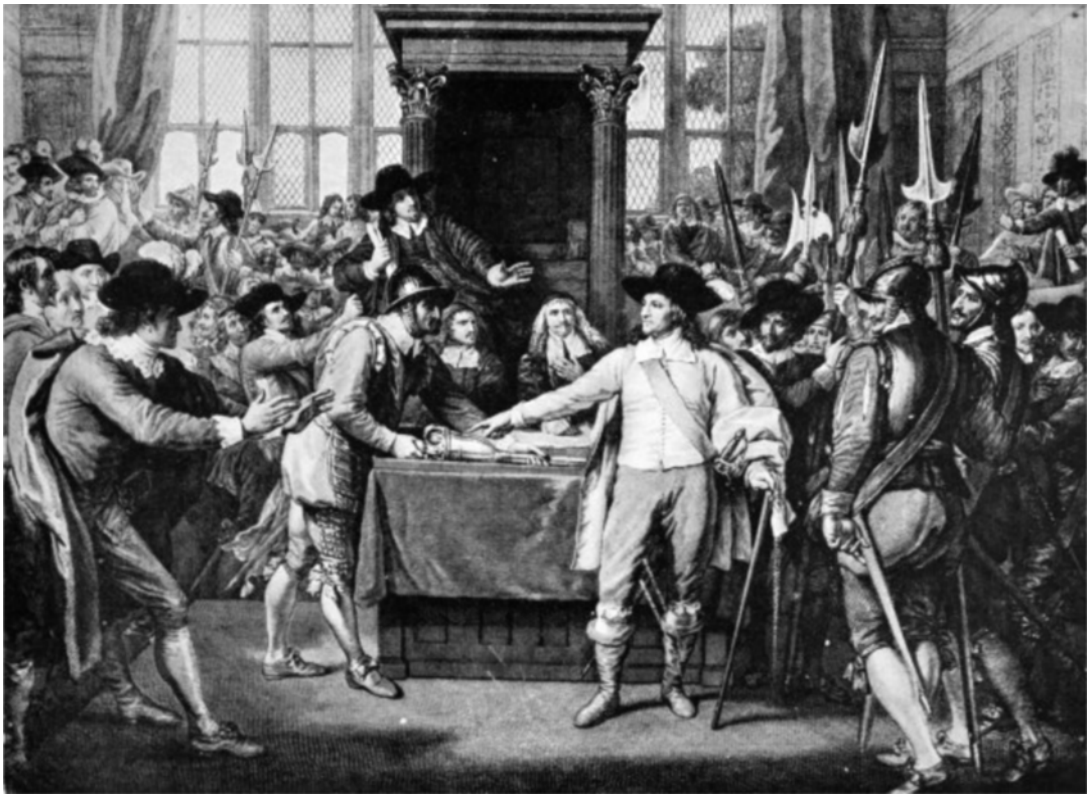
Often regarded as the 'Merry Monarch', Charles II is famed for his frolicking, feasts and fashion. On 7 October 1666, the king issued a radical clothing .

Caen-wood Towers - Highgate



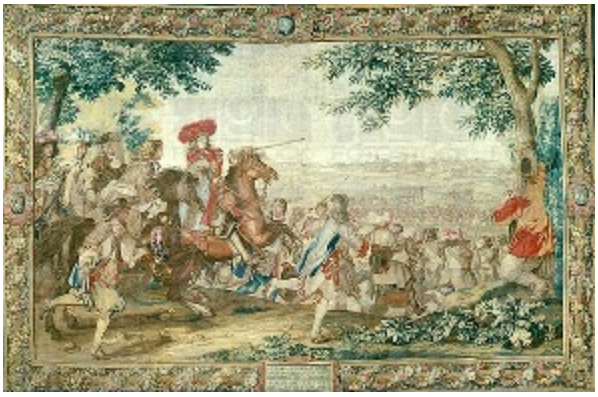
The Usurper

Oliver Cromwell



Long Parliament

Cromwell dissolving the Long Parliament, 1653, illustration from 'Hutchinson's Story of the British



Entry of Louis XIV into Dunkirk
Having been sold to the King by Charles II

INTRODUCTION

HE following work carries with it too great a degree of internal evidence to require the aid of argument to demonstrate its genuineness, or to remove any doubts of its authenticity. It abounds with information far beyond the reach or researches of any writer, who had not a considerable share in the events which he relates; and who was not admitted, as it were, behind the scenes, to view the machinery of court intrigues, to examine the springs of each political measure, and to assist in managing the wires, that put every state-puppet in motion.

Here alone the materials of history are to be colleted. Without an easy access to the secrets of government the most attentive observer is liable to be dazzled and deceived by the false glare of outward appearances. An artificial splendour surrounds the actions, as well as the thrones thrones of princes, while their cabinets and their councils are hid in almost impenetrable darkness.

It is much to be lamented that those, who enjoyed in the fullest extent such opportunities of accurate knowledge, have seldom taken up the pen to transmit a faithful record of their own times to, posterity. Some may have been prevented by the want of leisure; others by the want of talents; but the disinclination of far the greater number may be ascribed to the want of that pure and exalted. patriotism, which alone could raise them above every selfish consideration, and prompt them to sacrifice their friendships, their enmities, their imaginary consequence and false glory to the public good.

Even the writer of the work before us, though perhaps it approaches nearer to perfection than any thing of the kind which has ever yet appeared, was not wholly uninfluenced by private views and private attachments. We often find him relating facts with awkward reluctance, and endeavouring to soften the most odious features in the character of a king, whom he could not but censure and despise.

When, we also consider, that he wrote this history, not for the information of his country, but for the use of his own family, out of whose hands he declares that it should never pass by his consent[1], we cannot compliment him on. the score of public spirit, nor can we feel ourselves under, any obligations for a favour, which he so selfishly intended to withhold from us,

But happily those very faults, which lessen our gratitude for the author, tend considerably to increase the value of his performance. It is a series of the most interesting truths, extorted, as it were, from the lips of an unwilling evidence: it' is an undersigned, yet unanswerable satire on the folly of trusting to the professions of kings: it is a royalist's dreadful warning to the people of England never to be betrayed by their affection for any family into a surrender of their inestimable privileges: it is, in short, a full and convincing refutation of all the falsehoods which have been invented, and of all the sophistry which has been devised by prostituted genius in defence of arbitrary power.

No part of our annals has been more disfigured by the ignorance, prejudices, and misrepresentations of party-writers than the reigns of the Stewarts. By some those princes have been raised to the rank of gods, and by others degraded to a level with dæmons. The hirelings of despotism and the advocates for the rights of men were likely to exhaust upon such a subject their ingenuity and their eloquence.

Mr. Hume has given the name of a history to his funeral oration on the death of Charles I. and to his artful apology for the misconduct of that king's successors. Mrs. Macauley thought the like title due to her beautiful, but rhapsodic effusions on the same events. But no man of common sense will place an implicit confidence in either. He knows that the best minds are liable to be warped by the heat of political controversy. He wishes therefore for a dispassionate statement of facts, which may lead to the discovery of truth, and afford just grounds of rational conviction. Such is the narrative we are now in possession of. The author expresses himself with the greater candour, from a persuasion that his sentiments would never be made known, to the world, and that he was intrusting the secrets of his heart to those only, whose interest it would be not to divulge them.

Sometimes, indeed, as we before hinted, he seems ashamed to tell the whole truth; but his weak suppressions serve only to give a greater degree of credit to the other parts of his testimony. It is very evident, that he attempts to conceal nothing from his children, which he did not with, if it were possible, to conceal even from himself. In many of the details he must have felt the sentiment of the Trojan. exile, when relating the ruin of his country;

“Animus meminisse horret, luctuque refugit."

There are, however, a few defects, which arose from the nature of the plan itself, or rather, from the confined views of the writer. The sole end, he says[2], of this relation being to serve for a private memorial, and not for a public record of the transactions of the times, he means to take notice of such particulars only as furnished matter for important reflection. A work executed according to this outline must appear more like a collection of detached remarks, than a tissue of well-connected occurrences.

It could not therefore be perused with satisfaction, or advantage by the generality of readers, if they had not at the same time several other books to refer to for the detail of events, as well as for a variety of authentic documents, some of which were here only glanced at, and others passed over in total silence,

In order to remove these inconveniences, and to render the work as complete as possible within itself, the Editor has not only supplied all the necessary links of the historical chain, but has thrown into the notes every other article of new, or useful information, which he met with in the best publications on the same subject. He has also prefixed a sketch of the preceding period from the accession of James I. and afterwards taking up the narrative, where it is suddenly broken off by the original writer, towards the close of Charles the second's reign, he has continued it, though in a summary manner, to the revolution.

The value of such a work, if well executed, is sufficiently obvious. But it would ill become the Editor to enlarge on its utility, or importance. He despises alike the insinuating arts of affected modesty, and the authoritative language of presumptuous confidence. The merit of his labours will soon he decided upon by the candid and discerning, to whose judgment he chearfully submits; and whose approbation, or censure, must have more weight with the public than any frivolous attempt on his part, either to court the one, or to elude the severity of the other.

Notes: 1. See page 6. **2**. See the second and sixth pages Vol. I

SKETCHES
OF THE
CONSTITUTIONAL HISTORY OF ENGLAND,
FROM THE
ACCESSION OF THE STEWART FAMILY
TILL THE
RESTORATION
JAMES I

O prince, perhaps, ever mounted the English throne with a more favourable opportunity of rendering himself popular, his reign glorious, and his subjects happy than James I. The brilliant successes of the late administration had not so completely disguised the censurable parts of Elizabeth's conduct as to reconcile the people to her frequent encroachments upon their rights. Diverting themselves, therefore, of all their old prejudices against the Scotch, they received with open. arms, and with the warmest testimonies of joy, their new King, of whose liberal sentiments in religious matters, and of whose great abilities for civil government, they had conceived very flattering ideas.

But nature had never designed James for any higher office than to superintend school, or, at most, to rule a college in the country that gave him birth; not to preside over a great, independent, and aspiring nation. Full of the most extravagant notions of the royal prerogative, and bloated with a most more ridiculous conceit of his own learning, judgment, and even insatiability, he expected from passive subjects a tame submission to all his sovereign dictates; and looked upon public councils, or parliamentary assemblies merely as, the ornaments, not the essentials of the constitution.[1]

Happily for this country, James was too much the dupe of his own absurd system to think "dissimulation, policy, or force necessary for its support. He regarded as indisputable his, title to the exercise of the powers, however arbitrary, which had been occasionally assumed by his predecessors of the House of Tudor. He never reflected, that the non-resistance of the people in those reigns was owing to a variety of causes which now ceased to operate. Upon the advancement of Henry VII. to the throne, most of the ancient nobility had been cut off in the long and bloody contests between the families of York and Lancaster; and the few, who survived, were naturally in dread of a prince strengthened by all their losses.

The commons thought themselves sufficiently honoured by the privilege of imposing the national taxes; and the great body of the people, relieved from their former Rate of vassalage under many oppressors, were ready to endure a great deal from a single tyrant, rather than be again exposed to the horrors of a civil war. Henry the Eighth's quarrel with the pope, and the Act of Supremacy, which placed the mitre and the crown upon the same head, put another engine of irresistible power into the hands of civil despotism.

On the death of the **bloody Mary,** the Protestants, in the violence of their joy, were ready to worship a princess of their own faith; and the ascendancy, which the artful .and imperious Elizabeth then gained, was afterwards confirmed by the vigour and success of her administration. But the state of affairs, and the sentiments of the nation had undergone a considerable change before the accession of James I.

The horrors and calamities of civil war, so strongly impressed upon every mind at the dole of the dreadful struggles between the Yorkists and Lancastrians, were gradually effaced and forgotten in a long interval of domestic tranquility ; and the example of successful resistance to tyranny in the Low. Countries, to which the English had very much contributed, roused them to a similar vindication of their own rights, in the same manner as the aliened independency of America led the way to the late revolution in France.

The love of liberty is natural to, all men ; and when once it breaks out into action in any corner of the globe, it flies with the force and rapidity of electrical fire, and warms every honest breast with the glow of generous and heroic sympathy.

Not was the above the only change, which James might have remarked in the temper and condition of his subjects. The measures adopted by Henry VII. for diminishing the power of the nobles removed some of the greatest obstructions to the political independence and aggrandizement of the commons. This branch os the legislature was every day gaining additional strength ; and the representatives of the nation, after some spirited opposition even to the popular and overbearing Elizabeth, were resolved to make the grant of all future subsidies to the crown the price of some grievance redressed, or of some constitutional right acknowledged by their sovereign.

The progress also of arts and commerce had raised the lowest orders of society from their former abject and depressed state. The light of learning, the love of useful, knowledge, and the spirit of free inquiry were widely diffused. The triple fabric of ignorance, superstition, and despotism was crumbling into, dust; and every individual, in proportion as he acquired more enlarged ideas of his civil and religious rights, became more determined to resist any invasion of either, at the hazard of his life.

A great and good prince, in James's situation, would have exulted at this improvement of the people, whom he was come to govern; and, by every judicious endeavour to accelerate and promote it, would ,have confirmed their favourable preconceptions of his wisdom and liberality. Instead of engaging in religious controversies, in order to display his scholastic acquirements[2] he would have encouraged a free discussion of important smiths, and relieved sectaries from the cruet rigour, with which they had been before persecuted.

Far from wishing to dictate to his parliament what laws they were to register, what taxes he was resolved to impose, or what schemes of government he intended to make them comply with, he would have listened to their just remonstrances he would have cherished the newly kindled flame of liberty : he would have distinguished with peculiar marks of favour the ablest asserters of their country's rights: he would have adopted no measure, but what had been cordially approved by the unbiased representatives of a free people. James; by pursuing a different line of conduct, forfeited the esteem of his subjects; and more silly than the dog in the fable, by too eagerly grasping at imaginary power, he not only let flip the real authority, with which the laws had

inverted him, but also the more desirable influence, that sound policy, and its inseparable concomitant, true patriotism, could riot have failed to procure.

Had not the obstinacy of this prince been equal to his infatuation, he might, even in the early Part of his reign, have been fully convinced of his errors, and of his impotence. His first attempt of any considerable moment was to incorporate the kingdoms of England and Scotland, the sovereignties of both of which were already united in his person.

The scheme was laudable. It had a direct tendency to open a free and beneficial intercourse between the two nations; or rather, to blend them in so close an union, as might totally obliterate those fatal animosities and distinctions, which had so long prevailed among the divided inhabitants of the same island. But James, by the violence fame of his former pretensions, had excited in parliament a determined spirit of opposition to all his measures.

Besides, he had shewn the most flagrant partiality to his native countrymen, since his accession to the English throne. He raised them frequently from the meanest stations, and without any regard to merit, to the highest and most lucrative ports in his new kingdom. Wealth and titles he lavished upon them with a profusion equally unjust and insulting to the excluded English. It is no wonder, therefore, that the latter should be averse to any farther intimacy with a people, who were the objects of their jealousy and hatred; and that they should embrace with eagerness so signal an occasion of displaying their own consequence in a legislative capacity, to the disappointment and mortification of their haughty dictator.

If therefore in a measure, which implied no violation of the rights of his subjects, James found his wishes thwarted by an independent house of commons, how could he expert acquiescence in any open attack upon their most sacred privileges? The parliamentary history of his reign is little more than a detail of his quarrels with the champions of liberty, who were not to be awed by his threats, nor disconcerted by imprisonments and dissolutions. They always returned to the charge with additional intrepidity ; they brightened by collision ; and gathered strength even from defeat.

Their noble efforts, in the last session of the third parliament in 1621, to alien the freedom of debate, and the constitutional right of interposing with their advice in all matters of public importance, deserves to be particularly commemorated.

At the re-meeting of the house, after having. been twice adjourned by the king in disgust, they drew up a petition and remonstrance, in which they pointed out with equal candour and spirit the errors of his domestic government, and the impolicy of his foreign negotiations; and respectfully offered their advice on the best means of remedying those evils. This was wounding James's pride and self-sufficiency in every tender part.

Irritated by the truth, as, well as the poignancy of each remark, he wrote a fiery letter to the speaker, in which he first rebukes the commons for daring, while he was at a distance[3], to argue and debate publicly matters far above their reach and capacity, tending to his high dishonour, and to the breach of his prerogative-royal: he then adds a peremptory command, that none should thenceforth presume to meddle with any thing concerning his government, or deep matters of state, as he was determined rigorously to punish such insolence: he concludes with declaring, that, unless they corrected the like faults, in their future petitions, he- would not deign to. hear, or answer them.

The commons were neither intimidated, nor provoked by this silly menace. They knew their own strength, and therefore acted with coolness and dignity. They sent back for their former remonstrance, and returned it with another, in which they expressed a sorrow for his majesty's mistakes, and strongly asserted their own just pretensions. James's reply is replete with harshness, ignorance, and prolixity; and though he was persuaded by the artful Williams to soften the

asperities of his (tile in a second letter, Rill, however, insisting that the privileges of both houses were derived from royal favour, the commons entered. the fallowing protest in vindication of their parliamentary rights:

"The Commons now ambled in parliament, justly occasioned thereunto concerning sundry. liberties, franchises, and privileges of parliament, amongst others here mentioned, do make this protestation following:

"That the liberties, franchises, privileges, and jurisdiction of parliament, are the antient and undoubted birth-right and inheritance of the subjects of England; and. that the arduous and urgent affairs concerning the king, Bate, and defence of the realm, and of the church of England, and the maintenance and making laws, and redress of grievances which daily happen within this realm, are proper subjects and matter of counsel or debate in parliament; and that in the handling and proceeding of these businesses every member of. the house of parliament hath, and of right ought to have freedom of speech to propound, treat, and bring to conclusion the same; and that the commons in parliament have like liberty to treat of these matters in such order as in their judgment shall seem fittest; and that every member of the laid house hath like freedom from all impeachment, imprisonment, and molestation, other than by sentence of the house itself, for or concerning any speaking, reasoning, or declaring any matter or matters touching the parliament or parliament-business; and that, if any of the said members be complained of and questioned for any thing done or said in parliament, the same is to be shewn to the king by the advice and assent of all the commons assembled in parliament, before the king give credence to any private information."

This protest threw the indignant Scot into such a rage, that with his own hand he struck it out of the journal-book, and dissolved the parliament by a proclamation, in which he said, "that he was constrained constrained to this act by the undutiful behaviour of the lower house." We should only smile at the weakness of his conduct, if the malignity of his motives did not excite in us the stronger emotions of disdain and abhorrence,

From the same fatal causes, an arbitrary spirit, and a contempt of parliamentary assistance, James was often reduced to the most miserable shifts to raise the necessary expenses of his government. He and his ministers were continually inventing new schemes to obtain money by benevolences, loans, monopolies, and other methods equally dishonourable, illegal, and oppressive.

The titles of baron, viscount, and earl, became venal. He created a number of knights of Nova Scotia, each of whom was to pay a stipulated sum ; and at one time raised above £200,000. by the institution of another new order, called baronets, whose titles were to be hereditary, and for which each paid almost £11,000. Even the cautionary towns, which Elizabeth had obliged the Dutch to put into her hands, by way of security for the repayment of the assistance in men and money she had given them, were delivered up by James, on receiving a little more than a fourth part of the film, for which those extorted deposits had been pledged.

It was fortunate for him, that he never engaged in any foreign wars, which, by increasing his expenses, would of course have have increased his difficulties, and driven him to more dangerous and desperate expedients[4].

CHARLES I

A writer must be void not only of patriotism, but of humanity, who would not willingly pass over the melancholy survey, of Charles the First's reign, and of that war, excited by too close an adherence to his father's worst principles, which deluged England with a torrent of civil blood; but the final issue of it was so favourable to the political constitution of this kingdom, that we must slop, at least for a moment, to contemplate even scenes, of slaughter, which were attended with such desirable consequences.

It would be both painful and unnecessary to enumerate here all the acts of oppression, cruelty, and high treason against the state, which Charles was guilty of; which dissolved the allegiance of his subjects; and which justified their attempts to indicate their rights by force of arms. His impositions upon trade, as arbitrary as they were injudicious, disaffected the merchants, who are always the firmest supporters of a good king.

His, or what was the same thing, Laud's unrelenting persecution of the non-conformists emptied the country of many of its most useful inhabitants, who undaunted by difficulties or dangers, fled to the wilds of America, to get beyond the reach of the spiritual arm[5]. In short, the whole tenor of Charles's conduct was so subversive of all law and justice, that every true patriot is forced to approve, instead of pitying his fate; and must regard his execution as the triumph of national justice over royal delinquency.

Before Charles rashly drew the sword, he had many opportunities of being undeceived with respect to his false notions of the English government. The PETITION OF RIGHT, in particular, and the TRIENNIAL BILL were sufficient to check in the career of ruin any prince less obstinate, or less incorrigible.

After having vainly exerted all his influence first to prevent, and then to elude the former, he was at length obliged to give his assent to it in the clearest and most unequivocal manner. It was drawn up by Sir Edward Coke; and will do his memory immortal honour. A copy of this second charter, or grand confirmation of he rights of Englishmen, cannot be omitted, without censure, in any book that treats of the subject.

THE PETITION OF RIGHT

"Humbly shew unto our sovereign lord the king, the lords spiritual and temporal, and commons in parliament assembled;

That whereas it is declared and enacted by a statute made in the time of the reign of king Edward I. commonly called ***Statutum de tallagio non concedendo,*** that NO TALLAGE OR AID SHALL BE LEVIED by the king or his heirs in this realm, WITHOUT THE GOOD WILL AND ASSENT of the archbishops, bishops, earls, barons, knights, burgesses, and other freemen of the commonalty of this realm; and by authority of parliament, holden in the twenty-fifth year of king Edward III. it is declared and enacted, that from henceforth no person shall be compelled to make any loans to the king against his will, BECAUSE SUCH LOANS WERE AGAINST REASON, AND THE FRANCHISE OF THE LAND: and by other laws of this realm it is provided, that none should be charged by any charge or imposition called a benevolence, nor by such like charge; by which the statutes before mentioned, and other the good laws and statutes of this realm, your subjects have inherited this freedom, that they should not be compelled to contribute to any tax; tallage, aid, or other like charge, not set by common consent of parliament:

Yet, nevertheless, of late, divers commissions; directed to sundry commissioners in several counties, with instructions, have issued, by means whereof your people have been in divers places assembled, and required to lend certain sums of money to your majesty; and many of them, upon their refusal so to do, have had an oath administered unto them, not warrantable by the laws and statutes of this realm, and have been constrained to become bound to make appearance and give attendance before your privy-council and in other places, and others of them have been therefore imprisoned, confined, and sundry other ways molested and disquieted; and divers other charges have been laid and levied upon your people in several counties, by lord-lieutenants, deputy-lieutenants, commissioners for musters, justices of peace, and others, by command or direction from, your majesty, or your privy-council, AGAINST THE LAWS AND FREE CUSTOMS OF THIS REALM: "And whereas an by the statute called the GREAT CHARTER OF THE LIBERTIES OF ENGLAND, it is declared and enacted, THAT NO FREE+ MAN MAY BE. TAKEN, OR IMPRISONED, OR BE DISSEISED OF HIS FREEHOLDS, OR LIBERTIES, OR HIS FREE

CUSTOMS, OR BE OUTLAWED OR EXILED, OR IN ANY MANNER DESTROYED, BUT BY THE LAWFUL JUDGMENT OF HIS PEERS, OR BY THE LAW OF THE LAND; and in the eight-and-twentieth year of king Edward III. it was declared and enacted by authority of parliament, that no man of what estate or condition that he be, shall be put out of his lands or tenements, nor taken, nor imprisoned, nor disinherited, nor put to death, without being brought to answer by due process of law.

" Nevertheless, against the tenor of the said statutes, and other the good laws and statutes of your realm, to that end provided, divers of your subjects have of late been imprisoned without any cause shewn; and when, for their deliverance, they were brought before justice, by your majesty's writs of Habeas Corpus, there to undergo and receive as the court should order, and their keepers commanded to certify the cause of their detainer, no cause was certified, but that they were detained by your majesty's special command, signified by the lords of your privy-council; and yet were returned back to sever all prisons, without being charged with any thing to which they might make answer by due process of law:

And whereas of late great companies of soldiers and mariners have been dispersed into divers counties of the realm, and the inhabitants, against their wills, have been compelled to receive them into their houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievance and vexation of your people:

"And whereas also by authority of parliament; in the twenty-sixth year of the reign of king Edward III. it is declared and enacted, that no man should be forejudged of life or limb against the form of the GREAT CHARTER, and laws of the land, and by the said GREAT CHARTER, and other the laws and statutes of this your realm, no man ought to be adjudged to death but by the laws in this your realm, either by the customs of the same realm, or by ads of parliament:

"And whereas no offender of what kind soever is exempted from the proceedings to be used, and punishments to be inflicted by the laws and statutes of this your realm:

"Nevertheless of late divers commissions, under your majesty's great seal, have issued forth, by which certain persons have been assigned and appointed commissioners, with power and authority to proceed within the land, according to the justice of martial law, against such soldiers and malingers, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny, or other outrage, or misdemeanour whatsoever ; and by such summary course and order as is agreeable to martial law, and as is used in armies in time of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death, according to the law-martial; by pretext whereof some of your majesty's subjects have been, by some of the said commissioners, put to death; when. and where, if by the law and statutes f the land they had deserved death, by the fame laws and statutes also they might, and by no other ought to have been adjudged and executed:

"And alto sundry grievous offenders, by colour thereof claiming an exemption, have escaped the punishments due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused or forborne to proceed against such offenders, according to the same laws and statutes, upon pretence that the said offenders were punishable only by martial law, and by authority of such corn. millions as aforesaid; which commissions, and all other of like nature are wholly and directly contrary to the said laws and statutes of this your realm.

"They do therefore humbly pray your most excellent majesty, that no man hereafter be compelled to make, or yield any gift, loan, benevolence, tax, or such-like charge, without common consent by ad of parliament; and that none be called to make answer, or take such oath, or to give attendance, or to be confined, or otherwise molested, or disquieted concerning the same, or for the refusal thereof; and that no freeman, in any such manner as is before mentioned, be

imprisoned, or detained ; and that your majesty would be pleated to remove the sail soldiers and mariners, and that your people may not be so burdened in time to come; and that the foresaid commissions for proceeding by martial law may, be revoked and annulled, and that hereafter no commissions of like nature may issue forth to any person or persons whatsoever to be executed as aforesaid, left, by colour of them, any of your majesty's subjects be destroyed, or put to death. contrary to the laws and franchises of the land:

"All which they most humbly pray your most excellent majesty, AS THEIR RIGHTS AND LIBERTIES, ACCORDING TO THE LAWS AND STATUTES OF THIS REALM; and that your majesty would also, vouchsafe to declare, that the awards, doings, and proceedings, to the prejudice of your people, in any of the premises, shall not be drawn hereafter into any consequence or example; and that your majesty would be also graciously pleased, for the future comfort and safety of your people, to declare your royal will and pleasure, that, in the things aforesaid, all your officers and ministers shall serve you according to the laws and statutes of this realm, as they tender the honour of your majesty, and the prosperity of the kingdom."

Though nothing could be plainer, or more pointed than the language of this petition; and though Charles confirmed it in the fullest manner; he loon attempted to explain away with wretched sophistry the most important part of it, and thereby forfeited the confidence of his parliament, and of his people. The commons being employed in preparing a remonstrance on the illegality of exacting tonnage and poundage, without their consent, and contrary to the very first article in the petition of right, the king suddenly commanded their attendance in the house of lords, and prorogued the parliament with a speech so full of despicable evasions, and so void of good sense, integrity, and honour, as renders it, indeed, "a difficult matter to determine which of the two, his head, or his heart, most deserves censure."

The other act, of constitutional importance, passed in this reign, which we mean to notice, was the TRIENNIAL BILL. Charles being quite disgusted with parliaments on account of their uniform resistance to all his arbitrary measures, seemed resolved at length never to convene them, but when he had exhausted every other resource for defraying the expenses of his government[6]. This -was a fatal resolution, and, to ufe the words of Lord Digby, "the *causa caufarum* of all the mischiefs of those times[7]." By neglecting frequently to take the sense of the nation upon his measures, he was hurried by the violence of his own temper, and by the illusions of court-flattery, into such unwarrantable excesses as could only be atoned for by the forfeiture of his life, The enlightened parliament of 1640 saw the alarming progress of this evil, and, endeavoured to apply an effectual remedy. This gave rise to the TRIENNIAL BILL which was framed for the express purpose of preventing inconveniences which must arise from the long intermission of parliaments'

But as Mr. Hume has called this famous bill "an innovation in the constitution," we shall oppose to so daring an untruth his own account of the bill itself, which will clearly demonstrate what inconsistencies the ablest writers are liable to be betrayed into by the blindness of their prejudices, or by the prostitution of their talents to party purposes.

"During the reign of Edward III." says Mr. Hume, "it had been enacted that parliaments should be held once every year, or more frequently if necessary. But as no provision had been made in case of failure, and no precise method pointed out for execution, this statute was dispensed with at pleasure.

This defect was supplied by those vigilant patriots, who now assumed the reins of government."If then, in the earliest period of our parliamentary history, a law was made for frequently convening those national assemblies, how could it be innovating; was it not rather bringing back the constitution to its first principles, to enforce the strict observance of so salutary a measure? This was the great object of the TRIENNIAL BILL[8], to the authors of which even an avowed Tory cannot refuse the title of "vigilant patriots."

When we read this involuntary compliment, we cannot help feeling emotions somewhat similar to those of the Athenian, who said, that Jupiter never appeared to him so great as when he saw Euripides in the act of adoration. In the same manner we may assert, that we never had a more exalted opinion of the parliament of 1640, that when we find Mr. Hume forced to pay them the tribute of reluctant applause.

THE COMMONWEALTH [9]

T would be inconsistent with the proposed brevity of these Sketches to delineate at full length the characters of those, who brought Charles to the block; or to make a great, but useless shew of political sagacity by attempting to throw new light upon the secret principles of their actions. We shall neither scan their virtues, nor their vices any farther than as they tended to heal the bleeding wounds of their country ; to confirm the disputed rights of their fellow-subjects; and to repair the breaches which arbitrary power had made in the glorious fabric of the English constitution. These are the only parts of their conduct, which the nature of our plan permits us to examine; and in-this point of view, at least, we cannot help treating their memories with peculiar respect.

Their system of government, after they erected themselves into a commonwealth, was certainly the most liberal, and perhaps the most conducive to the welfare of society that ever was devised by human wisdom. They abolished all the hateful relics of feudal and monarchical tyranny. They framed excellent laws for protecting the liberties and properties of the governed against the possible fraud, rapine, or oppression of their governors.

They rent asunder the chains, which persecution had forged for the consciences of men; and adopted the most admirable measures for preserving the purity of religious sentiment in the fullest enjoyment of religious freedom. Their own modesty in the exercise of power, and their frugality in the management of the revenue diffused through the nation a spirit of general reform; and even the morals of the great body of the people were gradually corrected, without the smallest infringement of their political rights. Delay, chicanery, and corruption were banned from the courts of justice; the decisions of law were no longer found inconsistent with equity; and the axe was laid to the root of every public grievance.

Under the influence of such an administration the whole state of affairs underwent a rapid and prosperous change. Poverty and indolence disappeared industry raised its head: agriculture and manufactures began to flourish: commerce, relieved from its former load of duties, and from the galling shackles of monopoly, exerted itself with unparalleled ardour: the havoc made in population by the civil wars was quickly repaired; and riches overflowed the land, without the introduction of luxury.

After having thus effectually promoted the internal happiness and tranquillity of the sate, those illustrious patriots began to turn their view to its distant possessions. They saw with concern, that, during the late troubles, the trade of the sugar-islands had been wholly engrossed by the Dutch; and that the new settlements, made by English refugees in other parts of America, would be lost to the parent state, if foreign powers were allowed to, consume the fruits of their industry.

This gave rise to the first form of the **NAVIGATION ACT**, which prohibited the resort of foreign traders to any of the English plantations, the produce of which must in that case be exported directly to the mother-country. All sorts of prohibitions, exclusions, and monopolies were, indeed, inconsistent with the ruling maxims of those legislators; but they felt the necessity of the above exception to their general system, in order to save our colonial. trade from the avarice and rapacity of the Dutch[10].

Tory writers have. invidiously insinuated, that the **NAVIGATION ACT** was first contrived to punish the West-India planters for their attachment to the royal cause. Such motives may be

plausibly ascribed to narrow-minded tyranny, but can never be supposed to influence the liberal policy of enlightened freemen.

The members of the republican parliament were superior to every narrow and sordid consideration: they were neither governed by private revenge, nor even by the more excusable with of enriching the mother-country at the expense of its foreign settlements; but, to use the Abbe Raynal's excellent simile, they considered the empire at large as a tree, the sap of which must; be turned back to the trunk, when it flows too freely to any of the branches.

While these steps were taken for the extension and security of foreign trade, the parliament called forth the most astonishing exertions to retrieve the naval glory of England, and to give their country its due weight in the political scale of Europe. By cutting down the timber on the royal domains they almost suddenly produced a fleet superior to any that had ever been seen in our seas; and having declared war against the Dutch, who were till then thought invincible on the ocean, they made the High and Mighty strike to the British flag.

However different in other respects we find the annals of those times, according to the distinct prejudices and party views of each historian, they agree in this, that after the execution of Charles, England acquired more respect from foreign powers than they had been treated with since the reign of Elizabeth.

Her land forces, including the militia, confined of eighty thousand men: her fleets, under the command of Blake and other brave admirals. had established her superiority in every quarter of the globe: and all this was effected without any increase of the national burdens: on the contrary, the revenue exceeded the expenditure; and when Cromwell seized the reins of government, there were five hundred thousand pounds in the public treasury; the stores in the magazines and dock-yards were worth seven hundred thousand pounds more; the army had received four months pay in advance; and trade was in so flourishing a condition that the interest of money had fallen two per cent.

The authors of all these blessings, having completed their work, were going to mix with the mass of the people whom they had made happy; and were passing and for their own dissolution, when the usurper, attended by a party of musketeers rushed into their house, and dismissed them with the most audacious violence and indignity.

The following outlines of Cromwell's character and conduct are delineated in so masterly a manner, that it would be the effect of the silliest vanity to make any new attempt, at least at a miniature likeness of that justly detested usurper.

The first of these sketches was drawn by the late earl of Chatham, and bears the strong marks of his original genius. "Cromwell," said the earl, "was. a saint-like thief, who, under the double cloak of religion and patriotism, committed a burglary in the constitution, and robbed the people of their title to liberty." It is impossible to conceive a stronger idea of Cromwell's usurpation, or to express it with greater conciseness and energy. It also perfectly corresponds with the account given of him by major Wildman, one of his contemporaries.

"His pretended zeal for God and his people;" says the major, "his high professions of piety, simplicity, and integrity; his hypocritical prayers and days of falling; his dissembled humility and meekness; and his frequent compassionate tears upon every occasion, rocked us asleep with the pleasing dreams of liberty and justice, till he made a sacrifice of all our laws, liberties, and properties to his own ambition."

The late king of Prussia, in his Memoirs of the House of Brandenburgh, takes occasion to shew the impropriety of granting the surname of “GREAT” to such a man as Cromwell:—-”to Cromwell, he observes," for having sacrificed every civil duty to the desire of reigning; for

having prostituted his talents, which, instead of being useful to his country; were subservient only to his ambition; for having concealed his imposture under the mask of fanaticism; for having enslaved his country, under a pretence of fighting for her liberties to Cromwell, a bold, cunning, and ambitious man, but unjust, violent, and void of virtue; a man, in fine, who had great qualities, but never a good one." His majesty adds, "Cromwell therefore did **NOT** deserve the surname of **GREAT** which is due **ONLY** to **VIRTUE**."

But the pernicious effects of Cromwell's ambition are more forcibly depicted in a few bold touches by Mrs. Macauley, that eloquent enthusiast for the rights of mankind: "He deprived," she says, "his country of a full and equal system of liberty, at the very instant of fruition; stopped the course of her power in the midst of her victories impeded the progress of reformation, by destroying her government, and limiting the bounds of her empire; and, by a fatal concurrence of circumstances, was enabled to obstruct more good and occasion more evil than has been the lot of any other individual." She farther asserts, "that we cannot form any high opinion of his talents, or his wisdom, when we consider, that he sacrificed not only the welfare of his country, but the durable interests of himself and his posterity, to the temporary gratification of reigning a few years, at the expense of honour, conscience, and repose."

With respect to the passive and un-aspiring Richard, we may safely affirm, that the general acquiescence in his accession was not owing to the influence of his father's name, nor to any respect for the expiring voice of a dreaded, yet much more hated usurper; but rather to the suddenness of Oliver's death, which found no party prepared for an immediate insurrection; and to poor Richard's well-known imbecility, which removed the fears, and slattered the hopes, of the turbulent and ambitious.

The new protector wanted activity to repress, and policy to conciliate the leaders of faction. The iron sceptre, which the father had scarcely been able to wield, fell from the weak grasp of the impotent son; and the same army, to which the one was indebted for his elevation, became the instrument of the other's downfall.

The sudden subversion of a government founded on terror and force involved the state in all the horrors of anarchy. The soldiers, corrupted under Cromwell's usurpation, had long ceased to be citizens; and the principal officers, excited by the example of his success, aimed at nothing less than sovereign power.

The royalists were eager to seize every opportunity of fomenting discord, and of increasing the public confusion. The Presbyterians, notwithstanding their former enmity to the king, and to the church of England, were inclined to concur in the re-establishment of both; rather than sacrifice their own pride and caprice to the superior control of the independents.

Even the well-wishers to the cause of freedom, alarmed at the apprehension of another civil war, were unwilling to take a decisive part; and sought refuge in silence and neutrality, How few men are to be found of minds so superior to the ordinary checks of indolence and fear, as to stand forward, in the moment of danger, the avowed champions of their country's cause, and to prefer the tumults and perils of a glorious struggle for liberty to the dead and sullen repose of despotism! The parliament, indeed, that Cromwell had dissolved with such unmerited ignominy, was restored by the military leaders, and made some spirited efforts to stem the torrent of corruption, servility and baseness. But this small band of virtuous patriots, opposed by the very officers who brought them back, dreaded by the royalists, hated by the Presbyterians, feebly supported by their own friends, and betrayed by Monk[11] strove in vain to avert the impending storm, and were lest to Band' alone amidst the ruins of a crumbling constitution.

At this moment of general distraction and dismay, the perfidious Monk, availing himself of the People's impatience for a settlement on any terms, new moulded the parliament to his purpose, and took every other step that could secure an unconditional submission to arbitrary power.[12]

Notes to Sketches of The Constitution

1. In a book written by James on what he calls the true Law of free Monarchy, he expressly alerts, that "the parliament is nothing else but the head-court of the king and his vassals; that the laws are but craved by his subjects; and that, in short, he is above the law."

2. In these debates, however, after all the silly parade of James's learning, it is very evident that he trusted more to the power of HANGING, than of convincing his adversaries. We cannot with for a more curious specimen of his logic than the conclusion of his address to the dissenting clergymen at the conference at Hampton Court. "If," said he, “this be all your party hath to say, I will make them conform themselves, or else I will harrie them out of the land, or else do worse, only hang them, that's all." This, we suppose, was the stroke of supernatural eloquence, which made archbishop Whitclift exclaim, that "he verily believed the king spoke by the spirit of God."

3. He was then at Newmarket, on the pretence of sickness.

4. We are told, that the despicable sycophant Cecil assured James, on his coming to the crown, "That he should find his English subjects like asses, on whom he might lay any burden, and should need neither bit nor bridle but their asses' ears." His reign, however, affords sufficient proofs, that the king himself was the only ass, and that English lions were not to be intimidated by his silly braying.

5. The number of emigrants was so great, that a proclamation was issued, forbidding all masters and owners of ships to carry any passengers to America, without a special licence from the privy-council; and; what is very remarkable, Cromwell, Hampden, and, others of that party, unable to procure such a passport, were hindered from going to New England, after having been on ship-board for that purpose. Charles had afterwards full leisure to repent of this impolitic and unwarrantable invasion of the liberty of his subject.

6. This is evident by his discontinuing parliaments for twelve years, when he hoped to raise sufficient supplies by his own arbitrary impositions.

7. "Surely there is no map," said his lordship, "but will conclude with me, that as the want of parliaments hath been the *sausa causarum* of all the mischiefs and distempers of de present times; so frequency of parliaments is th*e* sole antidote, that can preserve and secure us, for the future, from the same danger."

8. By this bill the chancellor was bound, under severe penalties to issue out writs by the third of September in every third year. If he failed in his duty, any twelve or more of de peers were to exert this authority. In default of the peers, the sheriffs and other proper officers were to summon the voters. But in case of neglect on the part of de civil officers, the voters were to meet in their own right, and proceed to the election of members, in de same manner as if writs had been regularly issued from de crown: nor could the parliament, after it was assembled, be adjourned, prorogued, or dissolved, without their own content, during the space of fifty days. This bill was carried through both houses with great facility, and received the royal assent, though after some awkward, and ungracious hesitation.

9. Under this title, for the sake of conciseness, we mean to comprehend the administration of the republican parliament, the usurpation of Cromwell, and de short period of anarchy immediately preceding the restoration.

10. The good effects of this politic measure were so soon, and so sensibly felt, that the members of the commonwealth were induced the following year, after the most deliberate discussion, to enlarge the design of the act, and to render it at once more beneficial and comprehensive. besides continuing to exclude foreign ships from trading to any of our colonies, new clauses were added, which prohibited the importation of merchandize into England, or any of its dependencies, in any other than English bottoms, or in the ships of that European nation, of which which the

imported articles were the genuine growth, or manufacture. The farther restriction, that the master and three fourths of the mariners should be English subjects, which was inserted in the act at the Restoration, would have been premature when it was first framed, before we had a sufficient number of seamen for the colonial and carrying trade.

11. Never did any man profess a more devoted attachment to his lawful superiors than Monk did to this parliament. being restored," he said, "could not be imputed to less than the greatest and most powerful manifestations of the arm of God that ever the present or former generations saw or heard of."—"You are the people," adds he, "by whom God for so many years filled the world with so much admiration and terror."—Again, "God was pleased to make you the praise and wonder of the earth, the glory and rejoicing of his people, and the terror of your adversaries." Yet in contempt of such evidences of the divine favour, and of his own oaths and solemn protestations, Monk soon enslaved this parliament, and was very zealous to send some of its members to Tyburn a year or two after.

12. He crushed the power of the independents by restoring a considerable majority of Presbyterian members, who had been secluded in 1648; and removed other obstacles to his designs by means, which will be explained and commented upon in the following work.

ADVERTISEMENT

AS any reader, who will take the trouble, of comparing the first part of the following work with the ***Continuation of the earl of Clarendon's Life***, printed at Oxford, must be struck with the exalt sameness of some passages, and the great similarity of others, it may be proper to explain the cause of so remarkable a circumstance.

Some Letters to the People of England, published about forty rears ago by the late doctor Shebbeare, seemed to breathe such a spirit of liberty, and afforded so many proofs of wit, genius, and political information, as recommended him to the esteem of Mr. Pitt, afterwards earl of Chatham. Shebbeare's name was at first concealed, for very obvious reasons; and Mr. Pitt did not contradict an insinuation thrown out in the house of commons of his being the author of those letters himself, in order to divert from Shebbeare the form of ministerial vengeance. He gave the doctor a farther proof of his friendship and confidence by putting into his hands the manuscript of the following work, to prepare it for publication. But Shebbeare was in his heart a Tory; and having had another manuscript nearly on the same subject, and more agreeable to his own sentiments, given him a little time after, he resolved to print the latter, and to prevent, if possible, the appearance of the former. The favourite manuscript had been long preserved in the old earl of Dorset's family, and was supposed to be written by the earl of Clarendon. It contained remarks on several occurrences during the earl's administration from the year 1660 till his disgrace in 1667. But Shebbeare, finding it in many parts very defective, made bold, before he returned the other work to Mr. Pitt, to select from it whatever tie thought would easily coalesce with his Tory performance; and filled up other chasms by the efforts of his own ingenuity. It was advertised with the earl of Clarendon's name, and being unexpectedly claimed by one of his descendants, the doctor chose rather to give up the eventual profits of the sale, than to discover his own artifice. The Oxford editors took Shebbeare's copy; and without any other proof of its genuineness than his silence, they printed it as a Continuation of the earl of Clarendon's Life. Hence the sameness and familiarity of many passages in two productions so very different in every other respect.

The nature of the additions made to the original manuscript by the present editor has been explained in the introduction. He also ventured to retrench a few redundancies of expression in the work itself, and to correct the phraseology, where he found it obscure, or obsolete; but never from any affectation of modern refinement. An architect, in repairing an old family mansion, may be allowed to remove the cumbrous ornaments, and to introduce some alterations for the purpose of real utility and convenience, provided he does not wantonly deface the marks of its antiquity, or destroy through fastidiousness its venerable appearance.

The Secret History
Of The
Court And Reign
Of
CHARLES THE SECOND

Chapter 1

Triumph of the Royalists at the restoration – Retrospect of the past – Anticipation of the future – Design of the present work – Political survey of the state of the kingdom at this period – Constitution of the Kings Council and attendants – Apology for the Kings supposed ingratitude – Occurrences at Canterbury – Curious trait of Monk's character – Procession from Rochester to London – His Majesty's reception at Whitehall – Presbyterians amused – Charles impatience for the settlement of the revenue, and the disbanding of the army – Impolitic conduct towards the military – Jealousies and a disunion of the Royal party – Prevalence of drunkenness – Appointment of a select committee – Establishment of the household – Other promotions – Intrigues in the Cabinet – Details of proceedings in the privy Council and in Parliament on the act of indemnity – Other acts and adjournments.

These steps taken to secure the ready assent of the Parliament and of the people to the recall of their exiled prince, and the circumstances attending that event, are particularly set down by those, who have engaged to relate the transactions of the times. As the design of the present work is very different from that of a public record, such only of those details will be entered into here as furnish matter for necessary and important reflections.

Triumph of The Royalists at The Restoration

Never did the friends of royalty enjoy the more grateful, or a more splendid triumph then on this memorable occasion. The easy reception of the King, without any other conditions that what had been frankly offered by himself in his declaration and letters from Breda[1]; the protestations of both houses of parliament, who cart themselves in a body at his feet, on his arrival at Whitehall, with the warmest assurances of duty and attachment; the ungovernable zeal of the populace, running about in frantic transport, and rending the air with their acclamations; the addresses of congratulation for his return, that poured in from the city, the army, the navy, all the counties of England, and not only from persons of his, own party, but even from those who had most signally disserved and disclaimed him[2]; in short, such universal testimonies of joy, of obedience, and almost of devotion, induced many to believe, that God had not only restored the king

miraculously to his throne, but had prepared the people in such a manner, that the greatness and authority of Charles II might far exceed that of the most illustrious of his predecessors[3].

Retrospect of The Past

Here let us pause for a moment; and, like travellers at their entrance into a country, the surface of which is remarkably diversified, let us take our stand upon the first eminence, to purvey the prospect behind and before us. In looking back, we are astonished at the danger and ignominy of the king's flight from his country but a few years before, contrasted with the security and glory of his present return.

One would hardly think it possible, that the same people, who then hunted him with implacable vengeance, and fancied that peace, property and freedom could be secured only by the extinction of his family, should now hail him as the author of every blessing;—as the restorer and guardian of, their civil and religious rights.[4]

Anticipation of The Future

But if we extend our view forward, we shall soon perceive a dreadful reverse. We shall find the enthusiasm of the people in favour of monarchy gradually dispelled, and terminating in vexation, and disgust: we shall see them restrained only by fear from pulling down the idol, which they had set up: we shall behold the governors and the governed in a state, is not of open hostility, at least of mutual jealousy and suspicion: to sum up the whole at once, we shall discover in all parties an alarming tendency to plunge the nation once more into the horrors and calamities of intestine war.

The standers-by and spectators of this wonderful change in all degrees of men cannot but conclude, that there must be some extraordinary miscarriages in the state, some unparalleled baseness in those, who were honoured with public Confidence; or some singular defect and perverseness of understanding in the king's ministers, to excite in so short a time a new revolution in the sentiments of the nation, and to occasion the same discontents and murmurings, which had naturally prevailed in the worst of times.

Design of The Present Work

From what causes these miserable effects were produced is the business of the present disquisition to examine, and in some sort to lay open. The attempt, indeed, is particularly delicate; and the very nature of the subject requires that it should be as tenderly handled, with reference to things and persons, as the discovery of the truth will permit.

In some cases it may be impossible to avoid speaking with just severity of those, who betrayed the trust reposed in them; but such remarks are by no means designed to fix a stigma on their characters. The sole end of this faithful relation is to serve as a **PRIVATE MEMORIAL** in my own family; and, by **MY CONSENT**, shall **NEVER** come into any hands but theirs, who, for **THEIR OWN SAKES,** will take care to preserve it from the **SIGHT OR PERUSAL** of the **PUBLIC**.[5]

Political Survey of The State of The Kingdom at This Period

Before we descend to those particulars, which had so fatal an influence on the minds of men, it will be proper to take a clear view of the temper and spirit of that time; of the nature and inclination of the army; of the disposition and interest of the several factions in religion, and of the humour and present purpose of the parliament itself, to whole judgment and determination the whole settlement of the kingdom, both in church and state, stood referred by the king's own declaration from Breda[6].

Whoever candidly confiders those several passions, appetites, and interests, together with the divided affections, jealousies, and animosities of those who had always been looked upon as the royal party; I say, whoever duly reflects on all this composition of contradictory wishes and expectations, must confess, that the king was not yet that absolute matter of the nation, which servile flattery would have made him believe; that his authority, his safety, his stability were far from being such as the general noise and acclamations, the bells and the bonfires proclaimed them to be; and that there was in no conjuncture more need that the virtue, wisdom, and industry of a prince should be made manifest in the preservation of his dignity, and in the application of his mind to the government of his affairs; and that all those, who were eminently trusted by him, should be men of unquestionable sincerity, who with ability and zeal should first endeavour to compose the public disorders, and provide for the peace and settlement of the kingdom, before they applied themselves to make or improve their own particular fortunes.

If this method had been pursued, and if the resolutions made by the king, when he first discerned his good fortune coming towards him, had been executed and improved, there is no doubt but the hearts of men were so prepared by their fears, or by their hopes, that they might have been all kneaded into a firm obedience and resignation to the king's lawful authority, and to a lasting establishment of monarchical power in all the just extent, which the king could expect, or which men of any public or honest affections could with or submit to.

Constitution of The Kings Council

The king brought with him from beyond the leas the council, which had always attended him, and the officers of his household, that consisted of gentlemen, who had for the most part been placed about his person by .his father, and who had constantly waited upon him in all his distresses with the utmost submission and patience.

These had naturally the keenest appetites and the stronger presumption to push on their fortunes (as they called it) in the infancy of their master's restoration, that other men, who had not borne the heat of the day as they had done, might not be preferred before them.

Of the council were sir Edward Hyde the chancellor, the marquis of Ormond, lord Colepeper, and secretary Nicholas, who lived together in habits of the utmost intimacy and friendship. There had been more of the king's council abroad with him, who according to the motions he made, and the places he resided in, were occasionally present; but who now remained either in France, or in some parts of Holland, or Flanders, for their convenience, ready to repair to his majesty, when they should be called for. But the four above-mentioned constantly attended his person, were privy to all his measures, and waited upon him in his return.

The chancellor was the highest in place, and thought to be so in trust, because he was most in private with the king; had managed most of the secret correspondence in England; and all dispatches of importance had passed through his hands. He had been employed by the late king in affairs of the greatest secrecy; had been made privy-councillor and chancellor of the exchequer in the beginning of the troubles; and had been sent by that king into the west with his son, when it was thought that their interest could be best preferred and provided for by separating their persons.

The young prince from that time continued to treat him with great affection and confidence and though he had some intimations secretly given him at the Hague, just before his restoration, that the chancellor was a man very much in prejudice of the Presbyterian party, and therefore that his majesty would do best to leave him behind, till he himself should be settled in England, yet he answered the person, who gave him those secret hints, in such a manner, that he was no more troubled with the importunity[7].

The Marquis of Ormond, a nobleman of the first rank, estate, and reputation, had frankly engaged his person and his fortune in the king's service from the first hour of the troubles; and adhered to the royal cause with such courage and constancy, that when the king was put to death, and he himself deserted by the Irish, contrary to the treaty entered into with them[8], and when he could make no longer defence, he rejected very inviting offers from Cromwell, and transported himself in a weak little vessel to France, where he found the king, from whom he never parted till he returned with his majesty to England.

The lord Colepeper was a man of talents, of a keen and ready wit, and of general information, so that sew men filled a place in council with more sufficiency, or expressed themselves upon any subject that occurred, with more weight and vigour. He had been trusted by the late king, (who had a high opinion of his courage, and his other abilities) to wait upon the prince when he left his father; and continued afterwards with him, or in his service[9].

Secretary Nicholas was a man of a good reputation, of unquestionable integrity, and of long experience in the service of the crown. He was one of those, who were excepted by the parliament from pardon, or composition; and so was compelled to leave the kingdom, shortly after Oxford was delivered up, when the late king was in the hands of the Scots.

The office of secretary of state, which he had so long held under the father, was afterwards continued to him by the son: and having been never actuated by any ambitious or private motives, he always acquitted himself in an appointment of so much trust with the greatest fidelity and honour[10].

This was the date and constitution of the king's council, when he embarked in Holland, and landed at Dover. The additions and alterations, which were afterwards made, will be mentioned in their place. Some were dictated by the exigency of affairs, others by levity or caprice; and perhaps a great many were owing to corrupt influence, and a strange oblivion of past services.

Apology for The King’s Supposed Ingratitude

The family of the Stewarts have often been censured for the want of gratitude, of generosity and of steadiness in their attachments. How far. James I. and his unfortunate successor may have justly incurred so disgraceful a reproach does not belong to our present purpose to examine. But with respect to Charles II. we can safely affirm, that his disregard and seeming abandonment of his friends did not arise from any natural, or hereditary baseness, but from a variety of foibles in his temper and conduct, joined to some unfavourable impressions made upon his mind immediately after his return from exile, all which his enemies and even many of the disappointed royalists were too apt to ascribe to a rottenness of heart and depravity of principle[11]. The levity of his character and his love of dissipation often betrayed him into a forgetfulness of the wants and well-founded, pretensions of those, who had suffered by their adherence to his cause.

His profusion, which was boundless in the pursuit of pleasure, and in gratifying the dissolute favourite or the fascinating mistress[12], put it out of his power to reward persons of much greater desert and when the claims of merit and of long deferred hope were urged with natural force and importunity, though he felt the justice of the sting, he never could endure, or even pardon the severity of the remonstrance.

The king was alto too much governed in the distribution of his favours by a sort of pride, or selfishness, which, if we were not well acquainted with his many princely virtues, and his dignity of sentiment in other respects, we might look upon as the sure mark of a little mind. He always wished that his generosity should appear spontaneous, neither wrought upon by entreaties, nor excited by recommendations. Though the same indolence, which made him averse to the active duties of government, naturally prevented his seeking out proper objects of munificence, yet he could not bear to have them obtruded upon his notice.

He would not be thought to view things but with his own eyes; and so far did he carry this jealousy of any evident acquiescence in the advice of others; that he often knowingly did wrong, rather than seem to be directed to what was right by their suggestions. This undoubtedly was a very great weakness, and led him into a. thousand inconsistencies. But the best characters are not exempt from blemish and imperfection. Error and passion are, as it were, the alloy blended with the purest virtue to reduce it to the standard of human infirmity.

Occurrences At Canterbury

It may be farther urged in extenuation of the king's supposed ingratitude, that he took a surfeit of importunate claimants almost in the very first moments of his restoration. Upon his arrival at Canterbury, within three hours after his landing at, Dover, he found many, who, from their own sufferings, or those of their fathers, and their constant adherence to the same principles, were justly looked upon as his most faithful friends; and who now waited with joy to kiss his hand.

They were received by him with open arms, and with such flowing expressions of grace, that they easily assured themselves of the accomplishment of all their desires from so affable and generous a prince. Some of them, that they might not lose the first opportunity, forced him to give them an immediate audience, in which they reckoned up the insupportable losses undergone by themselves, or their fathers, and some services of their own; and thereupon demanded the present grant or promise of particular offices, with such confidence, and such tedious discourses, that the king was extremely nauseated with their suits, though he knew not how to break from them.

In this irksome situation he was detained for some hours; and did, in truth, from that time contract so great an antipathy to the persons of some of those troublesome applicants, though men of the first distinction, that he never afterwards received their addresses with his usual grace or patience; and rarely granted any thing they desired, though the matter was more reasonable, and the manner of asking much more modest.

But there was another' mortification, which immediately succeeded the former, that gave the king much greater uneasiness, and filled him with still stronger prejudices against the whole tribe of eager petitioners, however deserving, or however recommended.

The general, after he had given all necessary orders to his troops, and sent to the parliament a short dispatch of the king's being come to Canterbury, and of his purpose to stay there two days, till the next Sunday should be past[13], came to the king in his chamber, and without any preamble or apology, as he was not a man of a graceful elocution, he told his majesty, that he could not do him better service than by recommending to him such persons as were most grateful to the people, and, in respect of their parts and interest, were best able to serve him.

He then presented a large paper full of names, which the king, in disorder enough, received, and without reading put it into his pocket, that he might not enter into any particular debate upon the persons; but told the general, that he would be always ready to receive his advice, and willing to gratify him in any thing he should desire, which would not be prejudicial to his service.

When the rest of the company had withdrawn from the audience-chamber, and no person remined but chancellor Hyde, the king took that opportunity to mention the assaults he had encountered, as soon as he alighted out of his coach, and afterwards what the general had said to him.

Upon this he took the list of recommendations out of his pocket, and read it. It contained the names of at least threescore and ten persons, who were thought fittest to be made privy-councillors; in the whole number whereof there were only two, who had ever served the king,

or been looked upon:as zealously affected to his service, the marquis of Hertford, and the earl of Southampton, who were both of such universal reputation and interest, and so well,known to have the very particular esteem of the king, that they needed not Monk's recommendation. All the rest were the names either of councillors, who had served the late king, and afterwards deserted him by adhering to the parliament, or of those who had most eminently disserved him in the beginning of the rebellion, and in the carrying it with all fierceness and animosity until the new modelling of the army, and the dismissing of the earl of Essex.

Then, indeed, Cromwell had grown terrible to them, and disposed them to wish the king was again possessed of the regal power[14]. To these were added the names of a few more of the Presbyterian leaders, to whom the general was thought to be most inclined.

There were likewise the names of some, who were most notorious in all the other parties, and of many, who in respect of their mean rank and meaner qualifications, nobody could imagine how they came to be named, except that, by the very odd mixture, any sober and wise resolutions and concurrence might be prevented.

The king was in more than ordinary confusion at reading this paper, and knew not well what to think of the general, in whose absolute power he was. However he resolved in the entrance upon his government not to consent to such as might prove perpetual fetters and chains upon him hereafter. He gave the paper therefore to the Chancellor, and made him take the first opportunity to discourse the matter with the general, or rather with his most intimate friend Mr. Morrice[15], Whom the general had. newly prevented to his majesty.

Curious Trait of Monk’s Character

In compliance with the king's orders, the chancellor fought as speedy an interview with Mr. Morrice as the necessary forms of politeness between strangers could admit of; and acquainted him how much the king was surprised, that the general, for whom his majesty felt the sincerest respect, should recommend to him persons, in whom he could not, till they were better known to him, repose any confidence.

The chancellor then produced the list, and, after reading many of the names, said, that “if such men were made privy-councillors, it would be either imputed to the king's own choice, which would afford a very unfavourable presumption of his majesty's discernment, or to the influence and power of the general, which would be attended with as bad effects." Mr. Morrice confessed that the paper was of his hand-writing, by the general's orders, who, he was assured, had no improper wish or intention; but added, that he would presently speak to him on the subject, and return; which he did within less than an hour.

He then expressed the great trouble and concern the general felt at his majesty's just exceptions, and said, that "the truth was, the general had been obliged to have much intercourse and correspondence with men of all humours and inclinations; and so had promised to do them good offices with the king; and could not therefore avoid inserting their names in that paper, without any imagination that the king would accept them: that he had done his part, and all that could be expected from him; and left the king to do whatever he thought best for his own service, which he desired the king might continue to do, whatever proposition he should at any time presume to make to his majesty, which he would not promise should be always reasonable: that, however, he did still heartily wish his majesty would make use of some (of those persons, whom he had named, though he knew many of them were not his friends, but that his majesty's service would be more advanced by admitting them, than by leaving them out[16]."

The king was abundantly pleased with this good temper of the general, and did not delay to convince him of his readiness to gratify all his reasonable requests. The next day he made the general knight of the garter, and admitted him of the council. At the same time he gave the signet

to Mr. Morrice, who was sworn of the council and secretary of state. Sir Anthony Ashley Cooper, who had been presented by the general under a special recommendation, was then in like manner Sworn of the privy council. He had lately married the niece of the earl of Southampton, who was then present, and received the garter, to which he had been elected some years before.

Some others, indeed, who had no such claims, were soon after admitted of the council, partly at the generals request, partly through the influence of the duke of York; but perhaps more especially from the king's weak hope of conciliating all factions by sowing in his own cabinet the seeds of perpetual intrigues, jealousy, and discord[17]. The above, however, were the only appointments made, and the only business of any importance transacted during his majesty's stay at Canterbury.

Procession From Rochester to London

Upon the 29th of May, which was his, majesty's birthday, and now the day of his restoration and triumph, he entered London. The highway from Rochester to Blackheath was crowded on both sides with such a multitude of people, that it seemed one continued street wonderfully inhabited.

The army, consisting of above fifty thousand men, horse and foot, were drawn up in excellent order on Blackheath, where the general presented the chief officers to kiss the king's hand. Shortly after, the lord mayor of London, the sheriffs and body of aldermen, with the whole militia of the city, appeared in great lustre, and were received by the king with a most graceful and obliging countenance.

He knighted the mayor, the sheriffs, all the aldermen, and the principal officers of the militia; an honour the city had been without near eighteen years, and therefore abundantly welcome to the husbands and their wives. With this equipage the king was attended through the city, where the streets were raised in on both sides, that the livery of all the companies might appear with more order and decency; and the windows all the way were filled with spectators, eager to feast their eyes with a sight, of which they had been long deprived.

His Majesty’s Reception at Whitehall

The king no sooner reached Whitehall, than the members of both houses of parliament, as has been already intimated, presented themselves at his royal feet, with all possible professions of duty and obedience, and were even ravished with the chearful reception they had from him[18].

They returned to their respective houses, extolling the king's person admiring his condescension and affability, raising his praises to heaven, and cursing the memory of those, by whose artifice and violence this amiable prince had been so long, and so unjustly excluded.

The chancellor took his place in the house of peers with general acquiescence; and not only such lords as had served the late king, and were now alive, but the sons of those who were dead, with the persons ennobled by his present majesty, took their seats, without the least murmur or exception. The house of commons also seemed as well constituted as could be reasonably hoped; for though there were many sectaries who were averse to the superior authority of the church of England, yet they all professed great zeal for establishing the king in his full power.

The utmost caution, indeed, had been used in the writs, sent out to summon this parliament, to exclude active delinquents in the late king's time and their sons from being elected, Some, however, of that description were made choice of, and, received without hesitation into the house.[19]

But the major part consisted of sober and prudent men, who were tired of the late convulsions, and of the tyranny of the army, and who heartily desired the king's return. From jut view, therefore, of the general complexion of this assembly, though his majesty could not expert a

sudden concurrence in all his wishes, yet he had no reason to fear, that any thing disagreeable, with reference to the church or the state, would be imperiously pressed upon him.

It is true the Presbyterians were very numerous in the house, many of them men of eminent abilities, and had a great party in the army, and a greater in the city. But, if we except their aversion to episcopacy, they were desirous of giving the king every other proof of their loyalty and obedience. They were loud in their invectives against "the authors of his father's murder;" and denounced the severest judgments not only against "those monstrous parricides," but against "all Cromwell's principal adherents."

They took all occasions to declare, and used every endeavour to make the king believe, that the power and interest of their party had been the chief means of bringing him home[20]; and that the very covenant had at last done him good, and expedited his return, by being again hung up in churches, from whence Cromwell had cast it out, and by their ministers pressing upon the consciences of all those who had taken it, "that they were bound by that clause, which concerned the defence of the king's person, to take up arms, if need were, on his behalf, and to restore him to his rightful government[21]."

The Presbyterians Amused

The king, though he declared himself the most positive manner on behalf of episcopacy, and would hear no other prayers in his chapel than those contained in the Book of Common Prayer, was yet unwilling, in the infancy of his power, to. give offence to so large a party, especially as they had such strong claims to favour and indulgence.

It was therefore thought politic, at least for a time, to leave all churches at full liberty to use such forms of devotion as they liked best. The king even carried his condescension so far as to permit some of the most eminent of the Presbyterian clergy to preach before him, without a surplice, and whatever habit they thought proper.

They were not, however, to be amused by these acts of temporary complaisance; and they plainly saw, that they must look to the supreme authority of parliament, and not to royal favour, for the secure and permanent possession of religious freedom and equality. This gave rise to several motions for settling the system of ecclesiastical discipline and government according to their own favourite ideas, which some of their principal speakers enforced with great earnestness and ability.

That party in the house of commons that was wholly devoted to the king, and to the old principles of the church of England, did not think it prudent so to cross the Presbyterians, as to make them desperate in their hopes of satisfaction.

The great object therefore being to gain time, they diverted the argument by proposing other subjects of more immediate relation to the public peace: they said, "that the Act of Indemnity, which every man impatiently longed for, and the supplies for paying the army and navy, without which that insupportable charge could not be lessened, should be first considered and dispatched; and that the model for religion ought to be debated and prepared by that committee, which had been nominated for the purpose, before his majesty's return." By this plausible evasion the matter was put off till the dissolution of the present parliament, and the calling of another better moulded to his majesty's purposes[22].

The first business of both houses was to adjust and confirm their own constitutional title. As the members had not been summoned by the king's writs, they laid down their former name of parliament, in compliment to him, immediately upon his arrival in England, and called themselves a convention. This defect, or rather this voluntary sacrifice of their title was made good by an express act, to which his majesty gave his assent, two days after his return.

By this act the lords and commons then sitting at Westminster, were declared and adjudged to be the two houses of parliament, notwithstanding any want of the king's writs of summons[23].

Charles Impatience for a Settlement of His Revenue and Disbanding of The Forces

In the mean time there were two particulars, which the king, with much inward impatience, though with little outward communication, did most desire, the disbanding of the army, and the settlement of the revenue. The course and receipts of the latter had been so broken and perverted, and so large a part extinguished by the sale of the crown lands, that the old officers of the exchequer, auditors, or receivers, knew not how to resume their administration.

Besides, the great receipt of customs and excise was not yet vested in the king, nor did the parliament make any haste to make him such a grant, finding it necessary to reserve both in the old way, and not to divert them from those assignments, which had been made for the payment of the army and navy, for which, until some other provision could be made, it was to no purpose to mention disbanding the one or the other, though the charge of both was so vast and intolerable, that the kingdom must in a short time sink under the burthen.

With regard to the revenue, and the raising of money, as far as the king's personal wants were concerned, he was, indeed, less solicitous[24]. For, although no assignation had yet been made for the support of his household, yet credit was easily obtained; and that facility, by removing present inconvenience, betrayed a thoughtless and dissipated court into an immense debt, the mischief of which was afterwards severely felt.

The first step taken by parliament, towards a regular supply of the king's exigencies[25], was to dissolve all bargains, contracts, and sales, which had been made of any of the crown lands; so that this part of the royal revenue, (which had been too much wasted and impaired in the improvident times preceding the troubles) was entirely remitted to those to whom it belonged, the king and the queen his mother.

Very little money, however, was returned out of the same into the exchequer, in the space of the first year; so difficult it was to reduce any payments, which had been made for many years irregularly, into the old channel and order. Every thing else of this kind was done, how slowly soever, with as much expedition, as the nature of the affair, and the crowd in which it was to be agitated, could well admit of. His majesty, therefore, was less troubled for those inconveniences, which he foresaw must inevitably flow from thence.

But the delay in disbanding the army, how unavoidable soever, did exceedingly afflict the king, and the more because, for many reasons, he could not pay it, nor complain of it. He well knew the ill constitution of the army; the distemper and murmuring that were in it; and how many diseases and convulsions their infant loyalty was subject to.

He clearly perceived, that, how united soever their acclamations seemed to be at Blackheath, their affections were not the same; and that the very countenances then of many of the officers as well as soldiers did sufficiently manifest, that they were drawn thither to a service they were not delighted in.

The general, before he had formed any determinate plan, and only valued himself upon the Presbyterian interest, had cashiered some regiments and companies whom he, knew not to be devoted to his person and greatness. After he found it necessary to fix his own hopes and dependence upon the king[26] he dismissed many officers, who might prove able and willing to cross his designs, when he should think fit to discover them; and conferred their charges and commands upon those, who had been disfavoured by the late powers[27]. As soon as the

parliament declared for and proclaimed the king, he cashiered several other officers, and gave their commissions to some eminent commanders, who had served his majesty.

He also permitted many of the loyal nobility to list volunteers in companies, and to join the army on Blackheath at the reception of the king. Yet, notwithstanding all these precautions, the old soldiers had little regard for their new officers. At least, they had little attachment to them; and it soon appeared, by the select and affected mixture of sullen parties of officers and soldiers; that as many disaffected men of both ranks were left, as had been disbanded; and that much the greater part so much abounded with ill humours, that it was not safe to administer a general purgation.

This temper, of the military could not but excite apprehensions. The soldiers only wanted an able spirited, and popular leader to stir them up to mutiny. It is true that Lambert was close prisoner in the Tower[28]; and as many of the officers, who had appeared in arms with him, as were taken, were likewise there, or in different prisons, with others of the fame complexion, who were well enough known to detest the present settlement. But this leprosy was spread too far to have the contagion quickly, or easily extinguished.

How close soever Lambert himself was secured from doing mischief, his faction was at liberty, and very numerous. His disbanded officers and soldiers mingled and conversed with their old friends and companions, and found many of them possessed with the same spirit. These heartily concurred in railing at the general, as the man who had treacherously betrayed them, and led them into an ambuscade, from whence they knew not how to disentangle themselves.

All this was well enough known to his majesty and to the general, who was not at all pleased with the disposition of his army, and therefore no less desired it should be disbanded than the king did.

Impolitic Conduct Towards The Military

It cannot, at the same time, be denied, that this jealousy of the designs, or sentiments of the troops was carried to a blameable excess. Soldiers in general, and especially officers have such an habitual sense of honour, that they cannot bear to be suspected; but their affections may be easily gained by proofs of generous confidence. True policy, therefore, required that a conciliating system should be pursued; instead of which, those, who had most influence in the cabinet, were unhappily governed by suspicion, prejudice, and enmity.

They afterwards saw their error, but it was then too late. In the mean time, very diligent endeavours were used to discover and apprehend some of the leaders of the independents; and every day many dangerous, or suspected persons of all ranks were imprisoned in different parts of the kingdom. Spies also were employed, who for the most part had the same affections they were to detect in others; and who received money on both sides, to do, and not to do, the work they were set upon. In this perplexed condition the king and all his hopes stood, when he wore upon his countenance the shew of chearfulness and security.

There was yet added to this uneasy posture of affairs another mortification, which made a deeper impression on the king's spirit than all the rest, and without which the worst of the others would have been in some degree remediable. That was the constitution and disunion of those, who were called and looked upon as his own party. Their number was so considerable as to inspire them with a confidence of their being powerful enough to give the law to all other factions; which had been the ground of many unhappy attempts in the late time.

They often fancied, that, if any present force could be drawn together, and possessed of a place in which they might make a stand without being overrun in a moment, the general concurrence of the kingdom would in a short time reduce the army, and make others.

There were only two, who survived, the marquis of Hertford, and the earl of Southampton. These, indeed, from their great respectability might have served as points of union to draw together; and, as it were, concentre the scattered forces of the royal party. But they had for several years withdrawn themselves into the country; lived retired; and sent sometimes such money as they could raise out of their long sequestered and exhausted fortunes, by messengers of their own dependence, with advice to the king to sit still and expect a reasonable revolution, without making any unadvised attempt.

As they well knew that they were narrowly watched, they industriously declined, all intercourse or commerce with any who were known to correspond with the king. Hence it necessarily followed, that, now upon his majesty's return, they were totally unacquainted with any of those per-sons, who were regarded as men to be depended upon in any great action, or attempt; and for themselves, as the marquis shortly after died, so the other served the king with ability in his most secret and important councils, but had never been conversant in martial affairs[29]

There had been six or eight persons of general good and confessed reputation, who of all that were then lest alive had filled the most eminent posts in the war, and acquitted themselves with such courage and discretion, that few men could with any reasonable pretence refute to receive orders from them, or to serve under their command.

They had great affection for, and confidence in each other; and had frankly offered by an express of their own number, whilst the king remained in France, "that, if they were approved and qualified by his majesty, they would by joint advice superintend his affairs and interests." They farther assured his majesty, "that, as they would not engage in any absurd and desperate attempt, but use all their credit and authority to prevent and discountenance the same, so they would take the first rational opportunity, which they expected from the increasing divisions that appeared in the army, to draw their friends and old soldiers together, and try the utmost that could be done at the risk of their fortunes and lives."

They concluded with making it their humble suit, "that nobody but the marquis of Ormond and sir Edward Hyde might be made acquainted with this secret correspondence; and that, if any other councils were set on foot in England by particular persons, who too frequently, with great zeal and little animadversion, engaged in impossible undertakings, his majesty, upon notice thereof, would be graciously pleased to communicate to them the motives and pretences of such persons: that they would seek an immediate opportunity to confer with some sober man concerned in the project, and thereupon present their opinion of it to his majesty; and that if the design should then appear practicable to him, they would cheerfully embark in it, otherwise use their best efforts and dexterity to divert it."

The king consented to all they proposed; armed them with necessary commissions and instructions, according to their own desires; and committed the ciphers and correspondence to the chancellor, with the privacy only of the marquis of Ormond.

Under this conduct for some years all things succeeded well; many unreasonable attempts were prevented, and thereby the lives of many good subjects preserved. The whole was conducted with such care and discretion, that though few of the king's friends escaped the restless jealousy of Cromwell, and though the persons thus trusted by his majesty were seldom out of prison, or free from the obligation of good sureties for their peaceable behaviour, yet all the vigilance of the usurper and of his most diligent inquisitors, could not discover the secret intercourse between these confidants and the king.

At last, however, two of the principal persons unfortunately quarrelled, and their animosities divided the affections of the whole knot, or at least weakened their confidence in one another. Then it was that sir Richard Willis, the ablest man of the whole party, and till that time, of unblemished character, either affected by, their private bickering, or broken with frequent

imprisonments, and despair of any resurrection of the king's interest, yielded to a foul temptation; and for large supplies of money, which his fortune stood in need of, engaged to be a spy to Cromwell, though with a latitude, which the usurper did not allow to others of that **ignominious tribe.** Sir. Richard undertook only to impart enough of any design to prevent the mischief thereof, without exposing any man to the loss of his life, or ever appearing himself to make good and justify any of his discoveries[30].

These things happened during his majesty's abode at Cologne; and though the advices he received through this channel, were become less frequent, yet, he was very long without notice of the quarrel and disunion, which had interrupted his usual correspondence; and neither he, nor any of his council had the least suspicion of sir Richard's infidelity.

In the mean time he could not avoid receiving proposals from many other persons of known loyalty and courage, who conversed much with the officers of the army, and were unskillfully disposed to believe, that all those, who appeared to hate Cromwell, would easily be induced to serve the king. Many of the officers contributed to this belief by their behaviour, discourses, and familiarity; but some of them spoke and acted thus from design, with the privity, and by the artful suggestions of the usurper, or of his secretary Thurloe.

The royalists deceived by such overtures, and filled with wonderful confidence of success, sent repeated messages to the king, with sharp and passionate complaints against the timidity of the before mentioned party of his select friends, who were represented as men at ease, and un-inclined to venture themselves upon dangerous or doubtful enterprises.

"Several well-concerted designs," it was said," had been laid before them, but were constantly rejected as unadvised and impracticable; and even when a meeting with some of the officers was at any time proposed, to confer upon the measures to be pursued in any undertaking, they always urged numberless excuses and objections, suggesting caution, and positively refuting to meet or confer with any of the officers of the army, however well-disposed to advance the king's service, and to receive orders from those men, as persons of more interest, and of greater experience in the highest ranks of military command."

To these complaints Were added an account of the before-mentioned quarrel between two of the party, and a pressing request that his majesty would send come body, to whom all his friends might repair for orders, till he himself was satisfied that all preparations were in such readiness, that he might reasonably venture his royal person among them.

Though the king was not satisfied with the grounds of their expectations and proceedings, and therefore could not blame the wariness and reserve of the others, yet the confidence of many honest men who were sure to pay dear for any rash undertaking, and their presumption in appointing a peremptory day for a general rendezvous all over the kingdom; but especially the division of his friends and sharpness against those, upon whom he principally relied, were the causes of his sending over the lord Rochester, and of his own concealment in Zealand.

The fatal consequences of this precipitate attempt are too well known to render a painful repetition of them in this place necessary[31]

Such miscarriages, and the numberless executions and imprisonments that ensued, made not those impressions upon the minds and spirits of the king's friends, which they ought to have done; nor rendered the discretion of those, who had dissuaded the enterprise, more valued and esteemed. On the contrary, it increased the reproaches against them, as if their want of .appearance and engaging had been the sole cause of the misfortune.

The shedding of so much blood, and the notorious treachery of the officers in the army produced, indeed, some short fits of dejection ; but the infatuated royalists loon began to resume courage

to meet again, and to enter upon new counsels and designs, imputing the former want of success to the want of skill and conduct in the undertakers, not to the all-seeing vigilance of Cromwell, and to the vigour of his government, which was not to be shaken by weak or ill-seconded conspiracies.

We are not to imagine that all those plots arose from an ardent zeal for the restoration of the old system, or from any particular attachment to the king's person. They were chiefly set on foot by the sons of loyal sufferers, who were too impatient to revenge their fathers' deaths, or to be even with their oppressors.

The new combinations of these rash young men were just as unskillful, and of course as unfortunate as the former. Many of them were even discovered before they were completely formed; and gave Cromwell an opportunity of making himself more terrible by fresh executions, and of exercising greater tyranny upon the whole party.

This cruel, but artful usurper, in order effectually to crush all opposition, made all the suspected well-wishers to the royal cause, however quiet they remained, or however heartily they abhorred any desperate tumults, pay their full shares for the folly of the turbulent, as if all were animated by the same spirit.

Cromwell's indiscriminate rigour produced the effect he intended. It increased the reproaches and animosities of the king's friends against each other. The wiser and more sober part, who knew from long experience how impossible it was to succeed in such inconsiderate schemes, and who had preserved or redeemed enough of their fortunes to sit still and expect some hopeful revolution, were inexpressibly displeased; and bitterly inveighed against the fomenters of those disturbances, which provoked the state to fresh persecution of the quiet, the peaceable, and the inoffensive.

On the other hand, the stirring and enraged party, with more fierceness and disdain, protested against and reviled those who refused to join with them, as men who had spent all their flock of allegiance, and meant to acquiesce in the subjection, and under the tyranny of Cromwell. Thus they, who at the bottom wished the same things, and who were equally desirous of overthrowing Cromwell's government, grew into more implacable jealousy and virulence against each other, than against the power that oppressed them both.

Each party conveyed their apologies and accusations to the king, the one insisting on the impertinence of all such attempts; and the others asserting that they were ready for a solid and well-governed enterprise, and were sure to be possessed of very good towns, if by his majesty's positive command, the rest, who professed such obedience to him, would join with them.

It was at this time, and upon these reasons that the king sent the marquis of Ormond into England, to find out whether in truth there were any sober preparations and readiness for action; and in that case to head and conduct it. But if nothing of the kind was sufficiently ripe, the marquis was to exert himself in composing the several disorders, and in persuading all the king's friends to concur in the same patience for the present, and in the same activity, when it should be seasonable.

The marquis executed his commission with the utmost ability and dispatch. He repaired to London, and upon conferring with the principal persons of the most contradictory judgments, he quickly found that they, who had been accused of being lazy and inactive, were as ready vigorously to appear as the other, when the season should be advisable, which he clearly discerned it was not then.

He also perceived that the presumption of the other party upon persons as well as places was not to be depended on. Thus, after he had done what was profitable towards making a good intelligence between tempers and understandings so different, the marquis withdrew, and came back to his majesty.

Though the marquis's safe return at that time was a matter of no particular surprise, it has since excited the greatest astonishment during the whole of his abode in London, he had trusted no man more; nor conferred with any man so mach as with sir Richard Willis, that person of the select knot, who, as already observed, had been corrupted. to give all intelligence to Cromwell,

As he had before blasted and diverted some designs, so he now made known the marquis's arrival; but could not be prevailed upon either to discover his lodging, or to contrive any way for his apprehension. In all his conferences with the marquis, he not only appeared to be a man of great judgment and sagacity, but expressed the utmost zeal and readiness to risk his life in any action that might be for his majesty's advantage.

He seemed well acquainted with the temper of the times; and displayed a more accurate knowledge of the characters, the faculties, and the interest of the king's party than any other man. In short, he left the marquis abundantly satisfied with him; and by this last stroke of singular address considerably increased the high opinion before entertained by the king of his talents and integrity.

Even when an account of his tergiversation was sent to the king by a person, who could not be deceived, the proof of his fidelity to the marquis of Ormond weighed down every charge of that kind, until the evidence was so pregnant that there was no room for any doubt.

But to return from this digression, into which we were led by the detail of Willis's extraordinary artifice; the king found all his endeavours ineffectual to repress the impetuous ardour of many of his party, and to infuse into them a spirit of peace and quiet. He urged in vain the propriety of waiting till he could appear at the head of same foreign forces, which he looked upon as the only reasonable encouragement that could animate all his friends to declare for him: the impatience of the greater number was incorrigible.

They thought the expectation of miracles from God Almighty was too lazy and stupid a confidence; and that God no less required courage and activity from them, than they looked up to him for a blessing and for success. New hopes were therefore entertained, and new counsels eagerly adopted.

Mr. Mordaunt, the earl of Peterborough's brother, took the lead in exciting fresh insurrections. He was too young in the time of the late war to act any part in it; but seemed resolved to distinguish himself in the renewal of similar troubles. His first attempts were far from being prosperous, or encouraging.

Most of his associates lost their lives, He himself, after being examined with great strictness by Cromwell, underwent a severe trial before the high court of justice, where by his own address, and the exertions of his friends, who had bribed some of the witnesses to absent themselves, he was acquitted by a majority of a single voice[32]. But though he obtained this sentence in his favour, Cromwell, who was fully convinced of his guilt, did not suffer him to be discharged till after a long imprisonment. He was no sooner at liberty than he engaged in new intrigues to destroy a government, which was so near destroying him.

A late change in the state of public affairs seemed peculiarly favourable to Mordaunt's purposes. Cromwell had entered into a war with Spain, and in consequence of it Charles II. was received and permitted to live in Flanders, with some exhibition for his support from the Spanish king, who also promised him the assistance of an army for his re-establishment on the throne of England. This made a great noise, and raised the hearts of the royal party, that had been broken by so many distresses. Charles himself was not so sanguine in his hopes of any effectual foreign aid; but he thought impolitic, at this juncture, to encourage the illusion of his friends, and to let them imagine the expected assistance to be much greater and in more forwardness than it was in reality.

But whatever presumption of success Mordaunt might have founded upon the consequences of a, Spanish war, it was afterwards considerably strengthened by another event of much greater importance, the death of Cromwell, which seemed to dissolve the whole frame of the usurper's government, and to open many doors for the king's restoration.

Had the royalists been prepared at this instant, it is likely that they might have made some progress in the general consternation. Such hopes, however, were quickly blasted by the acquiescence of all parties in Cromwell's dying appointment of his eldest son for his successor. Richard was declared Protector by the council, army, and navy, with the concurrence of all the forces of the three kingdoms.

There was not a county in England that did not address him in language of the most perfect submission and allegiance. In a word, nothing seemed changed but the protector's name; and the son appeared to be as firmly and formidably settled as his father had ever been.

Mordaunt was not to be daunted by the seeming stability of Richard's power. He proceeded with alacrity in his designs, contrary to the opinion and advice of many whom he was obliged to consult. They thought the present time as unfavourable as any that was past: they looked upon Mordaunt as a rash young man, of a daring spirit, but without any experience in military affairs; and blamed the king's ministers for exposing them to the importunities and indiscretions of so dangerous a character.

Notwithstanding these objections on the part of the cautious few, Mordaunt found credit with many persons of great fortune and interest. His steady carriage in the hour of difficulty and danger, and his spirited conduct so soon after, had gained him much reputation. Besides, the former severe persecution of the royalists being intermitted in this nonage of Richard's government, they began to converse with more freedom; and were less alarmed at the consequences of a new attempt.

The Presbyterians also grew every day more sullen and discontented; and the independents could pot be much concerned in preventing any trouble or inconvenience to the weak son of Oliver, whom they resolved not to obey. Every thing therefore concurred to shatter Mr. Mordaunt's wishes. Sir George Booth, and sir Thomas Middleton, persons of the first consequence in Cheshire and Wales, though they had both been very active against the king, resolved now to declare for him.

Sir Horatio Townsend, who had a numerous party of adherents in Norfolk, adopted the like resolution; and several other leading men in different parts of the kingdom agreed to rise together, on the same day, in their respective counties; and to secure, with such forces as they could draw together, many considerable places already prepared for their reception, or too defenceless to oppose them.

When the plot was thus ripe for execution, Mr. Mordaunt secretly repaired to Brussels, and waited upon the king with so much wariness, that he was known only to those, whom he went to consult. The king received by him a full information of the engagement of all those persons to do him service with the utmost hazard; of the method they meant to proceed in; and of the strong probability of their becoming masters of Gloucester, Chester, Lynn, Yarmouth, all Kent, and the chief places in the west, where indeed his own friends were very considerable. Upon this statement the king thought the whole design so reasonable, that he appointed the day for the proposed general insurrection, with a promise to be himself with his brother the duke of York concealed at Calais, or thereabouts, that they might divide themselves to those parts which should be thought most proper for the work in hand.

In the mean time Richard Cromwell was stript of his short-lived power by the army; and that part of the old parliament, which was called the rump, was re-assembled. This parliament was,

indeed, more to be dreaded than any single person but the vigour of its measures rather advanced than restrained the plot of the royal party, too much being already known to too many to be secure by any other way than by pursuing it.

So the king and duke, according to their former resolution, went to Calais and Boulogne; and prepared to make a descent into Kent, with such number of men as the condition they were in would permit.

After all these sanguine expectations, this last enterprise terminated in as cruel disappointment of any of the preceding[33]. It was also attended with the usual, or worse consequences, the indiscriminate punishment of all royalists, whether actually in arms, or only suspected of such an intention; and the kindling of a new fire among themselves, the persons who had done nothing reproaching those who had brought such a form on them, and the latter more loudly and bitterly cussing the former as deserters of their king, and as having occasioned the ruin of his cause by their want of courage, or, what was worse, want of affection. Thus all their mouths were opened wider to accuse and defame one another, than to defend their own integrity and their lives.

I have thought myself obliged to renew the memory of all these particulars, that the several vicissitudes and Rages may be known, by which the jealousies, murmurs, and disaffections in the royal party among themselves, and against each other, had mounted to that height which the king found them at, when he returned. For it may with great truth be asserted, that very few men of active minds, and upon whom he could depend in any sudden occasion that might: press upon him, could then be named, who had any confidence in each other. All were full of severe reflections on the behaviour of others, or of excuses and apologies for such parts of their own conduct as they thought might be liable to reproach.

Prevalence of Drunkenness

To this want of firmness in the royal party, arising from mutual suspicions and animosities, we must add another fatal defect in their characters which was more likely to be encouraged than checked by the king's restoration.

This was the woeful vice of drinking, partly occasioned by the silly desire of drowning in cups every uneasy sensation, and partly by the necessity of meeting often together, for which purpose taverns were the most secure, as well as the most convenient places. Frequent indulgence soon became a confirmed habit; and the temperate use of the cheering glass gradually degenerated into the most scandalous excesses.

Almost the whole party seemed infected with this baneful practice, which not only very much impaired the understandings of many, who had formerly competent judgments, and had been in all respects fit for any trust, but also prevented the growth of abilities in several young men of a promising genius and great loyalty. These, from their entering into the world, were so corrupted by that excess and other licence of the time, that they only made much noise, and by their extravagant debaucheries brought many calumnies and dissemination upon that cause, which they pretended to advance.

Yet, when the king was restored, they fancied they had the strongest claims to preferment, because they had been loudest to begin his health in taverns; especially if they had suffered imprisonment for any disorders that accompanied such ebriety and indiscretion.

A set of men thus enervated by drunkenness and torn by old enmities, as well as by the present clasp of contentions for royal favour, could not appear proper objects of confidence to a sovereign hardly settled in the seat of power. As the king had always intended to make a firm conjunction with his party against all accidents and occurrences, which might happen at home, or from abroad,

he could not but feel the utmost uneasiness at a near view of their unhappy temper and constitution.

This source of painful disquietude joined to the king's impatience for the settlement of the revenue, and the disbanding of the army, so perplexed him, and had such an effect on his spirits, that finding he neither could remedy the evils himself, nor expedite those important matters which depended on the good will and regular proceedings of parliament, he grew more disposed to leave all things to their natural course; unbent his mind by degrees from the knotty and ungrateful part of business; and indulged to his youth and appetite the licence and satisfaction it desired[34].

Appointment of a Select Committee

That the king might be more vacant to the pursuits and divertisements that pleased him best, he appointed some of his cabinet ministers to have frequent consultations with such members of parliament as they should find most willing and able to serve him; and to concert all the ways and means by which the transactions in both houses might by carried with more expedition, and attended with the best success.

The direction of all other public affairs was intrusted to the same hands; and was for some time very satisfactorily managed, till a spirit of intrigue began to prevail, and till the prejudices, passions, and private views of individuals over-ruled every consideration of public good.

Establishment of The Household

While the king was beyond the seas, after his restoration appeared in view, he firmly resolved to reform all extravagant expenses in the great offices of state, especially those of his household, whilst the places were vacant; and first himself to gratify his immediate servants and followers by settling them in such inferior posts as the higher officers would from custom be entitled to fill, in case of a vacancy after their own admission.

Of this kind he had made many promises, and given many warrants under his sign manual to persons, who to his own knowledge had merited such favours; but most of these pre-determinations, and many other resolutions of the like nature vanished and expired in the jollity of the return; and new inclinations and affections seemed to be more seasonable[35].

The general, who was the sole pillar of the king's confidence[36], had, before the king's return been inverted by the parliament in all the offices and commands, which Cromwell had enjoyed. He was lieutenant of Ireland, and general of all the armies and forces raised, or to be raised in the three kingdoms; and it was not fit he should be degraded from either upon his majesty's arrival.

The utmost diligence was therefore used in dispatching grants of all those commands to him under the great seal of England; and that he might be obliged to be always near his majesty's person, he was presently sworn gentleman of the bed-chamber, with a farther offer of any appointment he liked best in the court.

Titles and honours were at the same time preparing for him by the attorney-general; and particulars of lands were enquired after by the auditors and receivers, which in all respects might raise him to that height which would most please him. He made choice to be mailer of the horse, and was immediately gratified with it; by which means all those poor gentlemen, who had promises and warrants for several places depending upon that great office, were disappointed, and offered the king's sign manual to no purpose for their admission. Monk in his own nature was an immoderate lover of money, and yet he probably would have gratified some of the pretenders upon the king's recommendation, if the good housewifery of his lady had not engrossed

that province, and preferred the person who offered the largest sum to all other considerations, or motives.

This frequent preference of the most worthless to the most deserving naturally increased the murmur and discontent, which appeared after the king's return.

After the settling of this great officer in the stables, it became necessary to appoint a lord steward of the household, who was also a necessary officer for the parliament, being by statute appointed Ito swear all the members of the house of commons.

To this charge the marquis of Ormond had been long designed, and was now sworn; and both he and the master of the horse had their tables established according to the old models, and all those excesses, which the irregular precedents of former times had introduced, and which the king had so solemnly resolved to reform, before it could be said to trench upon the rights of particular persons.

But the good humour the king was in, and the plenty which generally appeared, how much soever without a fund to support it, banned all thoughts of economy. His majesty resolved forthwith to settle his house according to former rules, or rather without any rule; and directed his own table to be more magnificently furnished, than had ever been done by any of his predecessors. This example was easily followed in all the offices.

Besides several of the Presbyterians, who had obtained appointments near the king's person, through the general's influence, his majesty was willing to give that party some particular proof of his oblivion of their former disloyalty, and of his grateful sense of their late readiness to restore him. He therefore, of his own free inclination and choice, made the earl of Manchester lord chamberlain; and it must be confessed, that this nobleman, from the gentleness and pliability of his temper, the sweetness of his conversation, and his real principles for monarchy, appeared most worthy of all those, who had taken arms against the king, now received into his trust and confidence[37].

Nor was he so bigoted to his religious principles as not to conform with chearfulness to all the obligations and duties which his place required. He never sailed being at chapel, and at all the king's devotions, with great decency; and by his extraordinary civilities and behaviour towards all men, he conciliated general esteem,

At the same time that the earl was promoted to the office of chamberlain, the two other white staves were disposed of to persons designed by the late king; and all the other inferior places were filled by officers, who were to take care of the expenses of the house, and were a great part of it. Thus his majesty's household quickly appeared in full lustre; the eating and drinking were very agreeable to all; but the charges far exceeded the precedents of the most luxurious times, and this before there was any provision of ready money, or any assignment of a future fund to support it.

All people, as before observed, were ready to deliver their goods upon trust; and the proper officers were too remiss in computing the disbursements in so much that the debt contracted by these excesses in less than the first year broke every plan, and disconcerted every prudent measure in such a, manner, that they could not be retrenched for the future; and the debt itself was not discharged in many years.

Other Promotions

The king had in his purpose, before his return, to make the earl of Southampton lord high treasurer of England; but before the staff could with propriety, be given him, it was desirable first to see some revenue settled by the parliament, and the income of the crown lands, which had been

alienated and dispersed by former extravagant grants and sales, reduced into the old channel. In expectation therefore of this arrangement, the office of the treasury was put into commission, and executed by several members of the council.

But after a month or two spent in this method, in the crowd of so much business of several natures, the king found so little dispatch, that he thought it best to put an end to that commission; and so gave the staff to the earl of Southampton, and made him treasurer. Sir Anthony Ashley Cooper, who had married the earl's niece, and who at Canterbury was sworn a member of the privy council, was now also appointed chancellor of the exchequer.

This office had till then been held by lord chancellor Hyde, who soon feeling his inequality to the duties of two such important stations, resigned the one with the utmost chearfulness.

Intrigues In The Cabinet

It was before observed, that a select committee had been appointed by the king to consult his affairs, before they came to a public debate. His own excessive love of ease and pleasure made him very willing to transfer to others all the cares and perplexities of business. That committee consisted of the chancellor, the treasurer, the steward of the household, the master of the horse, and the two secretaries, who for some time acted, with great harmony, and with every appearance of mutual friendship.

The result, indeed, of their private conferences was sometimes over-ruled, when, it came to be discussed in the collective body of the privy-council; and it was not long before a spirit of intrigue, and of party began to manifest itself in all the deliberations of the cabinet.

The duke of York and the chancellor, notwithstanding the close family alliance, which loon after, took place between them, had great reason to be Jealous of each other. The duke, though he had not then avowed his attachment to popery, was well known to have been deeply infected with that contagion by his mother.

In the unguarded moments of private conversation he also gave frequent proofs of his despotic spirit: he often expressed a wish, that, not only all the anti-monarchical resolutions of the late parliaments, but every one of their acts in any sort favourable to the liberty of the subjects might be repealed.

The chancellor, on the other hand, however sincerely attached to monarchy, was equally averse to popery and to arbitrary power. But he had many weaknesses blended with his great talents and integrity, which the artful duke knew how to make subservient to his own purposes. The chancellor's candour, which rendered him incapable of any mean artifice himself, exposed him to the disguises and dissimulation of others; and such was his sense of official duty, that if any measure was resolved upon in the cabinet, however contrary to his opinion and advice, he thought himself bound afterwards to support it in parliament with the utmost strenuousness.

His prejudices also against the Presbyterians, which during the civil wars took deep root in his mind, had too much influence upon his conduct after the restoration. He unhappily imagined that the present government in church and state could only be secured by the total suppression of that party; and this fatal error made so good a man the blind instrument of the duke's designs, and of his own ruin.

Details of Proceedings in The Privy Council and in Parliament on The Act of Indemnity

The first important matter, upon which a difference of opinion manifested itself in the select, committee, and which afterwards gave rise to very tedious debates in the privy-council, as well as in parliament, was the act of indemnity.

By the declaration from Breda, the latitude of which had even then been strongly opposed by some of the council, a free and general pardon was promised to all subjects, however faulty, excepting only such persons as should be hereafter excepted by parliament. This clause of reserve was now laid hold of to tamper with both houses for increasing the number of exceptions; and thereby to unite the shew of royal lenity with the fullest gratification of private resentment.

As to the king himself, he had not a more lasting remembrance of injuries than of services;' and was very naturally prevented by the same cause, the love of present ease and pleasure, from using any extraordinary efforts either to avenge the one, or to reward the other. He was therefore indifferent with respect to the number of victims: he only wished the point might be speedily settled,, as it lay in the way of other matters, which he had much more at heart, the disbanding of the army, and the establishment of his own revenue.

The duke of York was of a very different temper, active, persevering, implacable, and revengeful. He had also in the present case a singular advantage, as he could easily conceal the odiousness of private malice and:the violence of his sanguinary disposition under the cloak of filial piety.

By his plausible and pathetic arguments he gained over the chancellor to recommend the propriety, the justice, and even the policy of some signal examples of punishment Secretary Nicholas. was sure to• second any thing proposed by the chancellor.

General Monk and his confidant Sir William Mortice, the other secretary thought they could not give a better proof of their present loyalty than by, a ready sacrifice of many of their old friends. The earl of Southampton and the marquis of Ormond. were the only members of the select committee, who contended for mercy with more firmness than could be expected from the characters of either; or from their former experience .of private wrongs.

But their observations had no great influence on a predetermined majority of the privy council. After long and repeated discussions in the cabinet, the favourers of the duke of York's sentiments prevailed; and nothing remained but to secure .the concurrence of parliament.

The commons at first had resolved to except only nine of the late king's judges from the general pardon to be granted to all delinquents. A proclamation was also issued on the 6th of June, the very week after the king's return, requiring all persons,who had presided as judges, or assisted at the trial of the late king, to surrender within fourteen days, an the penalty of forfeiting life and estate. Many; of those persons had already quitted the kingdom a few were apprehended in their attempt to escape; but others, who lay concealed for an opportunity: of flight, being encouraged by the favourable construction, which was generally put on the words of the proclamation, surrendered themselves to the speaker of the house of commons, on what they called the faith of parliament; and were committed to the Tower.

The house afterwards conceived itself engaged to save the lives of those men, who had put themselves in its power upon that presumption.

To the above exception of nine only from the intended pardon, the commons, in order to render the expiatory sacrifice more complete, added another list of twenty persons, who, though not immediate agents in the king's sentence, or execution, were to suffer such pains and penalties, not extending to death, as should be decreed by a future act. These resolutions were sent up in the form of a bill to the lords.

The lords, under the shew of loyalty to their present king, and of zeal for avenging his father's murder, were desirous of indulging their own resentment against the declared enemies of the peerage during the former troubles.

With this view they resolved to except in the act of indemnity not only the late king's judges, but all those who had presided in the courts where any nobleman was condemned. The earl of Bristol went beyond all the rest in the intemperance of cruelty; and moved, That no pardon might be granted to those, who had in any sort contributed to the king's murder. Such an exclusion from mercy, in which all, who had taken up arms against his late majesty, might, be comprehended, was probably owing to the secret influence and vindictive spirit of the duke of York.

The violence of the measures proposed by the lords spread a general alarm. The people were led to believe, that the declaration from Breda, which breathed nothing but mildness and mercy, was entirely the effect of temporary artifice; and that the king only wished to throw off from himself the odium of any flagrant breach of his word, and to make the representatives of the nation the instruments of the most bloody vengeance on all his enemies.

The king and his ministers were alike alarmed at the prevalence of these suspicions, which were too much countenanced, and almost justified by the delays in framing the act, but more especially by the numberless exceptions from pardon so strongly urged in the upper house. The utmost efforts were therefore used, at the king's particular desire, to soften the obnoxious clauses, and to accelerate the conclusion of the whole business.

After many other difficulties were removed, in which private savour and private animosity had too great a share, one of the chief objects of contention between both houses was the treatment of those, who had surrendered in consequence of the proclamation. This occasion several conferences, in which the chancellor repeatedly observed, "that, though the king had positively excepted none from pardon, because he was to refer the whole to parliament; yet he had with the outmost confidence presumed, that none of those, who had sat as judges upon his father, and condemned him to be murdered, would be suffered to remain alive." He added, " that when the declaration at Breda was penned, his majesty never doubted but that the parliament would have as great a resentment of that parricide as himself."

It was farther alleged, on the same side, "that the proclamation could not bear the construction put upon it; that it was consented to by the king's friends, as conceiving it to amount to no more than a common process at law to bring men to justice; that it held out no promise of pardon to any man; but as it condemned all, who by flying declined the justice of the kingdom, so it admitted as many as would appear, to plead their own innocence.[38]

In opposition to these arguments, however plausible, it was observed, that the proclamation did not indeed contain any positive assurance of pardon to any offender; but that the ambiguity of its language ought not to be made a snare to draw in, and afterwards to sacrifice the credulous: that its obvious design was to encourage men to surrendered, which they would never have done but upon a presumption of mercy: that it would be inconsistent with the honour and justice of parliament to make no distinction between those who had surrendered upon its faith, and those who had fled, or who had been involuntarily imprisoned; but that, if the proclamation was to be regarded merely as a common subpoena, or as a form of law for -bringing men to trial, no distinction could take place; to be tried and to be condemned was the same thing, since the guilt of all was equally notorious."

Another point, upon which the two houses materially differed, and which gave rise to a great deal of ill-humour and painful altercation, respected the list of persons, whose lives were to be spared, but who were to be subjected to fines, forfeitures, or other punishments. It has been already intimated, that the influence of the court was exerted in the Commons to obtain a clause

in the act of indemnity, by which twenty of the king's most active and formidable opponents, though not in the number of his judges, were made liable to all the penalties, except death, which it should please parliament to inflict.

The lords rejected this on the ground of its being contrary to the spirit of the Breda declaration; though certainly that declaration imposed no restraint upon parliament, but lest it entirely to their own discretion to except whom they pleated from the general pardon.

What rendered such an objection, on the part of the lords, as well as the inconsistency of their own conduct more striking, was, that they were not only willing wholly to except and foreprize out of the act of indemnity Sir Henry Vane and John Lambert, though not judges, but to inflict rigorous punishment on all, who had presided in a judicial capacity at the trial and condemnation of any of the king's adherents.

His majesty, who, for the reasons before mentioned, was very impatient to see these contests at an end, went himself to the house of lords on the 27th of July, and made a well-advised and persuasive speech, tending to dispel the suspicions entertained of his own clemency, and to remove the chief obstacles to a compromise between both houses. He particularly insisted upon the point of honour, by which he was bound to make good the assurances given in his declaration: he futher observed, that the peace and tranquility of the kingdom depended upon the performance of those promises, "which," added he, "if I had not made, I am persuaded that neither I, nor you had now been here. I pray, therefore, let us not deceive those, who brought or permitted us to come together; and I earnestly desire you to depart from all particular animosities and revenge, or memory of past provocations, and to pass this act without other exceptions than of those who were immediately guilty of the murder of my father."

There is no doubt but the king spoke as he felt at the moment, and we have only to lament his want of firmness to persist in sentiments at once so honourable and so politic. The strict observance of all the promises contained in his declarations and a sacred regard for the civil and religious liberty of his subjects would have inspired them with. a confidence in his government, and would have extinguished every spark of discord, jealousy, disaffection, or resentment, which were still lurking in many of their breasts.

But though fond of popularity, he did not wish to be at the pains of deserving it: he was too soon tired of adhering to his own best resolutions; and while his natural good sense clearly pointed out to him the path of rectitude and glory, he suffered himself to be carried down the stream of dissipation, or to be lulled to sleep in the lap of disgraceful indolence. How truly might Charles II. have often exclaimed;

“Video mellora, proboque; deteriora sequor!"

I cannot help making these remarks, when I reflect on the little endeavours used by the king to secure a perfect compliance with a speech, which was at once so just, so judicious, and so popular.

He could undoubtedly at that time have engaged the parliament to pass the bill and confirm his own general pardon, with the exception only of a few of the actual regicides. But after delivering the speech with so much earnestness, he gave himself no more trouble about the matter, and left the final settlement of the business to the active and intriguing spirit of others. Farther conferences took place between both houses; and some concessions having been obtained from the commons by rather disingenuous means[39] the act of indemnity was at length agreed to, and received the royal assent on the 25th of August[40].

The exceptions, which it contained in contradiction to the king's wishes as expressed in his former speech, were apologized for by assuring his majesty, "that his subjects had not the confidence to ask the pardon, which his clemency had granted; and that the parliament had found an absolute

and indispensable necessity incumbent upon them to except and set some apart for *treacle*, to expel the poison of sin and rebellion out of others, that they might be made sacrifices to appease God's wrath, and satisfy divine justice."

Other Acts and Adjournments

Four other acts were passed at the same time with the bill of indemnity; and deserve some notice. One of them was of very great importance: It had for its object the confirmation of judicial proceedings from the 1st of May 1642, notwithstanding the want of legal qualifications in the judges. Some of the royal party, who had more zeal than good sense, were unwilling to see any sanction given to the decrees of rebels and usurpers.

But such men did not consider that the whole kingdom would be thrown into confusion, and that an immense number of people would be involved in endless trouble and expense, if the validity of decisions in the law-courts for almost twenty years was left in any sort questionable. The second was an act for provision of monies to pay off the army and navy. This could not but be very acceptable to the king.

It has been already remarked, that he was impatient to see the military dispersed, whose union he thought formidable to his own power, and whose continuance was attended with a very heavy expense. By the third at the interest of money was fixed at six per cent.; but the fourth was intended wholly as a compliment to the king. It was entitled "an act for a perpetual anniversary thanksgiving on the May, the day of his majesty's nativity and restoration.

Such a yearly festival might have been improved to the best of purposes; but by a series of fatal errors, this testimony of national affection soon became a mere matter of form, in which few tongues spoke the language of sincerity, few hearts palpitated with the emotions of love and joy.

After the king gave his assent to those acts, he expressed his warm approbation of the proceedings of both houses; thanked them for the particular testimonies of their zeal and attachment and then took occasion to acquaint them with his private wants in a strain of unusual, but very engaging simplicity. He told them, among many other curious particulars, "that his purse was almost empty; that he had not been able to give his brothers one shilling since he came to England, nor to keep any table except what he eat at himself; but that what grieved him most was to see many of them come to him at Whitehall, and to think that they must go somewhere else to seek a dinner."

The singularity of this Address produced the desired effect. No comments were made on the boundless profusion of the court. The commons presented the duke of York with ten thousand pounds; the duke of Gloucester with seven thousand, and the king with five thousand for the repair of his houses. They then proceeded with great dispatch to the appointment of other resources.

They paired two bills, one for the speedily raising of a hundred thousand pounds for a present supply by way of land-tax; and the other, for raising one hundred and forty thousand pounds, at seventy thousand pounds a month, to begin the first of November. They had even resolved to raise the king's. revenue to twelve hundred thousand pounds a year, on condition that wardship, purveyance, and certain feudal tenures should be abolished.

But as the settlement of this matter required deliberation and delay, they proceeded to another object of more immediate exigency, This was an ad to empower and direct the commissioners in what manner to disband the army, and to pay off some part of the fleet[41].

As soon as these, and two or three other acts of less importance were prepared[42], the parliament was willing, to adjourn for some time, that their members, who were appointed to attend the

disbanding of the army in several places, and the payment of the navy, might be absent with less inconvenience.

The king was as willing to have some ease. He therefore came to the parliament on the 13th of September, and passing the bills that were ready, left the houses to adjourn themselves to the 6th of November following.

Notes to Chapter 1

1. It is to this fatal neglect of making such stipulations as might prevent future disputes with the crown that Burnet very justly imputes all the errors of Charles reign, and all the mischief that followed. The famous Sir Matthew Hale was the only man, who, in the paroxysm of Parliamentary madness, when the unconditional restoration of the King was going to be voted, rose in the House of Commons, and moved, that a committee might be appointed to look into the proposals that had been made to the late King, and the concessions offered him, and thence to digest such propositions, as might appear fit to be sent to his present majesty. But so rational a proceeding was prevented by Monk, who wanting to bring back the king without terms, in hopes thereby to procure a recompense equal to the greatness of his treachery, told the house, that he had information of such a number of incendiaries still in the kingdom, that, if any delay was put to the sending for the king, he could not answer for the peace either of the nation or army; and, as the king was to bring neither army, nor treasure with him, either to fright or corrupt them, propositions might be as well offered to him when he should come over: He moved therefore for sending commissioners immediately. This was echoed with such a shout over the house, that sir Matthew Hakes motion was no farther insisted on.

2. Charles, on receiving these addresses, remarked with his usual pleasantry, "that it could be nobody's fault but his own, that he had stayed so long abroad, when all mankind wished him so heartily at home." There was more wit, however, than truth in this assertion.

3. If any persons at that time were silly and superstitious enough to imagine, that God had wrought miracles to restore so good and pima a prince as Charles II, they soon after had sufficient opportunities of being undeceived. Besides, it is profaning the sacred name of God, to suppose, that his influence on the heard and minds of the people should be manifested in such excesses of servility as could only be equalled by their debauchery, drunkenness, and riot ; or that a prince, the first proof of whose gratitude to heaven on the restoration-night was intriguing with a married woman, (the wife of Roger Palmer, a papist) should be the peculiar favourite of the divinity.

4. "It will undoubtedly astonish posterity," says Goldsmith, "when they find a whole nation making such sudden changes from absolute liberty to the most submissive obedience; at one time almost unanimously declaring against monarchy, and soon after with unbounded flattery soliciting the shackles of arbitrary power." The astonishment of posterity will rather be lost in their indignation at so shameful a sacrifice of every sentiment of liberty and justice,—at so abject a desertion of all the advantages, which had been gained by a long and bloody war.

5. See the stricture on this passage in the Introduction.

6. It may not be improper to insert this declaration at full length, as there will be many references to it in the course of the following narrative; and as the flagrant breach, or wretched evasion of the most positive promises contained in it, must afford the strongest proofs of the king's falsehood, ingratitude, dissimulation, and perfidy.

Charles Rex

“Charles by the grace of God, king of England, Scotland, France and Ireland, defender of the faith, &c.—To all our loving subjects, of what degree or quality soever, greeting:

"If the general distraction and confusion, which is spread over the whole kingdom, doth not awaken all men to a desire and longing, that those wounds, which have so many years together been kept bleeding, may be bound up, all we can say will be to no purpose. However, after this long silence, we have thought it our duty to declare how much we desire to contribute thereunto; and that, as we can never give over the hope in good time to obtain the possession of that right, which God and nature hath made our due, so we do make it our daily suit to the Divine Providence, that he will, in compassion to us and our subjects, after so long misery and sufferings, remit, and put us into a quiet and peaceable possession of that our right, with as little blood and damage to our people as is possible; nor do we desire more to enjoy, what is ours, than that all our subjects may enjoy what bylaw is theirs, by a full and entire administration of justice throughout the land, and by extending our mercy where it is wanted and deserved:

“And to the end that fear of punishment may not engage any, conscious to themselves of what is past, to a perseverance in guilt for the future, by opposing the quiet and happiness of their country, in the restoration both of king, peers, and people to their just, antient, and fundamental rights; we do by these presents declare, That we do grant a free and general pardon, which we are ready, upon demand, to pass under our great seat of England, to all our subjects, of what degree or quality soever, who within forty days after the publishing hereof, shall lay hold upon this our grace and favour, and shall by any public act declare their doing so, and that they return to the loyalty and obedience of good subjects, excepting only such persons as shall be hereafter excepted by parliament: those only excepted, let all our subjects, how faulty soever, rely upon the word of a king, solemnly given by this present declaration, that no crime what-soever, committed against us, or our royal father, before the publication of this, shall ever rise in judgment, or be brought in question against any of them, to the least endamagement of them, either in their lives, liberties, or estates, or (as far forth as lies in our power) so much as to the prejudice of their reputations, by any reproach, or terms of distinction from the rest of our best subjects; we desiring and ordaining, that henceforth all notes of discord, separation, and difference of parties, be utterly abolished among all our subjects, whom we invite and conjure to a perfect union among themselves, under our protection, for the re-settlement of our just rights and theirs, in a free parliament, by which, upon the word of a king, we will be advised:

"And because the passion and uncharitableness of the times have produced several opinions in religion, by which men are engaged in parties and animosities against each other, which, when they than hereafter unite in a freedom of conversation, will be composed, or better understood; we do declare a liberty to tender consciences, and that no man shall be disquieted, or called in question for differences of opinion in matters of religion, which do not disturb the peace of the kingdom; and that we shall be ready to consent to such an act of parliament, as upon mature deliberation shall be offered unto us, for the full granting that indulgence:

"And because in the continued distractions of so many years, and so many great revolutions, many grants and purchases of estates have been made to and by many officers, soldiers, and others, who are now possessed of the same, and who may be liable to actions at law, upon several titles; we are likewise willing that all such differences, and all things relating to such grants, sales, and purchases, shall be determined in parliament, which can best provide for the just satisfaction of all, men who are concerned:

"And we do further declare, that we will be ready to consent to any act or acts of parliament, to the purposes aforesaid, and for the full satisfaction of all arrears due to the officers and soldiers of the army under the command of General Monk, and that they shall be received into our service upon as good pay and conditions as they now enjoy."

Many of the most seducing assurances in this declaration, though strongly objected to by the majority of Charles's privy council, who well knew they would never be fulfilled, were inserted in compliance with the instructions received from Monk, who made as great a mockery of promises, oaths, and solemn declarations as the king himself could possibly do.

7. It is not unlikely that those hints were given by some agent of Monk's; whose chief hopes of success being founded on the concurrence of the Presbyterians, whom he had cajoled; and who, knowing the chancellor to be their avowed enemy, and equally feared and detested by them, was probably apprehensive, that the appearance of so obnoxious a person in the king's train night excite the jealousy of a very powerful party, and obstruct the progress of the restoration. What strengthens this conjecture is, that when Monk sent the assurance, of his service to the king by Sir John Greenvile, it was with this proviso, that Hyde should not be let into the secret.

8. This treaty. affords no great presumption of the marquis's talents as a statesman; and his subsequent conduct at the head of a numerous army before Dublin, reflects as little honour on his character as a general. After issuing a proclamation commanding obedience to the agreement he had made with the rebels, he wrote to colonel Jones, then governor of Dublin, to engage his assent to it, promising great rewards, is Jones would join him, and desert the "pretended parliament of England." Jones's reply is highly worthy of a brave and incorruptible officer. "I understand not," said he, " how your lordship came by your power. The parliament of England would never have consented to such a peace as you have made with the rebels, without any provision for the protestant religion. I know not how that can be established by an army of papists, to whose hands your lordship has given up the whole kingdom. I had rather suffer in my trust, than purchase to myself the ignominy of perfidy by any advantage offered to me." The marquis's arms were not more successful than his letter. While he lay encamped near Dublin, a reinforcement of three thousand men, sent by Cromwell, found means to get into the garrison. He then bethought himself to repair an old castle, which, from its situation might enable him to intercept any fresh succours But in this scheme also he was foiled; for the governor, making a vigorous sally at day-break, took the castle, sword in hand and pursuing his advantage, marched towards the enemy's camp, dispersed a body of horse that attempted to check his progress, and notwithstanding the prodigious inequality of numbers, as Jones had only 3000 foot, and three or four troops of horse to contend with an army of 19,000 men, he attacked them with such vigour and intrepidity, that in less than two hours they were totally routed, 4000 of their men being killed, 2500 taken prisoners, besides the loss of all their baggage and artillery. After this humiliating defeat, the marquis made a few unsuccessful efforts to revive, the dying hopes of the royal party, and was at last obliged to quit the island in despair.

9. This very gentleman, when a member of the house of commons, and before he was dazzled by the rays of royal favour, and by the splendour of a title, was one of the loudest declaimers against the errors and abuses of government. He made several speeches against the increase of papists; the innovations made by Laud in the canons and ceremonies of the church; the coal and conduct-money; the taking away of the militia arms; and, above all, against " the swarm of monopolizing vermin, who sup," said he, "in our cup; who dip in our dish; who sit by our fire; who are found in the wash-house and powdering-tub; who share with the butler in his box; who have marked and sealed us from head to foot, and will not abate us a pin. These are the leaches," added he, "that have sucked the commonwealth so hard, that it is almost become hectic." But he lost his sense of all those grievances, as soon as his own interest and ambition were gratified; and became a strenuous supporter, both in the cabinet and in the field, of that arbitrary system, against which he had before inveighed with such a shew of public. spirit, and with so much sarcastic ridicule and asperity.

10. Notwithstanding all his integrity and long services, he was obliged, in little snore than two years after the restoration, to resign his post to Sir Henry Bennet, a suspected papist. It is farther remarkable, that every one of those privy-councillors, except Colepeper, who died too soon to

experience disgrace, had full time to repent their servile attachment to an ungrateful prince, and their fatal exertions to promote his arbitrary purposes.

11. See the remark in the Introduction on this writer's courtly endeavours to soften the most odious features in Charles's character.

12. This waste of the public revenue was carried to such excess, that the propriety of impeaching the king's mistresses, for keeping him in perpetual poverty, became the subject of a warm discussion at one of the meetings of the popular party. But lord Mordaunt put an end to the debate, by remarking with a great deal of humour, as well as sound policy, "that, statues ought rather to be erected to the ladies, who made their lover dependent upon parliament for his subsistence." Thus the spirit of despotism was checked by the spirit of debauchery and extravagance

13. Charles arrived at Canterbury on Saturday, May 26, 166o, but staid there till the next Monday, that his triumphant procession might take place on his birth-day, May 29. He had now compleated his thirtieth year.

14. It was the tyranny of Charles the first they waged war with: they withdrew themselves from the prosecution of that war, as soon as they discovered symptoms of the like tyranny in Cromwell; and they afterwards readily concurred in restoring Charles II. having been induced to believe that his father’s misfortunes and his own would deter him from any attempt at the exercise of despotic power.

15. This was a Devonshire gentleman, to whom alone Monk communicated all his designs, when they were concealed in impenetrable secrecy, reserve, and dissimulation, from the rest of the world. The very day after the king's arrival at Canterbury, this trusty friend of the general's was knighted, and made joint secretary with Sir Edward Nicholas.

16. Here we find a full exposure of Monk's falsehood, dissimulation, and meanness. In order to carry his point, and to make the sacrifice of his country's rights a stepping-stool to his own ambition, he had courted every party, and secured the acquiescence of their leaders in all his measures by the most solemn assurances of promoting their respective views and interests. It was necessary to keep up the farce of seeming punctuality and honour, at least during the first days of the restoration. He therefore presented the king with his list of names in the manner above mentioned; but, at the first objection, alarmed. for his own interest, he readily abandons them, confesses his own baseness, and secures the continuance of royal favour by his avowed disregard of past promises and obligations.

17. The council, as settled by the king after his coming to London consisted of thirty members; the dukes, of York and Gloucester; general Monk; admiral Montague; the marquisses of Ormond, Hertford, and Dorchester; the earls of Southampton, Lindley, Berkshire; Norwich, Manchester, Northumberland, St. Albans, and Leicester; viscount Say; the lords Wentworth, Colepeper, Seymour, and Roberts; Sir Edward Hyde, Sir Edward Nicholas, Sir Anthony Ashley Cooper, Sir William Morrice, Sir Denzil Holies, Sir Frederic Cornwallis, Sir Arthur Annelley, Sir George Carteret, Sir Charles Berkley, and colonel Howard. It was almost impossible that any great, good, and consistent plans of administration could be framed. by such a jumble os protestants, Presbyterians, and papists;—such a cabinet of jarring factions and discordant interests.

18. It is remarkable that the vote for this ceremony of prostrations and addresses was presented by Denzil Holles, (afterwards created lord Holles of Ifield) one of the five members, whom Charles I. in a fit of indignant frenzy, had gone into the house of commons to seize with his own hands. The speaker for the lords was Edward Montague, earl of Manchester, and Sir Harbottle Grimstone for the commons. These two parliamentary mouth-pieces seemed to vie with one another in hyperbolical strains of servile adulation.

The earl, after congratulating the king on the glory of his return, took occasion to shew how deeply the lords were interested in that event. "They had felt, with a more personal and particular sense, the stroke that cut the gordian-knot, which fastened his majesty to his kingdom, and his kingdom to his majesty."He then pointed out to the nation their happy “change from a rod of iron to a golden sceptre. Judgment was now to run down like a river, and justice like a mighty stream."

The copiousness of the earl's eloquence seemed to swell upon those last ideas, and to roll along with the impetuosity of a torrent. "Dread sovereign," said he, "I offer no flattering titles, but speak the words of truth,—.You are the desired of three kingdoms, the strength and the stay of the tribes of the people, for the moderating of extremities, the reconciling of differences, the satisfying of all interests, and for the restoring of the collapsed honour of these nations. Their eyes are toward your majesty: their tongues with loud acclamations of joy speak the thoughts and loyal intentions of their hearts: their hands are listed up to heaven with prayers and praises; and what oral triumph can equal your pomp and glory!"

Though the earl took the lead in the order of (peaking, he did not leave behind him fir Harbottle Grimstone in the extravagance of his figures, or the servility of his compliments. Pliny's panegyric on Trajan was insipid; and even Homer's flights fell short of the boldness of sir Harbottle's conceptions. "If," said he, "all the reason and eloquence that is dispersed in so many heads and tongues as are in the whole world were conveyed into my brain, and united in my tongue, yet I should want sufficiency to discharge that great talk I am now enjoined."

Aster this exordium, Sir Harbottle went through the whole round of sacred and profane history for illustrations of his majesty's glory; but he sought them in vain. "The triumphs of the Romans were nothing, when compared to the king's: his name was registered in heaven with those glorious martyrs, who conquered their tormentors;" but with this flattering distinction, "he had treble glory."

Though no man could be fonder of praise than Charles, this was so fulsome that he could not help being surfeited with it. The impatience and uneasiness, so strongly marked in his very short reply to both orators, afford a reasonable presumption of his having frequently yawned in the midst of their harangues. But Sir Harbottle had not fully displayed his powers, and was too much delighted with the theme to touch upon it concisely. Besides, he said, "that to doubt the king's patience, who was the mirror of patience, would be unpardonable." He therefore gave full scope to his talents; and when his ingenuity was almost exhausted, he concluded at length with begging "his majesty's assent to a Petition of Rights."

As there was something alarming in the sound, he soon gave the king to understand, that it was far from being such a petition as his father had been once compelled to ratify–-No—Sir Harbottle's petition was quite a different thing: "it had passed two great houses, heaven and earth; and he had *vox populi, von Dei,* to warrant the demand." But what was the object of this extraordinary petition? It was to request the king " to remove his throne of state, and set it up in the hearts of his people, where he would be crowned also with a diadem of hearts!!!"

19. They could not be objected to without a direct attack on the freedom of cleft ion. besides, a rigid scrutiny with respect to the political qualifications of the members would have been fatal to the royalists, as the late house of commons, in order to amuse the public, had before their dissolution voted, that no person, who had been in arms against the parliament, should be chosen a member at the next election. Yet many of the royal party were returned, and could not therefore object to a similar exercise of the people's free choice, in savour of a few of their opponents.

20. This was an indisputable fact. Monk's army consisted chiefly of Presbyterian; and the same party formed a very considerable majority in the parliament, who prepared the way for the king's

restoration by repealing the oath of abjuration of Charles Stewart, and all the royal family; by abrogating the engagement "to be true and faithful to the commonwealth without a king or house of peers;" and finally by dissolving themselves, after having put the last stroke to the ruin of the public cause.

21. The clause, or article of the covenant, here alluded to, was thus expressed:

"Art. III. We shall with the same sincerity, reality, and constancy, in our several vocations, endeavour with our estates and lives, mutually to preserve the rights and privileges of the parliaments, and the liberties of the kingdoms, and to preserve and defend the king's person and authority, in the preservation and defence the true religion and liberties of the kingdoms, that the world may bear witness with our consciences of our loyalty, and that we have no thoughts, or intentions to diminish his majesty's just power and greatness.

22. It is a wonder that the Presbyterians, who at that time had so much parliamentary and national consequence should be so easily baffled, or rather lulled into a mate of security and acquiescence. This is the more astonishing, as during the short adjournment in the September following, the king issued a proclamation concerning religion, which, among other articles respecting episcopal functions, contained two clauses sufficient to open the eyes of men of the least penetration, or sagacity. In one of these clauses it was said, that a certain number of divines should be appointed to revile the liturgy, and make such alterations in it as should be judged necessary; but that scrupulous persons should not be punished or troubled for not using it at present. The other clause prescribed ceremonies, to which, however, no person should be obliged to conform for the present, restriction, for the present, clearly shews," says Rapin, that those, who advised the king to this proclamation, had no intention to leave the Presbyterians in possession of that liberty, which had been promised them by the Breda declaration, and doubtless by general Monk, when they engaged to promote the restoration."

23. The royal assent was given at the same time to two other acts, one for continuing the monthly tax for seventy thousand pounds for three months, and the other for the continuance of judicial proceedings.

24. We shall be better enabled to judge of the king's indifference, or solicitude on this head, when we come to confider his curious petition to parliament for the supplies of his table, on the 29th of August following.

25. The house of commons had before given the king a proof of their generosity. As soon as the vote for his recognition was passed, they ordered that fifty thousand pounds should be presented to him, ten thousand to the duke of York, and five thousand to the duke of Gloucester. The city of London also sent at the same time ten thousand pounds to the king, and a thousand pounds to each of his brothers.

26. This seems to countenance Mr. Locke's positive assertion, that Monk at first would have Prevented the king's restoration, if he could; and that he had actually agreed with the French ambassador to take the government on himself, having received from cardinal Mazarine a promise of assistance from France, to support him in the attempt. But this agreement between the general and the ambassador was overheard by Monk's wife, who had concealed herself for that purpose behind the hangings, and sent immediate information of her husband's designs to sir Anthony Ashley Cooper. Upon this notice, Sir Anthony summoned the council of state, and indirectly charging Monk with what he had learned, proposed, that, in order to remove all doubts, the general would instantly take away their commissions from such and such officers, and give them to others whom Sir Anthony named. By this change the army ceased to be at Monk's devotion. This account, though given with great circumstantiality and precision in the "***Memoirs of the Earl of Shaftsbury,***" has been objected to by many of our English historians, and Particularly

by the archdeacon of Stow, as resting upon Mr. Locke's single testimony. It derives, however, no small degree of collateral support from the above passage in the **SECRET HISTORY**.

27. Monk, though no statesman, had all that low cunning, which is usually connected with a bad heart, and a mean intellect. As soon as he made up his mind on the plan to be pursued, and felt the necessity of cashiering suspected persons, he defiled some officers, who were his own creatures, to draw up an engagement, in the form of an address to their general, by which they promised a ready obedience to the orders of the parliament, when assembled. This engagement being Presented to Monk, he ordered it to be subscribed by all the regiments in the three kingdoms, and made every man's refusal to sign it a pretence for removing him.

28. Lambert had been first committed to the Tower by the republican, or independent parliament, after it resumed its authority in December, 1659. He made his escape thence the 9th of April following, in the midst of Monk's preparations for restoring the king. As Lambert was a favourite with the army, and might soon be joined by a numerous party, Monk lost not a Moment to send his own regiment, under the command of colonel Ingoldsby, in pursuit of him. This. expedition not only blasted Lambert's hopes, but seemed to deprive him of all his former courage and pretence of mind. Being overtaken at Daventry, where he had assembled some troops, he surrendered to Ingoldsby, without one manly or spirited effort, and was recommitted to his former place of confinement.

29. The earl, though not possessed of any shining talents, or extensive capacity, was not deficient in good sense, integrity, and a real love for his country. He strenuously opposed, even in office, the persecuting system that prevailed in the cabinet; and never voted, with weak pliability, contrary to the dictates of his conscience. He saw with concern the fatal tendency of Charles's measures; and, according to Burnet, said once, in great wrath, to chancellor Hyde, "That it was to him they owed all they either felt, or feared; for if he had not possessed them, in all his letters, with such an opinion of the king, they would have taken care to have put it out of his power, either to do himself or them any mischief."

30. The archdeacon of Stow, in his history, tells us, that when the subject of the restoration was agitated, sir Richard Willis and colonel Doleman said, If you call home the king, you will put the government under pimps and whores;" which having afterwards taken place, Sir William Morrice, one of the secretaries of state, could not help declaring, "That Willis and Doleman, were the truest prophets he ever met with in his life.

31. The 18th of April 1655 was the day appointed for striking this decisive blow in the king's favour. In order to insure success, as the authors of the project vainly imagined, the people were to rise at once in the west, and in the north of England, the insurrection in the west to be headed by sir Joseph Wagstaff, one of the late king's major generals, and that in the north by the earl of Rochester.

On the day appointed, Wagstaff, having joined Penruddock, Jones, Grove, and some others, who had collected about two hundred horse near Salisbury, entered that city unnoticed, it being then the time of the assizes. They first made themselves masters of the marketplace; locked up all the stables, in order to secure the horses; and were going to hang the judges and sheriffs for their refusal to proclaim the king. This empty ceremony was, however, performed; but the royalists perceiving that the inhabitants remained shut up in their houses, and shewed no disposition to join them, they were disconcerted and thought proper to retreat. Captain Croke at the head of a troop of horse, Which was quartered in that neighbourhood, pursued them, and coming up with the party at Southmoulton, struck such a terror into them at the first onset, that they laid down their arms. Wagstaff escaped; but Penruddock, Jones, and Grove being made prisoners, were afterwards put to death.

The proposed insurrection in the north did not take place. The earl of Rochester, having gone into Yorkshire, was so discouraged by the weak and unprepared state, in which he found the conspirators there, that he declined making a hopeless attempt, and repaired to the king with the mortifying intelligence.

32. It was also said, that some of the judges, struck with the charms of Mordaunt's young wife, were tempted to sacrifice justice at the shrine of beauty.

33. As soon as the plan of the proposed insurrection in different parts os the kingdom was finally settled, sir Richard Willis communicated all the particulars to Thurloe, by whom they were laid before the council of state. In consequence of this discovery the militia was put into proper hands; the army was kept in readiness for sudden exertion; and the most vigorous measures were immediately resolved upon to prevent the designs the royalists, and to give an irrecoverable blow to their presumption and temerity.

Lord Willoughby of Parham and sir Horatio Townsend, who had pledged themselves to secure Lynn and Norfolk for the king, were arrested and sent to prison. Massey, another of the principal conspirators, was taken in his attempt to surprise Gloucester, but had the good fortune afterwards to effect his escape. Grenville, Trelawney, and a few others, who were to head the insurgents in the west, finding the people but little disposed to assist them, thought only of providing for their own, personal safety. Sir George Booth acted with more resolution in the north. Having assembled four or five thousand men, he seized Chester, and published a very artful manifesto, in which he made no mention of the king, but alleged, that his sole motive for taking up arms was to redress the grievances of the people, and to assert their rights against the pretended tyranny of parliament. Sir George's pretences, however, had little weight with the people. Very few joined him except his own pre-determined adherents, and sir Thomas Middleton with his followers. They afforded a very easy victory to Lambert, who was sent against them at the head of a considerable body of forces, and who soon retook Chester. Sir George Booth at first escaped, but was taken a few days after, disguised in woman's clothes, and was committed to the Tower, where he continued till the change made in the parliament by Monk's restoration of the members secluded in 1648 Middleton retreated to a castle of his own, but which held out a very little time against his pursuers. The king, who had privately repaired to Calais, and afterwards to St. Mato's, in order to make a descent. into England on the first prospect of success, being informed of the disastrous issue of his party's attempts, changed his views from hostility to negotiation, and departed for Fontarabia, where he hoped to have an interview with the French and Spanish ministers, who had then met to settle the terms of a treaty of peace between their respective kingdoms.

34. A very curious, and courtier-like apology for a king's total neglect of his most indispensable duty, and for his abandoning himself to the most scandalous excesses of drunkenness and debauchery,

35. A strong proof of Charles's scrupulous regard for his word, and of his delicate, his kingly sense of honour and gratitude.

36. What kind of a pillar this was, which Charles rested all his hopes upon, may be judged of from the whole tenor of Monk's conduct. Having obtained the command of an army by time. serving meanness, and got into places of the highest trust by oaths and religious engagements, which he broke on the first occasion, he sold the security of his country's rights for a coronet and a pension, and cemented his new bond of servile obedience with the blood of his former friends and associates. " He was," says Ludlow, "a person of an ambitious and covetous temper, of loose, or rather no principles, and of a vicious and scandalous conversation." Here we see many of his strong claims to the king's peculiar confidence. *Simile simili gaudet.*

37. It may also be presumed, that Charles did not forget the high-flown strains of parliamentary adulation, with which he had been addressed by the earl, on his arrival at Whitehall; and both the king and his brother the duke of York could not fail to be highly pleased with the remarkable pliability of the earl's religious as well as political character, which promised a ready concurrence in all their measures.

38. The earl of Southampton did not concur with the rest of the king's ministers in this pitiful evasion. He proposed to give those prisoners, who had surrendered in obedience to the proclamation, the same number of days for saving themselves by flight, to which by that proclamation they were entitled before they surrendered. But his colleagues in office were influenced by much stronger motives than a regard for honour, justice, or mercy.

39. The reader will soon meet with a remarkable instance of this disingenuity, or rather wicked artifice of government, in prevailing upon the commons to except Vane and Lambert from the general pardon.

40. This act was framed with an artful shew of conformity to the king's declaration from Breda. Its preamble and first clauses seemed to breathe a spirit of general indemnity and oblivion. It denounced penalties against those, who should use, any words of reproach tending to revive the memory of the late troubles; and it granted an absolute pardon to all who had been engaged in them; but with the following numerous exceptions: Forty-nine of the late king's judges, with this distinction in favour of those who had surrendered on the faith of government, that, if they were condemned, their execution should suspended till ordered by the king and parliament: Cromwell, Ireton, Bradshaw, Pride, and other deceased offenders were attainted: The estates of lord Munson, Sir Henry Mildmay, Sir James Harrington, Sir Arthur Hazelrig, Phillips and Wallop were confiscated, and their persons made liable to such other pains and penalties as the parliament should think fit: Sir Henry Vane and Lambert were excepted from pardon both as to life and estate: Hutchinson and Lassels were declared incapable of exercising any office, and subjected to one year's forfeiture of the revenue of their estates. Oliver St. John and seventeen others were excluded from the benefit of this act, if they should ever accept or execute any public employment.Four other acts were passed at the same time with the bill of indemnity; and deserve some notice. One of them was of very great importance: It had for its object the confirmation of judicial proceedings from the 1st of May 1642, notwithstanding the want of legal qualifications in the judges. Some of the royal party, who had more zeal than good sense, were unwilling to see any sanction given to the decrees of rebels. All that had given sentence of death in the late high courts of justice, except colonels Ingoldsby and Tomlinson, were disabled from being members in any parliament, or bearing any office in England or Wales: Those, who had converted to their use any goods belonging to the church, were alto deprived of the benefit of this act. Thus the general pardon was clogged with as many exceptions as the intrigues of the court, and the efforts of the nobility could induce the house commons to acquiesce in.

41. Six peers and six commoners were chosen to superintend this business; and the act, from which they derived their authority, contained also the minutest instructions for their conduct in the discharge of so delicate a commission. The several regiments were to be broken by lots; their full arrears, to the very day of their disbanding, were to be cleared off; and the king gave an overplus of one week's pay to every officer and private soldier. his certain, that government was very much in dread of a mutiny; and Monk in particular, from a consciousness of his own treachery to the army, must have been in a state of constant alarm for his personal safety, while the troops were embodied. His creature, Sir William Morrice, the secretary, in a debate on the subject, said "that gunpowder was made of the same ingredient which caused earthquakes; and that as long as the soldiery continued, there would be a trembling in the nation."

42. These were, an Act for regulating the trade of bay making: An Act for encouraging and increasing shipping and navigation: An Act for restoring some ministers to their places, and for confirming others, who had not been active against monarchical government.

General Monk KG, 1st Duke of Albemarle (1608-70)

The Secret History
Of The
Court And Reign
Of
CHARLES THE SECOND
Chapter II

False and pernicious policy of the court to matters of religion – Conference at the Chancellor's lodgings – Evasive clauses in the King's declaration – Trial, execution, and character of Charles first's judges – Vengeance taken on the putrid carcasses of the deceased offenders – Profanation admiral Blake's hallowed remains – Proceedings against the respited convicts – Downing's treachery to three of the fugitive judges – Sir Henry Vane's trial and Admiral defence – His conduct at the scaffold, with a sketch of his life and character – Secret history resumed – Political motives of the Queen Mother's visit – Details of intrigues respecting the duke of York's marriage – Re meeting and extravagant grants of the convention – Parliament – Failure of the scheme for rendering the Crown independent – Comment on the King's speech at the dissolution – Chancellor's supplementary harangue – Institution of the Royal Society.

HAVE in a former part noticed the political finale made use of to baffle the Presbyterians in all their attempts to obtain a parliamentary confirmation of the religious liberty so fully and unequivocally promised to all his majesty's subjects in his declaration from Breda[1]. Though a committee of the house of commons had been appointed before the king's return to devise a system of church-government on the broad basis of liberal indulgence, yet the court soon found means so to obstruct their progress, that no report on the subject was sent up from them to parliament.

The great object was to gain time by amusing those, whom their power made it dangerous to offend. They were therefore flattered with hopes, till their strength and influence were gradually diminished; till the bees had lost their stings, and were become noisy, but impotent drones.

False and Pernicious Policy of The Court to Matters of Religion

The king, though not very firm in any principles of his own[2], had conceived a strong antipathy to the doctrines of Presbyterianism. He had a surfeit of prayers and of preaching when in Scotland;

and even the oath of adherence to the covenant, which he then took from political motives, served only to increase his disgust, and to make him long for a favourable opportunity of persecuting its professors.

The duke of York also, and the chancellor, both persons at this time of the greatest influence in administration, not only concurred in; but zealously urged on the accomplishment of the king's purposes. Those two acted, indeed as before hinted from very different impulses the duke from a bigoted, arbitrary, and intolerant spirit but the chancellor from the fatal influence of prejudice and from a mistaken notion of promoting the security of the present government.

Much policy and caution were necessary in the execution of those secret designs. The king had referred the composing of a plan of church government to parliament; and while it remained in their hands he could do nothing more than testify his own preference of the episcopal system by his gracious reception of such of the old bishops as were sill alive[3] and by the use of the book of common prayer and of all the former rites and ceremonies in the royal chapel.

At the same time he was extremely affable and condescending to the heads of the Presbyterian clergy; and left them no room to apprehend that they should be subjected to any. irksome restraints. On the contrary, they always went away with deep impressions of the amiableness of his disposition and the liberality of his sentiments.

All these circumstances were highly favourable to the procrastinating schemes pursued by trusty agents in the committee, so that nothing having been brought before parliament till it was adjourned, the king had the opportunity he desired of remarking to both houses, "that they had offered him no advice towards composing the dissensions in religion; and that he would therefore try what he could do towards it himself in that short adjournment."

Conference at The Chancellor's Lodgings

Still, however, as the parliament, in which there was a very powerful body of non-conformists, was not dissolved, the shew of the utmost candour and benignity was, to be kept up, not only to avoid alarming the sectaries, but even to impose upon many members of the privy-council, who were very averse to all persecuting measures, and who warned the king again and again of the pernicious consequences of any such system.

A conference between some of the Presbyterian ministers and an equal number of the episcopal clergy was appointed at worcester-house, in the chancellor's lodgings, to consider what ceremonies should be retained in the church, and what alterations should be made in the liturgy that had been formerly used. The king himself was present at this conference; and both parties seemed governed by a spirit of mutual condescension; but the substance was secured by the one, and the others were obliged to be satisfied with the shadow[4].

Evasive Clauses in The King's Declaration

The next step taken by the king was to publish a declaration concerning ecclesiastical affairs, wherein he took notice of the conference that had been in his own presence; and artfully insinuated that the hopes of farther success in reconciling all differences had induced him to command the clergy of both sides to meet together at the Savoy in the master's lodgings, and, if it were possible, to agree upon such an act of uniformity as might be confirmed in parliament.

In the mean time he signified his pleasure, that nobody should be punished for not using the book of common prayer or for discontinuing the surplice and the sign of the cross; and that all who desired to conform to the old practice in using them should be at the same liberty. In prescribing certain rules also to the bishops on the subject of ordination and other acts of episcopal authority, his majesty complied with a request of the Presbyterian divines, that some of their

body chosen by the diocese might be always joined, though in a subordinate capacity, with the prelates in the discharge of those spiritual functions.

It was the chancellor, who drew up this declaration; but many of the evasive clauses were suggested by some of the king's more secret advisers. The intimation of another conference was designed to keep the non-conformists quiet, till the king could dissolve the present parliament, whose pliability in religious matters was not to be depended upon and call another more disposed to, second all his wishes.

In the articles of proposed indulgence to scrupulous persons, it was only said, that they should not be troubled, or punished, for their non-conformity "at present." The Presbyterians were far from being satisfied with those words; but they did not wish to appear too particular in verbal objections, and they also hoped, that by the interest of their friends in parliament a bill might be carried through for making the declaration now published a law, and thereby perpetuating what was only meant for a temporary indulgence.

This, indeed, they attempted; but they were counter-plotted in their scheme by a combination of greater subtlety with greater power. I shall soon have occasion to resume this subject, and farther to expose the false and pernicious policy, by which the court was directed in matters of religion.

Trial, Execution, and Character of The Late Kings Judges

[As the writer of the Secret History makes no comment on the trial of the regicides, which took place during the adjournment of the convention-parliament, it may be proper to insert here some account of those proceedings for the gratification of the reader's curiosity.

This we are the more powerfully incited to from a desire of vindicating the cause of truth, justice, and humanity, which appear to have been equally disregarded by most of our historians in the relation of such plain matters of fact. Some have even thought, that their own loyalty could be displayed only by stabbing the memories of those unfortunate sufferers with more savage cruelty than was exerted against their bodies by a barbarous executioner.

But surely to blacken the characters of men, who brought a tyrant to the block, can be no compliment to any king, who has never invaded the rights of his subjects and who far from incurring their, resentment, may wish only to secure their warmest affections. Is it not rather a libel upon royalty to suppose that it can be glutted with the blood of freedom; or that the avenues to a throne should resemble the entrance of a giant's cave in romance, and be strewed over with the limbs of slaughtered victims!

Doctor Goldsmith and Mrs. Macauley were strongly impressed with these truths. They could not help shedding a tear over the scaffold of Harrison and his hapless associates: they could not help admiring the fortitude and spirit, with which those men braved the scorn of an insulting rabble, and the wanton fury of a merciless butcher.

Doctor Goldsmith was confined by the nature of his plan to a few general remarks; but Mrs. Macauley has collected with great industry every authentic and interesting particular relative to the characters, the trial and execution of Charles the first's judges. From her history, therefore, we have chiefly taken the following narrative.

The trial of those victims, who were destined by the parliament to appease the resentment of the king, and to atone for the sins of the nation, had been purposely delayed during the sheriffalty of Lane, a man of too much honesty and firmness to be induced by promises or threats, by hopes or fears, to use any unfair means to procure a jury, properly,picked for the purpose of insuring the condemnation of the criminals. As the city of London had strictly followed an intimation of

the court, that the magistracy and common council should be filled with men, who had taken a part in the royal side during the civil wars, the new sheriffs were of the right stamp.

Six resolutions, tending to prevent any chance, of the state-delinquents escaping, were drawn up by the chief baron Bridgeman, the justices Foster, Hyde, and Mallet, Sir Jeffrey Palmer the king's attorney, Sir Heneage Finch the solicitor, and Sir Edward Turner attorney to the duke of York.

Agreeable to the first resolution, a special commission was issued to thirty-five persons, among whom were Bridgeman, president; Finch whose resentment rendered him a party in the cause; and fifteen who had distinguished themselves in the senate or the field against the king during the late wars. Among these men, who were to wash out the stains of their former conduct by the merit of their present services, was general Monk, who, previous to the king's return, when the lord Say proposed to him the passing an act of indemnity which some of those who had been principally concerned in the king's death should be excepted, made answer not a man; for should I suffer such a thing, I should be the arrogantest rogue, that, ever lived."

The other resolutions precluded the common forms, the ordinary appearances of justice. By one the king's council were, privately to manage the evidence to the grand jury, in order to the finding the bill of indictment: by another the prisoners were arraigned the day before they were brought to trial; and in the sixth it was determined, that there need not be two witnesses to prove every overt act tending to compass the king's death ; but one witness to prove one such, act, and another to prove another.

The Old Bailey was the place appointed for the trials. Here the president, in his charge, was not contented with the plain positive assertions, that the crown of England was immediately subject to God, and to no other power; and that no authority, no single person or community of men, not the people collectively or representatively had any coercive power over the king.

But, in order to shew the subtlety of his parts, he confused the plain words of his text, and would undoubtedly have confused the understanding of any undetermined jury by endeavouring to explain that political riddle, a king restrained by law, yet neither subject to its coercion, nor to an appeal to the people at large. As the quoting of scripture also upon all occasions and to serve as an authority for all purposes, was not yet laid aside by any party, he put the assembly in mind,

That David, king of the Jews, in his penitential psalm for the crimes of murder and adultery; confessed only that he had sinned against God which," said the president, "contains an assertion; that he was not bound or accountable to any man upon earth."

Sir Hardress Waller, a man of a very timid nature and who had been previously instructed his kinsman Finch after much trembling hesitation; pleaded and threw himself upon the mercy of government.

The honest and determined Harrison justified his own conduct, and the authority under which he had acted; and when the evidences, the chief of whom lay under the lash of government for similar offences, were produced against him, he told the court, that it was an unnecessary trouble, for he came not before them with any intention of denying what he had one. "The act" said he, for which I stand accused, was not a deed performed in a corner: the sound of it has gone forth to most nations; and, in the singular and marvellous conduct of it has chiefly appeared the sovereign power of Heaven."

In the course of his speech, he reminded several of his judges, how active they themselves had been in drawing in those, on whom they now sat in judgment; and, on the point of conscience he argued thus pathetically; "I have often," said he, "agitated by doubts, offered my addresses with passionate tears to the Divine Majesty; and earnestly sought for light and conviction.—I

still received assurances of a heavenly sanction, and returned from such devout supplications with tranquility and satisfaction.

These frequent illapses of the divine spirit I could not suspect to be interested illusions; since I was conscious, that, for no temporal advantage would I have offered injury to the poorest individual.

"All the allurements of ambition," added he, "all the terrors of imprisonment have not been: able, during the usurpation of Cromwell, to shake my ready resolution, or bend me to a compliance with that deceitful tyrant; and when invited by him to fit on the right hand of the throne, when offered riches, splendour, and dominion, I have disdainfully rejected all temptations; and neglecting the tears of my friends and family, have still, through every danger, held fast my principles and my integrity."

As Harrison was going on in asserting, "that God was no respecter of persons; and that he would have abhorred bringing the king to account, but for the blood he had shed," he was stopped short by the president, who told him, "That he had spoken as high a degree of blasphemy next to that against God, as he had ever heard." The council was for sending him to Bedlam; but with the same breath alerted, though most absurdly on the supposition of lunacy, "that it was a new impeachment of the present king to justify treasons against his late majesty;" and Sir Edward Turner said, "he had the plague all over, and would infect those who stood near him."

Harrison, on the interruption which was given to his attempts to justify his conduct, told the court, "that, as they refused to hear what was fit for him to speak in his defence, he submitted to their sentence."

The integrity and heroism of this brave man's character were sufficiently eminent to render him worthy the attention of posterity. Yet, as he was of an obscure birth, and without those shining qualities which excite the curiosity of mankind, he is little known in history, otherwise than as one of that junto, who were particularly concerned in the condemnation and execution of the king; and as one the of the prime instruments, who unwittingly assisted in seating Cromwell on the throne.

Harrison was the son of an opulent grazier. From a perfect conviction of the goodness of their cause, he entered into the service of the parliament as a subaltern officer; and, after the new modelling of the army, was gradually promoted to the rank of major-general.

On the principles of conscience, and with a view to the attainment of religious liberty and reformation of manners in its utmost extent, he was very active in the business of bringing the royal delinquent to the block; but the hypocrisy of Cromwell operating on his warm, his honest and unsuspecting temper, he swerved from the duty and the obligations he owed to the new government; and if not an active, was a passive instrument in subduing the power of the parliament to the lusts of that selfish tyrant.

From the first discovery of Cromwell's ambitious intention, Harrison entered among the fiercest of his opponents; and was not only deprived of his commission in the army, but underwent the suffering of a close imprisonment, from the vindictive malice of the usurper.

Either from an unwillingness to re-engage in the bustle of public life, or from the resentment the republicans, Harrison did not all in any important office after the restoration of the common-wealth; but still retaining, in the calm of retirement, the highest vigour of principle, on the restoration of the Stewart family, he offered himself a victim to the vengeance of an enraged government, rather than seem, by withdrawing from his house, to desert the cause, in which he had engaged.

Such candour, such integrity, such public spirit, and persevering consistency would have conciliated the lenity of any men, whose breasts were not steeled against every generous impression.

Even the most censurable parts of Harrison's conduct could, at the worst, be ascribed only to the dictates of an erroneous conscience. But his virtuous firmness was the strongest aggravation of his guilt; and after the most indecent efforts were used in vain to brow-beat and intimidate him, his sentence was pronounced with a vengeful tone, which served as a signal to the scandalous barbarity of his future execution.

The next of the state-prisoners brought to trial was Carew, who had in a manner surrendered himself into the hands of government, by omitting to take an advantage, which a mistake of his name in the warrant to apprehend him afforded. This was pleaded in his favour by several members of the house of commons; and it was by a majority of ten only, that he was totally excepted out of the Act of Indemnity.

After advancing some enthusiastic opinions, he acknowledged the charge; and, in justification of his conduct, would have entered into the history of the opposition. This was a kind of recrimination on the major part of his judges, and, contrary to the promise made him of the liberty of speech, he was abruptly stopped by the court; and some of the bench, according to the manner which they had used with Harrison, gave evidence against the prisoner.

Scot was one of the most spirited members of the republican parliament. His sagacity and address had recommended him to their choice, when they appointed two commissioners to go to meet Monk upon his march from Scotland. Scot and his colleague Robinson were received by the general at Leicester with all the marks of respect due to their public characters, and with the warmest assurances of personal regard.

For Scot, indeed, he had professed a particular friendship; but that friendship, like all his other professions and oaths, was now forgotten. A declaration made by Scot in the house, after the return of the excluded members, concerning the part he had taken in the judgment given against the king, was used at trial as an aggravating circumstance, and was given in evidence against him by the time-serving Lenthall, and by Annefly, one of his judges.

In all these trials, the triumph of the prevailing party was displayed with the utmost indecency. Among other mean insults, which Scot bore with dignified silence and contempt, one of the members excluded in 1648 tauntingly and exultingly said to him, "If we had not appeared and dissolved the long parliament, and thus put an end to all your pretences, we had not so soon come to our happiness, and you to your misery."

At another time, when the prisoner at the bar was insisting on the legislative powers of parliament, he was stopped short by the court; and Finch with a passionate accent told him, "that his doctrine was poisonous and blasphemous; and if he proceeded on the same point, he should desire the jury to be immediately directed." To this provocation Scot calmly replied., "My lord, I thought you would rather have been my counsel, as I think it is the duty of your office."

Colonel Adrian Scroop, though he had surrendered himself on the king's proclamation, was excepted out of the Act of Indemnity by the commons, on the treacherous and voluntary evidence of Brown, who had the baseness to betray a private conversation, in which, as it was construed, Scroop had expressed an approbation of the sentence executed on the late king.

Coke, whom his eminence in the knowledge of the law had unfortunately advanced to the office of solicitor for the commonwealth, was one of the victims marked for sacrifice in the Act of Indemnity. It was by the perfidy of Sir Charles Coote that he was put into the hands of the court. That rapacious time-server had, during the power of the republicans, and the usurpation of

Cromwell, used his influence with the government to enrich himself at the expense of the royal party. But no sooner did the prospect of a revolution in favour of the banished family begin to open, than he was among the first of the deserters, and employed the power he had in Ireland to the double advantage of wiping off old scores with the new government, by a zealous attention to the purposes of their revenge, and to the enlarging of his ill-gotten possessions with the plunder of his old friends.

On the first news that the convention-parliament hid acknowledged the title of Charles, he seized on Ludlow's Irish estate, and on the person of Coke, while the latter was yet executing the office of chief justice, and sent him prisoner to England.

Coke rested his defence partly on the principles of reason and justice, and partly on the refinements of law. He argued, "that he could not justly be brought within the charge of propounding, counselling, contriving, and imagining the king's death, as, by the confession of his accusers, the proclamation for trial was published the day before he was appointed solicitor: that he had, on these reasons, neither acted in the character of accuser, witness, jury, judge, or executioner: that he had acted by the authority of parliament, and in the office of solicitor had argued as a mere lawyer, who is not supposed to be accountable for the badness of his cause."

Though some of these arguments must at least have puzzled the bench and counsel, they had little weight with a pre-determined jury, who implicitly followed the direction of the judges in giving a verdict against all the prisoners.

Hugh Peter's was found guilty of preaching rebellion; colonel Axtell of attending on military duty the high court of justice; colonel Hacker of guarding the king on the day of execution; and Howlet acting the part of executioner.

The aggravating circumstance in Axtell's conduct was the crying out for execution whilst in the business of his office; but against Hacker no circumstance of aggravation was pretended, Monk also had given him assurances of indemnification; but the never to be forgiven sin in Hacker was his steadiness to the republican cause.

He had refused to support the usurpation of Richard Cromwell, though he had in a manner forced a knighthood upon him; and had continued in the command of his regiment, till he was taken into custody.

To the general plea of having acted under the authority of parliament Axtell and Hacker added, that by martial law they would have been subject to death for disobedience of orders; and though it was fully proved, that Gregory Bandon, the common hangman, had confessed the act of taking away the king's life, and there was not a single fact produced by the crown-witnesses in support of the indictment against Howlet, yet the three last mentioned victims were, without hesitation, delivered up to the vengeance of the court.

It muff be acknowledged, that, in the case of Howlet at least, the court acted contrary to the dictates of law in giving the direction, and the jury in opposition to the solemn oath which they had taken, to judge according to evidence. But it is to be remembered, that it was not the weight of interest and blind obedience alone, which gave a bias to the conduct of the principal actors in this tragedy: they were threatened by the counsel, that they would incur suspicion, if they did not exculpate themselves and the people of England from the reflections which had been thrown out in the several pleas of defence, by putting the live, of the prisoners in the power of government. Colonel Jones, and Gregory Clement, finding every argument and plea ineffectual, submitted to the judgment of the court; without attempting a defence.

Martin entered into a justification, on the grounds of the authority of parliament; and when delivered over to the disposal of government, asked mercy like a gentleman. He was of the

number of those, who had surrendered themselves on the faith of government ; and, by a clause in the Act of Indemnity, was favoured with a respite of execution, till the pleasure of king and parliament was known.

Eighteen more, who stood in the same predicament with Martin, observing that justification or defence would be a bar to their obtaining mercy, confessed guilt, and submissively sued for grace.

Though the execution of such of those convicts as were absolutely excepted from pardon, did not take place till after the re-meeting of the convention-parliament in November, we shall insert the account of it here, that we may not interrupt any other more important parts of the history by being obliged to resume this subject.

The same motive, and the convenience of connecting in one detail every memorable circumstance respecting those who suffered under the name of regicides, have also induced us to subjoin the farther proceedings of government in its revenge on several others of the same description, who shared the like fate, though at different periods.

The punishment, which the law ordains for treason, is so repugnant to the common feelings of humanity, and so shocking to the finer sense of civilization, that the most cruel part of it has, at all times, been dispensed with by the crown; but either from the want of a sympathizing tenderness, which made no part of the refinements of Charles's character, or from a strong resentment of his father's sufferings, the sentence of those state-criminals was executed with circumstances of the utmost barbarity and horror.

Charing-cross, that the court might be entertained with the spectacle, was the stage appointed for the last act of the tragedy opened at the Old Bailey. On the thirteenth of November, major-general Harrison was drawn on a sledge to the place of execution; and, in the midst of an insulting mob, was butchered so exactly according to the strict letter of the law, that he was cut down alive, and saw his bowels thrown into the fire. But the manly fortitude, which had distinguished every former part of his conduct, did not desert him in this last, and most trying scene. His patience and spirit excited the astonishment, if they did not soften the prejudices of the spectators.

Scot, Clement, Scroop, Hacker, Coke, Axtell and Peters, under the same circumstances, gave the same magnanimous testimony of principle, and of a strong conviction of the goodness of their cause. In vain were the attempts to discompose the steady countenance and heroic demeanour of Coke by placing before him on the sledge the ghastly head of the executed Harrison; and Peters, though of a more doubtful character than any of his partners in affliction, when, by the command of Turner the officer on guard, and the barbarous acquiescence of the sheriff, he was brought forward to see one of the victims quartered, on being asked by the executioner all stained with blood, "how he liked that work?" had the intrepidity to answer, " Do your worst;" and when on the ladder, be addressed the sheriff thus. "Sir, you have but chered one of the servants of God before my eyes, and have forced me to see it, in order to terrify and discourage me; but God has permitted it for my support and justification,"

Vengeance Taken on The Putrid Carcases of Deceased Offenders

A great deal of pains had been taken by sir Orlando Bridgman, after he had passed sentence on the state-delinquents, to persuade them for the good, he said, of their souls, to give some token of repentance before execution. But the prisoners, who could not be persuaded to think, that a man, who had shewn a high degree of malice against their bodies, could have any charitable concern for their souls, paid no regard to any part of his exhortation ; and the government was totally disappointed of any triumph of this kind.

The courtiers, to give proof of their loyalty, and the king, to manifest his filial piety, carried their vengeance beyond the grave; and aimed at the punishment of those, whom a fortunate exit had delivered from the arm of human power.

By one of the clauses of the Act of Indemnity, Cromwell, Ireton, Bradshaw, Pride, and twenty more, who were dead, were made subject to confiscations and other penalties which the king and parliament should ordain. The final settlement of those penalties was among the first subjects laid before the house upon its re-meeting after the adjournment.

Sir Heneage Finch, Capt. Titus, and the inveterate Pryn, all figured in this debate, on the side of the court; and the commons, who had with some degree of resolution defended the lives of those, who trusting the faith of government had obeyed the dictates of the proclamation, did not hesitate much to comply with a request which contained no matter of bloodshed; and which, in regard to corporal punishment, was confined to some acts of impotent indignity on the putrid carcases of Cromwell, Ireton, Bradshaw, and Pride.

It was moved by the moderate members, that in the proposed confiscations, a reserve should be made for the payment of the just debts of the delinquents; but this motion was over-ruled. An act of attainder and forfeiture against all the king's judges, without any proviso, except in favour of Ingoldsby [5], passed both houses: and to this act was added an order to the following purport:

That Cromwell, Ireton, Bradshaw, and Pride, should be taken out of their graves; be drawn in a hurdle to Tyburn; be there hung up, and should continue hanging from ten o'clock in the morning till sun-set; and should then be buried under the gallows.

This order was literally executed; and the heads of those extraordinary victims were afterwards set upon poles on the top of Westminster-Hall.

Profanation Admiral Blake's Hallowed Remains

But the profanation of the sacred ashes of Blake reflects a much greater disgrace on the poor, the pitiful, the detestable resentment of the royal party. The character of that illustrious admiral is thus sketched by the pen even of an enemy. "He, was," says Clarendon, "the first man that declined the old tracks, and made it manifest, that the science, might be attained in less time than was imagined; and despised those rules which had been long in practice, to keep his ship and his men out of danger, which had been held in former times a point of great ability and circumspection, as if the principal art requisite in the captain of a ship had been to be sure to come home safe again.

He was the first man, who brought ships to contemn castles on shore, which had been ever thought very formidable, and were discovered by him to make a noise only, and to fright those who could rarely be hurt by them. He was the first that infused that proportion of courage into the seamen, by making them see by experience, what mighty things they could do, if they were resolved; and taught them to fight in fire, as well as upon water; and though he hath been very well imitated and followed, he was the first that gave the example of that kind of naval courage, and bold and resolute achievements."

Must it then be recorded, to the eternal infamy of a shameless king, and a degenerate people, that Blake was also the first man, who, after having acquired immortal honour in the service of his country which he made rich and renowned, had his sacred ashes profaned by impious hands, taken from their hallowed resting-place in Henry the seventh's chapel, and flung with the common filth into a pit in the street, by order of the court not long after the restoration!

But while any traces of the naval glory of England remain, the name of Blake will be mentioned with reverence and with proud exultation. The sacrilegious insult offered to his ashes will only

be a stronger incitement to the historian and the poet to embalm his memory in the sweetest odours of never dying praise.

"**Dignum laude virum musa vetat mori.**"

Proceedings Against The Respited Convicts

With respect to the nineteen convicts, whose sentence had been respited on account of the clause of reserve in their favour, which had been inserted in the **Bill of Indemnity**, it is certain that the court-party were at first strongly bent upon their, execution. But as the majority of the house of commons appeared so decisively against that last step of penal rigour, government thought it most politic to keep them in prison till the dissolution of the convention-parliament, and to wait for a favourable opportunity of bringing the matter before another house less tenacious of the national honour.

A year was suffered to elapse till the pension parliament, as it has since been properly and emphatically called, had given proofs of its entire devotion to the service of its pay-masters. The fate of the nineteen prisoners was then to be decided, They were called up, and asked what they had to say, why judgment should not be executed upon them?

They pleaded the proclamation of the 6th of June, on the faith of which they had surrendered with the fullest confidence in the honour of their king, and in the mercy and generosity of their country. The force of this plea seemed to make but little impression on a. venal house. A bill was brought in for their execution, and read twice. But shame at length prevailed over the vengeful spirit of the court; and the business was dropped in this advanced stage, though with a very bad grace, and much apparent reluctance.

Downing's Treachery to Three of The Fugitive Judges

In the course of the following year, however, other sacrifices were found, to appease the wrath of offended royalty[6]. Three of the late king's judges who had made escape out' of the kingdom, and who with all others of the same description were excepted from pardon; were now sent back for trial and execution.

The names of the unfortunate fugitives were Okey, Corbet, and Berkstead. They had received protection from the town of Hanau in Germany; but were decoyed from their retreat by the treachery of Downing, the king's resident at the Hague. This very Downing had once been a chaplain to Okey's regiment; and, on his recommendation, had been preferred to serve the commonwealth in the station of their agent in Holland.

The continuance of this post he secured by perfidy to his old masters and to complete his villainy, and thus enhance his merits to the government, he gave assurances to Okey, that he had not received orders to look after him or his comrades. In reliance on the faith: of Downing, and with a view to enjoy the happiness of a meeting with their families they repaired to Delft; but no sooner were they within the territories of the states, than Downing applied for a warrant to arrest them.

The states, according to an article of a late treaty they had made with England, though contrary to a fundamental maxim of their government and surely contrary to the laws of all generous nations, .granted the warrant, and sent their assistance towards seizing the refugees. They were all men of reputation, who had been eminently trusted by the .commonwealth; and, at the time of severe trial they delivered up their lives with chearfulness for a cause, which they had early supported from a conviction of its truth.

Miles Corbet was a gentleman of an ancient family in the county of Norfolk. He had applied himself with diligence to the study of the law, in the society of Lincoln's Inn; and, for the space of thirty-seven years had been chosen to serve his country in the several parliaments called during that period.

Being appointed one of the high-court of justice for the trial of the late king, he did not appear among the judges, by reason of some scruples which he had entertained concerning that measure, till the day on which sentence was pronounced. But, upon mature consideration; he found those scruples, as he said, to be of no weight; and on that fatal day, Came early into the court, that he might give a public testimony of his, satisfaction and concurrence with the proceedings.

He was afterwards one of the parliament's commissioners for the civil government of Ireland; in which employment he manifested such integrity, that be was continued for many years in that station, in which he impaired his own estate for the public service. The day before his execution he assured his friends, that he was so thoroughly convinced of the justice, and even the necessity of the action for which he was to die, that, if it had been yet to do, he could not refuse to act as he had done, without affronting his reason, and opposing the dictates of his conscience: adding, that the immorality, the lewdness, and the corruptions of all sects, which had been introduced and encouraged since the late revolution, were no inconsiderable justification of the steps taken by the republican parliament.

The execution of Berkstead, Okey, and Corbet, was obtained by the villainy of the instrument Downing; but the death of the more illustrious, and more formidable Vane, who suffered soon after, was the effect of deceit and treachery from a less suspected quarter.

Sir Henry Vane’s Trial and Admirable Defence

As neither Vane nor Lambert had sat in judgment on the king, the lower house of the convention-parliament strenuously contended for their being included in the **Act of Indemnity.** The lords as strenuously insisted, that they should be excepted and both houses were equally obstinate on the point, till the chancellor, after, intimating that .Vane and Lambert were regarded by the court as persons of such mischievous activity, as to render it necessary to keep the rod of power over them, assured the commons, that their lives would be safe in the king's hands, if the parliament thought it right to prefer a petition in their favour.

This assurance from the chancellor brought the matter to a compromise. The lords were con, tented with the exception; the commons trusted in the king's honour; and both. houses agreed to preset a petition to the throne in, the following gong terms:

"Your majesty having declared your gracious pleasure to proceed only against the immediate murderers of your royal father, we, your majesty most humble subjects, the lords and commons assembled, not finding Sir Henry Vane, nor colonel Lambert to be of the number, are humble suitors to your majesty, that, if they shall be attainted, execution of their lives may be remitted."

As the prayer of this petition was granted in the fullest terms,—as the petition itself was an expedient proposed by the crown for the preservation of the lives of these delinquents, the king, it was .supposed, was doubly bound to keep his word. But the sequel proves, that his majesty's interfering in the business was only with the design to make those, who had been anxious for their safety, the instruments of their destruction.

The pension-parliament had no sooner received their cue, than they passed an order, that Sir Henry Vane and John Lambert, being wholly excepted and fore-prized out of the **Act of Indemnity**, should be left to be proceeded against according to law; and three weeks after the attorney-general was ordered to prepare evidence, and speed the prosecution.

With the authority of parliament to plead, who could blame his majesty for the breach of his word? Prosecutions were immediately commenced at the suit of the crown; and to prevent, if possible, an appearance of partiality and personal malice, the indictments for high-treason extended only to the conduct of the delinquents after the late king's death.

Sir Henry Vane in the defence of his conduct, in a situation where the fulfilling a public trust required his opposition to the pretensions of the king, did not fail to take every advantage, which the state of the law, and the nature of the charge afforded him.

If compliance with the established government," said he, "and an acknowledgment of its authority are to be regarded as criminal, the whole nation have incurred equal guilt."

On the statute of the twenty-fifth of Edward III he observed, "that by, king was to be understood a king regnant, in actual possession, and not a king *de jure* out of possession. An interregnum," he said, "had been admitted even by the indictment. During that period all ensigns and badges of government were visibly in another name: the king's best friends prosecuted their suits by the authority of the powers then in being; and the council, in which he acted, was established by the power of the parliament, a power which the best lawyers had declared to be co-ordinate with the king, and which the late king himself had acknowledged.

The two houses were also legally invested with a power to restrain and to prevent tyranny : they, of course, were the legal judges when there was danger of tyranny, and had a legal power to recquire their judgments and resolves to be obeyed, not only when arms were actually raised against them, but when they discerned and accordingly declared a preparation towards it.

The causes, continued Sir Henry, "which moved his late majesty to depart from his parliament, and remain for many years not only at a distance but disjunction from it, and at last in a declared posture of enmity and war against it, are well known and fully dated in print, not to say written in characters of blood.

I shall therefore only observe, that out of these public differences and disputes doth the particular case arise, for which I am called in question, who having received trust in reference to the safety and preservation of the kingdom in those times of imminent danger, both within and without, I did conscientiously hold myself obliged to be true and faithful therein; nor was it for any private ends to profit myself, or to enrich my relations, which may appear as well by the great debt which I have contracted, as by the destitute condition which my many children are in as to any provision which I have been able to make for them; and 1 do publicly challenge all persons whatsoever to give any information of any bribes or covert ways used by me during the whole time of my public acting.

Therefore, I hope, it will be evident to the consciences of the jury, that what I have done hath been upon PRINCIPLES of INTEGRITY, HONOUR, JUSTICE, REASON, and CONSCIENCE, and NOT, as is suggested in the indictment, by instigation of the devil, and the want of the fear of God."

On the state of confusion, which followed the disjointing of the government, sir Henry observed, "that the law of England did not leave the subject without direction: the legislature in this case had provided for public security. by the famous statute of Henry VIII where it was enacted, That no man, in case of a revolution, should be questioned for his obedience to a KING IN BEING; and whether the established government was a monarchy, or a commonwealth, the reason of the thing was still the same, nor ought an expelled prince so think himself entitled to ALLEGIANCE so long as he could NOT AFFORD PROTECTION.

All the violence, which were put on the parliament, and the person of the sovereign; Sir Henry said, "he had ever condemned; nor did he once appear in the house for some time before and

after the execution of the king. But finding the whole government flung into disorder, he was still resolved in every revolution to adhere to the commons, the root, the foundation of all authority; and in prosecution of this principle, he had fully undergone all the violence of Cromwell's government."

In pleading for an arrest of judgment, sir Henry told the court, " that the matter was of more consquence than his life and estate. It is," said he, the concern both of the dead and the living. Had nothing been in it, but to preserve my own life, I needed not to have staid in England, but might have taken the opportunity to have provided for my safety. But, my lords, I have otherwise learned CHRIST than to fear those who can kill the body only. I have also taken notice in the little reading which I have had of history, how glorious the very heathens have rendered their names posterity, in the contempt which they have shewn of death, when the laying down their life has appeared to be their duty, from the love they owed their country."

Many shrewd observations were made, and a very extensive knowledge of the law shewn in the course of the prisoner's defence, but without any effect on the obdurate servility of the court. The jury, who had been tampered with, were predetermined in their verdict; and the judges were enraged, that the prostitution of the bench was so fully exposed.

On sir Henry's desiring counsel to argue some of these points; first, whether a parliament was accountable to any inferior court? Secondly, whether the king being out of possession, and the power regent in others, &c. the judges stopped him in the middle of the last question. They also refused, contrary to the express words of the statute of Edward III, to set the seals to his bill of exceptions, and over-ruled the plea by a forced and arbitrary interpretation which affected the security of every citizen.

The great object of that statute,—the important purpose for which it was enacted, was, that the party wronged might have a foundation for a legal process against the justices by writ of error, having his exception entered upon record in the court where injury done; and the justices refusing to set their seals the party aggrieved may have a writ, grounded on this state, commanding them to set their seals to exceptions, which extend to all pleas dilatory and peremptory, and to all challenges of any juries and any material evidence offered to the jury which may be overruled by the court; and, if the justice or justices die, their executors for administrators may be proceeded against for the injury; and if the judge or judges deny to put the seal to the exceptions, the party wronged:may in the writ of error take issue thereupon, if he can prove by witnesses that the judge or judge's denied to seal.

These against the corruptions of judges were now over-ruled by an interpretation, which destroyed their benefit in all trials of the greatest importance to the subject. The court pretended, that the law of the statute did hoe take place in criminal cases for life ;" as is it could be rationally concluded, that the law would be less careful of a man's life than of any particulars of his estate. But to shew fully the mischief, and the injustice of this interpretation, it will be necessary to give the assertions in the Bill of Exceptions delivered by Sir Henry Vane.

"Six moderate men, who were likely to confider of what they did, were summoned to be of my petty jury; but the king's counsel having written a letter to one of the sheriffs on the subject, a new list was made the night immediately before the day of verdict, on purpose that the prisoner might not have any knowledge of the matter till presented to his view and choice in Westminster-Hall: yet one of the forty-eight of the list, who said, be would have starved before be would have found. Sir Henry Vane guilty of treason, was never called; and in that hurry of those, who compassed me about, I being alone and stripped of all assistance, Sir William Roberts, foreman, and sir Christopher Abdy were sworn by the Court before I was aware: so my challenging them afterwards might seem a personal affront, and an exasperating them against me, after they were sworn and fixed."

Concerning the evidence, Sir Henry asserts, "that there was a conspiracy to take away his life, between the government and the tenants who detained his rents, with others who had obtained an order from the king, contrary to law, to seize his goods and effects before conviction or attainder; and the duke of Albemarle, who feared and hated Sir Henry Vane, on the account of his integrity and great abilities, endeavoured by the offer of a place at court, to prevail on one Linn to swear, "that he had orders from Sir Henry Vane to fight Sir George Booth;" and when Linn absolutely refused to swear to matters which he knew nothing about, the duke of Albemarle's agent replied, "Be not afraid; I warrant you, we shall hang Sir Henry Vane, For he is a rogue."

Had not the fate of Sir Henry been previously determined, the explanation which, in the course of his defence, he gave of the power of the English monarchy, as it stands in the best law-books; and his asserting, contrary to the new creed, the co-ordinate, and, in some cases, superior authority of parliament, with the un-courtly position, T**HAT ALL POWER IS DERIVED FROM THE PEOPLE**, were treasons of too high a nature to be uttered with impunity[7]

But this was foreseen and disregarded by the prisoner, who, with a noble contempt of that death which surely awaited him, fulfilled to the utmost what he owed to his exalted character, and fully justified the liberties of that people by whom he was basely sacrificed.

During the period between his sentence and, execution Sir Henry gave very undeniable proofs of his enjoying a perfect tranquility of mind; and when on the eve of his martyrdom, his friends pressed him to endeavour to preserve his life by submissions to the king, he replied, "If his majesty does not think himself more concerned for his honour and word than I am for my life, I am very willing he should take it; and I declare that I value my life less in a good cause than the king does his promise."

His Conduct on The Scaffold With A Sketch of His Life and Character

On the scaffold his countenance and manner were so serene and composed, that whilst he was talking to a knot of his friends, the spectators cried out, which is the man who is to suffer? “Which is Sir Henry Vane?" On this the prisoner, stepping forward, saluted the multitude on each side the scaffold with his hat off, and then returned to his company.

In his speech to the people, as he was relating some circumstances of the irregularity of the proceedings against him, Sir John Robinson in a furious manner told him, "he lied;" to which Sir Henry calmly replied, "God will judge between me and you. I speak but matter of fact. It is evident that the judges have refused to sign my bill of exceptions."

On this a large number of drummers and trumpeters; who were placed on purpose on the scaffold, drowned his voice with the found of their instruments. Sir Henry, laying his hands on his breast, said, "What mean you; Gentlemen!" and then added; "Seeing the judges have refused to seal with their hands that which they have done, I am come to seal with my blood that which I have done."

He was proceeding to give some account of his life, and of the obligations of the covenant, when his voice was again drowned by the trumpets; and at length, after several interruptions of the same kind, and several attempts to snatch the paper which he held in his hand; he tore his notes to pieces, and prepared for the block.

Immediately before the fatal stroke, he uttered the following thanksgiving and prayer: "I bless the Lord, who hath accounted me worthy to suffer for his name. Blessed be the Lord, that I have kept a conscience void of offence to, this day. I bless the Lord, that I have never deserted the righteous cause for which I suffer. Father! glorify thy servant in the sight of men, that he may glorify thee in the discharge of his duty to thee and to his country."

Whilst the hand of the executioner was suspended over the head of this illustrious sufferer, it was remarked by the spectators, and, in particular, by a curious and ancient traveller, "That his countenance did not change; and that his nerves were so little affected by the violent and fatal stroke, that, contrary to every other instance where he had seen the same kind of death inflicted, his head lay perfectly still immediately after it was separated from the body."

The following sketch of Sir Henry's life and character by the same pen to which we are indebted for the above particulars of his trial and death, muff prove highly gratifying to every reader susceptible of generous emotions.

Sir Henry Vane was descended from an ancient family: he was born in the year sixteen. hundred and twelve; received the rudiments of his education at Westminster-school; and completed his studies at the university of Oxford.

In his travels he spent some time in France, but chiefly resided at Geneva, where, it is said, that he contracted a dislike to the liturgy and the church ,of England. But as his deportment, even at the age of sixteen, shewed him to be a youth of deep thought and grave reflection, as he avoided the prescribed oaths and subscriptions, by refusing to become a member of the university it is probable that his religious and civil principles were founded at an earlier period of life.

However; after his return from Geneva, they came into such notice, that it was recommended to the king to take some course to correct his misguided judgment. Laud undertook the:talk and by his frequent conferences and reproofs, he rendered the life of Sir Henry so uneasy, that in the year sixteen hundred and thirty-four, he visited the new settlements in North America, and two years after was elected governor of Massachusetts Bay.

On his return to England in the year sixteen hundred and thirty-nine, he was joined with Sir William Russel in the office of treasurer of the navy, through his father's interest, who was comptroller of the household to Charles I. He represented the town of Kingston upon Hull in the parliament which met at Westminster on the thirteenth of April 1640; and was again elected to serve for the same place in the parliament of the same year, which began the third of November.

In this extensive field of action, Sir Henry's abilities, with the steady and invariable inclination he shewed for the enlargement of public freedom, procured him the full confidence of the popular party. In June, sixteen hundred and forty-three, he was a nominated one of the assembly of divines.[8] and in the following month, was sent other missioners into Scotland, to negotiate a treaty between the two nations,

The subscription of the Solemn League and Covenant, as a bond of indissoluble union was the consequence of a piece of political manoeuvre, exhibited by Sir Henry in the course of this negotiation; but for which he is severely attacked by the royalists, on the ground of having used an unwarrantable subtlety to produce the desired effect,

The Scots, it is said, who intended the general establishment of the Presbyterian discipline church, and the preservation of the form of monarchy in the state, under the government of the reigning family overlooked the tendency of the softening expedients, which were proposed by Sir Henry as additions to the clauses concerning the preservation of the king's person, and reducing the doctrine and the discipline of both churches to the pattern of the best reformed. To the first clause Sir Henry proposed to add the words,preservation of the laws of the land and the liberty of the subject;" and, to the second, according to the word of God."

These were undoubtedly very unexceptionable additions; and Sir Henry was not obliged by the strictest rules of negotiation to declare the liberal explanation such words would bear. In whatever manner the instrument of union might be understood by narrow-minded bigots, the sense, in which it was taken by Sir Henry, as declared in his excellent pleadings when under trial for life,

was agreeable to the dictates of true religion and morality; and consequently favourable to the happiness of the people[9].

"Whatever defection from the covenant," said he, "did happen by apostate hypocrites, and time serving worldlings, there was a party who continued firm and chaste to the last, and loved it better than their lives, of which number I am not ashamed to profess myself to be, not so much admiring the form and the words of the covenant, as the righteous and, holy ends therein expressed, and the true sense and meaning thereof, which I have reason to know; nor will I deny but as to the manner of the prosecution of the covenant to other ends than itself warrants, and with a rigid oppressive spirit, to bring all dissenting minds and tender consciences under one uniformity of church discipline and government, it was utterly against my judgment; for I always esteemed it more agreeable to the word of God, that the ends and work declared in the covenant should be promoted in a spirit of love and forbearance to differing judgments and consciences, that thereby we might be approving ourselves in doing that to others, which we desire they would do to us; and be found though upon different principles, joint and faithful advancers of the reformation contained in the covenant both public and private."

Sir Henry Vane's abilities for negotiation were equally manifested in the commission to reconcile the differences which had arisen in the year sixteen hundred and forty-seven, between the military and the civil powers, also in the two treaties with the king at Uxbridge and in the Isle of Wight.

After the trial and execution of this very unfortunate monarch, Sir Henry was entrusted by the parliament with the principal business of the state. It was in an especial manner owing to his vigilance, wisdom, and sagacity, that the naval power of England was carried by the republic to a height, which struck a terror in every European state; and, to the honour of those patriotic principles which he so warmly asserted, he exhibited, in the office of treasurer of the navy, an instance of disinterested virtue unknown in the annals of this country, and which, perhaps, it will be found difficult to equal in any other than in some few illustrious examples set forth in the histories of the Roman and the Grecian commonwealths.

Of all those who were termed enthusiasts in religion, Sir Henry Vane was the only one whom Cromwell could neither flatter nor deceive. He shewed a remarkable instance of his sagacity in Dissenting from the opinion of council on the propriety of seizing in the English ports, the three hundred thousand pounds of Dutch money, which encouraged Cromwell to that act of violence on the parliament which preceded his usurpation; and when the government was thus overturned by the successful intrigues of this traitor, Sir Henry disdaining to exercise those virtues and talents, which, were so fitted to strengthen and adorn the empire of a free commonwealth, in the support of a disgraceful tyranny, retired to private life: nor could, the promises, the threats, or the persecution of the usurper prevail on him to enlist in the service of that parricide, and prostitute his vast abilities in giving permanence and glory to his government.

Whilst the post of honour was a private station, Sir Henry continued, in retirement. But preferring his duty to his ease, on the first favourable appearance which the face of affairs carried, he resumed his active life; was the principal instrument in deposing Richard Cromwell, and restoring the power of the parliament; and through all the confusions, which the ambition of the military leaders occasioned, he closely adhered to the soundest principles of civil and religious polity, as the steady partisan of democratical power in the state, and of religious liberty in the church.

It is not a matter of surprise that this great man should be unjustly represented by the cavaliers and the bigoted Presbyterians; and as almost all the histories and memoirs of those times are strongly tinctured with the party-spirit of those two violent factions, it is difficult for an historian to do justice to the memory of the few illustrious patriots, who seem to have acted on the pure principles of public good, without the alloy of self interest, or religious bigotry, yet were too much oppressed with the power of the restored government, and had too large an experience of the inveterate rancour of that intoxicated age, to attempt the vindication of their conduct to a

prejudiced posterity. But from whatever bitter sources the fountain of historical knowledge may slow, facts will speak for themselves.

Among the foremost of these heroic characters stands Sir Henry Vane, whose honesty was too pure to be corrupted by the rigour of persecution, the emoluments of office, or the enjoyment of power; whole judgment was too sound to be depraved by that high enthusiasm in religion, into which a fine imagination is so apt to deviate, when, in contemplating divine subjects, it ranges beyond the hounds of human knowledge and experience; whose resolution was so philosophical as, in the sufferance of his martyrdom, to conquer the almost irresistible influence of natural timidity; and whole abilities were so eminent as, when reduced to the state of a prisoner, to give terror to a powerful government.

He was allowed, by the most inveterate of the opposite factions to be a man of a deep penetration; of a sound judgment in matters of state, of a ready and a, quick conception, and to be possessed of the highest powers of argument and eloquence.

But the opinions entertained of his great talents even, by his enemies may be best collected from the following letter written by a person of quality to a near relation of the illustrious sufferer, a week after his execution:

MADAM,

If I do later than others give you an account of the share which I have in the loss of your kinsman, it is because I would not rudely disturb the motions of so just a sorrow; but I hope you are assured that I have so real a concern in all which relates to you, that it was not necessary, by an early haste, to send you an information of it.

I have, madam, whilst I own a love to my country, a deep interest in the public loss, which so many worthy persons lament: the world is robbed of an unparalleled example of virtue and piety.

His great abilities made his enemies persuade themselves, that all the revolutions in the last age were wrought by his influence, as if the world was moved only by his engine. In him they lodged the dying hopes of the party: there was no opportunity which he did not improve for the advantage of his country; and when he was in his last, and much deplored state, he strove to make the people in love with that freedom they had so foolishly and lavishly thrown away.

He was great in all his actions; but to me he seemed greatest in his sufferings, when his enemies seemed to fear, that he alone should be able to acquaint them with a change of fortune. In his lowest condition you have seen him the terror of a great prince, strengthened by many potent confederates and armies; you have seen him live in high estimation and honour; and certainly he died in it.

Men arrive at honours by several ways. The martyrs, though they wanted the glittering crowns the princes of those ages dispensed, have richness in every just man's esteem virtue, though unfortunate, shines in spite of all its enemies; nor is it in any power to deface those lasting monuments your friend bath railed of his in every heart that either knew him, or held any intelligence with his fame.

We are irresistibly tempted by Mrs. Macauley's example, and by the exquisite beauty of the lines themselves, to introduce here the following extract from Sampson Agonistes, in which the divine Milton is supposed to allude to the unexpected turn which, the affairs of state had then taken; to the sufferings of the most eminent republicans; and particularly to the unjust execution a Sir Henry Vane,

God of our fathers! what is man!
That thou towards him, with hand so various,'
Or, might I say, contrarious,
Temper'st thy providence through this short course,
Not ev'nly, as thou rul'st
The angelic orders, and inferior creatures, mute,
Irrational and brute:
Nor do I name of men the common rout,
That wand'ring loose about,
Grow up and perish as the summer-fly,
Heads, without name, no more remembered!
But such as thou hast solemnly elected,
With gifts and graces eminently adorn'd,
To some great work, thy glory,
And people's safety, which in part they effect:
Yet toward these, thus dignified, thou oft,
Amidst their height of noon,
Changest thy, countenance, and thy hand, with no regard
Of highest favours past
From thee on them, or them to thee of service.
Nor only dost degrade them, or remit
To life obscured, which were a fair dismission,
But throw'st them lower than thou didst exalt them high,
Unseemly sall'n in human eye,
Too grievous for the trespass or omission;
Oft leav'st them to the hostile sword
Of heathen and profane, their carafes
To dogs and fowls a prey; or else captiv'd
Or to th' unjust tribunal, under change of times,
And condemnation of the ungrateful multitude.

Sir Henry Vane suffered on Tower-hill, on the fourteenth of June, sixteen hundred and sixty-two. By his wife Frances, the daughter of Sir Christopher Wray, of Ashley, in Lincolnshire, he left one son, who paid so little respect to the memory of his illustrious parent, as to accept, after his unhappy death, the honour of knighthood from Charles II and was afterwards advanced by king William to the title of lord Bernard of Bernard Cattle.

As Sir Henry's execution was so flagrant a, breach, of the king's solemn promise to the convention-parliament, great pains were taken by the agents of the court to spread reports of the prisoner's provoking insolence at his trial, which alone, they said, was a sufficient bar to the extension of royal mercy.

In proof of this, they farther urged the reprieve granted to Lambert, who had been condemned at the same time with Vane, but whose sentence of death was changed into confinement during life in the island of Guernsey. But, besides that the popish interest, which had most weight with the duke of York, was exerted to save Lambert, government found by the abjectness of his behaviour, that he was more an object of contempt than terror; and therefore willingly spared the life of a man who had been the instrument of all the confusions which co-operated to the ruin of the commonwealth, that the shew of lenity, in this instance, might palliate the injustice, the cruelty, and the perfidiousness of abandoning Sir Henry Vane to the axe of the executioner.

There are a few more, who suffered in the first years of this merciless and bloody reign; but as their deaths are closely interwoven with other events nth following work, we shall here dole our detached remarks; and resume the continuance of the Secret History.]

The Secret History Resumed

The festivity of the court, on being relieved from parliamentary, concerns during the recess, was checked and clouded by the death of the duke of Gloucester, the king's youngest brother[10]. He had just entered upon his twenty-first year, when he was carried off by the smallpox. The want of great talents in this prince was compensated by the amiableness of his temper. The king always shewed a great regard for him when living, and lamented his decease with surer marks of heartfelt sorrow than he was before thought capable of even by those who knew best.

His majesty, though very susceptible of amorous emotions seldom discovered any other strong emotions of tender sentiment. But his affliction for the loss of one branch of his family was soon alleviated by the congratulations of another: On the twenty-fifth of September the princes dowager of Orange, the eldest daughter of Charles I arrived in town to give her brother joy on his restoration; and, in the beginning of November the queen mother attended by the princess Henrietta, her younger daughter, and the prince palatine Edward's brother of prince Rupert, came from France to join the family triumph.

Political Motives of The Queen Mother’s Visit

But the queen-mother, who was always too fond of exerting her influence in the cabinet concealed several political schemes under the shew of this visit of ceremony. She was desirous of riveting the king's attachment to the French court by the strongest ties of matrimonial alliance. Having failed in a former attempt to bring about a marriage between Charles and cardinal Mazarin's niece[11], she was now happy to secure the king's assent to a match entirely of her own contriving between the princess Henrietta and the Duke of Orleans. The fatal consequences Of this union will hereafter afford ample matter for some painful remarks.

Details of Intrigues Respecting The Duke of York’s Marriage

This, however, was not the most important object of the queen's visit. Her wish to effect one marriage fell infinitely short of her anxious concern to prevent another: this was a much talked of connection between the duke of York and the chancellor's daughter. Her pride was not only mortified at the idea of such a supposed degradation, but all her soundest hopes of power were blasted by the marriage of her son into the family of a man whom she had always hated, and whose authority had always been, and was still likely to be the greatest obstacle in the way of her own ambition.

It is no wonder, therefore, that she exerted. every engine of secret intrigue, as well as the utmost stretch of maternal influence, to avert so dreaded an evil. But her efforts, though flattered at first with a prospect of success, proved ineffectual. The chancellor's wary conduct in so delicate an affair, the king's unwillingness at that time to offend so old and useful a servant, and above all the power of love in the duke's breast defeated the queen's utmost endeavours.

Mrs. Ann Hyde, the chancellor's eldest daughter, had, during the exile of the royal family, been appointed one of the maids of honour to the princess royal, whom she afterwards accompanied, in the year 1657, upon a visit to the queen-mother at Paris. There it was that the duke of York first saw, and admired her.

Trained up in his sister's court, which was almost a school of amorous intrigue, and aided by personal charms and a bewitching address; she so artfully fanned and inflamed his passion, that he determined to marry her; and they were contracted at Breda the very winter before the restoration. The duke's affection for her, when beyond the seas, was a matter of such notoriety, that it was impossible her father and mother could have been unacquainted with it; but the chancellor had very weighty reasons for dissembling all knowledge of it.

Immediately after the king's return, and secure establishment on the throne, the chancellor sent for his daughter, who was still abroad, waiting for the favourable issue of affairs. As soon as she arrived in England, the duke took an early opportunity of acquainting the king with the violence of his passion, and with the intercourse, which had taken place between him and the young lady.

He mentioned their having been contracted at Breda; said she was advanced in a state of pregnancy; declared that his happiness depended upon an honourable union with her; and then falling upon his knees, earnestly conjured his majesty to permit him publicly to marry her.

The king was very much perplexed at this discovery; but finding that matters had been carried too far, and that in fact the parties had been already privately married by the duke's chaplain, he made a virtue of necessity, and told his brother with his usual pleasantry, "that what was done could not be undone; and that he must drink as he had brewed."

All this was settled in the beginning of September; but as the princess of Orange, and the queen-mother with the rest of the family were shortly expected, the duke thought it advisable to defer the public avowal of his marriage till he could gradually soften the prejudices of those, who, he knew, would be very averse to it. In the mean time, the chancellor acted with great discretion; and when the matter was laid before him, as a member of the privy-council, he testified such readiness to sacrifice all the natural feelings of a father to the honour of the crown, by earnestly recommending the dissolution of the match, as greatly increased the king's esteem for him and made his majesty resolve that no disgrace should put upon the family of a man, who shewed himself at once so disinterested and un-ambitious.

But, on the arrival of the princess of Orange, whom the king and duke went to receive at Dover, and conduct to town, this matrimonial business took a new and very unexpected turn. The duke discontinued his former private visits to the chancellor's daughter and a general report prevailed that the match was finally broken off.

The queen had before written to the duke a very sharp letter full of indignation, that he should have so low thoughts as to marry such a woman; and now she sent the king word, that she was on the way to England, "to prevent with her authority so great a stain and dishonour to the crown."

The chancellor's enemies now anticipated his certain disgrace: they said, that the queen was coming on purpose to complain of him to the parliament, and to apply the highest remedies to prevent such a mischief: they farther asserted, that the duke was not married, and never would be, having lately discovered unquestionable proofs of the lady's infidelity.

There were, indeed, some grounds for this assertion; as Sir Charles Berkley, the duke's chief favourite, and devoted to the queen's service, had, in order to prevent the match, informed the duke "that he was bound in conscience to preserve him from taking to wife a woman so wholly unworthy of him that he himself had lain with her; and, for his sake would be content to marry her, though he knew well the familiarity the duke had with her."

This evidence, presented by a person so much trusted by the. duke, made a wonderful impression on him, so that he easily yielded to his sister's persuasions to deny his marriage; and never more see the woman that had been so false to him.

This change in the duke's affection and purposes made the king very uneasy. He saw that the intrigues, of his mother and her party would create much confusion; and that, in their endeavours to break off the marriage, they farther aimed at the downfall of the very person whom he himself most trusted to for relief from the cares of business his majesty therefore resolved to support the chancellor against their designs; but wished to avoid, if possible, an open rupture with his own family, particularly with the queen-mother. She was now ready to embark, inflamed and hastened by this occasion; and it was fit for the king and the duke to wait on her at the shore.

But, before' his majesty's going, he left with the attorney general a warrant signed for creating the chancellor a baron, which he commanded to be ready to pass the seals against his return. By conferring this dignity upon the chancellor at the present juncture, he intended to shew his own unabated regard for him, and thereby to discourage the clamour and violence of his enemies.

Nothing could have been better contrived to answer the desired end than so well-timed an instance of the king's partiality. It could nor be regarded as any affront upon the queen, as it preceded his majesty's interview with her. She did not lose a moment at their flirt meeting to express her indignation to the king and duke with her natural passion.

The duke asked her pardon for having placed his affection so unequally, of which he was sure there was now an end; adding, that he was not married, and had such evidence of the woman's unworthiness, that he should no more think of her. The queen was satisfied with this declaration, and had no doubt of prevailing to the utter overthrow of the chancellor, as the king heard all that was said about the affair, without any reply or debate.

But when the chancellor was seen next day in parliament in the robes of a peer, his enemies were confounded, and began to feel the weakness and folly of their deigns against a man, who was thus shielded by royal favour.

Instead, therefore, of a declared enmity to the chancellor himself, the, queen and her adherents confined their resentment, to the ruin of his daughter's character, and to the irrecoverable alienation of the duke's regard for her. But even in this they also failed.

Her innocence soon after appeared in spite of all their calumnies. Her own protestations at the time of child-birth, which soon after took place, in the presence of several ladies of known honour and fidelity to the crown; the death-bed repentance of the princess royal, who was afflicted with the smallpox, and in her last agonies expressed her concern for the share she had in such defamation[12]; and Sir Charles Berkley's formally retracting his former scandals, which, he said, were dictated by an excels of zeal to prevent the inconvenience and mischief, if not absolute ruin he thought such a marriage must bring upon the duke; all these testimonies concurred to dispel the glooms of jealousy and melancholy from the mind of his royal highness, and to open his bosom to the endearments of returning love.

The queen, after a few more unavailing struggles with her son's passion, found it necessary to give way; and being mistress of the profoundest dissimulation, and capable of wearing smiles in her countenance to those, against whom she bore the most implacable resentment, she affected to be convinced of the propriety of giving her consent and maternal blessing to the marriage; and upon the duke's presenting his wife to her, she received her daughter-in-law with as great a shew of gracious affection, as if she had cordially approved of the match from the beginning.

She even went still farther in the work of political reconciliation. Being obliged, after a short here to return to France, to drink the waters of Bourbon for the benefit of her health, she expressed a wish before her departure to become good friends with the chancellor.

After some preparatory formalities were adjusted, the chancellor waited upon her majesty. As soon as he entered, the queen rose from her chair, and received him with a countenance very serene.

The ladies and others, who were near, withdrawing, her majesty told him, "that he could not wonder, much less take it ill, that she had been much offended with the duke, and had no inclination to give her consent to the marriage; and if she had, in the passion that could not be condemned her, spoken any thing of him that he had taken ill, he ought to impute it to the provocation she had received, though not from him." She, said, "that she was now informed by the king, and well assured, that he had no hand in contriving that friendship, but was offended

at it with a passion really worthy of him; that she could not but confess that his fidelity to the king her husband was very eminent, and that he had served the king her son with equal fidelity and extraordinary success; and therefore as she had received his daughter as her daughter, and heartily forgave the duke and her, and was resolved ever after to live with all the affection of mother towards them, so she resolved to make a friendship with him, and hereafter to expect all the good offices from that her kindness should deserve time,"

The chancellor made the most respectful acknowledgments: and, after a farther interchange of professions, which on one side at least were very sincere, he kissed her majesty's hand, and took his leave.

I have pursued the course of this intrigue without interruption, as it serves to throw a light on the dark workings of animosity and ambition at the very beginning of this reign and may afford a clue to unravel same seeming inconsistencies in the subsequent parts of the duke's and of the king's conduct.

As the attachment of neither of them to the chancellor was founded upon any generous principle, it is no wonder that their artful mother, and the agents she left behind her, should find means to warp them from his support, and induce them to abandon him, when he most wanted, and perhaps most deserved their assistance.

The seeds of revenge, now sown by the queen, ripened in a few years to baneful maturity; and as she could not prevent the chancellor's aggrandisement, she took care to make it the instrument of his future ruin.

The parliament having met again on the sixth of November, appointed a committee to compliment the queen-mother on her happy return to England; and to give her more substantial proofs of their regard than could be conveyed in the warmest language of congratulation, the house of commons made her and each of her two daughters very liberal presents[13].

They now proceeded to other objects of their re-meeting, the raising of supplies for the public exigencies, and the settlement of the king's revenue. The acts then passed, and the large assessments granted shew that the commons were not influenced by the jealousy, or caution of former parliaments[14].

The excise, which had always been granted with reluctance, and which in a free constitution seemed justifiable only in moments of the most urgent distress, was now made perpetual, one half of it being settled on the king for life, and the other half on the crown for ever. This latter grant was, indeed; designed, and expressly stated as a purchase, or compensation to the crown for the abolition or wardship, purveyance, tenures in capite and knights service[15]

Failure of The Scheme for Rendering The Crown Independent

One step more the commons seemed willing to take in the warmth of their devotion to his majesty, but had not sufficient time allowed them for completing their purpose: this was the renewal and confirmation of a former vote to grant his majesty a revenue of twelve hundred thousand pounds a year.

The reason why this parliament was not suffered to sit long enough to settle the funds for raising this revenue, proceeded from the great contrariety of opinions in the cabinet upon the subject. The king's wants were such, in consequence of his boundless profusion, that all people knew that the best way of paying their court to him was to suggest the facility of new resources.

The duke of York was not less forward to encourage the like proposals, as they tended to advance his darling schemes of arbitrary power, by rendering, the crown more independent of

parliamentary aids. A settled revenue to a considerable amount was therefore the fondest object of both their wishes; and there wanted not members of great influence in the house of commons, who, engaged to carry such a measure through, if they were vigorously supported by administration[16].

But many of the sincerest well wishers both to their king and country were alarmed at the largeness of the grants already obtained; and were also convinced that the independency of the crown would be soon followed by the ruin of the kingdom. A great number of the privy council were of this opinion; and though they could not hold such un-courtly language as to assert, that the security of the state depended upon a just parliamentary controul over royal extravagance, yet they found means to baffle the duke of York and his party by their own arts of procrastination and delay.

Several debates took place in the cabinet on the funds to be fixed upon for the revenue already voted; and as the most strenuous supporters of that measure were not always the most fertile in expedients to give it efficacy, the matter dropped till a more favourable opportunity.

As the court, therefore, could no farther avail itself of the services of this parliament, or of its obsequiousness in some particulars, while its advice and opposition were dreaded in others, the propriety of dissolving it was suggested in the privy council. I have before observed, that even here no debate was carried on with candour and openness, but that artifice and intrigue governed every thing.

The real motives of those who wished for a dissolution, were not assigned; but it was plausibly alleged, "that the lasting validity of all the acts of the present parliament would depend upon another, to be summoned by the king's writs, and with every legal formality: that pamphlets had appeared tending to prove, that the long parliament was in the eye of the law still in being; and that, in consequence of such seditious publications, it became not only advisable, but necessary for the peace of the kingdom, and for the security of individuals to dissolve this parliament, and to call another of indisputable authority to confirm proceedings."

No objection was made to this measure, though the reasons urged by the proposers of it were far from being weighty, or convincing. The present parliament had been fully confirmed by the king’s assent to an act for that purpose, which certainly had as much legal virtue in it as his writs; and as to a libel, which had been published under the title of the long parliament revived, though the commons had been weak enough to take notice of it[17], it would be betraying great timidity in government to dissolve a parliament upon the silly suggestions of a contemptible and seditious scribbler.

The privy council, however, being, or at least appearing to be unanimous on this question, but from very different causes[18], the king went on the 29th of December to the parliament, and after giving his assent to several public, and private bills[19], he made the following speech to both, houses:

MY LORDS AND GENTLEMEN

"I will not entertain you with a long discourse, the sum of all I have to say to you being to give you thanks; and, I assure you, I find d a very difficult work to satisfy myself in my own expressions of those thanks. Perfunctory thanks, ordinary thanks for ordinary civilities are easily given; but when the heart is full as mine, it is a labour to thank you. You have taken great pains to oblige me; and therefore it cannot be easy for me to express the sense have of it.

" I will enlarge no further to you upon this occasion than to tell you, when God brought me hither, I brought with me an extraordinary affection and esteem for parliaments. I need not tell you, how much it is improved by your carriage towards me. You have outdone all the good and

obliging acts of your predecessors towards the crown; and therefore you cannot but believe, my heart is exceedingly enlarged with the acknowledgment. Many former parliaments have had particular denominations for what they have done: they have been styled learned, and unlearned, and sometimes have had worse epithets. I pray let us resolve, that this be for ever called the healing, and the blessed parliament.

"As I thank you, though not enough, for what you have done; so I have not the least doubt, by the blessing of God, but when I shall call the next parliament which I shall do as soon as you can reasonably expect or desire I shall receive your hearty thanks for what I have done, once I parted with you. For I deal truly with you: I than not more propose any one rule to myself in my actions and counsels than this: **what is a parliament like to think of this action, or this counsel**?' And; it shall be a want of understanding in me, if it will not bear that test.

I shall conclude with this, which I cannot say too often, nor you too often where you go; that, next to the miraculous blessing of God Almighty, and indeed as an immediate effect of that blessing, I do impute the good disposition and security we are all in, to the happy Act of Indemnity and oblivion. That is the principal corner stone which supports this excellent building; that creates kindness in us to each other; and confidence is our joint and common security. You may be sure I will not only observe it religiously and inviolably myself, but also exact the, observance of it from. others: and, if ever any person shall have the boldness to attempt to persuade me to the contrary, he will find such an acceptation from me, as he would have, who should persuade me to burn Magna Charta to cancel all the old laws, and to erect a new government after my own invention. and appetite."

Comments on The King’s Speech at The Dissolution

I have always regarded this speech as the fairest proof of the king's natural good sense, his political sagacity, and insinuating address. He certainly possessed talents, which, if virtuously exerted, would have rendered his reign respectable and happy; but-they were suffered to rust in indolence; they were enervated by the excesses of debauchery; they were too often perverted by his own passions, and by his brother's pernicious influence.

The speech was wholly his own; for though the subject was previously discussed in a select committee, yet he himself chose the points to be touched upon, and rejected others, which some of the members recommended. The pretext alleged in the privy council for dissolving the parliament would not, he knew, stand the test of public animadversion and as nothing more plausible could be assigned, he wisely left that past of the apology to the chancellor, who was one:of the advisers of the measure. With respect to religion, he felt himself in a very delicate situation. It was necessary to dismiss the Presbyterian party without any alarm on that head yet he could not flatter them from the throne with any new assurances, of which a very short time would discover the fallacy and the falsehood.

In such a case total silence was preferable to any language, however artful or evasive; especially as nothing decisive was to be done till the meeting of another parliament, and as during the late adjournment the reps taken by the king himself in church-regulations could not give any just cause of much apprehension or offence.

His majesty therefore judiciously resolved to confine himself in his speech to the glowing acknowledgment of thanks for parliamentary services; to the positive promise of making the approbation of the representatives of his people the only rule of all his future conduct; and to the unequivocal declaration of his determined adherence to the **Act of Indemnity**.

He could not have fixed upon more popular topics; and perhaps it is not going too far to say, that to speech from the throne was ever received by tilt whole nation with sincerer applause[20].

The Chancellor’s Supplementary Harangue

After the king had done speaking, a very difficult talk remained for the chancellor: this was to touch upon subjects, which the king had passed over in silence; and to temper his majesty's compliments to the parliament for what they had done, with

20. The writer was certainly checked by extreme delicacy for Charles's character, or he could not have ended his account of the speech without breaking out into this natural exclamation; what a pity that most of those sentiments, so conciliating, and so agreeable to sound policy as well as to true patriotism, should vanish from the king's breast, almost as soon as they were uttered by his lips! some delicate rebuke for what they had omitted to do.

He made a happy use of the interchange of affection which had taken place between the king and the parliament; and said, that nothing but the desire of the latter to be relieved from their public burthens could have brought his majesty to part with them with chearfulness. He got rid of the subject of religion with equal dexterity; and seemed to have introduced it for no other purpose than that of placing the king's liberal, indulgent, and conciliating endeavours in the most favourable light.

In going through the other parts of this necessary supplement to the king's speech; the chancellor was very much assisted by some strong information of a conspiracy against his majesty's person and government, which had been laid before the privy council, and in consequence of which several persons had been apprehended[21].

He enlarged upon the danger arising from, such treasonable combinations, in order to convince the people of she necessity of putting the militia into the king's hands, and to give the commons a gentle reproof for their inattention to so important a part. of their public duty.

He then drew a very flattering sketch or his majesty's character; described him as willing to die any death rather than live in fear of his subjects, or that they should fear him[22]; enlarged on his numberless virtues, and on the signal manifestations of Providence in his favour; and thus prepared the way for the following hints to the people on the choice of their representatives: "If," said he, "these arguments, urged with that vivacity which is most natural to your own gratitude and affections, recover as many as have been corrupted by a different logic, the hearts of the whole nation even to a man will be so sensibly devoted to the king, that when they make choice of persons again to serve in parliament, they will chose such as are not likely to oppose him, but such as have already served him, and are likely to serve him with their whole heart, and to gratify him in all his desires."

This piece of advice to the nation, which the chancellor introduced towards the end of his speech, was at the particular desire of the king, and the duke of York; and the propriety of some such language upon the occasion had even been debated upon and approved in the select committee.

The making it a point of so much importance was on the following account. The former parliament, almost wholly consisting of the old. members brought back by Monk, though determined to restore the king, thought it politic at that time to keep up the delusion or uncertainty of the people a little longer; and therefore passed a vote, before they dissolved themselves, that no person, who had been in arms against the parliament during the civil wars, should be returned at the next election. It was now, therefore, earnestly desired by the court, that some public and authoritative instructions, guarding however against any open infringement of the people's rights, should be given them to chuse none but royalists. Very few others were accordingly returned.

Institution of The Royal Society

[The author here concludes his account of the conduct of administration, with respect to the affairs of England, for the year 1660. Many events and other circumstances, which the confined nature of his plan led him to pass over, and yet appeared worthy of a place in history, have been interwoven with his narrative by the Editor, or thrown into the form of notes.

One, however, seemed to demand particular notice, and being easily detached from the rest, was reserved for the dole of this second chapter. It is, perhaps, the only public measure in the first year of Charles's restoration, which reflects honour on his memory, and tends to lessen our contempt and detestation of so bad a character.

This was the institution of the Royal Society, which was founded under the auspices and patronage of the king; and received from him every necessary encouragement to enlarge the sphere of useful discoveries, and to carry the knowledge of natural philosophy and mechanics to the highest degree of possible perfection.

The voluminous productions of this Society have often been made objects of ridicule and satire by men of little wit and Rill less understanding. But Europe is indebted to those labours, and to the spirit of experimental investigation excited by such an example, for the most valuable of its present improvements.

It would, indeed, require but little argument to convince any person of candour and common sense, that nothing can more effectually promote the improvement of science than to unite the exertions of the most ingenious individuals in the same pursuits; to concentre, as it were, their scattered views; and to bring their separate discoveries into one perpetually accumulating stock for the general benefit and instruction of mankind.]

Notes to Chapter 2

1. See page 33.

2. Though Charles had some time before his restoration secretly embraced popery, either from an impulse of superstitious. weakness, or merely to please his mother and recommend himself to the Roman catholic powers, yet his levity and profligacy soon effaced the sense of any religion from his mind. His own highest boast to doctor Burnet was, "that he was no atheist, but could not think God would make a man miserable, only for taking a little pleasure out of the way."

3. Of these there were only nine remaining, who were restored to their sees without any difficulty; namely Juxton of London, Skinner of Oxford, Pierce of Bath and Wells, Duppa of Salisbury, King of Chichester Wren of Ely, Warner of Rochester, Frewin of Lichfield and Coventry, and Roberts of Bangor. But seven new bishops were soon after consecrated for other dioceses; Cosins for that of Durham, Stern for Carlisle, Lancy for Peterborough, Gauden for Exeter, Walton for Chester, Lucy for St. David's, and Lloyd for Landaff. Ecclesiastical preferments were also offered to the most eminent of the Presbyterian clergy, to Calamy, Baxter, Manton, Bates, Bowles, and Reynolds, but all refused except, the last, who accepted the bishopric of Norwich.

4. It is very evident from the account of this conference, which was soon after published, that the prelatists began to feel their own superior power; and that the Presbyterian clergy were governed either by a just perception of the inefficacy of any struggle, or by a spirit of extraordinary moderation. They only desired to be dispensed with in wearing the surplice, in reading particular parts of the liturgy, and in using some exceptionable ceremonies. In return for such indulgence, they agreed to subject themselves to the bishops, as superintendents of the

church, provided some of their own order might be joined with them in the act of ordination. It is not likely, however, that the bishops would have agreed even to these terms, had not the king interposed his authority: he was not yet prepared to proceed to extremities against so formidable a body as the Presbyterians were at that time.

5. Ingoldiby, though he had concurred in the sentence of beheading Charles I. and signed the warrant for his execution, yet foreseeing the success of Monk's opposition to the republican parliament, he had the address to secure the general's confidence, and soon after distinguished himself by his activity in the pursuit and capture of Lambert. In consequence of this service, Monk not only recommended him as a proper object of pardon to Charles II. but even as deserving the honour of knighthood at his majesty's coronation.

6. Before the pension parliament could foresee that chance, or treachery would put any other victims in their power, they took care in their first session in 1661, to provide for the expiatory observance of the anniversary of the late king's martyrdom, on the 30th of January following. They ordered, that, on that day, lord Munson, Sir Henry Mildmay, and Robert Wallop, who were spared in the ***Act of Indemnity*** as to life, but liable to other penalties, should be dragged, with ropes about their necks, upon sledges, through the streets of London to the gallows at Tyburn, and then conveyed to the Tower, there to remain prisoners during their lives.

7. In Harris's l***ife of Charles II*** we meet with the following copy of a letter, said to be written by the king to the chancellor on this part of Sir Henry Vane's defence. “The relation which hath been made to me of Sir Henry Vane's carriage, yesterday, in the hall, is the occasion of this letter, which, if I am rightly informed, was so insolent as to justify all he had done; acknowledging no supreme power in England hut a parliament, and many things to that purpose. You have had a true account of all; and if he has given new occasion to be hanged, certainly he is too dangerous a man to let live, if we can honesty put him out of the way. Think of this, and give me some account of it to-morrow."

8. This assembly was convened by an ordnance of parliament to be consulted by both houses at to the best means of settling the government and liturgy of the church of England.

9. The following is a copy of this famous bond of national union, approved of by the convention of estates and general assembly of the Kirk of Scotland, on the seventeenth of August, 1643, and formally contented to by the parliament of England, on the 28th of the same month: "A solemn league and covenant for reformation and defence of religion, the honour and happiness of the king, and the peace and safety of the three kingdoms of England, Scotland, and Ireland. We noblemen, barons, knights, gentlemen, citizens, burgesses, ministers of the gospel, and commoners of all sorts in the kingdoms of England, Scotland, and Ireland, by the providence of God living under one king, and being of one reformed religion, having before our eyes the glory of God, and the advancement of the kingdom of our Lord and Saviour Jesus Christ, the honour and happiness of the king's majesty and his posterity, and the true public liberty, safety' and peace of the kingdoms, wherein every one's private condition is included; and calling to mind the treacherous and bloody plots, conspiracies, attempts, and practices of the enemies of God against the true religion and professors thereof in all places, especially in these three kingdoms, ever since the reformation of religion, and how much their rage, power, and presumption are of late, and at this time, increased and exercised, whereof the deplorable estate of the church and kingdom of Ireland, the distressed estate of the church and kingdom of England, and the dangerous estate of the church and kingdom of Scotland, are present and public testimonies; we have (now at last) after other means of supplication, remonstrance; protestations and sufferings, for the preservation of ourselves and our religion from utter ruin and destruction, according to the commendable practice of these kingdoms in former times, and the example of God's people in other nations, after mature deliberation, resolved and determined to enter into a mutual and solemn league and covenant, wherein we all subscribe, and each one of us for himself, with our hands lifted up to

the most high God, do swear: That we shall sincerely, really and constantly, through the grace of God, endeavour, in our several places and callings, the preservation of the reformed religion in the church of Scotland, in doctrine, worship, discipline and government, against our common enemies; the reformation of religion in the kingdoms of England and Ireland, in doctrine, worship, discipline and government, according to the word of God, and the example of the best reformed churches; and we shall endeavour to bring the churches of God in the three kingdoms to the nearest conjunction and uniformity in religion, confessing of faith, form of church-government, directory for worship and catechising, that we, and our posterity after us, may, as brethren, live in faith and love, and the Lord may delight to dwell in the midst of us. That we shall in like manner, without respect of per-sons, endeavour the extirpation of popery, prelacy, (that is, church-government by archbishops, bishops, their chancellors and commissaries, deans, deans and chapters, archdeacons, and all other ecclesiastical officers depending on that hierarchy) superstition, heresy, schism, profaneness, and whatsoever shall be found to be contrary to sound doctrine, and the power of godliness, lest we partake in other men's sins, and thereby be in danger to receive of their plagues, and that the Lord may be one, and his name one in the three kingdoms. We shall with the same sincerity, reality and constancy, in our several vocations, endeavour with our estates and lives, mutually to preserve the rights and privileges of the parliaments, and the liberties of the kingdoms, and to preserve and defend the king's majesty's person and authority, in the preservation and defence of the true religion and liberties of the kingdoms, that the world may bear witness with our consciences of our loyalty, and that we have no thoughts or intentions to diminish his majesty's just power and greatness.

We than also with all faithfulness endeavour the discovery of all such as have been or shall be incendiaries, malignant, or evil instruments, by hindering the reformation of religion, dividing the king from his people, or one of the kingdoms from another, or making any faction or parties among the people, contrary to this league and covenant, that they may be brought to public trial, and receive condign punishment, as the degree of their offences shall require or deserve, or the supreme judicatories of both kingdoms respectively, or others having power from them for that effect, shall judge convenient.

And whereas the happiness of a blessed peace between there kingdoms, denied in former times to our progenitors, is, by the good providence of God granted unto us, and hath been lately concluded and settled by both parliaments, we shall, each one of us, according to our place and interest, endeavour that they may remain conjoined in a firm peace and union to all posterity, and that justice may be done upon the wilful opposers thereof, in manner expressed in the precedent articles.

VI. We shall also, according to our places and callings, in this common cause of religion, liberty, and peace of the kingdoms, assist and defend all those that enter into this league and covenant, in the maintaining and pursuing thereof; and shall not suffer ourselves directly or indirectly, by whatsoever combination, persuasion, or terror, to be divided and withdrawn from this blood union and conjunction, whether to make defection to the contrary part, or to give ourselves to a detestable indifferency or neutrality in this cause, which so much concerneth the glory of God, the good of the kingdoms, and the honour of the king; but shall all the days of our lives zealously and constantly continue therein, against all opposition, and promote the same according to our power, against all letts and impediments whatsoever; and what we are not able ourselves to suppress or overcome, we shall reveal and make known, that it may be timely prevented or removed; all which we shall do as in the fight of God.

"And because these kingdoms are guilty of many fins and provocations against God, and his Son Jesus Christ, as is too manifest by our present distresses and dangers, the fruits thereof: We profess and declare before God, and the world, our unfeigned desire to be humbled for our sins, and for the sins of these kingdoms, especially that we have not, as we ought, valued the inestimable benefit of the gospel; that we have not laboured for the purity and power thereof; and that we have not endeavoured to receive Christ in our hearts, nor to walk worthy of him in

our lives, which are the causes of other sins and transgressions, so much abounding amongst us; and our true and unfeigned purpose, desire, and endeavour, for ourselves, and all others under our power and charge, both in public and in private, in all duties we owe to God and man, to amend our lives, and each one to go before another in the example of a real reformation; that the Lord may turn away his wrath and heavy indignation, and establish these churches and kingdoms in truth and peace. And this covenant we make in the presence of Almighty God, the searcher of all hearts, with a true intention to perform the same, as we shall answer at that great day, when the secrets of all hearts shall be disclosed; most humbly beseeching the Lord to strengthen us by his Holy Spirit for this end, and to bless our desires and proceedings with such success, as may be deliverance and safety to his people, and encouragement to other Christian churches, groaning under, or in danger of, the yoke of anti-Christian tyranny, to join in the same, or like association and covenant; to the glory of God, the enlargement of the kingdom of Jesus Christ, and the peace and tranquility of Christian kingdoms, and commonwealths."

10. He died the thirteenth of September, the very day on which the parliament was adjourned.

11. The Abbe Motague, the queen's great confidant and principal agent in all secret intrigues, had proposed to cardinal Mazarin a match between his beautiful niece Hortensia and the exiled Charles a little before the restoration. As the prince's affairs at that time did not wear a very promising aspect, the cardinal would riot hearken to any such treaty. The sudden change of fortune, in unexpectedly placing Charles upon a throne, wrought a corresponding change in the cardinal's sentiments. He then strove by the offer of a vast portion to bring about the marriage he had before contemptuously rejected but his proposals met in their turn with a familiar rebuff.

12. She died on the twenty-fourth of December, 1660, at the age of twenty-nine years. She is represented by some writers as a woman of a light and censurable conduct, and as the gay companion of Charles in his looser pleasures. The exertion of her talents, however, was not confined to the circle of amusement and amorous intrigue: she had kept her husband, the prince of Orange, steady to the support of her father's tottering fortune, and had used her utmost interest with the States towards the protection of her exiled brothers. But whatever odium she may have incurred either by the levity of her own conduct, or in common with the rest of her justly detested family, she has one claim to the kind regard of Englishmen: she was the mother of William III. the defender and preserver of their present constitution.

13. Those presents consisted of twenty thousand pounds to the queen, and ten thousand to each of her two daughters. In consequence of the princess royal's death, the ten thousand designed for her use were ordered to be paid to her executors. The parliament also charged the excise with ten thousand pounds to be paid to the executors of the duke of Gloucester; and with twenty thousand for the use of the king's aunt, Elizabeth Stewart, daughter of James I, Electress Palatine, and queen of Bohemia. She was not then in England; but she arrived from the Hague the seventeenth of May following, and died February the 13th, 1662. It is from her that the present reigning family of Great Britain are descended. By the Act of Settlement, which was the last and most glorious one of William the third's reign, the succession to the crown was secured to the youngest of her children, but the only one then alive, the princess Sophia, mother of George I

14. It may be proper to take notice of a few of those acts. One was for granting the king four hundred and twenty thousand pounds to be raised by a six month's assessment, at seventy thousand pounds per month, to begin the first of January. But as this sum was appropriated to public uses, they passed another act for the speedy raising of seventy thousand pounds for the supply of his majesty, towards defraying the expences of his coronation, which he had appointed for St. George's day, the 23d of April following. One would suppose, that by their endeavours to anticipate all the possible wants of the crown, and by the perpetual grant of the excise, they meaned to relieve the king from the only effectual check, or controul, which the people could

have on the abuse of his power, or the prodigality of his administration. Besides the donations to the royal family already mentioned, they charged the arrears of the excise with thirty-one thousand pounds more for the use of the duke of York, and with ten thousand to persons, who had rendered the king particular services during his exile. **They also passed a very extraordinary act to empower the city of London to impose an arbitrary tax on the inhabitants, to defray the expences they had been at in preparing for the king's entry. This act was probably intended as an acknowledgment to the city for having given a very luxurious and splendid treat to the king, the two princes his brothers, the great officers of the crown, and both houses of parliament on the fifth of July.**

15. The very nature of the purchase exposed the venality of the commons, and aggravates the baseness of the transaction. In order to obtain from the crown the abolition of a prerogative, or rather of a feudal grievance, which was only felt by the richer part of the community, they were ready to entail upon the great body of the people at large an odious burthen, that affected with double pressure their liberty and their property.

The following extract from Mr. Hamden's ***Use and Abuse of Parliaments*** will shew how eager the court was for the accomplishment of this point:

"It was at first determined," he sags, "to buy the freedom of the landholders with their own money, and to lay a tax on the land to the amount of one hundred thousand pounds a year. Whilst the mode of the tax was under consideration, the court being privately informed by some designing men, that it would be of much greater advantage to them to get a grant upon the excise of beer and ale, since the value of that was more considerable and unknown. Hereupon the court resolved to push for settling the whole excise ; and by threatening privately the house with a dissolution, and by indulgences to individuals, they obtained one moiety of the excise for wardship: though this was giving three hundred thousand pounds a year for one, the other part of the question was first carried in the negative; which occasioned a message to inform the house, that they were to be dissolved a month: this threat produced the settling of the other money of the excise on the king for life.

16. The writer of ***the Secret History*** is rather too delicate in: suppressing the names of such traitors to their country. One of them, however, has been consigned in other records of those times to the just detestation of posterity. This was Alexander Popham, one of the leaders of the house of commons, who allured the king, that with the aid of the court-party, he could procure an act for settling on his majesty and his successors two millions a year, which would relieve him and them from any dependence on parliament, except in extraordinary cases. The king catched at the proposal with avidity, and spoke of it to the chancellor in terms of the warmest approbation. The chancellor's reply must ever do him honour. "The best revenue," said he, " your majesty can have, is the affection of your subjects. Trust to them, and you will never want supplies in time of need." It is said, that the chancellor's opposition to this measure, and his successful exertions in bringing over other members of the cabinet to his way of thinking were not soon forgotten and afterwards proved one of the chief causes of his dismission.

17. It was, indeed, far from being a masterly production. The author was one William Drake, a citizen and merchant of London, against whom the commons voted an impeachment of high treason, but had not time to bring it to a trial.

18. The writer does not here explain those different causes, probably on account of his having before given sufficient hints of them in his exposition of the intrigues of the cabinet and the distinct views of its members, and in his remarks on the deep-laid plan for crushing the Presbyterians, which the convention-parliament could not be brought to acquiesce in. (See pages 35 and 75.) This parliament was also obnoxious on other accounts. Notwithstanding its unparalleled votes of supply, and its servility in many instances, it did not seem ready to go every

length. It was not sufficiently prodigal of republican blood in the case of the regicides: it had rejected a militia bill, brought in by the courtiers, after the model of one proposed in one of Cromwell's parliaments for settling major-generals: it seemed tenacious of some of its privileges; appeared too sensible of the magnitude of the subsidies; and had not totally forgotten, though it for some time neglected the ancient custom of making the redress of grievances always precede the grant of supplies: it was not likely to approve of a treaty now secretly carrying on for the marriage of the king to a papist: on the contrary, it had listened with marks of approbation to the advice of one of its members, who thought the king ought to be petitioned to marry into a protestant family. It cannot, therefore, be a matter of surprise, that a cabinet under the influence of the duke of York should have been ready to sign the death-warrant of the convention-parliament.

19. The chief of those acts have been already commented upon. The heads of the others are; An act for levying the arrears of twelve months' assessment ending the 24th of June, 1660. An act for farther supplying and explaining several defects in the act for disbanding the army. An act for the better ordering the selling of wines by retail; preventing abuses in the mingling, corrupting, and vitiating of wines; and for settling and limiting their prices. An act for erecting and establishing a post office. An act for the attainder of several persons guilty of the horrid murder of his late majesty, Charles I.

An act for the confirmation of leases and grants for hospitals and colleges. Another for the confirmation of marriages.

Two prohibitory acts, one to restrain the exportation of wool-fells, fuller's earth, or any scouring earth; and the other to prevent the culture of tobacco in England, or Ireland.

Many other bills were paired at the same time, but appear less interesting, as being more confined to objects of a local or personal nature.

The acts before noticed for settling on his majesty a revenue in lieu of wardship, purveyance, &c. and for granting him during life certain impositions on ale, beer, cyder, and other liquors, received the royal assent five days before the dissolution; but the above, with the money bills for the public service and for his majesty's private use were not presented till the commons received the king's message to attend him in the house of peers, previously to their being dissolved. Then it was that the speaker went even beyond himself, and outdid the specimen we have already given of his far fetched metaphors and servile adulation. "The commons," he said, "were as conduit pipes, or quills, to convey the streams of the people's dutiful affection and humble desires into the royal pretence; and that being done, they needed no other speaker but the king himself, for they knew his skill, and had had experience of his will. Yet they could not but take notice of his partiality to his people, on whole side he had always given the measuring cast against himself. But to undo himself to do his people good, was not to do as he would be done by." [The logic is as ingenious and as admirable as the rhetoric.] "The commons could not therefore do less than, by a grateful retribution, chearfully pay his majesty the just tribute of their dutiful obedience to all his royal commands; and upon all occasions to be ready to sacrifice *se et sua*, all that they had, or enjoyed, lives and fortunes, in the service of such an incomparable sovereign!!!"

20. The writer was certainly checked by extreme delicacy for Charles's character, or he could not have ended his account of the speech without breaking out into this natural exclamation; what a pity that most of those sentiments, so conciliating, and so agreeable to sound policy as well as to true patriotism, should vanish from the king's breast, almost as soon as they were uttered by his lips!

21. Notwithstanding the strong information laid before the council, which the writer notices, there is no doubt but the whole was a sham plot patched up by the duke of York's contrivance,

and too readily believed by the chancellor on account of his extreme jealousy of the army, and his strong prejudices against the Presbyterians. Desborough, Morgan, Overton, and some others, who tad served under Cromwell, were put under arrest; and in order to give a greater colour to the pretended conspiracy, the court agents employed one Browne, a renegade of the republican party, to draw in a few of his former associates (who by by the change of the times were reduced to indigence) to some unguarded conversation, which was confirmed treason, and the poor men were capitally punished. Ludlow in his memoirs when he mentions these and some similar manoeuvres of the military tells us that they were not ashamed to give it out, that their messengers had been so near his person as to seize on his cloak and slippers, and to commit two gentlemen to the Tower, who were in his company, "though," continues he, "they knew so well where I was, that they had employed instruments to assassinate me in Switzerland."

22. As the chancellor, when he was on the topic of religion, compared the king for his wisdom in composing differences to Constantine the great; so now, when he came to speak of his contempt of any plots against his life, he said his majesty's heroin was like that of Cæsar, and his reply always the same to those, who with honest zeal and anxious concern complained of his want of vigilance for his safety, "*Mari se malle quam*"

Sir Henry Vane

The Secret History
Of The
Court And Reign
Of
CHARLES THE SECOND
Chapter III

Affairs of Scotland – Situation of the Scotch under Cromwell – The Kings motives for restoring the ancient form of government – Characters of the Scotch delegates – Appointment of the officers of state – Fruitless combination against Lauderdale – Rigorous treatment of the Marquis of Argyll – Debate on the Marquis to be pursued in Scotland – Proceedings of the Scottish Parliament – Trial and execution of the Marquis of Argyll – Other victims – Petition for the re-establishment of episcopacy – Removal of the English garrisons – Fresh causes of enmity between the members of the Scots council – Fatal effects of their competition for Royal favour – Acts which almost eradicated civil and religious liberty – The Earl of Middleton's disgrace – Crowning acts of the Parliament previous to its dissolution – Un-remitted riggers of the new ministry – Insurrection at Lanark – The government entrusted to other hands – Mild councils adopted too late – Sketch of Lauderdale's violent and tyrannical administration.

Affairs of Scotland

HOUGH the designs of the court where put into as great a state of forwardness towards their completion in England, as the promoters of them could expect, or reasonably with in so short a period, still government was very much perplexed respecting the plan to be pursued in the settlement of the kingdoms of Scotland and Ireland. Both vied with each other in the early testimonies of allegiance and joy at his Majesty's restoration; and their respective deputies from both expressed equal eagerness to be relieved from oppression and misery, which, they said, had been introduced by their late rulers. As the affairs of Scotland appeared less complicated, they became the first objects of attention.

Situation of the Scotch Under Cromwell

After the conquest of Scotland by Cromwell, and the usurpation of the foreign power, he reduced that country to a servile dependence on England: he built forts, and established the military

governments among the Scotch, at the very time that he pretended to admit them to a state of the most perfect freedom and equality: he allowed them to send a certain number of representatives to the English Parliament, that they might be more easily enslaved by the votes of their own delegates; and more cheerfully pay the taxes levied upon them for the support of the very army and garrisons that kept them in subjection.

Thus, though in reality deprived them of their last and dearest privilege, the right of taxing themselves; though he not only confounded all their ancient laws and customs, but almost abolished every vestige of their old establishment; yet he enforced his measures with so much artifice and plausibility, as well as vigour, that all this prodigious mutation and transformation was submitted to with the same resignation and obedience as if the same had been transmitted by an uninterrupted succession from King Fergus.

Such was the situation in which the Scotch continued not only under Cromwell, but under all the later fluctuations of power, the shifting of which from one faction to another and administered no kind of variety to them; and, indeed, so confirmed where their habits of submission to an English Parliament, that it might well be a question, whether the generality of the nation was not better contented with it, then to return into the old Road, as before the troubles in sixteen hundred and thirty-seven.

The Kings Motives for Restoring The Ancient Form of Government

The King during the time that he resided in Scotland before is marched in Worcester, had contracted and brought with him from thence so perfect a detestation of their Kirk and Presbyterian government[1], that he was very little disposed to relieve's them from any yoke, and many of his counsel were as little adverse to the exercise of the severest tyranny over that nation.

To this it was owing, more than to the supposed difficulty of any charge, that the system established by Cromwell was continued for almost 3 months after the King's restoration. But his Majesty's unwillingness to be thought in anything to build after the models of an usurper and the hope, with which he may privately flattered of being able to exercise a more controlled authority over Scotland if brought into and an immediate and sole dependence on himself, than if left subject to the English Parliament[2], determined him at length to restore that kingdom to its ancient form of government.

In consequence of this resolution, the English commissioners, who acted as judges there, were ordered by a letter from general Monk in the King's name to discontinued their function the 22nd August; and at the same time proclamation was issued for complaining the committee of Estates, till of Parliament should be called with the usual formalities[3].

Characters of the Scotch Delegates

In appointing the great officers of state, the King did not overlook the merits of those, who have been deputed by their country to congratulate him on his restoration. At their head appeared the Lord Selkirk, the younger son of the Marquis of Douglas, who had been known by the King in France, where he had been bred Roman Catholic, which was the religion of his family.

But returning into Scotland, after it had been subdued by Cromwell, and being a very handsome young man, he gained the affections of the daughter and heiress of James, duke of Hamilton; and changed his religion in order to marry. In consequence of this marriage he was entitled, according to the custom Scotland, not only to the estate, back to the family honours which devolved upon his wife after her uncle, duke William, was killed at the battle of Worcester. As she therefore had the title Duchess, he assumed that of Duke of Hamilton.

The Earl of Glencairn was another of the deputation, a nobleman who had rendered himself very acceptable to the King, when his Majesty was in Scotland; and who continued unshaken in his loyalty, and ready to savour any enterprise for the advancement of the royal cause.

After there was little hope of doing good by force, he received a protection and safeguard from general Monk; lived quietly at his own house; and was more favoured by the general than many of those who spoke most loudly against the king. He was also most trusted by the general, when the latter was at Berwick on his march into England; and was now presented by him to the king, as a man worthy of his confidence in any eminent post of that kingdom.

With those two came others of less distinction, but of good affections and abilities; and their constituents very wisely inserted in the list of the deputation the names of a few more then in London, who from their talents and their interest, at court were well qualified to do their country an essential service.

Among the latter the most deserving of particular regard was the earl of Lauderdale, who had been very eminent in contriving and carrying on the king's service, when his majesty was crowned in Scotland.[4] and thereby had wrought himself into a very particular esteem with the king. He hid marched with him into England, and behaved himself well at Worcester, where he was taken prisoner.

He had also the merit of suffering an imprisonment from that very time, with some circumstances of extreme rigour, being a man against whom Cromwell had always professed more than ordinary animosity; and though the scene of his imprisonment had been altered according to the alterations of the government which succeeded, yet he never found himself in compleat liberty, till the king was proclaimed by the parliament[5].

He did not at that time think it necessary to repair into Scotland for authority or recommendation; but sending his advice thither to his friends, he made haste to transport himself with the parliamentary commissioners to the Hague. He was very well received by the king; and left nothing undone on his part that might cultivate these old inclinations, being a man of as much address and insinuation, in which that nation excels, as was then amongst them.

In. order. to strengthen his influence with the king by every collateral aid, he applied himself with a marvellous importunity to those, who were most trusted by his majesty, and especially to the chancellor, with whom at all times of their former intercourse, he had a perpetual war. He now magnified the chancellor's constancy with loud eulogiums as well to his face as behind his back: he took notice of many sharp expressions formerly used by the chancellor, which he confessed had then made him mad, though" upon recollection afterward he found them to be very reasonable. He was very frolic in all his discourses; called himself and his nation a thousand traitors and rebels ; and in his discourse frequently said, "when I was a traitor," or, "when I was in rebellion." He never seemed equally delighted with any argument as when he scornfully spake of the covenant, upon which he broke a hundred jests[6].

In short, his discourses were such as pleased all the company, who commonly believed what he said, and concurred with him.

The earl was also very solicitous to renew his old acquaintance and familiarity with general Middleton by all the protestations of friendship. They had both attended the king in his march from Scotland to Worcester. Middleton at that time held the rank of lieutenant-general of the horse; and the earl knowing the very considerable advances he had since made in the king's esteem his meritorious services, was not sparing of artful compliments and flattery.

He assured Middleton of the unanimous desire of Scotland to be under his command; and declared to his majesty that he could not send any man into Scotland, who would be able to do him so

much service in the place of commissioner as Middleton, and that it was in his majesty's power to unite that whole kingdom to his service as one man. This language was very grateful to the king; and as it had the appearance, of the sincerest and most disinterested zeal, it very much strengthened his former prepossessions in Lauderdale's favour.

Appointment of The Officers of State

After the king's coming to London, and on his receiving the deputation from Scotland, he gave Lauderdale the signet, and declared him to be secretary of state to that kingdom: he also appointed general Middleton his commissioner; the earl of Glencairn chancellor; the earl of Rothes president of the council; and conferred other inferior offices upon men most notable for their affection to the old government of church and state.

But there was one appointment, and that too of the first consequences, which, being wholly settled by Laudale's private advice, excited among the rest a great jealousy and dislike of the power he had with the king. This was the continuance of the earl of Crawford in the office of high-treasurer of Scotland, a place of the highest dignity, emolument, and influence.

It is certain, that Middleton, and his colleagues, and even general Monk, upon whose advice the king depended very much in the business of Scotland, were all earnest with his majesty to remove the earl of Crawford from that great office. They said, "that, he was known to be a man incorrigible in his zeal for the presbytery, and not firm to other principles, upon which the authority of the crown must be established; that in such a department he could do much mischief; and that his dangerous character would prevent them from consulting in his presence on many particulars of the highest moment and importance to the public settlement.

But those objections, though urged by men, for whom the king had a great regard, were not sufficient to counteract Lauderdale's secret influence, or to make his majesty change his resolution in favour of Crawford.

It must also be confessed, that their aversion to this nobleman was carried a great deal too far. When the king was in Scotland, he had served him signally; and had then been made by him high-treasurer of that kingdom; and upon Cromwell's prevailing, had for many years been prisoner in England till the king's return.

What then could be more ungracious in his majesty than to remove a man, whom he found a prisoner for his, service, from an office he had formerly conferred upon him for his merit, and which he had not forfeited by any miscarriage? It was well however, for Crawford, that he had Lauderdale's friendship and interest to support his pretensions. But the king, who was very desirous of pleating both parties, assured Middleton, that when the business of the church came to be agitated, if Crawford should prove troublesome, or refractory, his majesty would immediately take the staff from him, and confer it upon Middleton.

Fruitless Combination Against Lauderdale

Though there was no open struggle in this business and though nothing was done on either side but in the way of delicate insinuation, or plausible argument with the king, yet Middleton and the other Scotch lords were very sensible of Lauderdale's superior influence.

They saw clearly that in the midst of his seeming endeavours to serve many of them, he aimed at nothing less than to give the law to them all, and to govern Scotland by his own imperious dictates. In order. to prevent his gaining a total ascendancy over the king, they had artfully requested, that his majesty would add to the council of Scotland which should reside near his person, the chancellor, the treasurer of England, general Monk, the marquis of Ormond, and

secretary Nicholas; who should be always present, when any thing should be bated and resolved concerning that. Kingdom.

Lauderdale was too accomplished in the art of discrimination not to concur in this request, which the king granted with the utmost pleasure, regarding it as the strongest proof of the confidence placed in him and in his English ministers by the Scotch lords, and of their superiority to all low jealousies aid national prejudices.

The English officers of state, who were thus admitted members of the king's privy council for Scotland, entered deeply into the plots, or rather counter-plots against Lauderdale; and as his majesty appeared to submit all his most important concerns to their direction, it was imagined by Middleton, Glencairn, and the rest of that party, that such a powerful accession of weight and interest would enable them to keep the scale of royal favour at least satisfactorily balanced, is they could not make it preponderate on their side.

But Lauderdale was more than a match for the whole combination. He soon discovered the king's weak side; and by a ready concurrence with all his wishes, and a contempt of any difficulties or obstructions which others were honest enough to point out, he made his counsels so palatable to his majesty, that in a little time he became the king's great, and almost only oracle for the administration of Scotch affairs.

Even his want of the external accomplishments of a courtier very much promoted his success; for while the polished address of men of real integrity was often suspected, his roughness of language and vehemence of manner wore such an imposing stamp of sincerity, as gave an irresistible force to all his most fraudful insinuations;[7].

But before I trace any farther the fatal effects of Lauderdale's counsels, it will be proper to take notice of another Scotch nobleman, whose haste to pay his respects to the king, upon his majesty's restoration, served only to accelerate his own untimely end.

Rigorous Treatment of The Marquis of Argyle

The ill-fated person I am now to speak of was the marquis of Argyle, a man of great address, but of still greater zeal for the Presbyterian government both in church and state, to which he certainly fell a victim. He had been one of the Principal leaders in the Scotch parliament that proclaimed the king after his father's death, and made him an offer of the crown, but upon terms, which the king submitted to only from motives of necessity political necessity.

The marquis had certainly a considerable share in dictating those terms, which he thought highly necessary for the preservation of his country's civil and religious rights; but it must also be acknowledged, that after the king's accepting the conditions and taking the prescribed oaths[8], no man paid him so much reverence and outward respect, and gave so good an example to all others with what veneration the king ought to be treated as the marquis did.

He took care, indeed; to remove from about the king's person all those, however agreeable to his majesty, whose sentiments and principles he looked upon as inimical to the interests of Scotland. Yet his natural jealousy of their counsels might be admitted as some excuse for the seeming rigour of that proceeding.

In the midst of those and many other restraints; imposed upon the king, the marquis had the address to persuade him all was for the best; and even made himself agreeable to his majesty by the sprightliness of his conversation, and by those sallies of wit and humour, with which he had a wonderful faculty of enlivening the most serious subjects. After the defeat of the Scotch army at Dunbar, when the services of the king's other friends became necessary, and the Hamiltonian

faction prevailed[9], the marquis, though his counsels were commonly rejected, carried himself so, that they who hated him most, were willing to compound with him.

As his influence in the parliament was still very great, and as it also appeared that the majority of the people approved of his sentiments in religion and politics, his majesty did not withdraw his countenance from him, but continued to court his assistance, which he often found of essential use.

On the king's being put at the head of a new army, and resolving to march into England, the marquis heartily opposed that measure; and its ill success made many men believe afterwards, that he had more reasons for the counsels he gave, than they had who were of another opinion[10]]. The king himself was so far from thinking him his enemy, that when it was privately proposed to him by those he trusted most, that he might be secured from doing hurt after the king's march, since he was so much against it, his majesty would by no means consent to it; but parted with him very graciously, as one he expected good service from.

With respect to the marquis's conduit in quickly closing with Cromwell, after the ruin of the king's hopes at Worcester, he might very plausibly urge; the necessity of the times, and the folly of an obstinate, but unavailing resistance. As he therefore could tell so fair a story for himself, and had it still in his power to be of considerable service to the king in Scotland, he no sooner had notice of his majesty's being in London, than he made haste thither with as much confidence as any of those, who had been deputed by their country.

But they, having got before him, so wrought upon the king by the blackest accounts of the marquis's principles, as the great pillar of Presbyterianism and sedition; by the discovery of his intimate correspondence with Cromwell; and especially by their confident averments of some particular words and actions of his, relating to the murder of the late king; that in the very minute of his arrival he was arrested by a warrant under his majesty's hand, and carried to the tower upon the charge of high-treason.

They well knew the marquis's astonishing powers of address; and therefore took care, in addition to their own arguments, to secure the strong interest of the chancellor and of general Monk[11], in preventing the king from admitting so dangerous a man into his presence. Many artful petitions of his, earnestly soliciting an interview with the king, or with some of his ministers, on the specious pretence of having something of the highest concern to communicate, were presented by his wife and son, but in vain; and it was re solved that he should be sent by sea into Scotland, to be tried before the parliament there, when the commissioner should arrive, who was to be dispatched thither with the rest of the lords, as soon as the seals and other badges of their several offices could be prepared.

Debate on The Measures to be Pursued in Scotland

In the mean time the lords of the English council, who were appointed to sit with the Scots, met with them to consult upon the instructions, which were to be given to the king's commissioner, who was now created earl of Middleton.

The Scotch lords seemed all resolute and impatient to vindicate their country from the infamy of delivering up their late king; and strictly to examine who of that nation had contributed to his murder, of which guilt they hoped to convict Argyle.

Middleton was very earnest, that, for the humiliation of the preachers, and to prevent any unruly proceedings of their's in their assemblies, he might begin with recinding the act of the covenant, and all the other acts which had restrained the King’s power ecclesiastical: and then proceed to the erecting of bishops in that kingdom, according to the ancient institutions, Glencair, Rothes, and all the rest, except Lauderdale, concurred in Middleton's proposal; and averred that it would

be very easily brought to pass, because, they said, the proceedings of the assemblies and their several presbyteries had so far incensed persons of all degrees, that not only the nobility, gentry, and common people, but that many of the ministers desired the same, and to be subject again to the bishops. They added, that there would be enough found of the Scots clergy very worthy andry very willing to supply those chairs.

This proposal was contrived with great shrewdness not only to please the King, the duke of York, and the Chancellor, but to give a mortal stab to Lauderdale in the only part, where he was thought most vulnerable, his secret attachment to the Kirk. But he parried the blown with its usual dexterity. He inveighed against the covenant with a passion superior to the rest; called it "a wicked traitorous combination of rebels against their lawful sovereign, and especially against the laws of their own country;" protested his own hearty repentance for the part he had acted in the promotion thereof; and said, he trusted that God, who was witness of his repentance, had pardoned him that soul sin.

He next declared that no man there had a greater reverence for the government of bishops than he himself had; and that he was most confident, that the kingdom of Scotland could never be happy in itself, nor ever be reduced to a perfect submission and obedience to the King, until the episcopal government was again established there. But the only scruple that remained with him, and which made him differ with his brethren, was of the manner how it should be undertaken, and of the time when it should be endeavoured to be brought to pass.

After having enlarged on those points for some time, and exposed the danger of a premature attempt to abolish the covenant, and to restore episcopacy, he desired that the Commissioner might have no instruction for the present to make any approach towards either; but that, on the contrary, he might be restrained from it by his Majesty's special direction; for though the Commissioner's own prudence, upon the observation which he should quietly make when he came thither, would hinder him from doing anything which might be inconvenient to his Majesty's service, yet without the Kings express order, he would be hardly able to check others, who, for want of understanding, and out of ill will to particular men, might be to forward to set such a design on foot.

It was therefore his advice that, in the first session of Parliament, no further attempt might be made then in pursuance of what had been first mentioned, the vindicating of their country from all things which related to the murder of the late King, which would comprehend the delivery of his person, the asserting of his recall power, so as to prevent any future tendency to rebellion, and the trial of the Marquis of Argyle.

All this, he said, would take up more time than parliaments in that kingdom, till of late years, had used to continue together; but that after the expiration of the first session, in which a good judgement might be formed of the temper of that kingdom, and the commissioner’s prudence might have an influence on many leading men to change their present disposition, such farther advance might be made for the Reformation of the Kirk, as is Majesty should judge best.

Then he made no doubt but all would by degrees be compassed in that particular that could be desired; and which was them for resolutely to be desired, because he still confessed, that the King could not be secure, nor the kingdom happy, till the Episcopal government could be restored. Whereas, on the contrary, if it were to be undertaken at present, all without to circumstances in preparing more men than could in a short time be done, it would not only miscarry, but with it his Majesty be disappointed of many very important objects, which he would otherwise be sure to obtain.

From those general assertions, which were indeed very plausible, the Earl now descended to minute particulars. He named many of the nobility and leading men, who, he said, were still so

infatuated with the covenant, that they would with equal patience hear of the rejection of the four evangelists; and yet, who by conversation and other management may in time be wrought upon.

He frequently appealed to the King's own memory and observation, when he was in that kingdom, how superstitious towards the covenant even the persons most devoted to his service were; that all they did for him, which was all he desired to do, was looked upon as the effect of those obligations, which the covenant had laid upon them.

He appealed to the general, (who, he said, knew Scotland better than anyone man of that nation could pretend to do) whether he thought this a proper season to attempt so great change in that kingdom, before the other more pressing acts where compassed; and whether he was not assured, that the arguments drawn up from the obligations of the covenant, had very much contributed, even in England, to the King's late restoration, a circumstance, which was now confidently urged by the London ministers as a strong reason for his majesty's indulgence towards them.

The earl perceiving, that this last. remark seemed to make some impression, very artfully continued in the same strain, He said, that though he well knew that his majesty was firmly resolved to maintain the government of the church of England in its full lustre, which he thanked God for, being in his opinion the best government ecclesiastical in the world; yet he could not but observe, that the king's prudence had yet forborn to make any new bishops; and had even suspended the English liturgy, by not enjoining it out of indulgence to dissenters.

This was a politic and gracious condescension: it allowed the people time to consider, and to be well instructed in those forms, which had been for many years rejected and discontinued; and it engaged the powerful body of the Presbyterians zealously to promote all his majesty's other designs, by leaving them room to hope for his farther favour in being permitted to continue their own forms, or no forms in their devotions and public worship of God.

In consideration of all this, the earl thought it very incongruous, and somewhat against his majesty's dignity, suddenly and with precipitation to begin such a change in Scotland, against a government that had more antiquity there, and was more generally submitted to and accepted than it had been in England, before the king had declared his judgement against it in this country, which it was presumed he would shortly do, and which would be the best introduction to the same in Scotland, there are all his Majesty's actions and discriminations will be looked upon with the highest veneration.

Though the Earl appeared now to have exhausted every argument that could be urged on his side of the question, he found means in the winding up of his speech, to touch upon a point, which was least expected from him, and which he terms with singular ingenuity to his own purpose.

He said, that, if they other more vigorous course should be resolved upon, the Marquis of Argyle would be very glad of it; for though he was generally odious to all degrees of men, yet he was not so much hated as the covenant was beloved and worshipped, and when the people should discover that they must be deprived of the latter, it might make them rather desirous to preserve both.

He concluded, therefore, with earnestly recommending that the Marquis, who was looked upon as the upholder of the covenant, should be first out of the way, before any visible attempts were made against the covenant itself, which would be more safely and more certainly abolished by degrees.

Many particulars in this discourse confidently urged, and with more advantage of elocution than the fullness of Lauderdale's thick tongue was usually attended with, appeared deserving of the most serious regard. Besides the subtlety of his insinuations, he gave great false to his arguments by his frequent appeals to the King, in which there were always some ridiculous instances of the

use made of the covenant, with reference to the power of the preachers in the domestic affairs of other men, and the like, which, though it rendered the covenant more odious, was still proof of the reverence that was generally paid to it.

All these instances were well remembered by the King, who commonly added some others of the same standard from his own memory; and made his Majesty in suspense, or rather inclined that nothing should be attempted that concerned the Kirk till the next session of Parliament, when Lauderdale confessed it might be securely effected.

To this determination general monk also seemed to incline, not a little moved by the alarm which he thought would be given to the Presbyterian party here by any violent proceedings in Scotland, but still more incited by what had been said of Argyle against whom the general bore an implacable enmity.

Middleton and most of the Scotch Lords were hardly offended by what they looked upon as the presumption of Lauderdale in undertaking to know the spirit and disposition of the kingdom, which he had not seen or ten years. They also considered his raillery against the covenant, and his panegyric on the Episcopal government but as a varnish to cover the rottenness of his intentions, till he might more securely and efficaciously manifest his affection to the one and his malignity to the other.

They positively contradicted all that he had said of the temper and affections of Scotland, and named many of those lords, who had been mentioned by him as the most zealous asserters of the covenant, who they undertook should upon the first opportunity declare that abomination of it to the world; and even some of whom they knew had written against it, and were resolved to publish their sentiments on that head, as soon as they might do it with safety.

They advised his Majesty, that he would not choose to do his business by halves, when he might with more security do it all together, and, when the dividing of it would only make both parts the more difficult. Above all things besought the King to put no such restraint as had been so much pressed on the Commissioner, by giving him a special charge that, though he should find the Parliament most inclined to do that now, which everybody confessed necessary to be done at some time, yet he should not accept their good will, but hinder them from pursuing it as very ungrateful to the King. This, they asserted, will be a greater countenance to, and confirmation of the covenant, as well as a greater wound to episcopacy, then either had ever yet received.

As the Scotch Lords had a pre-secured majority on the council to second and support their opinions; and as they contended only for not shaking the commissioners conduct it impolitic restraints, which would in fact betrayed the Kings want of confidence in him, his majesty assented to their request.

Yet at the very moment of his deciding in their favour, he could not help showing how much he was brought upon by Lauderdale speech. In leaving the Commissioner at liberty to exercise his own prudence, the King begged that he would act with the utmost caution should in every conjuncture, and not to suffer an attempt to be made, if it was likely to be attended with ill consequences, or with the least hazard to his service. But notwithstanding this hint, the commissioner and his party were highly pleased with the issue of the debate, as they hoped that, by effecting with facility what Lauderdale suggested so many doubts about, they should be able to supplant him in the King’s esteem, and impress his Majesty with a high opinion of the forwardness of their own zeal, and the superiority of their judgement.

Nothing now remained to be settled previous to the departure of the Scotch Lords: they took their leave, and hastened into their own country, all of them, except the earl of Crawford, being eagerly bent on the abolition of the covenant. The very first dispatches from Middleton brought assurances, that the king's authority was so chearfully submitted to, and that he found so ready

to consent to every measure he proposed, that he made no question but any thing his majesty required would find an entire obedience.

Glencairn, the chancellor, Rothes, the president of the council, and some others of the nobility, who were Middleton's fast friends, concurred in the same accounts, and magnified the commissioner's conduct in all their letters. The earl of Crawford alone, who was lord treasurer, and who still retained his rigid affection for the presbytery, wrote in a very different stile, and expressed the most earnest solicitude, that nothing might be attempted with reference to the kirk.

Proceedings of The Scotch Parliament

As soon as the parliament was convened at Edinburgh[12], and the commissioner found the temper of them to be such as he could wish; he proceeded to the accomplishment of his favourite purposes. After the members had taken the oath. of allegiance in the ancient form, an act was passed to absolve the subject from the oaths prescribed by: the late government. The supreme functions of executive authority, the choice and appointment of the officers of state, the calling and dissolving of parliaments, and the power of the militia were declared to be an unalienable part of the prerogative royal; and the impugning and questioning thereof for the future made treason.

A full acknowledgment of those rights of the crown was to be signed, and the oath of allegiance taken by every individual, before his admission to any public office, or place of trust. The act of the sixteenth of January, sixteen hundred and forty-seven, by which the late king was delivered to the English, was declared to be infamous, disloyal, and contrary to all laws divine and human.

The obligation of the covenant was abrogated the renewing of it, or of any other leagues and covenants, without his majesty's warrant and approbation, was forbidden; and the acts of those parliaments and of those conventions of estates, wherein it had been approved, were rescinded.

A militia of forty thousand men was settled, to be always ready to march upon the king's orders; and two troops of horse were to be raised to co-operate with them. Nor was a necessary provision for the payment of those forces, and for defraying the other expenses of government, neglected. The sum granted was, indeed, only forty thousand pounds a year; but it should be confider that Scotland was a very poor and harassed country, and that this annuity far exceeded any thing ever before raised in that kingdom[13]

Trial and Execution of The Marquis of Argyle

While the parliament were thus going on with alacrity in giving their sanction to every measure proposed by the royal party, Middleton thought it a favourable time to bring to trial the marquis of Argyle, who had been sent for that purpose by sea from the tower of London to Leith. It was presumed by many, that the king would not be displeased at hearing that Argyle's head was placed in the room of that of Montrose on the tollbooth at Edinburgh.

I have before hinted, that general Monk was far from being the marquis's friend; and that he was equally feared and hated by most of the Scotch officers, of state. Perhaps also, the hope of profiting by the confiscation of his large estates might have given a deeper colouring to his guilt in the' eyes of some of his enemies. certain it is, that prejudice, treachery and revenge appeared to have too great a share in his condemnation.

The marquis was charged with high treason ; but the proofs were far from being clear enough legally to convict him. The Act of Indemnity passed by the late king in sixteen hundred and forty-one, and another act of the same nature passed by his present majesty in sixteen hundred and fifty-one, ought to have precluded all inquiry into, the former parts of the marquis's conduct.

Even the principal evidence, upon which he was condemned, two letters formerly written by him to general Monk, and now produced against him, besides that the testimony was marked with baseness, could at the worst be regarded as a presumption, not as a proof in law of his guilt. The parliament, however, sentenced him to be hanged on a gallows of unusual height, and in or near the place, where he had caused the marquis of Montrose to be formerly executed[14].

He bore his fate with greater fortitude than his enemies expected or wished: he expressed much affection and zeal for the covenant, for which he desired all men should believe that he was put to death.

Other Victims

One Gilaspy, a preacher; who had declaimed with great zeal against the measures of the late king[15] and who had given particular offence to his present majesty by the boldness of his language, underwent the same trial and judgment as the Marquis; and suffered with the same firmness, and the same faith in the covenant.

Warristoun, whom the commissioner had also fixed upon as a proper object of punishment, and who had enjoyed a place of trust under Cromwell, was attainted and fled; but, a few years after, he was delivered up by France, and was executed. Here I cannot help observing, that, whatever odium Lauderdale justly incurred by the violence and cruelty of his administration in Scotland, it was certainly owing to him at this juncture that more blood was not shed to satisfy the vengeance of the court.

Many, who were in the king's secret councils, and who had great influence with him, contended strongly for the propriety of making some signal examples in Scotland, where the spirit of rebellion had first manifested itself, and where a fire had been kindled that almost burned two kingdoms. They said, that the lives of two men could never be thought a sufficient sacrifice, on the part of that country, for all the mischief it had done; and that there were many other delinquents as deserving of the rigours of the law as those who had suffered. But Lauderdale's More politic arguments on the side of mercy prevented the king at this time from encouraging any more impeachments.

Petition for The Restoration of Episcopacy

Though the act for abrogating the, obligation of the covenant, and for rescinding the proceedings of those parliaments that sanctioned it, threw down the great barrier to the introduction of episcopacy, yet Middleton wished to give the king some farther proof, that such a change in the ecclesiastical government of Scotland was not only practicable, but immediately desirable and popular.

By his influence and intrigues therefore the parliament was prevailed upon to prepare a petition to the king, highly aggravating the wickedness of the former time in destroying episcopacy, and most humbly requesting his majesty to restore it in full lustre, and to make choice of such grave divines, as he thought fit to be consecrated bishops for all the vacant sees, there being but one bishop of the nation now alive[16] Middleton well knew how acceptable such a petition would be to the king; and hoped it would also be regarded as a full refutation of all the arguments which Lauderdale had urged against any hasty attempt to abolish the covenant and to restore episcopal government.

He even took some farther pains to secure this point; and having declared that he meant to prorogue the parliament, they were secretly predisposed by his agents to appoint a draught of an oath or subscription to be got ready against the next session, whereby every man, who was possessed of a church or any other ecclesiastical promotion in that kingdom, should be bound to renounce the covenant, upon the penalty of being deprived; intimating likewise, that they

resolved at the next meeting, that no man should be capable of holding any office, or being a privy councillor, who would not formally subscribe the same. This last plan of a Teft-Act was pointedly, though ineffectually aimed at the exclusion of Lauderdale.

All those matters bring settled according to Middleton's desire, and the prorogation made, he came with some of the other lords to London, to kiss the king's hand, and to receive his majesty's farther directions, having so fully dispatched all his former orders. They brought likewise with them some other propositions, which will be mentioned anon. The king received the commissioner with open arms, and was very well pleased with all that he had done.

Lauderdale, though secretly vexed at the rapid execution of measures, which he had so earnestly deprecated, was now the loudest in their praise; and so far from opposing the appointment of bishops, as was expected, he strove to appear fully convinced of its expediency: The names of persons intended for that office, some of whom had been abroad with the king, were presented to his majesty for his approbation; and such of them as had not before received their ordination from a bishop, but from the presbytery in Scotland, whereof the archbishop of St. Andrews was one, first received orders of deacon and priest from the bishop of London, and were afterwards consecrated in the usual form by the bishops who were then near town; and made so great a feast as if it had been at the charge of their country[17].

Before they sit out for their respective sees, they obtained a formal declaration of his majesty's pleasure to restore in Scotland the government of the church by archbishops and bishops, as it was in the year 1637; and they were soon after vigorously supported in the full exercise of this authority by the privy council and parliament of that country[18]

Removal on The English Garrison

But the re-establishment of episcopacy was not the only business, with which the commissioner was charged by parliament before he left Scotland. They farther deputed him with the chancellor, the earl of Rothes, the earl of Lauderdale and some others to be humble suitors front them to the king, that, fence they had performed on their part all that was of the duty of good subjects, and were ready to give any other testimony of their obedience that his majesty would require; and since the whole kingdom was entirely at his devotion, and in such a posture that they were able as well as willing to preserve the peace thereof, and to suppress any seditious party that should attempt any disturbance; his majesty would now remove the English garrisons from thence, and permit the fortifications and works, which had been erected. at a vast charge, to be demolished, that there might remain no monuments of the slavery they had undergone.

This, the parliament said, "they demanded as in justice due to them, since there were few men now alive, none in the least power, who had contributed to the ills which had been committed; and all the men of power had undergone for ten or a dozen years as great oppressions as could be put upon them, because they would not renounce their fidelity to their king.

Since, therefore, it had pleased God to restore his majesty, they hoped he would not continue those yokes and shackles upon them, which had been prepared and put upon them to keep them from returning to their allegiance."

This request of the Scotch parliament was stated by the commissioner and the other deputies in the presence of the English council, who had been formerly admitted to be of the council of Scotland, and continued to meet upon the affairs of that kingdom. The Scots lords enlarged with much warmth upon the oppression their nation had undergone, the poverty they still suffered, the impossibility of their being able to bear any part of the charge for supporting those expensive garrisons, and the jealousy which would be thereby kept up between the people of both countries. They had privately spoken before with the king upon the subject, and had prevailed with him to think that, what they desired, had reason and justice in it.

Lauderdale in particular, who could make the king believe almost any thing, had filled him with assurances that the Scots, so far from wanting a curb, were the most to be trusted of his majesty's subjects, and that the whole nation might be employed as one man in his service and commands of what kind soever, and against what enemy soever, foreign or domestic[19].

But as the English lords did not then know his majesty's exact sentiments, and were also desirous that the matter might be first duly weighed and considered in the select committee of the English council, before they delivered their opinions as members of the council for Scotland, they desired that the debate might be put off to another day.

In the mean time the select committee met; and though one or two rather faintly expressed an opinion, "that the continuance of the garrisons was a bridle fit to be kept in the mouths of the Scotch to restrain them from suture rebellions," yet the weight of argument as well as number turned the scale in favour of those, who were of a different way of thinking.

That which greatly advanced the proposition as fit to be granted was the charge of maintaining the sources in Scotland, which that kingdom was so incapable of bearing, that Middleton and Glencairn declared not only to the king, but to those of the lords with whom they would confer freely, that, if the king thought it necessary to keep those troops still there, he must send more forces of horse and foot thither, otherwise the former were not strong enough to subdue the whole kingdom, but would, as soon as they stirred out of their garrisons, be knocked in the head; nor would the country pay any thing towards their support, but what should be extorted by force.

This consideration was improved by the reflection upon the body of men, of which those troops consisted, which was a parcel of the worst affected men to the king of the whole army, and which general Monk had lest in Scotland, when he marched into England, because he was not sure enough of their fidelity to bring them with him, yet fit enough to be lest to restrain the Scots from any sudden insurrection. As it seemed, therefore, dangerous to continue such men in ports, which might facilitate the execution of any desperate attempt, the king heartily wished to have them removed, and the more so on account of there being at this very time an opportunity to transport them all to Portugal, in consequence of a treaty concluded with that court, which shall be hereafter more particularly explained.

Only one difficulty now occurred to any of the committee. It was suggested that the people of England in, general were so strongly prejudiced against the Scotch, and had so chearfully contributed to the erecting of those forts, that no particular person would be able to bear' the odium of having advised their demolition. But for this a very easy and natural expedient presented itself ; and that was to lay the matter before the whole body of the privy council, and afterwards before parliament, which would prevent the dreaded weight of its unpopularity from falling upon the shoulders of any individual.

When every point was thus settled in the committee, the English lords met the Scots on the day before appointed; and entered into a fresh and full discussion of the whole business. His majesty, upon the debate, declared, "that he did not only think it good husbandry in respect of the expense, and good policy that he might keep Scotland entirely at his devotion, while Ireland remained in great confusion, and England itself was threatened with such factions in religion[20], to gratify the Scotch in what they desired; but that he felt himself obliged in honour, justice and conscience to send all the forces out of that kingdom, and to deface the monuments of a detested usurper's authority."

The Scots were well pleased with this his majesty's resolution, but troubled at a proposal made by the English lords, in consequence of what had been determined upon in the select committee, that the privy council first, and then the parliament should be informed of the king's intentions. "This," the Scots said, "would be against the honour, the interest, and the right of their country,

which never submitted any of its concernments to be debated at the council-board of England and the innovation," they added, "would be no less in remitting it to the parliament, which had no pretence of jurisdiction over them." To both these assertions it was answered, "that the withdrawing of the English forces, and demolishing the English fortifications concerned England no less than the other kingdom; and that his majesty did not intend it should be proposed either. to the council, or parliament, as a thing of which he made any doubt, but only as a matter of fact, which would prevent all murmurings or censures that might otherwise arise."

The propriety of such a step was so evident that no farther objection could be urged against it; and the business being first laid before the, privy council merely for form fake, it only remained to state it to the new parliament, which was then fitting. The king therefore appointed the chancellor to make a relation, at a conference between the two houses, of the good posture of his majesty's affairs in Scotland; of the repeal of all those laws injurious both to the church and state, which had been made there by the advantage of the rebellion; and of his having forthwith resolved to settle bishops in that kingdom, which appeared very unanimously devoted to his service, then to add, that the Scots parliament, in regard of the peace and quiet that they enjoyed, without the least apprehension of trouble from abroad, or at home, had desired the king, that the English forces might be withdrawn, and all the fortifications razed; and that his majesty found it convenient to send those forces to Portugal:

These particulars the chancellor was ordered to communicate, rather as a piece of good news from the king to the parliament, which he knew would give them cause of rejoicing, than as propositions for their opinion, which, however, they might have given if they pleased.

The effect was, that both houses sent their humble thanks to the king for his having vouchsafed to let them know the good condition of Scotland, of which they wished his majesty much joy, and hoped his other dominions would in a short time be in the same tranquility; but they did not take any notice of the withdrawing of the garrisons.

After those formalities were gone through with, the king directed ships to be got ready for the transportation of the obnoxious troops to Portugal; and nothing remained but to destroy the forts. Some of the English committee, whose fears of the Scotch were not yet wholly removed, desired with great earnestness, that the king's orders upon this head might be very positive, and that his majesty's commissioner for Scotland might see them executed for the utter demolishing of all those structures, which the English were to abandon, that they might not be continued for the entertainment of new garrisons of the natives, or be made places to shelter a rebellion hereafter.

Fresh Causes of Enmity Between The Members of Scotch Council

During the agitation of this business in London, it was discernible enough that there were great jealousies between the Scots lords. The commissioner and the others had cause to believe, that the king gave much more credit to Lauderdale than to dim; and Lauderdale, on his part, knew that they were linked in a faction against him to lessen that credit, which was the sole foundation of his power and consequence.

What countenance soever he set upon it, he was sensibly afflicted at the downfall of the presbytery, and that Middleton had brought that to pass without any difficulty? which he himself had assured the king was impossible be effected but in a long time and by many stratagems. He also perceived very clearly, that the plan of the intended Test-Act, the oath and the subscription which they had contrived for the next session of parliament, were levelled at him, that not taking it, as they did not believe he would do, the secretary of Scotland's place might become void, which they had much rather should have been in any man's hands than in his.

He therefore took all occasions to profess and declare, (beside his constant raillery at the Kirk) "that, if they should require him to subscribe that he was a Turk, he would do it, before he would

lose his office." I believe they were soon mortified with the painful conviction, that he never in his whole life spoke any thing with greater sincerity.

This secret enmity between the members of the Scotch council had been fomented in like manner by some circumstances, which arose out of the proceedings against Argyle. Though Lauderdale was always thought to have borne an implacable animosity towards the marquis; and though nobody seemed to insist more upon his not being admitted into the king's presence, and upon sending him into Scotland to be tried; yet, after all this, it was discovered, that, he had interposed all he, could with his majesty to save him, and had employed all his interest in Scotland to the same purpose.

But not being able so far to prevail over the king's private resentment, he succeeded, however, in persuading his majesty, immediately after the marquis's execution, to give his son the lord Lorne, (who had remained in London to solicit on his father's behalf) leave to kiss his hand, and to create him earl of Argyle, and even continue to him the office before held by the marquis, of general justice of the Highlands; all which the parliament of Scotland thought the most sensible affront to them that they could undergo.

Then there were other particulars attending this his majesty's grace to the lord Lorne, which exceeded all men's comprehension. The king caused the estate of the marquis to be seized as forfeited to him, and then would grant it to the son so absolutely, that neither claimants should recover any part which they said had been violently taken from them by the late marquis for their loyalty to the king, nor even creditors receive satisfaction for the just debts which were due to them, and which must have been paid; if the king had retained the forfeiture.

But upon the application of the commissioner and the other lords, that the king would bear all the parties concerned, there was some mitigation made in these matters, notwithstanding Lauderdale's exertions in favour of lord Lorne[21].

Thus had the stings of reciprocal provocation and disappointment entered deeply into the breasts of the contending parties: yet as the matter of these offences was most in private, and so not publicly taken' notice of, they made a fair shew, and kept good quarter towards' each other. There was in fact no ground for an open rupture: the king consented to all that the commissioner proposed with reference to the public, being abundantly satisfied with his comportment, and renewed a former promise to give him the office of treasurer, when by Crawford's refusal to subscribe, it should become void.

Having therefore accomplished the purposes of their deputation, Middleton and his colleagues, with the new made bishops returned again for Scotland, with incurable jealousy of Lauderdale, who remained waiting upon the king, and resolved to cross all their designs as far as possible, and quietly to expect a better opportunity to undo, what he could not for the present prevent.

Fatal Effects of The Competition for Royal Favour

Nothing could be more fatal to the peace, welfare, and freedom of the country they were appointed to preside over than this struggle for superiority in the principal officers of state. Middleton and his party seemed to think, that they could not maintain any competition for royal favour with Lauderdale otherwise than by promoting the most arbitrary designs of the court, and by straining the powers of government both in church and state to the highest pitch of rigour and oppression.

Acts Which Almost Eradicated Civil and Religious Liberty

The parliament of Scotland, which was devoted to the commissioner's will, entered into all his views with the greatest alacrity. They deputed some of their members to invite the new prelates to take the feats formerly assigned to their order in the national assembly : they passed into a

law the declaration of his majesty's pleasure for vesting all ecclesiastical authority in archbishops and bishops they confirmed the religious and political test in the form of an oath and subscription, of which they had ordered the draught to be prepared against the present session, subjecting every clergyman who refused it to the loss of his living, and every person in a civil employment to the deprivation of his office: they strictly prohibited all meetings in private houses for religious worship: they abolished the right of the people to chuse their own pastors; declared such elections and all similar appointments to cures and benefices un-canonical and invalid; and re-established the right of patronage, and the necessity of, episcopal induction[22]. But the strongest proof of their implicit submission to all the commissioner's dictates was the readiness with which they enlarged their former Recissory Act, and annulled the authority and proceedings of every parliament, and convention, or committee of estates since the year sixteen hundred and thirty-three.[23]

The Earl of Middleston’s Disgrace

Middleton now anticipated the completest triumph over his rival: he thought these services could not fail of procuring him the first place in the king's esteem and confidence. But he was advancing much more rapidly to disgrace than to preferment: he had pulled down the great pillars of national liberty and security; and he himself was therefore very justly crushed in the ruins.

Many of the acts, which the parliament had passed under his influence, could be enforced only by the greatest rigour, and of course excited general murmurings and discontent. Lauderdale did not let slip so favourable an occasion of exposing the folly, and rashness of the commissioner's conduct to the king.

He reminded his majesty of the arguments he had formerly urged against all precipitate measures; and asserted, that Middleton by wilful obstinacy and ungovernable violence had alienated and estranged the affections of his majesty's Scotch subjects, and confirmed their former prejudice against episcopacy. There was, indeed, too much truth in this charge; and notwithstanding Middleton was strongly supported by his friends at court, and by the party he had attached to his interest in Scotland, yet he was obliged to resign his office to the earl of Rothes, in whom Lauderdale expected to find a more ductile temper, and a readier acquiescence in his own superiority[24]

Crowning Acts of The Parliament Previous to Dissolution

Though the bad effects of Middleton's intemperate administration were made the pretence for his disgrace, yet Lauderdale was little disposed to pursue a more lenient, or more moderate system. The Scotch parliament was made at its next sessions to carry still farther the surrender of their rights to the crown, and the severity of their restraints on the anti-Episcopalians.

They passed an act for empowering the king to impose what duties he pleased on foreign merchandise; and they not only confirmed the former act for putting the militia entirely into the king's hands, but made an offer to his majesty of twenty thousand foot and two thousand horse, to be ready, upon summons, to march, with forty days provisions, into any part of his majesty's dominions, to oppose invasions, to suppress insurrections, or for any other purpose, in which his authority, power, or greatness was concerned[25].

In their proceedings against those, who might persist in worshipping God according to the old forms of the Kirk, they took for their model the act against conventicles passed the year before in England, by which the frequenters of suck places were subjected to fines, to imprisonment, and, in case of reiterated proofs of contumacy, to transportation.

After these, and come other acts, almost as inconsistent with the just liberty of the subject, this parliament was dissolved.

The Un-remitted Rigours of The New Ministry

The council of Scotland were not inattentive to the execution of such acts[26]; and, under the pretence of preserving the peace, often issued proclamations which no law could warrant, and which nothing but an actual rebellion against government could justify. The five-mile act, which I shall hereafter have occasion to notice, was this year passed in England, and the Scotch council, as if ashamed to fall short of their neighbours in persecution or intolerance, endeavoured to make amends by additional rigour for what they had lost in point of time[27].

Availing themselves, therefore, of the pretended insolence of one Smith, an indiscreet zealot for the Kirk, they published a proclamation commanding all the silenced Presbyterian preachers, within forty days, to remove themselves and their families from the places where they had officiated as ministers, and not to reside within twenty miles of the same, nor within fix miles of Edinburgh or any cathedral church, nor within three miles of any royal borough, nor should be more than two together in the same parish, on pain of incurring the penalties of the law against movers of sedition.

Insurrection at Lanark

But the council did not slop even here. As the people, upon whom the episcopal system was thus forced with much unjustifiable cruelty, still continued sullen and refractory, the aid of the military was called in, and whole parishes, the inhabitants of which were supposed to be disaffected, were put under a sort of martial law. Absence from church, or the bare suspicion of resorting to conventicles was regarded as a proof of guilt; and without any legal process, the most peaceful subject was liable to have soldiers quartered upon him, till he paid the fine of his presumed delinquency.

One would suppose .that the design of the council was to make the people desperate, and urge them on to such open acts of refinance as might seem to provoke the utmost violence of government. This in fact, was the consequence: an insurrection at length took place, and being soon quelled by superior force, tended only to increase the number of imprisonments, and .to add to former terrors the intimidating effect of several very barbarous executions[28].

The army were let loose to commit almost what depredations they pleased ; and the whole country exhibited only scenes_of rapacity and outrage[29].

The Government intrusted into Other Hands

Those proceedings, however, were far from being agreeable to Lauderdale; though they naturally arose from the spirit of his own counsels. He meaned to introduce the most arbitrary government into Scotland; but he was vexed to see things carried at once to such alarming extremities. He had alto same causes of private jealousy and dissatisfaction.

At the time of Middleton's disgrace, he had acquiesced in the appointment of the earl of Rothes, from whose weakness and pliability he expected a ready submission to all his own wishes and directions. In this he soon found himself disappointed. The same intrigues and combination against his influence, which had been carried on between Middleton and several of the Scotch and English lords, were still continued[30].

Rothes was wholly governed by the same junto, and more immediately by archbishop Sharpe, a man of very moderate talents, but of boundless ambition, and untractable temper[31]. He it was, who had advised and instigated the council in Scotland to pursue the persecuting system with such un-remitted severity, and against which there was now a general outcry even from the moderate men of his own order[32].

Lauderdale took care to encourage such complaints, and to press them strongly upon the king's attention. Rothes and Sharpe were stript of that authority which they had so much' abused; and the vacant places were filled by the earl of Tweedale and Sir Robert Murray, both men of considerable abilities, and what seemed still more requisite at this juncture, of great integrity and moderation.

Before this late change in the Scotch council, the former administration took many other steps in the way of artifice and violence; but as they were all directed to the same end, and produced the same effects, I think it unnecessary to trace them any farther. Their successors in office pursued a very different route.

The high commission court, which had got the name of the *Scotch Inquisition*, was discontinued and bishop Leighton, one of the most amiable prelates of his time, was principally consulted by Tweedale and Murray in every thing, which related to the church. The spirit of intrigue, as far as it respected the affairs of Scotland, seemed wholly extinguished in the cabinet; and the king, whose pleasures were often broken in upon, and whose situation was rendered very uneasy by the clamour and turbulence of the people, gave up the entire direction to Lauderdale.

This cunning nobleman, who clearly perceived the very delicate posture of affairs at that moment, expressed an unwillingness to interpose his authority, or to assume an absolute controul over the other state officers, and affected only to assist them with his advice. In a man so fond as he was of the shew as well as the reality of dictatorial sway, such modesty and reserve must have been owing to the deepest artifice. He left to others the trouble, and the risk of new experiments if successful, he might claim the merit from having recommended them if otherwise, he could throw upon the acting managers all the blame of disappointment.

He even secretly wished the latter might be the case, that by then taking the office of commissioner upon himself, as if from necessity, he might convince the king, that he was the only man, who, after the repeated blunders of others, and after the failure of different systems could still realize all his own assurances of the loyal, and submissive temper of his countrymen. He soon attained the object, for which his heart bad so long, and so incessantly panted.

Mild Counsels Adopted too Late

I have already taken notice of those essential virtues of integrity and moderation in the characters of the persons, to whom the government of Scotland was intrusted, after the disgrace of Rothes and Sharpe. Had such men been at first appointed, and suffered to follow the dictates of their own wisdom and mildness, the people under their care might have submitted without murmuring to any reasonable changes in either church or state, which a virtuous sovereign could desire.

But lenient measures were adopted too late to remedy the disorders of former mismanagement. In vain did the earl of Tweedale and sir Robert Murray, assisted by Leighton, strive to conciliate the esteem of the Presbyterians by the most inviting offers: in vain did they hold out a promise to obtain from the king almost all the concessions with which the non-conformists in England would have been fully gratified, a diminution of the privileges and authority of bishops, and the striking some other obnoxious parts out of the episcopal system, so as to form such a plan of liberal indulgence as would admit and satisfy all men, who did not carry their scruples to the most capricious pitch of extravagance.

The preachers of the kirk, inflamed with zeal and a natural resentment of the cruelty and indignity, with which they had been treated, would not listen to any proposals. Government having forfeited every claim to their confidence; they looked upon those new offers as a snare to betray them to their ruin.

They exerted their abilities and their influence to fill the minds of the people with strong prejudices against any treaty, or scheme of comprehension with their persecutors; and easily made them believe that the proffered kiss of peace, like that of Judas, was only intended as a signal for their destruction.

In consequence of these jealousies, which the new Scotch ministry found it impossible to remove, they were obliged to give up the idea of attempting to reconcile the covenanters to episcopacy by any concessions, however reasonable. The next expedient, which was also suggested by Leighton, was to repair as far as possible the gross injuries done to the Presbyterian clergy by the late administration.

Many, who before had been expelled from their cures for non-conformity, were now admitted to such livings as were vacant, without being subjected to any test, or episcopal forms: the only condition required of them was, that they should endeavour to preserve peace and good order. As all of them could not be immediately provided for in this manner, without familiar violence to the present incumbents of the established church, stipends of twenty pounds a year were offered to each of the rest, till proper vacancies should present themselves.

Where spiritual animosity had been inflamed by the loss of temporal interest, some mode of reparation was thought likely to be attended with the best effects; but the issue of this measure, which seemed equally agreeable to policy and justice, did not correspond with so rational a presumption of its successes.

The first symptoms of discontent broke out upon filling up the vacant cures. As the preference, for very obvious reasons, was given to the most popular of the Presbyterian preachers, the others represented every favour of this kind as a retaining see for the services of such men on the side of government. The people also, who were before very much attached to those preachers, finding that they declaimed no longer against the conduct of their rulers, readily believed every thing that was said to their disadvantage, and ceased to frequent their churches, or to pay any respect to their peaceful exhortations.

The stipends offered to the rest not being large enough to operate as a bribe, were rejected as the wages of a criminal silence; and served only to make the recusants more idolised by their followers, on account of their supposed firmness of principle, and incorruptible attachment to the true faith.

But it was not the Presbyterian party alone that seemed dissatisfied with the well-meant proceedings of the council: the bishops, and almost all the established clergy condemned the indulgence shewn to the re-instated ministers as a flagrant breach of all the acts of parliament for securing the rights of the church, and restoring episcopacy in its full lustre,

Leighton had incurred the hatred of his brethren for his former intention to diminish their authority; and they would now have willingly sacrificed him for this farther disregard of their privileges. After much caballing, they drew up an address to the king, complaining of the indulgence as contrary to law, and indirectly insinuating, that the council had overstepped the proper limits by thus invading the province of episcopal authority.

This address was never regularly presented to the king; but a copy of it having been procured by indirect means, and transmitted to Lauderdale, he laid it before his majesty, not without making some severe remarks on the insolence of the bishops for daring to misrepresent the king's proceedings, and to question his majesty's authority delegated to his council.

Lauderdale's comments on the address were not without effect: they inflamed the king's resentment against the clergy; and he now with great earnestness and emotion, begged that Lauderdale would go to Edinburgh as his commissioner, and bring the authors of the address to

a proper sense of their duty, and of their subordinate rank and dependence. His majesty added, "that he now hoped to be no longer troubled with bad news from the north; but that, instead of chilling blasts, mild gales of affection and loyalty would begin and continue to blow from that quarter.

"This was exactly what Lauderdale wanted. He lost no time in obeying his majesty's commands, or rather, in executing his own long determined purpose. He knew the servility of parliament, and the incapacity of a poor and oppressed people to make any formidable resistance: he therefore resolved to crush all opposition in the first instance, and to destroy at one blow all the remaining liberty of the kingdom.

He quickly convened a new parliament; and in order to prevent any doubts of the king's supremacy, he had it declared by an express act, that the settling all things, with regard to the external government of the church, was a right in the crown; and that whatever related to ecclesiastical meetings, matters, and perform, was to be ordered according to such directions as the king should send to his privy council[33].

He then caused the militia act to be passed with these material alterations, that instead of confirming the king's power to raise forces upon any emergency, twenty-two thousand men, well armed, and properly disciplined, should be kept in constant readiness to march into any part of the king's dominions, for any cause in which his majesty's authority, power; or greatness should be concerned; and that orders should be transmitted to them from the council of Scotland.

By the first clause, the right of levying troops, which is, indeed, a branch of the executive authority, was converted into a standing army; and the second, according to which those forces were to receive their orders, not from the king himself, but from the council, excited a clamour in England highly unfavourable to his majesty's character. It seemed as if the king wished to prepare an excuse for any censurable enterprise, in which those troops might be engaged, by pretending that they acted without his authority.

I shall not pursue any farther the detail of Lauderdale's tyrannical proceedings. From this time he may be said, in the strictest sense, to rule Scotland with a rod of iron. The two acts, which served as the basis and support of his administration, were incompatible with any state of civil and religious liberty. One of them put it in the king's power to introduce popery, or make any other change he pleased in the established worship.

The other was like a stretched-out arm, perpetually brandishing a sword, and ready with irresistible fury to cut down every assertor of his natural rights. By such means he terrified the people into submission; and for these services, he was rewarded by the king with a ducal coronet, with a place in the cabinet council of England, and with the continuance of an undivided command over his own ill-fated country[34],

[From this period till the Revolution, Scotland remained in a state of the most abject submission to the will of the sovereign. it is even now a matter of doubt with many, whether the articles of the Union, which took place in queen Ann's reigns were not too much dictated by the spirit of Cromwell's former system; and whether the Scotch were not then too easily induced, by the specious offer of a just share in the British legislature, to make a real and irrecoverable surrender of their constitutional freedom and political independence.]

Notes to Chapter 3

1. In the year 1650, when Charles affairs were hopeless in every other quarter, and after the Marquis of Montrose had made a fatal attempt in his favour in Scotland, he accepted the offer of the Crown made him by the Scotch Parliament and the general assembly of the Kirk on

condition of his swearing to the covenant, and solemnly engaging to enforce the of observance of the Presbyterian system, and to sanction by his Royal authority the decisions of the Parliament in civil matters, and those of the general assembly in ecclesiastical affairs, as had formally been agreed by his late father. But though he took the oath and signed the articles, he had no intention to observe either: he sole view was to engage the Scotch by dissimulation and intrigue to assist him in the recovery of the English throne. His intentions were discovered; and he soon felt that the Scots withdrew their confidence in him. As he also betrayed some indifference to the religion which he had sworn to practice and maintain, the ministers thought it their duty to press him upon that head and only increased his disgust by their importunities and exhalations. It became, indeed, so evident, that he only waited for a favourable occasion to break through all his oaths, that when an army was raised to oppose the forces is under Cromwell's command, the King was permitted to see it only once, for fear of his practising any artifice upon the officers and soldiers. Charles, without ever reflecting that his own insincerity justly excited all this jealousy and caution, conceived the most implacable resentment against the people, who were unwilling to trust an unprincipled King with power of trampling at pleasure on their civil and religious rights.

2. The Earl of Lauderdale, in a private conversation with the King on this subject, craftily insinuated, "that the attachments of the Scots to royalty and to the family of the Stewarts, was much stronger than that of the English; that it was loyalty alone which had brought them into their present situation; and on this reason, the taking advantage of their calamities would be regarded as an act of the highest injustice and ingratitude; on the contrary, the restoring to them the falls of that ancient independents will be so flattering to their pride, that the King would find them in a short results in case of any rebellion from the Republican principles which files in the southern part of his dominions: that the extreme subjection, in which the Scots had always been kept by their nobility, rendered it an easy business to reduce them to absolute subjection and the monarchy: that by the proper management they might be brought to do of themselves everything which the King could exact by force; and that the time would probably come, when his Majesty, instead of desiring to see English garrisons in Scotland, and find it necessary to have Scots garrisons in England, who, supported by the spoils of the Falklands neighbours, would be forward to curb their seditious spirit." Arguments of this soul could not file of their most persuasive and convincing effect on the mind of such a Princes Charles II.

3. The garrisons, however, which Cromwell had fixed in Scotland, were continued for some time longer.

4. After Cromwell's defeat of the Scotch army at Dunbar, the kingdom being threatened with entire ruin as soon as he could take the field in the ensuing spring, it became necessary to raise another army to oppose his progress. In doing this the leaders in the Scottish Parliament were introduced to abate of their former rigour in rejecting all who were suspected of lukewarmth with respects to the covenant. By this concession great numbers entirely devoted to the King got into the army; and Duke Hamilton and the Earl of Lauderdale, who were before under great restraints, had now an opportunity of openly exerting themselves in his Majesty's favour. It was owing to their influence and intrigues that he was crowned at Scone the first of January, 1651, and in a few months after found himself at the head of eighteen thousand men, with whom he escaped into England – only to afford his pursuer the honour of the more signal than decisive victory at Worcester.

5. Though the Earl and many others of the Kings friends were released from imprisonment by order of the Parliament who monk had restored; yet uncertain of what are the steps might be taken he did not feel himself completely free, till the King was proclaimed by the next Parliament on 8 May.

6. Lauderdale's conscience upon religious points was just as pliable as Monks, and readily adopted the fashionable creed of the day. Yet, when the covenant was presented to the estates and the general assembly in Scotland for their approbation, he displayed so much seal and ability in

recommending it, that he was appointed principal Commissioner to lay it before the English Parliament. But he was then only Lord Maitland. The title of Earl, the office of Secretary of State, and the prospect of a dukedom had a wonderful effect in cooling his enthusiastic ardour, and softening the rigidness of his Presbyterian principles.

7. As this writer only touches with his masterly pencil the leading features, the grand traits of any character which he presents to our view, the readers curiosity may perhaps be farther gratified by the following full-length portrait of the Earl of Lauderdale, drawn by another of his contemporaries, the celebrated Dr Burnet. "The Earl of Lauderdale made a very ill appearance: he was very big: his tongue was too big for his mouth, which made him bedew all that he talked to; and his whole manner was rough and boisterous, and very unfit for a court. He was very learned not only in Latin, in which he was a master, but in Greek and Hebrew. He had read a great deal of divinity, and almost all the historians ancient and modern; so that he had great materials. He had with days an extraordinary memory, and copious, but unpolished expression. He was a man, as the Duke of Buckingham called him to me, but by blundering understanding. He was haughty beyond expression, abject to those he saw he must stoop to, but imperious to all others. He had a violence of passion, that carried him often to fits like madness, in which he had no temper. If he took her thing wrong, it was a vain thing to study to convince him: that would rather provoke him to swear he would be of another mind: he was to be let alone; and perhaps he would have forgot what he had said, and come about of his own accord. He was the coldest friend, and the violentest enemy I ever knew: I felt it too much not to know it. He at first seemed to despise wealth but he delivered himself up afterwards to luxury and sensuality; and by that means he ran into a vast expense, and he stuck at nothing that was necessary to support it. In his long imprisonment he had great impressions of religion on his mind; but he wore these out so entirely, that scarce any trace of them was left. His great experience in affairs, his ready compliance with everything that he thought would place the King, and his bold offering at the most desperate councils, gained him such an interest in the King, that no attempt against him, nor complaint of him, could ever shake it, till a decay of strength and understanding forced him to let go his hold. He was in his principles match against Popery and arbitrary government: and yet, by a fatal train of passions and interests, he made way for the former, and had almost established the latter. And whereas some, by a smooth deportment, made the first beginnings of tyranny less discernible and unacceptable, he, by the fury of his behaviour, heightened the severity of his ministry, which was like the cruelty of an inquisition than the legality of justice. With all this he was a Presbyterian; and retrained his aversion to King Charles I and his party, to his death." This portrait is far from being a bad likeness: it wants only those opportunities of the observation and more accurate knowledge, which the author of the secret history enjoyed.

8. See note, page 176.

9. The causes and consequences of this change in favour of the king's party are explained in a note, page 180.

10. Besides the glaring temerity of the attempt, the marquis opposed it upon principles of the most consistent policy. His countrymen had not invited Charles amongst them in order to support his pretensions to the throne of England, but with a view of restoring the ancient form and independency of their own government. The marquis, therefore, as a true patriot and able statesmen, had the justest reasons to oppose the king's march: if unsuccessful, as it was likely to be, he dreaded the revenge, which the visitors might inflict on the Scotch nation; and if successful, he had still greater fears from his knowledge of Charles's arbitrary spirit, and deep-rooted aversion both to the covenant and its professors.

11. Monk's conduct in all the proceedings against Argyle, as we shall presently see, was marked with his usual baseness and perfidy.

12. As the writer takes no notice of what was done in Scotland before the meeting of parliament, it may be proper to insert here a concise account of a few remarkable transactions in that short period. The committee of estates, who had been convened by proclamation, sent to prison several ministers for assembling to draw up a remonstrance concerning their grievances. What rendered this outrage upon the liberty of the subject still more flagrant was, that the ministers were committed without having; any opportunity given them to justify their conduct, and without any inquiry into the nature, motive, or language of their intended remonstrance. But the very design of presenting a complaint was punished as a crime by the new government.

The committee of estates went still farther in their endeavours to prevent any troublesome remonstrances. They issued a proclamation against what they called unlawful assemblies and seditious writings, taking it for granted, that the assembly of the ministers, and their petition were of that nature. A great number of delinquents were summoned; and such of them as could not, or would not bribe the men in power to redeem themselves from farther vexation, were obliged to give security for their appearance at the opening of the sessions of parliament.

Another step was taken, which might convince the Scots that some blood-offerings were also expected even from them; and that the act of Indemnity passed by the king himself when among them in the year one thousand fix hundred and fifty-one would not prevent him from having a few victims offered up to atone for his father's death, or rather for his favourite the marquis of Montrose's execution. After the summons for calling a parliament on the 12th of December had been issued, a proclamation was published, declaring, "that the king left it entirely to the parliament to examine the conduct of his subjects of Scotland; and that after his honour was vindicated and his prerogative established, he would grant a pardon which would witness how much he desired the happiness of his people."

13. Middleton's account of this grant, in his letter to the secretary of state, is curious. "This assembly," says he, "being now in the right way of their duty, are so sensible of their own and the kingdom's happiness, that for an expression of their thank. fullness they, notwithstanding their great sufferings, have made free, chearful, and hearty offer to his majesty of a yearly annuity of forty thousand pounds sterling, a sum far above whatever has been given in the kingdom." Thus the duty of parliament was made to consist in the support of despotism; and their sense of national happiness could be manifested only by an aggravation of the people's burthens.

14. At the time that Charles was amusing the commissioners sent to him at Breda by the Scotch parliament, in the year 1650, with an offer of the crown on certain conditions, explained in a former note, he urged the marquis of Montrose, attended by some sovereign hirelings, to hasten his descent into Scotland, and there endeavour by force of arms to restore the king without any terms. The parliament was so enraged at such complicated acts of treachery and rebellion as to order the marquis, who was soon taken and tried, to be hanged on a gallows thirty feet high, with this addition to his sentence, that, after he was dead, his head should be severed from his body, and let on Edinburgh tollbooth; his arms and legs sent to sour several towns to be ex-posed as as spectacle ; and his body buried under the gallows. A few days before Argyle's execution, the remains of Montrose were interred with great solemnity; and the royal parliament, by way of retaliation, after Argyle was hanged, ordered his head to be cut off, and set up in the place where his enemy's formerly stood.

15. He was also one of the commissioners appointed by the general assembly of the Kirk to treat with the assembly of divines at Westminster about the union of the two churches, in 1643,

16 This was Sydserf, who did not, however, take the lead on the present occasion, as he fell far short of some of the new proselytes in testimonies of devotion to the corrupt purples of the court.

17. The names of the four Scotch Presbyterians, who renounced their former ordination as invalid, and received orders from the bishop of London, were Sharpe, Hamilton, Fairford, and Leighton,

Sharpe was made archbishop of St Andrews, as a reward for his treachery to his former constituents. They had appointed him to manage their interest at court, and strenuously to oppose the petition of parliament in favour of episcopacy; but he betrayed their trust on the promise of preferment, and represented the measure to the king as the wish of all the sober part of his majesty's subjects in Scotland.

18. At the time of the consecration of the bishops, the presbyteries were fitting in Scotland; and as they were preparing to protest against the invasion of their rights, a proclamation was issued by the advice of Sharpe, which forbad the clergy to meet in these, or other judicatories, till they should be authorised by their prelates. This, however, was only a. flight specimen of the restraints and persecutions, of which the council and the parliament afterwards became the willing instruments.

19. See note, page 178,

20. This imaginary danger was the pretext constantly made use of by Charles and his ministers for the most unjust and rigorous persecutions.

21. If, according to the hint given by this writer in page 206 Middleton and his friends expected to share a considerable part of the marquis's forfeited estate among them, they must have been doubly mortified to see the whole granted, through Lauderdale's interest, to the son of the very man, whose destruction they had effected with so much baseness, illegality, and violence.

22. As all the Presbyterian incumbents were obliged by this act to take their presentations from their patrons, and their institutions from the hilltops; on the refusal of obedience by the western ministers, a prohibition was issued to forbid their further preaching, or serving their cures, which were soon consigned to less scrupulous hands. "An invitation," says Burnet, "was sent over the kingdom, like a hue and cry, to all persons to accept of benefices in the west; and as the livings were in general well endowed, and the parsonage houses well built and in good repair, it drew the acceptation of many worthless persons, who had little learning, less piety, and no sort of discretion."

23. Burnet informs us, that this extravagant measure originated from Primrose, clerk of the register, when he was drunk; and that many other acts, which, in a manner, Eradicated Scotch freedom, were always determined on by the state-officers in the midst of their bacchanalian revels! But is it not still more astonishing, that a parliament could be found so completely servile, as to adopt, in moments of serious deliberation, plans of tyranny formed by drunkards in the height of debauchery and riot! The Recissory Act was only opposed by a few individuals, who with unavailing and unheeded truth, represented, "that the late king, in the parliament of 1641, had, in his own person, and free from every restraint, given a legal sanction to the conduct of that assembly; that the parliament in 1648 had not only proceeded by instructions under his own hand, but had declared their intentions to support his power, and had raised an army for his preservation; and therefore, that to annul these parliaments was a precedent which destroyed the security of government and prevented the laying any foundations for future stability." These arguments, though unanswerable, made no impression; and the act was passed by a great majority, with another the preamble of which was rendered almost equally afflicting to the Presbyterians: it was an act for appointing the twenty-ninth of May to be kept as a holyday, since, on that day, an end had been put to three and twenty years course of rebellion.

24. Rothes was not more agreeable to Lauderdale on account of his supposed servility, than he was to Charles from a congeniality of sentiment in profligacy and licentiousness. The sameness of the two characters in this respect was so remarkable as to, have given occasion to the following stroke of severe raillery on both; “That the king's commissioner ought to represent his person."

25. Lauderdale was no doubt, highly gratified by the offer of troops made by the parliament, as it tended to verify his former assertion to the king, "that his majesty would find in the Scotch a sure resource, in case of any rebellion, from the republican principles which prevailed in the southern part of his dominions." He now had a very specious opportunity of enlarging on the same hint, and of placing in a new point of view the ignorance of his fallen rival. He told the king, "that Middleton and his party did not understand what was the greatest service which Scotland could do his majesty; fence, as its inhabitants had not much treasure, the only use which the country was capable of being put to was, to furnish him with a good army, when his affairs in England should require it."

26, By the advice, and at the instance of archbishop Sharpe, a high commission court was appointed for enforcing the law against conventicles, and for the direction of affairs relative to the church. This court soon became the great engine of spiritual tyranny. The ejection of the former clergy, who were in general men of exemplary manners, and the dissolute conduct of their successors having filled the people with contempt and disregard for the latter, complaints against the parishioners were frequently transmitted to the council, and many of them prosecuted in the new ecclesiastical court. But when some were discharged for the want of proper evidence of a legal transgression Sharpe complained, that the church would be ruined for punctilios of law; and the earl of Rothes, in the king's name, and by the royal authority only, inflicted the punishment of fining, imprisonment, and whipping.

27. The five-mile act received the royal assent in England on the thirty-first of October, 1665; and the proclamation of the Scotch council, dictated by the same spirit, was published on the twenty-fourth of December following.

28. The insurgents, to the number of about fifteen hundred, assembled at Lanark, and after having chosen their commanders, and renewed the solemn league and covenant, they published a manifesto, in which they stated their grievances, and insisted upon redress, but still professed allegiance to the king. The council at Edinburgh had some time before raised. troops to support the tyranny of their measures, and had intrusted the command of them to Dalziel and Drummond, two officers, who had served the late king during the civil wars, and who afterwards engaged in the service of Russia, where they increased the natural ferocity of their disposition. Those new levies were now ordered to take the field under Dalziel. A proclamation of pardon to such of the insurgents as should return to their houses, reduced their small force to eight hundred men; and these having advanced near Edinburgh, on the hopes that the town and country would declare for them, finding themselves deceived in their expectations, made the best of their way back to the west, with the intention of dispersing, and flying into England and Ireland; but on the twenty-eighth of November, Dalziel, by forced marches, got up with them at Pentland Hills. Notwithstanding the great inferiority of their numbers, they sustained the first charge resolutely; but soon fell into disorder and fled. Forty were killed in the field, and one hundred and thirty were taken prisoners; the rest, favoured by the night, and by the weariness of the king's troops, made their escape.

The oppressions these unhappy people had suffered, the wild enthusiasm with which they were inspired, and their inoffensive behaviour, for they had taken nothing but what was freely given them during their march, rendered them objects of compassion to all those whose minds were seasoned with any degree of humanity. But cowardice and villainy are always attended with a proportionable degree of cruelty. Sharpe, afraid of the general odium he had justly incurred, had, upon the first motions of the insurgents, persuaded the council to shut themselves up in the castle, and was now resolved to take a severe revenge for the fright into which he had been put. ten of the prisoners were hanged on one gibbet at Edinburgh, and thirty-five before their own doors. Even after the king was prevailed on to send down an order for setting at liberty such of the prisoners as should promise to obey the laws in future, and for transporting the rest. Sharpe contrived to prevent the order from being immediately delivered to the council; and in the interval one Maccail, a probationer teacher, who had gone over to the insurgents, was put to that cruel

torture called the boots, which is drawing an iron pair of boots close on the legs, and then driving wedges between the boot and the leg. Maccail endured this shocking operation .with astonishing fortitude, and, when expiring under the continuation of the torture, he bid farewell to the world, and a welcome to his God, in a seeming extacy of joy.

29. All the new raised troops were quartered upon the inhabitants of the western counties; and their commander, Dalziel, acted the Muscovite, as Burnet says, too grossly: he threatened the poor people that he would roast them alive; killed several in his drunken frolics, and ordered one to be hanged because he would not tell where his father was; and if he heard of a family who did not go to church, he let as many soldiers upon them as would eat them up in one night.

30. As all their other intrigues had failed, an union between the two kingdoms appeared to them most likely to diminish Lauderdale's consequence, by giving the English ministry a greater controul over the government of Scotland. With this view, and not, from any motives of patriotism, or of liberal policy, they made the Scotch parliament pass an act this year for a treaty with England; and commissioners were sent up to London for that purpose. The matter had been agitated with success even in the English parliament; but Lauderdale by artful insinuations led the king to believe that Scotland could be rendered more subservient to his arbitrary designs, if its government and interests were kept detached from the other parts of the empire. The project was hereupon suddenly dropped, and never after resumed. during Charles's reign.

31. Upon Middleton's disgrace, Sharpe paid a visit to the court, in the hope of being nominated chancellor, which, when there was no acting commissioner, would have put the whole management of affairs into his hands. But besides his having Lauderdale for his enemy, who was well acquainted with his character, we are told, that he solicited the matter in so awkward and so mean a manner, pretending an aversion to the being nominated to so high a civil employment, and, at the same time, prevailing with Sheldon, bishop of London, to press the king on the subject of his preferment, that he became the jest of the ministry. He had, however, sufficient influence to obtain the appointment of the earl of Rothes, whose promotion Lauderdale did not oppose for the reason above explained, and who being thus advanced through Sharpe's interest, was governed in all things by the turbulent spirit of that prelate.

32. So full a career was, indeed, given to oppression and cruelty, .that many of the Episcopalian clergy began to grow uneasy at the odium their order incurred, as being the cause of these unjustifiable proceedings. Bishop Leighton, the amiableness of whose character will be hereafter more fully illustrated, was induced to go to court, and complain to the king of the conduct of the Scotch ministry, which he said was so tyrannical, that he could not concur in planting by such means the Christian religion itself, much less a form of government; and therefore he begged leave to quit his bishopric.

Leighton's resignation of his spiritual preferment on the reasons would have thrown too great a disgrace on the measures of the court to be Admitted. The king promised to adopt milder counsels, and actually sent down orders for the discontinuance of the ecclesiastical commission; but by this time the people had been driven to despair, and the insurrection, to which they were provoked, afforded an opportunity for the exercise of fresh barbarities, before the removal of Rothes and Sharpe from office.

33. Lauderdale made the Presbyterian members believe, that this act, to which they consented with foolish servility, would operate in favour of their sect, by restraining the power of the Bishops. But they soon found, that the power was transferred to much more dangerous hands. On a meeting of the Presbyterians, held in Fife, where some of the gentlemen had come with their ordinary arms, a severe law was passed against those of the reformed religion who went not to church: ruinous fines were imposed both upon the preachers and hearers in conventicles, even if the meetings were held in private houses; but field conventicles were subjected to the penalty of death and confiscation of goods: four hundred marks Scotch were offered as a reward

to those, who should seize the criminals; and they were indemnified from any slaughter, which they should commit in the execution of such an undertaking. But as it was found difficult to obtain evidence against conventicles, however numerous, it was enacted by another law, that whoever, being required by the council, refused to give information upon oath, should be punished by arbitrary fines, by imprisonment, or by banishment to the plantations. It is deserving of remark, that in the wording of all these laws, the papists were the only recusants who were exempted from punishment.

34. Burnet says, that when Lauderdale, after these marks of royal favour, returned to Scotland in May, 1672, he was so lifted up with the success of the French arms, and took such pleasure in talking of De Witt's fate, that he could not be heard without horror: he had been lately married to one lady Dysert, whose company he frequented during the life of his last wife: his new spouse was a woman of an imperious, rapacious temper, and being entirely void of principle, the connexion increased the abandoned profligacy of Lauderdale : every thing was set to sale under his administration; and he himself and his duchess affected such state, and carried themselves with such insolence, that they disgusted all the Scotch nobility. The duke of Hamilton, at the instance of several of this order, was animated into a resolution of opposing a heavy land-tax, to which the consent of parliament was to be required, for carrying on the second war against the Dutch; but he was diverted from his purpose, on being told by lord Athol, that there would be no more parliaments in England, and that the king was in a fair way of becoming absolute.

The reader will no doubt, be desirous to know what step Leighton took, after the total subversion of his mild system. This worthy prelate had, on the solicitations of the court, accepted the archiepiscopal see of Glasgow; but he was very soon so highly disgusted with the severe laws passed against the non-conformists, so chagrined with the disappointment of the hopes he had entertained of reconciling religious differences, and so affected with the melancholy prospect of the times, that he retired from his public employments to the friendly silence of solitude, where he had full leisure and liberty to spend the remainder of his days in prayer and meditation.

Robert Leighton (1611 – 25 June 1684) was a Scottish prelate and scholar, best known as a church minister, Bishop of Dunblane, Archbishop of Glasgow, and Principal of the University of Edinburgh from 1653 to 1662. He was "noted for his Christian piety, his humility and gentleness, and his devotion to his calling"

The Secret History
Of The
Court And Reign
Of
CHARLES THE SECOND
Chapter IV

Affairs of Ireland—Sir,Charles Coote's perfidy—Proceedings of the Irish convention--Instructions and conduct of the slate-commissioners—Deputies from the clergy—Claims of the adventurers—Pretensions of the other parties—Disposition of the court to favour the Irish Catholics—Difficulties in the choice of a deputy for the government of Ireland—Appointment and removal of lord Roberts—The marquis of Ormond and others re-instated in their ancient possessions—Restoration of episcopacy—Sentiments of the king with respect to the different parties—Speech of the Irish claimants at the council-board—Reply of their adversaries—First Act of Settlement—Injustice and partiality in its execution—Explanatory Bill—The duke of Ormond made lord-lieutenant–Proceedings of the new commissioners—Petition against them from the Irish parliament—General clamour excited by their decrees—Third examination before the English council—Open interference of the king in several instances—Case of the marquis of Antrim—Farther grounds of complaint against the commissioners—Their defence—Third Act of Settlement—Conclusive remarks.

Affairs of Ireland

IT is not easy to conceive any task more intricate or embarrassing to government than that which the state of Ireland presented at the king's restoration.

His majesty's interest in that country had been so totally extinguished for many years past, that there was no person of any consideration there, who pretended to wish that it were revived. At Cromwell's death, his younger son Harry was inverted with the full authority by being lieutenant of Ireland, and did no small honour to his father's choice of him for an office of so much trust, by the policy and popularity of his administration. The two presidents of the two provinces were the lord Broghill in that of Munster, and Sir Charles Coote in that of Connaught, both equally depending upon the lieutenant, and the more confided in on account of their aversion to the king, though they agreed in nothing else.

When Richard Cromwell was deposed, and the members of the republican parliament, dissolved by his father in 1653, were reinstated in the exercise of supreme power, they did not neglect Ireland in their earliest regulations: they voted, that it should be no longer governed by one person, but by commissioners of their own nomination and appointment; and that Henry Cromwell should be made acquainted with this order, and required forthwith to repair to the parliament.

Upon his submission and removal, the command of the militia was vested in Ludlow, and the civil jurisdiction in persons, who had been judges of the late king; but the two presidents were continued in their several provinces as before, either because they had not deserved to be suspected, or because they could not easily be removed, and were still subject to the commissioners at Dublin.

The next change of government displaced Ludlow and the rest of that party, and committed the direction of affairs to others of very different principles, yet far enough from wishing well to the king.

Sir Charles Coote’s Perfidity

In these revolutions, the final issue of which was at that time uncertain, sir Charles Coote thought it prudent to guard against every contingency. While therefore he had the address still to retain his presidency under the ruling powers, and seemed zealous in their service, he took an opportunity to send an express to the king who was then at Brussels, with the tender of his obedience.

He said, that he could not then fix a time for any open attempt in the king's favour; but desired only to have such commissions in his hands, as might be applied to his majesty's service in a proper conjuncture: he expressed, at the fame time, a great jealousy of Broghill, and an unwillingness that he should know any thing of this engagement.

As he was known to have considerable influence and authority in his province, his offer was graciously received, and the commissions sent according to his wish, though never made use of by him; and there can be no doubt but all his caution was designed to secure himself, let public affairs take whatever turn they would.

It is true, indeed, that he had scarce any time to form a regular plan, as the alterations proceeded so fast one upon another, that both he and Broghill chose rather to depend upon general Monk than upon the king; imagining, as they pretended afterwards, that the general intended nothing but the king's restoration, and belt knew how to effect it.

Proceedings of The Irish Convention

At the beginning of those struggles, which ended in the total ruin of the independents, Monk wrote some private letters to Coote and to other officers in Ireland, desiring that they would adhere to his army for the service of the parliament against Lambert.

Soon after, Coote, finding that Monk had restored the members secluded in 1648, did not lose a moment to collect all his friends and adherents; and with their assistance seized on the castle of Dublin, and the persons of those who were in authority, whom he imprisoned[1]; and then settled the government in the manner which he thought would be most agreeable to the Presbyterian humour.

As soon as Monk was constituted by act of parliament captain-general of the forces of the three nations, and lieutenant of Ireland, he sent over commissions to Coote and the other leaders of the same party, with farther directions for their conduct. A convention was summoned at Dublin

the king was proclaimed, and deputies, under the tide of commissioners from the state, were appointed to wait upon the king with a present of money[2] and with all processions of duty, which could be expected from the best subjects.

These deputies were the lord Broghill, Sir Audley, Sir John Clotworthy, and several other persons of quality, much the greater number of whom had been always notorious for the disservice they had done the late king; but upon the advantage of having been discountenanced, and suffered long imprisonment and other damages under Cromwell, they called themselves the king's party, and brought expectations with them to be looked upon and treated as such.

Amongst them was a brother and other friends made choice of and more immediately trusted by Sir Charles Coote, who remained in the castle of Dublin, and presided in that council that supplied the government, and was thought to have the best interest in the army, as well as in his own province.

Those men, he said, had been privy to the service he meant to have done the king, and expected the performance of several promises he had then made them, by virtue of some authority that had been sent to him, to satisfy those who should join with him to do his majesty service.

Instructions and Conduct of The of The State Commissioners

All those commissioners from the state had instructions, to which they were to conform, in desiring nothing from the king but the establishing of his own authority amongst them, the ordering of the army, reviving the execution of laws, settling the courts of justice, with such other particulars as purely related to the public; and their public addresses were to this and no other purpose [3].

But then to their private friends, and to such as they desired to make their friends, most of them had many pretences of merit, as many expedients by which the King might reward them, and out of which they would be able liberally to gratify their patrons; and by this means all who served the King were furnished with fruits enough to make their fortunes, in which they presently engaged themselves with very troublesome importunity to the king himself, and to all others who they thought had credit or power to advance their desires.

Nor was there any other art so much used by the commissioners as to vilify one another, and to discover the ill actions they had been guilty of, and how little they deserved to be trusted, or had interest to accomplish any service. The lord Broghill was the man of the best parts, and had most friends by his great alliance to promise for him.

He alto appeared very generous and disinterested, seeming without the least pretence to any advantage for himself, and so wholly devoted to the king's interest, and to the establishing the government of the church, that he quickly got himself believed. As he had free access to the king, by mingling apologies for what he had done with promises of what he would do, and by utterly renouncing all those principles with respect to the church or state which he knew were odious to his majesty, he rendered himself very acceptable, and was heard with the greater pleasure by the king, because he made all things easy to be done and compassed.

Deputies from The Clergy

He took care, at the same time, to secure the good word of those who were most constantly about the king's person. He gave such assurances to the bedchamber-men to help them to good fortunes in Ireland, which they had reason to despair of in England, that he wanted not their testimony upon all occasions, nor their defence and vindication, when any thing was reflected upon to his disadvantage or reproach.

There were many other deputies from different classes in Ireland, who thought their pretences to be as well grounded as theirs who came from the state. There were yet living some bishops of that kingdom, and other clergymen, who, after the overthrow of monarchy, had been stript of their former dignities and estates.

These appointed a committee to manage their interest at court; to represent their long sufferings; to urge the restoration of their rights; and to beseech his majesty to use all possible expedition to establish the government of the church, as it had always been, by supplying the empty sees with new prelates in the place of those who were dead, and by extirpating and rooting out all the schisms which were spread over the whole kingdom.

All these desires were grateful to the king, and according to his royal intention, and were not opposed by the commissioners from the state[4], who all pretended to be well-wishers to the old government of the church only Sir John Clotworthy, who by the exercise very ordinary faculties in several employments, whilst the parliament retained the supreme power in their hands, had exceedingly improved himself in understanding and ability of negotiation, dissembled not his old animosity against the bishops, the cross, and the surplice, and wished that all might be abolished, though he well knew that his single vote would signify nothing towards it.

This spirit of his had been so long known that it was now imputed to sincerity, and plain dealing, and that he would not dissemble, as many others certainly did, who were in their hearts of the same sentiments with him, He was also the less ill thought of on this account, because in all other respects he was of a generous and a jovial nature, and complied in all deigns which might advance the king's interest or service,

Claims of The Adventurers

There appeared likewise a committee deputed by a body of men, called the ADVENTURERS, to solicit their right; and was the more numerous by the company of many aldermen and citizens of the best quality, as well as several country gentlemen, who all desired that their right might not be disturbed, which had been settled by an act of parliament ratified by the late king before the troubles; but in case it might be thought proper to take from them upon what title soever, any of the lands they held, they expressed a confidence in the goodness, the wisdom, and the justice of government, that they might be put into the possessions of other lands of equal value, before they should be dispossessed of what they had already.

All that they laid claim to seemed indeed to be confirmed by an act of parliament. The case was this : when the rebellion first broke out in Ireland, the parliament then sitting, and there being so much money to be raised and already railed for paying and disbanding two armies, and for composing or compounding the rebellion[5] of Scotland, where the king was at that time, it had been proposed that the war of Ireland might be carried on at the. charges of particular men, and so all imposition upon the people might be prevented, if an act of parliament were passed to insure to all those, who would advance money for the war, full satisfaction out of the lands which should become forfeited.

This proposal was embraced, and an act prepared to that purpose, in which it was provided, that forfeited lands in Leinster, Munster, Connaught and Ulster should be valued at such several rates by the acre, and that a certain number of acres; according to this estimate, should be assigned for the satisfaction of one hundred pounds and so proportionably for greater sums; that no subscriptions should be received after an appointed day, when one moiety of the money was to be paid into the hands of the treasurer for present preparations; and the other moiety within six months, upon the penalty of losing all benefit ,from the flirt payment.

The distribution of the forfeited lands to the several subscribers was to take place as soon as the rebels should be totally subdued; and the king was to be restrained from making any peace with

those rebels, or cessation, or from giving pardon to any of them ; but such peace, cessation, or pardon should be looked upon as void and null. Upon the security of this act, which the king consented so and confirmed in the year 1641, a great number of persons subscribed and brought in the first moiety of their money; and were very properly stilled Adventurers.

But while, in consequence of those subscriptions, new levies of men and other necessary preparations were making for Ireland, the fatal rupture happened between the king and his English parliament; upon which they applied a great part of the money brought in by the Adventurers, and many of the troops, which had been raised for that service, immediately against his majesty.

Such of the subscribers as were attached to the king, and of course dissatisfied with this unforeseen application of their money, refused to pay in the other moiety at the time, and so were liable to lose the benefit of their adventure. Upon this, the parliament enlarged the time for subscribing to a longer day, and easily prevailed with several of their own party, principally officers and citizens, to subscribe and bring in their money, to which it was no small encouragement that so many had lost the benefit of their whole adventure by not making good their second payment, which would render the conditions of the new adventurers less hazardous.

During the continuance, however, of the civil war in England, very little of this money could be applied to its original purpose. Ireland was left unsupplied, and the rebellion there suffered to spread with little opposition for some time, the attention of all parties being called home, by objects of keener and more pressing concern. But when the success of the parliament had totally subdued the king's armies, and he himself was put to death, neither the forces in Ireland under his authority; nor the Irish papists, who had too late promised to submit to it, could make any long resistance, so that Cromwell quickly dispersed them by his own expedition thither; and then by licensing all who desired it, to transport as many from thence for the service of the two crowns of France and Spain as they would contract for, he soon effected an entire disappearance of any army in that country to oppose his conquests.

Shortly after that time, when Cromwell having reduced Scotland, and given a death-blow to the hopes of the royalists at Worcester, was invested with the office of Protector, he appointed commissioners for convicting and attainting all those who had been guilty of the rebellion in Ireland; for seizing their estates; and for distributing them among the adventurers, according to the formalities prescribed by the act, and in proportion to the sums of money which they had advanced.

Not only all the Irish papists, but the marquis of Ormond, the lord Inchiquin, and all the English Catholics, and whosoever had served the king, were declared to be under the same guilt, and their lands seized on for the benefit of the state. There were vast arrears of pay due to the army there, a great part of which, now the war was at an end, must be disbanded, for the doing whereof, no money was to be expected out of England, but they must be satisfied out of the forfeitures of the other. Kingdom.

A survey was therefore made of the whole country; the accounts of the money paid by the adventurers within the time limited, and what was due to the army for their pay, were stated; and such proportions of acres in the several provinces were assigned to the adventurers, officers, and soldiers as were agreeable to the act of parliament.

Where an officer of name had been like wise an adventurer, his adventure and his pay amounted to the more and sometimes the whole company and regiment contracted for money with their captains or colonels; and assigned their interest in land to them, and possession was accordingly delivered.

Where any great sums of money for arms, ammunition,, or merchandize had been so long due, that they were looked upon as desperate, the state-creditors subscribed all those sums as lent

upon adventure, and had their claims admitted. Ireland was the great capital, out of which all debts were paid, all services rewarded, and all acts of bounty performed.

In order to enhance the value of these distributions, and that every body might with the more security enjoy that which was assigned to him, an expedient was found to obtain the formal consent of the old proprietors, and regular conveyances of their estates to the new possessors.

There was a large tract of land, even to the half of the province of Connaught, that was separated from the rest by a long and a large river; and which by the plague and many massacres remained almost desolate. Into this space all the Irish papists were ordered to retire by such a day under the penalty of death; and certain portions of land were here granted them, but on condition, that those, who had been deprived of much larger estates, and in more fertile provinces, should all give releases of their former rights and titles to the land that was taken from them, in consideration of what was now assigned to them, and so should for ever bar themselves and their heirs from laying claim to their own inheritance.

In this manner the plantation, as they called it, of Connaught, was finished, and all the kith nation inclosed within that circuit, the rest of the country being divided among the conquerors, except some estates that were left to such of the old proprietors as being all protestants (for no Roman catholic was admitted) had either never offended their present rulers, or had served them, or had made some composition for their delinquencies.

It cannot be imagined in how easy a method, and with what peaceable a formality the whole country was thus taken from the ancient and just owners, and shared amongst those who had no other right but that of the sword; and what is still more wonderful, all this was done and settled, within. little more than two years, to that degree of perfection; that there were many buildings raised for beauty as well as use, orderly and regular plantations of trees, excellent fences and inclosures, purchases made by one from the other at very valuable rates, jointures made upon marriages, and all other conveyances and settlements executed, as in a country at peace within itself, and where no doubt could be made of the validity of titles.

Yet such is the discontented or insatiable temper of most men, that the deputies for the adventurers, and for those who called themselves adventurers, who now waited upon the king, came not only to ask his consent and approbation of what had been done, which they thought in justice he could not deny, because all had been done on the warrant of a legal act of parliament; but to complain that justice had not been equally done in the distribution of the Irish estates, and to seek redress from a fresh and impartial review of the whole; every one of them hoping for some addition to what he had already, not suspecting that any thing would be taken from him to be restored to the original owner.

This agitation raised another party of adventurers, who thought they had at least as good a right as any of the former. These were the persons, or their heirs and executors, who, upon the first making of the act of parliament, had subscribe several sums of money and paid in their first moieties, but seeing this money soon afterwards employed against the king, whole person and cause they were attached to, they forbore making their second payment, left it might be converted to the same purpose.

Though the strict letter of the act was therefore against them for not making good the remainder of their subscription, yet they presumed to think that by the equity of the law they ought to be satisfied for the money they did really pay; and that they should not undergo any damage for not paying the other moiety, which out of conscience, and for his majesty's service they had forborn to do. The king was certainly disposed to gratify this class of adventurers, when he should find it in his power.—But it is time to return to the deputies from the other parties in that distracted kingdom.

Pretensions of Other Parties

There was a committee sent from the army, that was in present pay in Ireland, for a whole year's arrears now due to them, Most of the officers and soldiers, who in Cromwell's time received satisfaction in land for their arrears, were then disbanded, that they might attend their plantations and husbandry; but in truth because they were for the most part of the Presbyterian faction, and therefore suspected by the usurper not to be enough inclined to him.

The army now on foot consisted chiefly of independents, who had corresponded with, and been directed by general Monk, when he marched from Scotland against Lambert; and therefore he had advised the king to declare that he would pay all arrears due to the army in Ireland, and ratify the satisfaction that had been given to adventurers, officers, and soldiers there, which his majesty had accordingly signified in his declaration from Breda.

The satisfaction that the former officers and soldiers had received in land, and the demand of the present army had caused another committee to be sent by those reformed officers, who had served the king under the command of the marquis of Ormond. These thought it a very incongruous thing, that persons, who had fought against the king's father and himself, should receive their pay and reward by his majesty's bounty; and that they, who had as constantly sought for both, should be left to undergo all want and misery.

They also believed their suit to be the more reasonable, at least the easier to be granted, as they had brought an expedient with them to facilitate their satisfaction. There had been some old order or ordinance that was looked upon as a law, whereby it was provided that all houses within cities or corporate. towns, which were forfeited, should be refereed to be specially disposed of by the state, to the end that all care might be taken what manner of men should be the inhabitants of such important places and therefore such houses had not been, nor were to be promiscuously assigned to adventurers, officers, or soldiers, and so remained hitherto un-disposed of.

The reformed officers made it their humble request, that those houses might be assigned to them in proportions according to what might appear to be due to their several conditions and degrees in command. To this petition the commissioners from the state gave their consent, being ready to take all opportunities of ingratiating themselves by professions of friendship and love of the king's party.

Lastly there was a committee deputed by the whole body of Irish Catholics, who with less modesty than was suitable to their condition, demanded in justice to be restored to. all the lands that had been taken from them; alleging, that they were all at least as innocent as any of those, to whom their lands had been assigned.

They urged their early submission to the late king, and the peace they had first made with the marquis of Ormond, by which an act of indemnity had been granted for what offences soever had been committed, except such in which none of them were concerned. They urged a second peace they had made with the marquis also, upon his present majesty's succession to his royal father's title, wherein a grant of indemnity was again renewed to them; and confidently pressed their claim and expectation, that the benefit of all the articles contained in those treaties might still be granted and observed to them, fence they had done nothing to infringe or forfeit them; but, had been oppressed and broken, like all his majesty's other forces.

Some of them, who had been abroad, pleaded the service they had done the king beyond the seas. They were always ready, they said, to obey his commands, and to remain in, or to quit France or Spain, according to his orders; and for the last two years they had been received and enlisted as his own troops and in his own actual service under the duke of York. They did not neglect to enlarge upon the intolerable tyranny they had suffered for almost twenty years, the massacres and servitude they had undergone, such devastation and laying waste their country,

such bloody cruelty and executions inflicted on them, as had never been known, nor could be paralleled among Christians.

They added, that their nation was become almost desolated, and their sufferings of all kinds carried to such an extent that they hoped had satiated their most implacable enemies. "They humbly besought his majesty therefore, that, in this general joy for his restoration, and in which nobody could rejoice more than they, when all his subjects of the other two kingdoms (whereof many were not more innocent than themselves) had their mouths filled with laughter, and had all their hearts could desire, the poor kith alone might not be condemned to perpetual weeping and misery by his majesty's own immediate act."

Disposition of The Court to Favour The Irish Catholics

Amongst those, with the same confidence, they, who had been transplanted into Connaught, appeared: related, the circumstances of the persecution they had undergone, and how impossible it had been for them to refuse their submission, and therefore that it would be against all conscience to allege their own consent, their releases, or other grants, which had they not agreed to in that point of time, they, their wives and children could not have lived four and twenty hours.

All these particulars disposed his majesty to wish that any expedient might be found consistent with justice and necessary policy, that might make them though not very happy, yet might preserve them from misery, until he should hereafter find some opportunity to repair their condition, according to their several degrees and merit.

In these sentiments the king was greatly encouraged and confirmed by his brother the duke of York, by the marquis of Ormond, and by Daniel O'Neal of his bedchamber, all of Whom interested themselves very much in favour of the Irish Catholics,

Those several addresses being presented to his majesty together, before any thing was yet settled in England; and every party of them finding some friends, who filled the king's ears with specious discourses in behalf of those for whom they spake, and with bitter invectives against all the rest; he was almost confounded how to begin, and in what method to put the examination of all their pretences, that he Might take such a view of them as to be able to apply some remedy, which might keep the disease from increasing and growing worse till he could find a cure.

He had no mind that the parliament should interpose and meddle in it; and they were so full of business which they thought concerned them nearer, that they had no with to take cognizance of this of Ireland[6]

But however desirous the king was to adjust those claims without parliamentary aid, yet the addresses of the several suitors were all of so contradictory a nature, so inconsistent with each other, and so impossible to be reconciled, that if all Ireland could be sold at its full value, that is, if kingdoms could be valued at a just rate, and find a fit chapman or purchaser to disburse the sum it could not yield half enough to satisfy half their demands. Yet the king was not in a condition positively to deny any one party what they solicited.

The commissioners of the state, in respect of their quality, parts, and interest, and in regard of their mission and authority, seemed the most proper persons to be treated with, and the most likely to, be prevailed upon not to press any thing profoundly unreasonable. They had all their own just fears, if the king should be severe, and all the rest should concur in his taking a full vengeance on them.

But then they, who had most cause to fear, thought they might raise their hopes highest from that power that had sent them, and which had yet interest enough to do good or hurt; and they also thought themselves secure in the king's declaration from Breda and his offer of indemnity,

which comprehended them. Then they were all desirous to merit from the king; and their not loving one another disposed them the more to do any thing that might be grateful to his majesty.

But there waswas one point in which their sameness of sentiment gave him much displeasure, and rendered all their other obsequiousness and devotion less acceptable to him; and that was their antipathy to the Irish papists. They all concurred in one with, that the Irish might gain nothing by the king's return, but be kept with the same rigour, and under the same incapacity to do hurt, which they were till then; and though eradication was too foul a word to be uttered in the ears of a Christian prince, yet it was little less or better that they proposed in other words, and hoped to obtain.

This spirit of excessive rigour towards the papists arose partly from the remembrance and resentment of their barbarous behaviour at the beginning of the rebellion, and partly from a dread of their retaliating, if they should have the power, the cruelties and the violent servitude, which they had been compelled to undergo for some years past.

The king, on the contrary, thought that miserable people to be as worthy of his favour as most of the other parties; and that his honour, justice, and policy, as far as they were unrestrained by laws and contracts, obliged him more to preserve them, at least as much as he could. Yet it can hardly be believed, how few men in all other points very reasonable, and far from cruelty in their nature, cherished that inclination in the king, but thought it in him, and more in his brother, to proceed from other reasons than they published.

Difficulties in The Choice of a Deputy For The Government of Ireland

In this intricacy and perplexity the king thought it necessary to begin with settling his own authority in one person over that kingdom, who should make haste thither, and establish such a council there, and all courts of justice, and other civil officers, as might best contribute towards bringing the rest into order.

To this purpose he made choice of several persons of the robe, who had been known, or recommended by the marquis of Ormond; but of more by the advice and promotion of Daniel O'Neal, who preferred a friend of his and an Irishman to the office of attorney general, a place in that conjuncture of most importance to the settlement, and many others to be judges.

But to find a person sit to be sent thither in the supreme authority was long deliberated by the king, and with difficulty to be resolved. General Monk continued lord lieutenant of Ireland, a post which he had no mind to quit; for he had a great estate there, having for some time been general of that army, and having received for the arrears of his pay, and by Cromwell's bounty, and by force purchases made of the soldiers, land to the value of at least four thousand pounds per annum.

This he thought he could best preserve in the supreme government, though he was willing to have it believed in the city and the army, that he retained his office only for the good of the adventurers, and that the soldiers might be justly dealt with for their arrears.

Whatsoever his reason was, as profit was always the highest reason with him, whoever was to be deputy must be subordinate to him, which no man of high quality would be, though he should have his commission from the king, and the same jurisdiction in the absence of the lieutenant. There were some few fit for the employment, who were not willing to undertake it, and many who were willing to undertake it, but were not fit.

Appointment and Removal of Lord Robarts

Upon the view of those of all sorts, who were thought of for the office of deputy, the king most inclined to the lord Robarts, who was a man of more than ordinary parts, well versed in the

knowledge of the laws, and esteemed of integrity not to be corrupted by money. But then he was a sullen morose man, intolerably proud, and had some humours as inconvenient as small vices, which made him hard to live with, and which were afterwards more spoken of than at that time foreseen.

He had been in the beginning of the late troubles a leading man in the councils of the king's opponents, and a great officer in their armies, wherein he expressed no want of courage; but after the defeat of the earl of Essex's army in Cornwall, which was imputed to his positiveness and his pledging himself that all the people of that county would declare for the parliament, the friendship between him and that earl was broken. From that time he did not only quit his command in the army, but declined all intercourse with the party, and remained for the most part in the country, where he censured their proceedings, and had his conversation most with those who were known to wish well to the king, and who gave him a great testimony, as if he would be glad to serve his majesty upon the first opportunity.

The greatest exception the king had to the lord Robarts, who was already of the privy council by the recommendation and instance of general Monk, was, that he was commonly esteemed a Presbyterian, which would render him very unfit for the proposed trust on many accounts, besides that he would not chearfully act the king's part in restoring and advancing the government of the church, which his majesty was resolved to settle with all the advantages which he could contribute towards it.

Before the king would make any public declaration of his purpose, he sent the treasurer and the chancellor, who were most acquainted with Robarts, to confer freely with him, and to set him know the good esteem his majesty had of him and of his talents.

They were then to observe, that the government of Ireland would require a very ready and a prudent man; that the general did not intend to go into that kingdom, and yet would remain lieutenant thereof, from which office his majesty knew not how, nor thought it seasonable to remove him; and therefore that the place must be to supplied by a deputy, for which port the king thought him the most fit, if it were not for one objection, which his majesty had given them leave to inform him of particularly, there being but one person more privy to his majesty's purpose, who was the marquis of Ormond.

After this preface; and farther remarking to him, that he might conclude that the king was desirous to receive satisfaction to his objection, by the way he took to communicate it to him, they said, that he had the reputation of being a Presbyterian, and that his, majesty should take his own word, whether he was, or was not one.

He answered without any kind of ceremony, or so much as acknowledging the king's favour in this inquiry, "that no Presbyterian thought him to be a Presbyterian, or that he loved their party; that there could be no reason to suspect him to be such, but that which might rather induce men to believe him to be a good protestant, that he went constantly to church as well in, the afternoons as the forenoons on Sundays, and on those days forbore to use those exercises and recreations, which he used to do all the week beside."

He desired them to assure the king, "that he believed episcopacy to be the best government, which the church could be subject to." They asked him, whether he would be willing to receive that government of deputy of Ireland, if the king were willing to confer it upon him? Thence he let himself fall to an acknowledgment of the king's goodness, that he thought him worthy of so great an honour; but he could not conceal the disdain he had of the general's person; nor how unwilling he was to receive orders from him, or to be an officer under his command.

They told him that there would be a necessity of a good correspondence between them both, whilst they staid together in England, and when the general should be in Ireland; but beyond that

there would be no obligation upon him, for that he was to receive his commission immediately from the king, containing as ample powers as were in the lord lieutenant's own commission; that he was not the lieutenant's deputy, but the king's, only that his commission ceased, when the lieutenant should be upon the place of duty, which he was never likely to be.

On the whole, though it appeared that the superiority was a mortification to him, he said that he referred himself wholly to the king to be disposed of, as he thought best for his service; and that he would behave himself with all possible fidelity to him.

Upon this report made to the king, his majesty shortly after declared in council, that he had made the lord Robarts deputy of Ireland; and then charged him that he would prepare as soon as was possible for his journey thither, when those officers, who were designed by him for the civil justice of the kingdom, should be ready to attend him.

The king farther told him, that in the mean time he would send the commissioners, and all others who solicited any thing that had reference to Ireland, to wait upon him, to the end that he, being well informed of the nature and consistency of the several pretences, and of the general state of the kingdom, might be the better able to advise his majesty upon the whole matter; and to prescribe, for the entering upon it by parts, such a method, that his majesty might with less perplexity give his own determination in those particulars, which must chiefly depend upon himself and his direction.

Thus the king hoped to procure himself some ease by referring the gross of the Irish affairs to the deputy, who he thought would be enabled, after conferring with the several parties, to shape and model the whole bulk, that it might be more capable of some further debate before his majesty in council but in this he was very much disappointed.

Lord Robarts was a man of good understanding, but of so morose a temper, that it was no easy matter to treat with him: he professed no small degree of knowledge in the law, and in antiquity in the precedents of former times, all which were rendered the less useful by a great deal of pedantry contracted out of some books, and out of the ill conversation he had had with people in quality much below him, by whose weak faculties he raised the value of his own, which were very capable of being improved in better company; he was naturally proud and imperious, which humour was increased by a bad education; for excepting some years spent in the inns of court amongst the books of the law, he might be very justly said to have been born and bred in Cornwall.

Many days passed after the king's declaration of him to be deputy, before he could be persuaded to visit general Monk, who he knew was to continue lieutenant; and when he did visit him, it was with so ill a grace, that the other received no satisfaction in it, and the lets because he plainly discovered that it proceeded from pride.

Robarts made so many doubts and criticisms upon the draught of his patent, that the attorney general was weary of attending him; and when all things were agreed on at night, the next morning he produced new dilemmas. But that which was worse than all this, he received those of the Irish nation, of the best quality, and who were of the privy council and chief command in that kingdom, so superciliously; took their information so negligently; and gave his answers so scornfully, that after they had waited upon him four or five times, they besought the king that they might not be obliged to attend him any more. It was evident, that his carriage towards them was not to be submitted to by persons of his own rank, or of any liberal education; and besides, he did not make any advance in the business.

All this gave very great trouble to the king, and Its much pleasure to those who never liked the designation. His majesty knew not what to do with his deputy, nor what to do for Ireland: Robarts was a man not to be disgraced and thrown off without much inconvenience and hazard: he had parties within the council and the parliament (the,two great scenes of all the king's business)

which were very troublesome; for of all men alive, who had so few friends, he had the most followers: they, who conversed most with him, knew him to have many humours which were very intolerable; they, who were but a little acquainted with him, took him to be a man of much knowledge, and called his moroseness gravity, and thought the severity of his manners made him leis grateful to the courtiers: he had no such advantageous faculties in his delivery, as could impose upon his auditors; but he was never tedious, and his words made impression: in a word, he was such a man as the king thought worthy to be compounded with; and his majesty therefore appointed the same persons as before, the treasurer and chancellor to confer with him again, and to dispose him to accept the office of the privy-seal, which gave him a great precedence; for in his nature he preferred place before money, which his fortune stood more in need of.

The king thought it would be no bad argument to incline him to give over the thought of Ireland, to say, that it was impossible for his majesty to supply him for the present with any such sum of money, as he had very reasonably demanded for the satisfaction of the army there, which was to be new modelled, and for his own equipage.

The lords, thus directed by the king, began their approach to Robarts by asking' him, when he would be ready for his journey to Ireland? to which he answered with some quickness, "that he was confident there was no purpose to send him thither, for that he saw there was no preparation of those things, without which the king knew well that it was not possible for him to go; nor had his majesty lately spoken to him of it.

Besides he had observed that the chancellor had for many days past called him, at the council, and in all other places where they met, by the name of lord Robarts, whereas for some months before he had, upon all occasions and in all places treated him with the stile of lord deputy, which gave him first cause to believe that there was some alteration in the purpose of sending him thither."

They both assured him, "that the king had no other person in his view but himself for that service, if he were disposed to undertake it vigorously; but that the king had forborne lately to speak with him of it, because he found it impossible to provide the money he proposed, and it could not be denied that he had proposed it very reasonably in all respects; however it being impossible to procure it, and as he could not go without it, for which he was not to be blamed, his majesty must find some other expedient to send his authority thither, the government there being yet so loose, that he could not but every day expect to receive news of some great disorder there, the ill consequence whereof would be imputed to his majesty's want of care and providence; that his majesty had yet forborne to think of that expedient till he might do it with his consent and advice, and until he could resolve upon another pat, where he might serve his majesty with equal honour, and by which the world might see the esteem he had of him; and therefore, since it would be both unreasonable and unjust to press him to go to Ireland without those supplies, and it was equally impossible to prepare and send those supplies," they said "the king had commanded them to propose to him, that he would make him lord privy-seal, an office he well understood; and if he accepted that, and were possessed of it, as he should immediately be, his majesty would enter upon new considerations how to settle the tottering condition of Ireland."

The lord's dark countenance presently cleared up, as having, no doubt, expected to be deprived of his title to Ireland, without being aligned any other any where else; and now being offered the third place of precedence in the nobility, the privy-seal going next to the treasurer, upon a very short recollection he declared, "that he received it as a great honour that the king would make use of his service, in any place, and that he submitted wholly to his good pleasure, and would serve him with great fidelity."

The next day the king gave him the privy-seal at the council-board, where he was sworn and took his place; and to shew his extraordinary talent, found a way more to obstruct and puzzle business, at least the dispatch of it, than any man in that office had ever done before[7].

Though the king had within himself a prospect of the plan, which he meant to pursue for the settlement of Ireland, yet it was absolutely necessary first to put the several claims and petitions of of right, which were depending upon him, and which were attended with such an unruly number of suitors, into some method of examining and determining, that they might not be left in the confusion they were then in.

But this could not be done without his imposing upon himself the trouble of hearing once at large all that every party of the pretenders could allege for the support of their several pretences. To a man so averse to business and so fond of pleasure this must have been a very painful task; yet as every attempt to avoid it had proved ineffectual, he submitted to it for several days together with almost incredible patience. I shall first mention those instances, which gave the king least trouble, because they admitted least debate.

The Marquis of Ormond’s and Others Re-Instated in Their Ancient Possessions

The marquis of Ormond's claims to his estate, of which he had been so long deprived on account of his faithfully adhering to the king, were so clear and indisputable, that there was an act of parliament passed with the consent of all parties, that he should be presently restored to all his just property and inheritance.

There could as little be said against the restoration of the earl of Inchiquin and of some others of the same class to their estates, as they were persons whose only guilt had been their loyalty, The re-instatement of such men in heir ancient possessions gave no occasion of murmur, every man of what interest soever believing, or pretending to believe, that the king was obliged in honour, justice and conscience to cause that right to be done to those who had served him with zeal and fidelity.

The Restoration of Episcopacy

As his majesty's sentiments with respect to episcopacy were fully known, there was very little visible opposition to the claim of the church[8] The king made choice of many grave divines, to whom he assigned fees in Ireland, and sent them thither to be consecrated, according to the laws of that kingdom, by the bishops who remained alive there.

He then conferred the other dignities and preferments upon various clergymen, who were all authorized to enter upon those lands, which belonged to their several churches. Some grants were also made of other lands and impropriations[9], which were not duly considered, and which gave afterwards great interruption to the settlement of the kingdom, and brought much odium upon the church and churchmen, when the restoration to what had been their customary right might have excited no great murmurings or discontent[10].

Sentiments of The King with Respect to The Different Parties

The pretences of the adventurers and soldiers were very much involved and perplexed, yet they gave the king little other trouble, than the general care and solicitude, that, by an unseasonable disturbance of their possessions there, the soldiers had been disbanded, and those of the army standing, might not unite together, and seize upon some places of defence, before his affairs in that kingdom should be put into such an order as to oppose them.

Nor was his majesty without apprehension that the resort of either of these classes of the military into England might find too many of the old friends and associates ready to concur with them

in any desperate undertaking, and for controuling which he was not enough provided even in this kingdom[11].

That which gave the king the only trouble and solicitude was the miserable condition of the Irish papists, in favour of whom I have before observed that he intended to do the best he could to preserve them in a tolerable condition of subjects.

This made him give those, who were most concerned and solicitous on their behalf, liberty to resort to his presence; and hear all that they could allege for themselves in private or in public. This indulgence was rather injurious to them, by exalting them so much, that when they were heard at the council-board, they behaved themselves with less modesty towards their adversaries, and with less reverence in pretence of the king, than ordinary discretion would have required.

It was also some disadvantage to their cause, that the persons who spake on their behalf, however well, qualified in point of abilities, were men, who, from the beginning to the end of the troubles, had behaved themselves eminently ill towards the king. This their adversaries, who spoke against them, had a perfect knowledge of, and understood well how to press it home, when it was seasonable.

Speech of The Irish Claimants At The Council Board

Those of the Irish, who were united under the name of the confederate Catholics of Ireland, made their first approach wisely for compassion; and "their great and long sufferings; the loss of their estates for five or six and twenty years; the wafting and spending of the nation in battles; the transportation of vast multitudes of men into the parts beyond the seas, many of whom had the honour to testify their fidelity to the king by real services, and many of them returned into England with him, and were hill in his service; the great numbers of men, women, and children that had been massacred in cold blood, after the king's government had been driven thence; the multitudes that had been destroyed by famine and the plague, those two heavy judgments having raged over the kingdom for two or three years; and at last, as a persecution unheard of, the transplanting the small remainder of the nation into one corner of the province of Connaught, where yet much of the lands was taken from them, which had been assigned to them with all the formalities of law."

Secondly, they demanded the benefit of two treaties of peace, the one in the late king's time and confirmed by him, the other ratified by his present majesty, by both which they said they stood indemnified for all acts done by them in the rebellion: they insisted upon their innocence since that time, and that they had paid so entire an obedience to his majesty's commands whilst he was beyond the seas, that they betook themselves to, and withdrew themselves from, the service of France or Spain, in such a manner as his majesty signified his pleasure was that they should do.

If they had ended here, they would have done wisely; but whether it was their having observed that what they had said made impression upon his majesty and many of the lords, or whether it was their evil genius that transported them to actions of strange sottishness and indiscretion[11] they urged and inferred with more liberty than became, them in that conjuncture, "the unworthiness and incapacity of those, who for so many years had possessed themselves of their estates, and who sought now a confirmation of their rebellious title from his majesty."

They insisted that the rebellion of those men had been more infamous and of greater magnitude than that a the Irish, who had risen in arms to free themselves from the rigour and severity that was exercised upon them by same of the king's ministers; and for the liberty of their consciences and practice of their religion; but without having the least intention or thought of withdrawing themselves from his majesty's obedience, or declining his government; whereas the others had carried on odious rebellion against the king's sacred person, whom they had horridly murdered in the fight of the sun, with all imaginable circumstances of contempt and defiance;

and as much as in them lay, had rooted out monarchy itself, and destroyed the whole government of church and state: therefore, whatever punishment the poor Irish had deserved for their former transgressions, which they had so long repented of, and endeavoured to repair by departing from the rebellion, when they had armies and strong towns in their hands, all which together with themselves they had put under his. majesty's protection, it would surely be the greatest injustice and cruelty to gratify with their ruin and total destruction that part of the English who were possessed of their estates, and who had broken every obligation both to God and the king, not only without any marks of sorrow for such nefarious deeds, but with the proudest boasts of impunity and success.

“It was," they added, "evident and notorious to the world, that his majesty's three kingdoms had been very faulty to him; and yet, that upon their return to duty and obedience, he had been graciously pleased to grant a free and general pardon and act of indemnity, in which many were comprehended, who in truth had been the contrivers and fomenters of all the misery and desolation, which had involved the three nations for so many years: they hoped therefore that, when all his majesty's other subjects (as criminal at least as they) were by his majesty's clemency restored to the estates which they had forfeited, and were in full peace, mirth, and joy, the poor kith alone should not be totally exempted from all his majesty's grace, and left in tears, mourning, and lamentation, and be sacrificed without redemption to the avarice and cruelty of those, who had not only spoiled and oppressed them, but had done all that was in their power, and with all the insolence imaginable to destroy the king himself and his posterity, and who now returned to their obedience, and submitted to his government, when they were no longer able to oppose it, nor did they yet return to it with that alacrity, joy, and resignation, as the Irish did, but insisted obstinately upon demands unreasonable, and which they hoped could not consist with his majesty's honour to grant."

They concluded with those pathetic applications and appeals to the king, which men well versed in discourses of that nature are accustomed to.

Reply of Their Adversaries

This discourse carried on and urged with more passion and vehemence than was suitable to the condition they were in, and in which by the excesses of their rhetoric they had let fall many unguarded expressions, and in some of them confidently excused, if not justified their first entrance into rebellion, made it impossible for the king, with any shew of candour and impartiality, to restrain their adversaries from using the same licence.

They enlarged upon all the odious circumstances of the first year's rebellion; the murdering of above a hundred thousand persons in cold blood and with all the barbarity imaginable, which murders and barbarities had been always excepted from pardon; and they told them, "that, if there were not some even among themselves who then appeared before his majesty, they were sure there would be found many among those for whom they appeared, who would be found guilty of those odious crimes which were excluded from any benefit by those treaties."

They took notice how confidently the advocates for the Irish papists had extolled their innocence from the time that those two acts of pacification had passed, and their great affection for his majority's service.

In answer to this, they declared, "that whatsoever legal title the adventurers had to the lands of which they were possessed, yet they would be contented that all those, who in truth had preserved their integrity towards his majesty from the time of either, if not of both the pacification, and not swerved afterwards from their allegiance, should partake of his royal bounty in such a manner and to such a degree, as his majesty thought fit to exercise towards them: but," they said, they would make it appear, that their pretences to that grace and savour were not founded upon any reasonable title: that they had never consented to any one act of pacification, to which the promise

of indemnity had been annexed, which they did not violate and break within ten days after, and then return to all their former acts of disloyalty and rebellion: that in very few days aster the first act of pacification was ratified by the late king, they treated the herald, his majesty's officer, who came to proclaim that peace, with all manner of indignity, tearing his coat of arms (the king's arms) from his back, and beat and wounded him, so that he was hardly rescued from the loss of his life: that about the same time they endeavoured to surprise the lord lieutenant, and pursued him to Dublin, which they forthwith besieged with their army under the command of that general, who had signed the peace: that they imprisoned the commissioners who were authorized by them, for consenting to those articles which themselves had confirmed that they prosecuted the war with as much asperity as ever, and refused to give that aid and assistance they were obliged to for the recovery and restoration of his late majesty, the promise and expectation of which supply was the sole ground and confederation of that treaty, and of the concessions therein made to them: that they thereupon more formally renounced their obedience to the king, and put themselves under the protection and disposal of Rinuccini the pope's nuncio, whom they made generalissimo of all their armies, their admiral at sea and president in. all their councils:"

After having thus shewn that the Irish had no claim to the benefit of the first treaty of peace, every article and condition of which they had so grossly violated, their adversaries endeavoured to prove in the next place, that they had as little right to demand the indemnity promised them in the second treaty.

In order to establish this point, they entered into a detail of the circumstances Which preceded and followed the treaty. They said, "that nothing but the divisions which constantly prevailed among the Irish themselves, and the burthen of the tyranny under which they suspected, had disposed them to petition his present majesty, who was then in France; to receive them into his protection, and to send the marquis of Ormond over again into Ireland to command them: that, his majesty was thereupon so far prevailed with, as that he sent the marquis, with such a supply of arms and ammunition as he could get, into Munster, where the lord lnchiquin, president of that province, received and joined him with the protestant army.

Shortly after the confederate papists made that second treaty of pacification, which they now so confidently but unreasonably urged; for that they no sooner made the treaty than they broke, it, in not bringing in those supplies of men and money, which they ought and were obliged to do, and the want whereof exposed the marquis to many difficulties, and was in truth the cause of the misfortune before Dublin, which he had no sooner undergone, than they withdrew from taking any further care of the kingdom, raised scandals upon and jealousies of the whole body of the English, who being so provoked could no longer venture themselves in any action or conjunction with the Irish.

Without more apprehension of them than of the common enemy: that the leaders among the Irish, instead of endeavouring to compose these jealousies and ill humours, caused an assembly or convention of their clergy to meet, and put the government of all things into their hands. without paying any regard to the authority with which the marquis, as lord lieutenant, was invested by his majesty's commission: that their clergy in a short time improved the jealousies in the minds of the people towards the few Protestants, who yet remained in the army, and who had served the king with all imaginable courage and fidelity from the very first hour of the rebellion, to that degree that the marquis was compelled to discharge his own troop of horse-guards consisting of such protestant officers and gentlemen, and to trust himself and all the remaining towns and garrisons to the fidelity of the Irish, they protesting with much solemnity, that, upon such a confidence, the whole nation would be united as one man to his majesty's service under his command; but that they had no sooner received satisfaction in that particular, which was not in the marquis's power to refuse them, than the fame clergy raised several calumnies against his person, declaimed against his religion, and at last inhibited the people, upon pain of excommunication to pay any obedience to him, so that, instead of raising new forces

according to their promise and engagement, those that were raised, immediately ransom their colours and dispersed them. Selves."

The adversaries of the Irish claimants did not close here their account of the defection and perfidy of the papists, but added, that such of them as were entrusted with the keeping of towns and forts, either gave them up by treaty to Cromwell, or lost them through cowardice upon very feeble attacks: that their general, Owen O'Neale, made a formal contract and stipulation with the parliament: that, in the end, when they had diverted the marquis of all power to oppose the enemy, and given him great cause to believe that his person was in danger of being betrayed and delivered up, they vouchsafed to petition him, that he would depart out of the kingdom, (to the necessity whereof they had even already compelled him) and that he would leave his majesty's authority in the hands of one of his catholic subjects, to whom they promised to submit with the most punctual obedience: that hereupon the marquis, when he found he could not unite them in any one action worthy the duty of good subjects or of prudent men, and that his longer residence amongst them could in no degree contribute to his majesty's service or honour, was resolved to gratify them, and made choice of the marquis of Clanrickard, whose zeal for the catholic religion was unquestionable, and whole loyalty to the crown was not only unspotted, but eminently conspicuous.

The Roman Catholics of all ranks pretended at least a wonderful satisfaction at so worthy a choice, and applied themselves to the marquis with all the protestations of duty and submission to induce him to accept the command, to which, however, he was less moved by their professions, than by the marquis of Ormond's earnest entreaty, representing it as the last and only remedy to keep some remainder of hope, from whence other hopes might grow, in case of the success of his majesty's arms in England, whither at this time they had notice of his march at the head of a considerable body of Scotch forces: that the command being. now transferred, and the lord lieutenant withdrawn to France, the marquis of Clanrickard, whose commission was made out as lord deputy, found himself no better treated than the former: that their clergy, who had opposed the lord lieutenant for being a protestant, were now as little satisfied, with a Roman catholic deputy, and paid as little regard to his commands, and to their own promises, as they had before done in the time of his predecessor.

They entered into secret correspondence with the enemy, betraying all his councils, resolutions, and designs; and though some of the letters were intercepted, and the authors of them found out, yet he had not power to bring them to justice, but being commonly friars and priests, the privilege of the church was insisted upon, and so they were rescued from the secular prosecution till their escape was contrived: that this perfidious and treacherous party (for there were still some persons of honour and quality with the deputy, who were very faithful to him and to the king) had so great an interest in all the towns, forts, and garrisons which yet pretended to be subject to him, that all his orders were contradicted or neglected, and the enemy no sooner appeared before any place than some faction in the town caused it to be given up: that at last, to complete their disloyalty to the king, they sent messengers into Flanders, with a tender of their allegiance to the duke of Lorrain, and an offer to put several important places and sea-towns into his possession ; and that upon the duke's sending over an arnbassador with a good sum os money for
their present relief, the marquis of Clanrickard was reduced to such streights, and exposed to such danger, as to be compelled to solicit a pass even
1.1 3 from
SECRET HTSTORY OF
from Cromwell's officers to transport himself into England."
When the speakers had enlarged on the several particulars of this narrative with some commotion, they again challenged the lrish commissioners to nominate one person among themselves, or of thole whom they represented, who they believed could in justice demand his majesty's favour ; and added,, " that if they did not make it evidently appear that fuch person had forfeited all his tide to pardon after the treaties, and that he had been again as faulty to the king as before, they were very willing be should be restored to his estate :" thee applying themselves to his majefty

with great duty and submission, they concluded: "That if any of the Irish claimants had by their subsequent service, or by their attendance upon his majesty beyond the seas, rendered themselves grateful to him, and worthy of his royal savour, they were very willing that his majesty should restore all or any of them to their honours or estates, in such manlier as his majesty thought sit, and against all impediments whatever."

As the king was strongly disposed to relieve the Irish, he took very well this concession and frank offer of their adversaries, in consequence of which their estates were restored to several persons of that class, who could make any good pretence, as having always been faithful to the king, and suffered with him or for him, or who had so far manifested their duty and affection for his majesty, that he thought fit in that confederation to wipe out the memory of whatsoever had been formerly done amiss.

The debate upon this subject took up many days, the king being always present; and every day there arose new difficulties, and it appeared plainly enough, that the guilt of the Irish papists was so general, that if the letter of the act of parliament of the seventeenth year of the late king were strictly pursued, AS POSSIBLY IT MIGHT HAVE BEEN, if the reduction had fallen out likewise during the whole reign of the king, even an UTTER EXTIRPATION of that people would have followed[13]
.
There were three particulars, which upon the first view of them seemed in most men's eyes worthy of his majesty's extraordinary compassion and interposition, and yet, upon a stricter examination, were found as remediless as any of the rest.

One was the condition of that very numerous body of the Irish, who had been transplanted into Connaught, and removed from their possessions in other provinces, with such circumstances of violence, that their own consents, obtained by means of the same force, could not reasonably be thought any confirmation of the title of those who seized their lands.

To this the deputies from the present possessors replied, "that, though the transplanting of the Irish, as before described, had been effected in an irregular manner, and without lawful authority, it being in a time of usurpation, yet that the act itself was very prudent and necessary, and an act of mercy, without ,which an utter extirpation of the nation must have followed, if the kingdom were to be preserved in peace: that nobody could deny it to be an act of mercy, since there was not one man transplanted, who had not by the law forfeited all the estate he had, and from whom his life also might not have been as legally taken, so that both his life, and whatever lands had been granted him in Connaught, were from the pure bounty of the state that; besides the unsteady humour of that people, and their inclination to rebel,• it was notorious, that notwithstanding all their forces had been so totally subdued that there was not throughout the whole kingdom a visible number of twenty of them together, yet there were daily such disorders committed by thefts, robberies, and murders, that there appeared no other way to avoid an utter extirpation of them than by confining them within such limits as might keep them from doing farther mischief: that this expedient of transplanting them was therefore wisely and humanely adopted; and whereas they had nothing to live upon in the places where they were dispersed, and which, no doubt, in some degree, incited them to the before-mentioned acts of rapine and violence.

They now obtained, upon their removal into Connaught, lands sufficient with their own industry, to afford them a comfortable subsistence, of which there could not be a clearer proof than their having lived well there fence that time, and many of them much better than they had ever done before: that the state, which had done this grace for them, had reason, when it gave them good titles to the lands assigned to them, to require from them releases of what they had forfeited, which, though to the public of no use or validity, were of benefit and behoveful to many particular persons, for quieting their possessions against frivolous suits or claims that might start up: that this transplantation had been acted, finished, and submitted to by all parties, who had enjoyed the benefit thereof quietly and without disturbance many years before the king's return; and the

soldiers and adventurers had been likewise so many years in the possession. of their lots, in pursuance of the act of parliament, and had laid out so much money in building and planting, that the consequence of such an alteration as was now proposed would be the highest confusion imaginable, and would shake and dissolve the whole foundation, upon which all the hopes rested of preserving that kingdom in a state of obedience to the crown of England."

Another particular, which seemed more against the foundation of justice, was, that the soldiers and adventurers expected and promised themselves, that, in the new settlement now under debate, all intails and settlements at law should be destroyed.

Whether upon consideration of marriage or any other contras, which had been made before the rebellion; nor had there been in the whole former proceedings, in the time of the usurpation, any notice taken of mortgages, or of debts due by statute or recognizance, or upon any other security, so that all such debts must be either lost to the proprietors, or remain still with the interest upon the land, whoever had the benefit or profits thereof.

It appeared inconsistent with reason and equity, that such estates should remain forfeited by the treason. of the father, who had been only tenant for life, against all descents and legal titles of innocent children. Yet how unreasonable soever these pretences of the adventurers and soldiers seemed to be, it was no easy matter to give rules and directions for the remedy of the mischief, without introducing another mischief equally unjust and unreasonable.

The commissioners declared, "that if such titles of children, or other Irish claimants, as have been mentioned, were allowed to be good, there would not be, in that universal guilt which comprehended the whole nation, one estate forfeited by treason, but conveyances and settlements would be produced to secure and defend the same.".

They even plainly asserted, "that deeds would be forged, and that there would not be witnesses wanting to prove and justify whatsoever their evidence could be applied to; and that, if those trials were to be by the known rules and customs of the law in cases of the like nature, there was too much reason to suspect and fear that there would be little justice done, since a jury of Irish would infallibly find against the English, let the evidence be what it would, and a jury of English, whose animosity was not less, would be as unjust in bringing in their verdict against the Irish, right or wrong."

The king, however, did not think it sit for him, upon any probable suggestions, to consent to the exclusion of such claims, on the part of the Irish, as he thought founded in law and justice. This part of the Act of Settlement was therefore by his direction drawn up accordingly. But what the commissioners foretold was afterwards too fully verified. In the prosecution of this affair the most barefaced forgeries and perjuries took place, in which, to our shame, the English were not behind hand with the Irish.

The third particular, with which the king seemed most affected, was, that in this universal joy for his restoration, and with the indemnity of so many hundred thousands who had been in open rebellion against his father and himself, the poor Irish, after so long sufferings in the greatest extremity of misery, should be the only persons who should find no benefit or ease by his majesty's restoration, but remain robbed and spoiled of all they had, and be, as it were, again sacrificed to the avarice and cruelty of people, who had not deserved better of his majesty than they themselves had done.

I have already (hewn in what manner this point had been urged by the deputies from the Irish papists; and how it was answered by their adversaries. The reply of the latter was also enforced by the opinion of some of the members of the select committee, and particularly by general Monk and the chancellor, who thought, that as the rebellion and other crimes of the Irish had been long before his majesty's time, so they had paid the penalties of their transgressions before his return,

and he could not restore that which they called their own, without taking it from others who were become the legal possessors by an act of parliament, which his majesty could not violate without injustice and breach of the faith he had given.

They farther observed, that there was this material difference between the Irish and the subjects of the other two kingdoms, who had been also in rebellion, that both the latter nations had made many attempts fence to bring back his majesty, for Scotland itself had done much towards it, and his present restoration was, with God's blessing, by the sole effects of the returning affection of his own subjects, so that England and Scotland had in a great degree redeemed and undone what had before been done amiss by them, and his majesty had improved and secured those affections to him by the promises and concessions which he was in justice obliged to perform; but the Irish papas alone had no part in contributing to his majesty's happiness, nor had they given any testimony of their repentance for the past, or of their resolution to be better subjects for the future.

These remarks, to the disfavour of the Irish claimants, were, as I have just said, concurred in by general Monk, who was deeply interested in opposing them, and yet, who always spoke with great awkwardness and timidity in support of any thing which he saw was not agreeable to the king. But the chancellor expressed his sentiments without any reserve: he even told his majesty, "that, besides the inveterate animosity frequently manifested by the Irish against the English nation and government, (which was, indeed, returned by the irreconcilable jealousy of all the English towards them) it appeared evidently from the present behaviour of the Roman catholic deputies, that they expected the same concessions in regard to their religion, which the necessity of former times had procured them, should be now likewise confirmed.

This temper of theirs," the chancellor added, "made it the more necessary for the king to be very wary in dispensing extraordinary favours to the Irish; and to prefer the general interest of his three kingdoms before the particular interest of a company of unhappy men, whatever pretensions they might plead to his majesty's grace and compassion."

First Act of Settlement

From what had been so clearly pointed out both at the council-board, and by some of the king's most sincere friends, he saw that any avowed resolution in favour of the Irish papists would be extremely unpopular, and might endanger the peace and security of his government. Still, however, it was manifest that he wished to serve them, and only waited for a more favourable opportunity of doing it without hazard.

This caused many persons, as I have before hinted, to suspect, that both his majesty and the duke of York were swayed by other motives than pity. It must, at the same time, be confessed, that the distresses of that unfortunate people merited regard, if policy and an express act of parliament had not been decidedly against them.

Upon the whole, the king found, that if he deferred settling the government of Ireland till his own wishes could be gratified, or till all particular interests could be adjusted and completely reconciled, the business was never likely to come to an end, and the utmost disorder must ensue. He therefore thought it advisable to determine upon a sew points of immediate exigency, in hopes that some difficulties would be removed or lessened by time; and so he passed that which was called the **first Act of Settlement**, the execution whereof was given in charge to a great number of commissioners recommended to his majesty by those, who were most conversant in the affairs of Ireland[14].

The sword was committed to three justices, according to a revolution taken by the king, when the sending of lord Robarts as deputy was declined. Those three were sir Maurice Eustace, whom his majesty had newly made lord chancellor of Ireland, on the marquis of Ormond's

recommendation ; the lord Broghill, now created earl of Orrery; and sir Charles Coote, who was created earl of Montrath.

The first had long been his majesty's sergeant at law in that kingdom, and had attained to some eminence in his profession; but he was now old, and made so little shew of any extraordinary parts, that, but for the testimony that was given of him, it might have been doubted whether he ever had any.

The other two had been notoriously against the king; but upon the late turn of affairs, when all other powers were down, they distinguished themselves as much by their zeal in his majesty's service: the earl of Orrery was able and generous; the earl of Montrath was proud, dull, and very avaricious.

With them there were too many others, upon whom honours were conferred; upon some that they might do no harm, who thereby were enabled to do the more; and upon others that they might not murmur, who murmured the more for having nothing but honour given them; and so they were all dispatched for Ireland, by which the king had some ease, his service little advancement

Injustice and Partiality in The Execution of This Act

After a year was spent in the execution of this commission, (for I shall, without discontinuing the relation, say all that I intend upon this subject of Ireland) there was little done towards the settling of the kingdom, or towards preparing any thing that might settle it. On the contrary, the breaches were made wider, and so much passion and injustice shewn, that complaints were brought to his majesty from all parts of the kingdom, and from all persons in authority there.

The number of commissioners was so great, and their interest so different, that they made no dispatch. Very many of them were in possession of lands, which others claimed, the validity of whose suits they were to decide upon: but, what was worse, they themselves bought broken titles and pretences of other men for inconsiderable sums of money, which they supported and made good by their own authority.

Such of the commissioners, who had their own particular interest and concernment depending, attended the service very diligently: the few, who were more equal and just, because they had no interest of their own at stake, were weary of their attendance and expense, (there being no allowance for their pains) and offended at the partiality and injustice, which they saw practised.

These therefore withdrew themselves, and would be no longer present at transactions, which they could not regulate, or reform. All interests were equally dissatisfied and incensed; and the soldiers and adventurers complained no less of the corruption and injustice than the Irish did; so that the lords justices and council thought it necessary to transmit another bill to his majesty which they called an explanatory bill of the former[15]. The chief object of the proposed

want of a legal security for the enjoyment of their estates had effected on the minds of the Irish commons; not only led them to an immediate compliance with the sense of the government in this particular, but to, agree with; the lords in passing, without hesitation, a declaration requiring all persons to conform to the church government by episcopacy, and to the liturgy as established by law; and to concur with the same readiness in censuring the covenant, the engagements and the oaths of association, and to order them to be burnt by the hands of the common hangman.

But notwithstanding this compliance of the commons, it was a long time before they could bring the lords, who were totally influenced by the papists amendments was, that no person; who then lived in Ireland, or had any pretence to an estate there, should be employed as a commissioner; but that his majesty should be desired to send over a competent number of well qualified persons

out of England to attend that service, upon whom a fit salary should be settled by the bill, and such rules let down, as might dire& and govern the manner of their proceedings ; and that an oath might be prescribed by the bill, which the commissioners should take, for the impartial administration of justice.

Explanatory Bill

Before his majesty's approbation could be given to this second bill, or commissioners chosen for its execution, the debates upon it at the council-board took up as much time as the former. The same numerous retinue of all interests from Ireland attended, and all that had been said before was again repeated, and almost with the same passion and vehemence.

The Irish made large observations upon the proceedings of the late commissioners, to justify those fears and apprehensions which they had' formerly urged; and there appeared too much reason to believe, that the greatest design now was rather to keep off any settlement, than that they hoped to procure such a one as they desired, relying more to find their account from a general dissatisfaction, and the distraction and con-fusion that was likely to attend it, than from any possible determination in their favour.

Yet they had friends in the court[16], who made them great promises, which they could not be without, since they made as great promises to those who were to protect them.

After many very tedious debates, in which his majesty endeavoured by all the ways he could think of, to find some expedient that would enable him to preserve the Irish from misery, he found it necessary at last to acquiesce in a very positive assurance from the earl of Orrery and others, who were believed to understand Ireland very exactly, and who, upon the surveys. that. had been taken with great punctuality, undertook that there was land to satisfy all the soldiers and adventurers, and that there would be a great proportion left for the accommodation of the Irish very liberally.

For the better improvement of that proportion, the king prescribed some rules and limitations to the immoderate pretences of the soldiers and adventurers upon the authority of an act passed by the long parliament, entitled the ***Doubling Ordinance***; and to some other irregularities, with which his majesty was not obliged to comply. The explanatory bill was then transmitted and seven English gentlemen were chosen to supersede the before-mentioned Irish commissioners.

The Duke of Ormond Made Lord Lieutenant

While this second bill was under agitation, there fell out an accident in Ireland, which produced great alterations with reference to the affairs of that kingdom. The differences which had every day arisen between the three justices, and their very opposite tempers had little advanced the settling of that government, so that there would have been a necessity of making some change in it.

The death therefore of the earl of Montrath, which happened at this time, fell out conveniently enough for the king. By it the government was again loose, for the earl of Orrery was in England, and the power resided not in less than two, so that the chancellor, who remained single there, was without any authority to act.

It was moreover the opinion of those who took the most dispassionate survey of all that had been done, and of what remained to be done, that nothing could reasonably produce a settlement there but intrusting the administration to one single person. The king had often thought of the marquis, now duke of Ormond[17] for that appointment; but he was unwilling to give offence to general Monk, who, both before and after the king's return, took great pains to dissuade his majesty from such a choice.

The general, who had a great estate in that country, thought he could secure it best, and serve his friends there most effectually, by retaining the office of lord lieutenant in his own hands. But finding that his possession of the title, without his presence on the spot, was not likely to be of any essential service to him, and well knowing how acceptable his resignation would be to the king, he told his majesty, " that there was no way to extricate that country out of the intricacies, in which it was involved, but by fending over a lord lieutenant thither: that he thought it not fit for his majesty's service, that himself, who had the commission of lord lieutenant, should be absent from his majesty's person, and on that account, he was ready and desirous to give up a commission, the duties of which he could not discharge; and that, in his judgment, nobody would be able to settle and compose, the several factions In that kingdom but the duke of Ormond, who he believed would be grateful to all sorts of people: that he therefore advised his majesty very positively to give the duke the commission, and as soon should be possible to send him away into Ireland."

The king was highly pleated with the general's manner of resigning, and still more with his warm recommendation of that very person for his successor, to whom his majesty was desirous of trusting such a charge, in preference to all others.

Thus the general not only riveted himself more firmly in the king's esteem, but laid, as he chiefly intended, a great obligation on the duke of Ormond to take care of his estate and interest in a country, the command of which he transferred to him with so great a shew of liberality and friendship.

The king and general both spoke to the duke upon the subject, and did not find it difficult to persuade hip to accept of the office, which was not more flattering to his ambition, than serviceable to his interest, as it enabled him to oblige his numerous and needy dependants, and consider, ably to augment his own fortune, which, how great soever in extent of land, did not yet, by reason of the general unsettlement, yield him a quarter of the revenue it ought to do.

But though the appointment of the duke took place in November, 1661; yet various circumstances, particularly the delay of preparing instructions for him[18], prevented his departure from London, with the seven commissioners, till July, 1662[19].

Proceedings of The New Commissioners

It was some months, after the commissioners arrived in Ireland, before they could settle those orders and rules for their proceedings, which were necessary to be done, previously to their appointing the people to attend for the stating of their respective claims. It was also necessary that they should, in the order of their judicatory, first proceed upon the demands and pretences of the Irish, both because there could be no settlement of soldiers or adventurers in possession of any land, before the titles of the Irish to those lands were determined, and because there was a clause in the last act of parliament, that all the Irish should put in their claims by a certain day, and that they should be determined before another day, which was likewise assigned, but which might be prolonged for once by the lord lieutenant upon such reasons as satisfied him.

The delay of opening the commission for so many months gave great argument of complaint to the Irish, though it could not be avoided, in regard that the commissioners themselves had not been nominated by the king above twenty days before they began their journey into Ireland, so that they could never so much as read over the acts of settlement together before they came to Dublin; and then they found so many different clauses in both the acts, and so contrary to each other, that it was no easy matter to determine how to govern themselves in point of right, and to reduce themselves to any method in their proceedings.

As soon as the commissioners had adjusted all things as well as they could, they published their orders, in what method they meant to proceed; and appointed the Irish to put in their claims by

such a day, and to attend the prosecution of them accordingly. Whatever clamour all parties joined in, on account of the delay, the commissioners were not long engaged in their work, before the English thought they had begun it loon enough.

Every day afforded instances of decisions in favour of the Irish, many of whom, though known to have been the moil forward in the beginning of the rebellion, and the most malicious in carrying it oh, were now declared innocent. It was also said, that numberless deeds of settlement and intails, which had been never heard of before, and which, as might reasonably be presumed, would have been produced to The former commissioners, if there had been any such to produce, were now admitted as good and valid; by which the Irish were immediately put into the possession of a very great quantity of land taken from the English.

In consequence of these supposed proofs of partiality, the commissioners in a short time rendered themselves as generally odious as the Irish papists; and were looked upon as persons corrupted in favour of that party, who had success almost in whatsoever they pretended. The determinations of the commissioners excited also the stronger prejudices against them, because they were always divided in their judgments; and it is no wonder, that they, who adhered most to the English interest, were most esteemed by them, and that those, who appeared more partial to the Irish, incurred thereby the greater odium.

Petition Against Them from The Irish Parliament

The parliament in Ireland was then sitting; and the house of commons consisting of many members, who were either soldiers, or adventurers, or had the like interest, was very much offended at the proceedings of the commissioners. They petitioned the lord lieutenant, by the mouth of their speaker, to interpose his authority in regulating the conduct of so exceptionable a tribunal[20]; and afterwards went so far as to have the speech,, made to the lord lieutenant upon that occasion, printed and published[21], and to resolve, that they would apply their utmost remedies to prevent and stop the great and manifold prejudices and inconveniences, which daily happened, and were likely to happen to the protestants of Ireland, by such irregular and arbitrary proceedings.

But the commissioners, who knew their own power, and that there was no appeal against their judgments, proceeded still in their usual method, and continued to receive the claims of the Irish beyond:the time that the ad of parliament, or the act of state prescribed; and, during the last eight days sitting upon those claims, they passed more judgments and determinations than in near a year before.

Such, indeed, was the precipitancy, with which the trials were hurried on, that many of the English had not their witnesses ready, upon a presumption that, in point of time, it was not possible for those causes to come to be heard.

General Clamour Excited by Their Decrees

By those sentences and decrees many hundred thousands of acres were adjudged to the Irish papists, which had been looked upon as unquestionably forfeited, and of which the English had been long in possession accordingly. This raised so great a clamour, that the English refused to yield possession upon the decrees of the commissioners, who, by an omission in the act of parliament, were not invested with power enough to provide for the execution of their own sentences.

The courts of law established in that kingdom would not, nor indeed could give any assistance to the commissioners; and the lord lieutenant and council, who had in the beginning by their authority put many of the papists into the possession of the lands decreed to them, were now more tender and reserved in the multitude a decrees lately passed.

This gave rise to much disorder for the Irish were using their utmost endeavours by force to recover the possession of those lands, which had been adjudged to them; whilst the English were resolved to defend likewise by force what they had been so long possessed of, notwithstanding any sentence of the commissioners.

Third Examination Before The English Council

At length the commissioners themselves; were so far troubled with these proceedings, and with some intricate clauses in the act of parliament concerning the future proceedings, that though they had not yet made any entrance upon the decision of the claims of the English, or of the Irish protestants, they declared that they would proceed no. Further in the execution of commission, until they could receive his majesty's further pleasure.

For this purpose, they desired leave from the king to attend his person; and there being at the same time several complaints made. against them to his majesty, and appeals to him from their decrees, they more readily obtained his permission to return, in order to have a better opportunity of vindicating themselves. At the same time, all the other interests sent. deputies to kick their respective rights, in the prosecution whereof, after much time spent, the king thought fit likewise to receive the advice and assistance of his lieutenant; and so the duke of Ormond returned again to court.

The settlement of Ireland was now, for the third time, brought before the king and council, a third bill being transmitted as additional and supplemental to the other two, and to reverse many of the decrees made by the commissioners, they bearing the reproach of all that had been done, or succeeded amiss, and from all persons who were aggrieved in what kind soever.

Open Interference of The King in Several Instances

The king was very tender of the reputation of his commissioners; and though he could not refuse to receive complaints, yet he gave those, who complained, no farther encouragement than by telling them; that they would be fully answered.

As the decrees, against which there was so great an outcry, had all run in favour of the Irish papists, for whom the king expressed so much concern, it was strongly suspected, that the commissioners had acted in compliance with some private hints, or secret instructions of the court; and it must be confessed, that there were too many circumstances to justify, or at least to countenance such suspicions.

When the Irish house of commons had, in the manner before-mentioned, shewn its disapprobation of the proceedings of, the state tribunal, the king ordered a letter to be written in his name, and sent to the lord lieutenant, in which his majesty vindicated the conduct of his commissioners, of whose actings, he said, he never intended the house of commons to be the judge; and expressed his high resentment of that assembly's presuming to offer rules and directions to the lord lieutenant and council, and then ordering the publication of their impertinent dictates and re-solves.

The letter concluded with threats of punishment to individuals, and of dissolution to the whole body. Though this was too openly making himself a party with the commissioners, and becoming their advocate, without examination or inquiry, yet his majesty paid little regard to some reasons that were delicately stated by one of the members of the select committee against the indiscretion of such a step.

The letter. was sent; and as the commons were thereby intimidated into an acknowledgment of their faults[22] ; the king triumphed in the success of his own resolution. This is was not the only

instance, in which the loyal name and authority were openly used to silence the mummers excited by the unpopular decisions of his commissioners.

Case of The Marquis of Antrim

I cannot help mentioning here a very notable case, decreed by theft; extremely complained of, and for which they themselves made no other excuse or defence but the receipt of a letter from the king ; which; besides exposing his majesty to a. great deal of reproach; was certainly a very bad plea for sworn judges.

This was the case of the marquis of Antrim, who had been much engaged in the late king's service, and was a great favourite both with the king and queen, but who was said to have given it under his hand afterwards to Ireton, of some other principal person employed by Cromwell, that the late king had sent him into Ireland to join with the rebels, and that his majesty was not offended with the Irish for entering into that rebellion.

Such a report of the marquis's aspersions on the memory of the late king had reached his present majesty while abroad, and gained credit by the notoriety that the marquis had procured great recommendations from those who governed in Ireland, to those who governed in England, and had, upon the presumption of that interest, left his own country, and come as far as St. Alban's towards London, but was suddenly forced to return by the active pursuit of many of his creditors.

The king had been very few days in London, after his arrival from the parts beyond the seas, when he was informed, that the marquis of Antrim was upon his way from Ireland towards the court; and the state commissioners from that country, who have been. mentioned before, were the first who gave his majesty that information, at the fame time repeating what he had already heard of the marquis's baseness, with many other particulars, which they affirmed would be proved by unquestionable evidence, and by letters and certificates under his own hand.

Upon this full information, as loon as the marquis came to town, he was, by the king's special order, committed to the tower, and thence removed to the castle in Dublin, there to be proceeded against according to law. But after a year's detention in prison, he was set at liberty without being brought to trial, on the pretence that nothing appeared against him; and the council there granted him a pass to come into England.

Upon the marquis's arrival in town, he immediately applied to the king, not, he said, to solicit any favour, but in expectation of justice. He then recounted all his former services in the royal cause; produced many original letters from the late king and from the queen mother, in which those services were acknowledged, and many promises made to him; asserted that he had never done or raid any thing to the prejudice of his late majesty, and that his having been in the Irish quarters during the war and consulting with them, which his enemies now made a subject of crimination, was designed to advance his majesty's service, for that he could not otherwise make levies at that time for Scotland, nor transport them thither when levied[23]; but added, that, if his living amongst the Irish afterwards, when his majesty was drawn from thence, and when he could live no where else, did by the strict letter of the law expose him to ruin without his majesty's grace and favour, he hoped his majesty would redeem him from that misery, and that the forfeiture of his estate should not be taken, as if he were a traitor and a rebel to the king.

He concluded with importuning his majesty to write a letter on his behalf to the commissioners in Ireland, that he might be restored to the possession of his estate, which, he said, was now cruelly and unjustly withheld from him.

Upon these allegations, the king directed a letter to be prepared, containing the substance of the marquis's defence, with orders to the lords justices of Ireland that, if he should be found w have committed no greater faults against the king than those which he confessed, this letter, as well

as. those, which he produced from the late king and the queen mother, should be sent to the commissioners to let them see the testimonies of both their majesties in such particulars as were known to themselves.

Some caution was used in the wording of this letter; but it completely acquitted the marquis of any guilt in his communication with the Irish rebels, as having been "solely with a view to the late king's service, and in obedience to his commands." This letter, being approved by his majesty, was sent to the lord lieutenant; and, shortly after, a copy of it signed by the king was alto sent in the manner of a duplicate, lest the other should miscarry.

But this duplicate, contrary to the king's intention, was likewise transmitted to the commissioners, who thereupon passed a decree in the marquis's favour, and declared that they had made it only upon that ground, which gave his Majesty some trouble, and obliged him to insert clause in the next bill concerning that affair.

Farther Grounds of Complaint Against The Commissioners

Whatever reasons were urged to justify the king's lenity towards the marquis, few people were perfectly satisfied with them. His not having been brought to trial was severely commented upon; when many persons, against whom there were not such strong presumptions of guilt, underwent the utmost rigour of the law.

Some even proceeded so far in their censures of this transaction, as to insinuate, that it was not any belief of his innocence, but his being possessed of a state-secret, that saved both his life and fortune. The general dislike of the man caused every circumstance to be aggravated to his prejudice, and made that appear as criminal which perhaps was only the effect of indiscretion.

But to return from those instances, in which the king took too open and decided a part, his commissioners were also violently complained of for the rules they had laid down with respect to the admission of evidence. By one of these rules it was provided; that the testimony of no soldier or adventurer should be received in any case, even with regard to things, in which he could not have the least interest. For example, if his own lot had fallen in Munster, and he had no pretence to anything out of that province, still his testimony was not to be allowed as to facts which he had seen in Leinster, or Connaught, or Ulster, where he was not at all concerned, and where, of course, no plea could be fairly urged for rejecting him as an interested witness.

By this means many men were declared not to have been in the rebellion, when there was full evidence of the part they had taken in such and such a battle, and at such and, such a liege, if the witnesses might have been received; who were present at those actions, and ready to give testimony of the fact, and of such circumstances as could not have been feigned.

That which raised the greatest umbrage against the commissioners was, that a great number of the most infamous persons of the Irish nation, who were looked upon by those of their own country with detestation, as men who had been violent fomenters and prosecutors of the rebellion, and the constant opposers of all moderate counsels, and who had not so much as a claim to offer to the, late commissioners, were now adjudged and declared innocent, and so restored to their estates; and that many others, who in truth had never been in rebellion, but had notoriously served against the rebels, and had never been put out of their estates, were now, upon some slight evidence by the interception of letters, or confession of messengers that they had corresponded with the rebels, condemned, and had their estates taken from them, though it was manifest that the alleged correspondence had been perfunctory, and only to secure them that they might pursue his majesty's service.

It was farther urged as an indisputable proof of tie unjust partiality shewn by the present commissioner to the Irish papists that many of these who had formerly made their claims without

insisting upon deeds of settlement or other conveyance, now produced a vast number of such deeds, said to have been made before the rebellion and attested witnesses enough, in consequence of which they every day obtained decrees for the restitution of great quantities of land, through the forgeries of those deeds and the perjury of those witnesses were very notorious.

Some instances were even adduced of the manifestation and direct proof of the forgery of deeds, upon which decree, had been made, to the satisfaction of the commissioners themselves, within a very short time after pronouncing those decrees and yet no reparation was given to the injured parties, but the decrees proceeded, and were executed with rigour, if no such thing had appeared.

There Defences

I have before pointed out in what manner the commissioners endeavoured to exculpate themselves in the case of the marquis of Antrim. To the the charged they answered, "that they had made no decrees but according to their consciences, and such as they were obliged to make by the course and rule of justice : that they did doubt, and in truth believe, that there had been evil practices used, both in the forging of deeds and the corrupting of witnesses, and that the same was equally practised by the English as the Irish, and therefore that they had been obliged to make that order which had been so much excepted against, not to admit the testimony of any English adventurer, or soldier in the case of another adventurer or soldier for that it was very notorious, that such persona looked upon the whole as one joint interest, and so gratified each other in their evidence: that they had used all the vigilance they could to discover the truth, and to prevent and detect perjuries, by the careful examination of witnesses apart, and never in the presence of each other, and by asking them all such material questions as occurred to their understandings, and which the witnesses could not expect to be asked that they had likewise used their utmost diligence and care to prevent their being imposed upon with false and forged deeds and conveyances, by taking a strict view themselves of all deeds produced, and by interrogating the witnesses with all the subtlety they could respecting the considerations, upon which such deeds had been entered into, and the circumstances in the execution thereof; and though they met with many reasons oftentimes to doubt the integrity of the proceedings, and in their own private consciences to apprehend there might be great corruption, yet that they were obliged judicially to determine according. to the testimony of the witnesses, and the evidence of those deeds in law, against which no proofs were substantiated."

The commissioners, in the next place, declared "that they had constantly heard all that the adverse party thought sit to object, both against the credit of any witnesses, and the truth or validity of any conveyances which were produced, upon which they had rejected many witnesses, and disallowed some conveyances,

But when the objections were only founded upon presumptions and probabilities, as most usually they were, such objections could not weigh down the full and categorical evidence that was given; that if they had yielded to the importunities of the persons concerned, who often pressed to have further time allowed them to prove such a perjury, or to disprove such a conveyance, it must have made their work endless, and would have opened the door wider for perjuries and other corruptions, since it was plain that either side could bring as many witnesses as they pleated, and to prove whatever they pleased: that, as no man could have a cause, in which he was concerned, brought to hearing without his knowing when it was to be heard, and so it was to be presumed that he was well provided to support his own title, they had thought fit, upon mature deliberation among themselves, to adhere to the order they had prescribed to themselves as well as to others, and to conclude that no complainant would be able to prove that on a future day, which he was not able to prove at the time when he ought to have been ready, for the discovery of any forgery after the decrees, had been paired, and upon which they had given no reparation.

They confessed, that come few such discoveries had been made to them but said, that, as they had no power by the act of of parliament to punish either forgery or perjury, but must leave the

examination and punishment thereof to the law, and to the judges of the law, so they had only authority to make decrees upon such grounds as satisfied their consciences, but had not any authority to reverse those decrees, after they were once made and published, upon any evidence whatsoever."

Having thus spoken to the principal charges brought against them, the commissioners concluded with their humble desire to the king, that the strictest examination might be made of their corruptions, in which they said they were sure to be found innocent, in spite of all the malice of their accusers; adding, "that they had proceeded in all things according to the integrity of their hearts, and the best of their understanding; and if, through the defect of that, they had erred in any part of their determinations and judgments, they hoped their want of wisdom would not be imputed to them as a crime."

Many, who had a very good opinion of the persons and abilities of the commissioners, were not yet satisfied with their defence. It could not be supposed that they were, as they alleged, strictly bound to decide upon the testimony of suspected witnesses, when, in order to prevent such a necessity, and because it was foreseen that juries were not likely to be impartial, or uncorrupt, they had been entrusted with a discretionary power, so that, upon weighing all circumstances they were to declare what in their consciences they believed to be true and just.

If they had prescribed to themselves any improper rules, they should rather have re, formed those rules in time, than think to support what was done amiss by a wilful adherence to the same erroneous modes of decision. That order, in particular, by which they excluded the English from giving their testimony with respect to facts and circumstances, which could not in nature be otherwise proved, was inconsistent with reason and justice.

Their want of power to reverse, or to alter their own decrees, upon any cogent motives that might afterwards occur, was a just ground for their more serious deliberation in and before they passed any such decrees; and their excuse for not granting longer time, when it was pressed for; was very frivolous, it not being possible for any man to defend himself against the claims of the Irish, without knowing what deeds or witnesses they could produce, and some time being on that account necessary to collect evidence, which it was impossible the defendant could have ready upon the spot, and at the first moment of hearing his adversary.

Besides, in the last ten days of their sitting, when their power was thought to be determined, and in which, notwithstanding, they made more decrees than in all the time before, they passed so many in a day, (contrary to their former rule and method) that men were plainly taken by surprise, and could not produce those proofs, which in a short time they might have been supplied with.

The refusing therefore to allow them that time was in fact denying them all means of defence, and taking away their estates without being once heard, and upon the bare allegation of their adversaries. In these last decrees, many instances were given of that nature, wherein the evidence appeared. to be very full, if time had been allowed to produce it.

But though the proceedings of the commissioners appeared thus very precipitate in some respects, and wholly unjustifiable in others, still the king would not consent to the repeal of their decrees, which, he said, would take away the confidence and assurance of whatsoever was to be done hereafter, by making men see, that what was settled by one act might be immediately unsettled by another.

Certainly nothing exposes the weakness and instability of any government more than sudden and inconsistent changes in its measures; but this can be no good reason for supporting the injustice, or corruption of it's agents. The king's interesting himself therefore so much in behalf of his commissioners, and his paying so little regard to any complaint brought against them,

served only to strengthen the suspicion before entertained of their having acted in, obedience to source private instructions.

When his majesty entered upon the debate of the third bill, which was transmitted to him for a supplement and addition to the other two, he quickly sound the settlement proposed, and which was the end of the three bills, was now grown more difficult than ever. All the calculations, which-had formerly been made of the great extent of land that would remain to be disposed of, were no more to be relied upon, but appeared to have been a wrong foundation from the beginning.

This matter was now made more desperate by the vast proportions which had been assigned to the Irish by the decrees of the commissioners ; and some farther difficulty had been occasioned by acts of bounty from the king, which had not been carefully enough watched or considered.

Upon passing the former bills, his majesty resolved to retain in his own power all the land that should by forfeiture or otherwise come to him, to the end that, when the settlement should be made, he might be able to gratify those of the Irish nation, who had done any thing towards him, or had, been least faulty.

If he had observed this resolution, much of the trouble, which he underwent afterwards, would have been prevented; and he would have had land sufficient for the most deserving of the Irish claimants, without dispossessing others in the exceptionable manner already explained. For besides a vast tract of ground, which Cromwell had refereed to himself, and which now fell to the king, his majesty would have, had all the forfeitures, which the regicides and other criminal persons had been possessed of and though he had before aligned those forfeited estates to his brother, the duke of York, yet the latter was so pleased with the resolution his majesty had afterwards taken to retain them for the distressed Irish papists, that he forbore to press his own prior claim, till he heard of great quantities of land every day given away by his majesty to his servants and others.

Then his highness, seeing that the main end would be disappointed, resolved to be no longer a loser for the benefit of those who had no pretence to what they got, and so proceeded in having the assignment of those estates confirmed to himself.

Many of the inconsiderate grants, made by the king to very worthless persons, may be imputed to the earl of Orrery, who obtained them by artful and indirect means for persons at court, where he believed he never could be well enough, unless he bad a great number of people there under obligations to him, and who would on that account speak highly of him in all places and companies.

This intriguing spirit of his put the king to much trouble and loss both in England and Ireland. His plan was first to suggest to those friends, whom he wanted to secure, applications for particular favours of that kind: he then sent certificates to them, under his own hand, of the value such favours might be to them, if obtained, and of the little importance the granting of them would be to his majesty. These certificates, being shewn to the king, disposed him to those concessions, which otherwise he would not have made so easily.

As the earl also was one of the lords justices, at pointed out to the persons, whom he wished to oblige, a way for the immediate passing of such grants as they could obtain, without meeting any of the obstructions, to which they would be otherwise subject.

This was to have the grants made out in the form of letters from the king to till lords justices of Ireland, and then passed under the great seal there, so as to avoid their being brought to the great seal of England, where the chancellor might stop them, and remind his majesty of his former resolution. The letters were prepared and formed in Ireland, and transmitted hither only for his

majesty's signs manual, so that neither the attorney, nor the solicitor general not any of his majesty's ministers, except the secretaries, had the least notice, or the perusal of those grants.

There was also a clause of a new and very pernicious nature inserted in those grants, the purport of which was, that if any of the lands so granted by his majesty, should be otherwise decreed, his majesty's grantee should be reprised with other hands. Hence arose this material alteration that: in many cases the greatest inducement to his majesty's bounty having been the uncertainty of his right, which the person, to whom it was granted, was obliged to, vindicated at his own charge, the king was bound to make it good, if his grant was not valued.

Thus, that which was but a contingent bounty, which commonly was a strong argument for passing it, was now turned into a real and, substantial benefit, as a debt; which created a fresh and almost insurmountable obstacle. to the settlement because there were many claims of the Irish themselves yet unheard, all the false ad-measurements to be examined, and many other uncertainties to be determined by the commissioners, so that who were in quiet possession, as well as those who:were out of it, were left in the greatest insecurity and apprehension.

This intricacy and even despair of any settlement, which possessed all kinds of people, made them willing to contribute to any that could be proposed. The Irish found that, though by their interest at court they could obstruct the proposals of others, the tide of popularity was too strong against them to admit of any plan avowedly in their favour.

The soldiers and adventurers were fat, from being agreed among themselves; and the clamour was as great against those, who by false ad-measurements had got more than they should have as from those who had received less than was their due. Even they, who least feared any new examination, could have no security till all the rest were settled.

As to those, who complained of the unjust decrees of the commissioners, they were soon convinced that the king would not reverse any of the decisions, by which they were turned out of their possessions; and they were therefore willing to accept of any reprisals or compensation. In a word, all men found that any settlement would be better than none; and that more profit would arise from a smaller proportion of land quietly possessed, and husbanded accordingly, than from a much :greater proportion under a., doubtful title, which must dishearten industry and improvement.

Upon those confederations and motives, the different parties met amongst themselves, and debated together by what expedient they might draw light out of so much darkness, and some order out of such confusion. There appeared, only one way, which administered any reasonable hope.

This was by increasing the stock for reprisals to such a degree, that all men's pretences might in some measure be provided for; and there was no other method of effecting this, but by every man's parting with somewhat which he thought to be his own. The soldiers and adventurers in particular were strongly incited by one encouragement,. which was of the highest prevalence with them, to give up or relinquish a part of their right, in order to secure the remainder, as by such a compromise and would be put to the unlimited and terrible jurisdiction of the commissioners, who in that case would have little other power than to, execute what should here be agreed on.

The Irish protestants had nearly the same reasons for acceding to the proposed plan. The papists also could not object to concessions, by which they were to obtain very considerable property, without the envy, the odium, and the danger that before accompanied it. Even the court secretly encouraged the scheme for reconciling the opposite interests upon terms so favourable to the Roman Catholic party, and so perfectly agreeable to the views and wishes of government.

The Act of Settlement

After the matter was therefore concluded upon by the parties, they laid their proposal before the king, that all persons, who were to receive any benefit by this act, should abate and give a fourth part of what he had towards the stock for reprisals, all which the commissioners were to distribute amongst those Irish; who should appear most fit for his majesty's bounty.

Though this proposal met with some obstinate opposition, after it was brought before the king, yet. the number of the opposers was so small in respect of the. others who agreed to it, that they grew, weary of farther contention; and thereupon the third Act of Settlement, as supplemental to the other two, was consented to by the king.

At the same tithe, his majesty took an opportunity of publishing to the world how little he regarded the clamour raised against his commissioners, and how fully he approved of their part conduct, by resolving to make no change, and so, though two of them, who had offices here to discharge, prevailed with his majesty that they might not return again into Ireland, the other five were continued to execute what was deigned to. Be done by this act, to perfect the settlement.

Conclusive Remarks

it is not my purpose to trace those proceedings any farther, nor again to resume any mention of the affairs of Ireland though they might afford a large field of matter. But what I have said on this subject is sufficient to lay open the impolitic designs of the court, in the prosecution, of which not only truth, honour, and justice, but the real security of government, and the affections and happiness of the best subjects were sacrificed to mean intrigues, to absurd jealousies and to an inordinate desire desire of power.

The king was too much distracted by pleasure, and too impatient also for the execution of his will, to pursue the slow and temperate, but effectual system of measures, which the state of Ireland at that time required. For his own ease, he always instructed the chief conduct of business to those, who were most forward in promising him the speedy accomplishment of all his wishes, and who triumphed in the shew of temporary success, though usually obtained by the greatest baseness, or the most dangerous violence. A patty was raised up and strengthened to support this arbitrary plan, and to bid defiance to the murmurs and resentment of the oppressed. Strange, infatuation in the agents of tyranny, which cannot be corrected by history, or experience! They live in perpetual alarm themselves: they entail misery upon their descendants: they often come to an ignominious end; and their memories are always held in just detestation,

Notes to Chapter 4

1. See in page 105 the account of his perfidious treatment of Coke, the chief justice of Ireland at that time.

2. The sum sent upon this occasion was twenty-six thousand pounds, as the first fruits of Irish loyalty.

3. The exact requests, which the commissioners were ordered to present to his majesty, as the desires of the whole nation, were;

That his majesty would vouchsafe to call a parliament in Ireland, consisting of protestant peers and commons:

"That he would appoint a chief governor and council for the transmission of bills:

"That he would grant a general act of pardon and indemnity to all the protestants in Ireland, in such a manner, and with such exceptions as should be agreed on in parliament:

"That by the same authority there should be a settlement pf the book of rates; a remission of all compositions and exchequer rents, reserved on grants made before the 23rd of October, 1641, till the last Easter; a confirmation of judicial proceedings, and of all the ordinances and declarations of the convention; with an a& for selling the estates of adventurers, soldiers, and transplanted Irish in Connaught and Clare."

4. In one particular only the clerical committee met with any .opposition. It was demanded by the several agents of the protestant laity, that all improvements of ecclesiastical rents, made during the government of the earl of Stratford by the council-chamber, should be taken away; but the deputies from the clergy more successfully argued, that the king, by divine law, was the nursing father of the church; and that the clergy, both by word and example, would approve themselves patterns of loyalty to their fellow subjects, and thus his majesty would preserve his own rights in securing theirs.

5. Even this writer, though the most liberal and enlightened of the royal party, is too apt to give the name of rebellion to the people's just defence of their civil and religious rights against the encroachments of a tyrant. But we must never admit of such a perversion of language as would make the terms rebel and patriot synonymous. When we meet with any instance of the kind, let us ask in the words of Churchill;

How can that odious name
Justly belong to those, whose only aim
Is to preserve their country?—who oppose,
In honour leagued, none but their country's foes?

6. The members of the English house of commons were so far disposed at first to favour the Presbyterian and protestant interests in Ireland, to the exclusion of the papists, that they added a proviso to their Act of Indemnity, declaring, "That the act should not extend to insure or restore to any person or persons, other than the earl of Ormond, and other than the protestants of Ireland, any estate sold or disposed of by both or either of the houses of parliament, or any convention affirming the name or stile of a parliament, or any person or persons deriving authority from them or any of them, or which was approved or confirmed by them or any of them; nor to the mean profits, rents, or contingent advantage of the same." But there were afterwards so many objections made to this proposed clause, and the inclinations of the court were found to run so strongly in favour of the Irish papists, that the convention-parliament, who seemed too weak to carry any point contrary to the designs of administration, laid aside all farther thoughts of interfering in the settlement of Ireland, and left that business, with the settlement of ecclesiastical matters in England, entirely to the king and council.

7. Yet this very Robarts was sent to Ireland, not as deputy, but as lord lieutenant, in 1669, after the duke of Ormond's disgrace.

8. See page 265.

9. These were grants of all forfeited, escheated, impropriate tythes and glebes, with such impropriations as by the expiration of leases were, or should be still continued to the crown; to which this farther innovation was added, that such escheated lands as were formerly exempt from the payment of tythes and other ecclesiastical dues, whether in his majesty's possession, or ,disposed of to adventurers and soldiers, should be made liable to pay the same for ever after to the respective incumbents of the several parishes, wherein any such lands were situate.

10. The following anthem was sung in St. Patrick's church, Dublin, on the occasion of the re-establishment of episcopacy to Ireland:

"Now that the Lord hath re-advanced the crown,
Which thirst of spoil, and frantic zeal threw down:
Now that the Lord the mitre hath restored,
Which, with the crown, lay in the dust abhorr'd;
Praise him, ye kings!
Praise him, ye priests!
May Judah's royal sceptre still shine clear:
May Aaron's holy rod fill blossoms bear!
Sceptre and rod rule fill, and guide our land;
And those, whom God anoints, feel no rude hand!
May love, peace, plenty wait on crown and chair;
And may both share in blessings as in care.
Angels look down, and joy to see,
Like that above, a monarchy!
Angels look down, and joy to see,
Like that above, an hierarchy!"

11. What a monster of falsehood, baseness, injustice and cruelty, this tyrant would have proved, had he not been restrained by fear! Though he had pledged his royal word in his declaration from Breda to ratify the satisfaction that had been given the adventurers, officers, and soldiers in Ireland, yet nothing but the dread of their just indignation and resentment could hinder him from abandoning them to misery and despair. This was the monarch, so like the Divinity, that angels were invoked to look down, and behold him with rapture!!!

12. The writer does not appear to have been let into the whole of this secret. The very part of the speech made by the advocates for the Irish papists, which he ascribes to strange sottishness and indiscretion, was the result of their frequent interviews with the king, who they soon sound only wanted some plausible reasons for protecting them; and to whom, as well as to his brother, the duke of York, they knew nothing could be more agreeable than this declamatory contrast between the pardonable, errors of the Irish papists, and the aggravated enormities of the English independents.

13. What honour this reflects on the very wife policy and wonderful humanity of Charles I.!!!

14. Carte, in his ***life of the duke of Ormond***, tells us, that many of the king's difficulties in settling Ireland were removed by the commissioners presenting him with an estate of lands, and remainders, to the value of eighty thousand pounds a year, with ether large reserves, to almost an equal amount, which, when the adventurers and soldiers were confirmed in their possessions, was to serve as a fund, to satisfy such of the Irish as his majesty should be pleased to restore to their estates. Upon this offer, the king gave immediate orders for drawing up a, declaration, which confirmed to the adventurers all the land they were in possession of on the seventh of May, 1659, altered according to the English measure. By this new survey it was plain that a great range of land would be gained by the crown from the present possessors.

The soldiers, except the regicides and halberdiers, or those who since the restoration had endeavoured to disturb the public, peace, or manifested an aversion to the present government, were confirmed in the lands which they possessed.

The officers, who had served before June, 1644, were to be satisfied for their respective arrears. Protestants, whose estates had been given to adventurers, except such as had been in rebellion before the cessation, were to be restored, and the adventurers reprised.

Innocent papists, who had taken lands in Connaught and Clare, were to be reinstated in their former possessions, and the adventurers reprised: if the lands of the papists lay within corporations, they were to be reprised in the neighbourhood.

The papists, who had been in rebellion, and kept the peace of 1648, if they possessed lands in Connaught and Clare, and had issued out decrees, they were to be bound thereby, and not released against their own act; but those, who had served his majesty faithfully under his ensigns abroad, and had not sued out decrees in Connaught and Clare, were to be restored to their former possessions, and the adventurers and soldiers reprised

These restorations and reprises were to be effected the twenty-third of October, 1661; and thirty-six of the Irish papists, especially named in the declaration, were to be put in immediate possession.

The adventurers and soldiers were, equally with the papists, excluded from any allotments in cities and sea-towns incorporated; and the regicides and halberdiers, with all persons concerned in a late plot to seize the castle of Dublin were excepted from having any benefit of this act.

These, with some regulations concerning precedency in restitution, a reserve of quit-rents to the crown, a change of the tenures of lands from soccage and knights service to capite, by which the proprietors were kept in greater dependence on the crown; a promise of inquiring into the injustice and frauds of decrees in Connaught and Clare; another promise that a parliament should be speedily called, and acts passed for a general pardon, with a confirmation of judicial proceedings and acceptance of a half-year's rent from every adventurer, which had been offered for the use of the eminent sufferers in his majesty's service; a provision for the payment of mortgages and encumbrances on land, with the assignment of particular securities for the several interests provided in the act, was the sum of the king's declaration for the settlement of Ireland: an instrument, says Mrs. Macauley, so artfully drawn, that the confusions, injustice, and destruction it produced, afforded, in a short space of time, all those concessions which could not, with any face of decency, be demanded, but were easily extorted from a people, whose whole property lay at the mercy of a partial tribunal.

15. As the writer takes no notice of the proceedings of the Irish parliament before the transmission of this explanatory bill, it may be proper to observe that immediately on their meeting, it was resolved by the commons, "that no member should sit in their house but such as should take the oaths of allegiance and supremacy; that no member should be admitted, who had sat in the pretended high court of justice nor the sons of those, who had sat in that court, except colonel Thomas Soot, who had shewn himself very active in the Restoration." Though these resolutions carried the appearance of loyal zeal, yet as they were intended to weaken the insolence of the popish faction the lords justices and the council refused to pass them into a bill,. and reprimanded the commons for presuming to trends so far on the royal prerogative, as to require a qualification for member different from what was expressed in the king's writ. That apprehension, which the want of a legal security for the enjoyment of their estates had effected on the minds of the Irish commons; not only led them to an immediate compliance with the sense of the government in this particular, but to, agree with; the lords in passing, without hesitation, a declaration requiring all persons to conform to the church government by episcopacy, and to the liturgy as established by law; and to concur with the same readiness in censuring the covenant, the engagements and the oaths of association, and to order them to be burnt by the hands of the common hangman. But notwithstanding this compliance of the commons, it was a long time before they could bring the lords, who were totally influenced by the papists and the duke of Ormond's party, to join in a petition for the adjournment of the term to prevent the adventurers and soldiers from being outed of their lands, on the proceedings of the Irish in a course of law.

16. The author of ***the Secret History,*** in his former remarks on the king's favourable disposition towards the Irish Catholics, says "that his majesty was greatly encouraged and confirmed in those

sentiments by his brother the duke of York, by the marquis of Ormond, and by Daniel O'Neal of his, bedchamber," But Carte, in his ***Life pf Ormond,*** says, "that he was the only person in the English council, who was inclined to assist the Irish in their exigencies, and whose interest it was to save from ruin a nation, for which he had so often exposed his person, and in which he had so considerable a fortune, a numerous kindred, and a large stock of friends and dependents, who were in danger of being rooted out to make way for a new colony of strangers whose ways of acting had been different from his own, and whose future dependence was like to be upon those, who were retained to support their interest."

17. He was advanced to the dukedom, March 30, 1661.

18. The attention of the court, one might almost say, of government, was wholly taken up at this time, in preparations for Charles's marriage, a matter of much more consequence than the settlement of a distracted kingdom!

19. The news of the duke of Ormond's promotion no sooner reached Ireland, than the different factions vied with each other in their endeavours to attach him to their several interests. Colonel Knight and colonel Shapcot, of the fanatic party, as they were termed, moved in the lower house, "that a bill should be brought in for raising twenty thousand pounds for the use of the lord lieutenant, as a testimony of their just and grateful sense of his extraordinary merits towards the kingdom, in his constant care and endeavour for the maintenance of the just rights of his present majesty, and his royal father, both against foreign enemies and domestic rebels." This motion was improved by Sir Theophilus Jones, who had been very active in effecting the king's restoration, to thirty thousand pounds, and was unanimously agreed to.

20. The principal regulations, which they requested of the lard lieutenant, were, that the proper rules might be observed, to prove the guilt of the Irish ; that the proclamations and acts declaratory of the rebellion of individuals, with the orders of the bottle of commons for expulsion on the same account, might be taken for evidence; that alt matters of fact, cognisable by the commissioners, should be determined by jury; and that, upon affidavits being made of a material witness refusing, or neglecting to appear upon summons, such cause should be suspended. But the lord-lieutenant refused to interfere in giving any check to what he well knew was perfectly agreeable to the king.

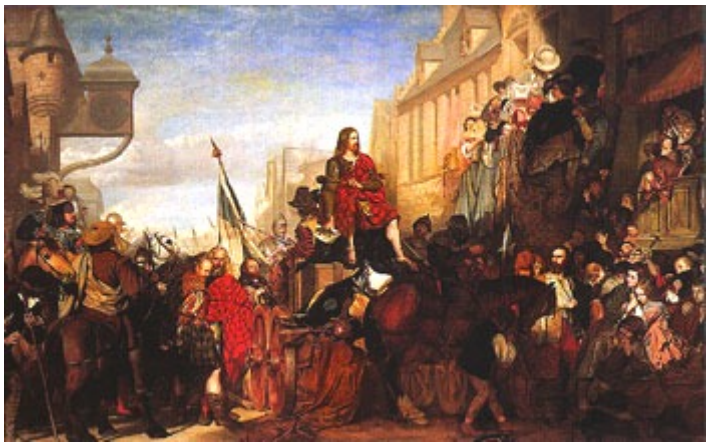
21. As this speech contained several bold and offensive passages relative to the pre-dominancy of the popish interest, the Dublin printer, in defiance of the order passed by the commons, underwent a prosecution from the crown; and the printer, who reprinted it in London, was thrown into prison."

22. The timidity and servility of the commons upon this occasion are, indeed, remarkable. When the letter was communicated to them by the lord lieutenant, with an intimation that he had interposed his good offices with his majesty in their favour, they acknowledged their fault in very abject terms; thanked the lord lieutenant for contributing, by his prudent advice, to make them rectify their error, and for endeavouring to preserve in his majesty a good opinion of his parliament; and assured his grace, that they would always give a very welcome reception to such advice for the future, and be careful to avoid every thing which might beget a dislike in him, whom his majesty had placed over them, to their great comfort and satisfaction.

But so strange a transition from their former spirited resolutions to the most abject meanness was not entirely effected by the king's letter. It was rather owing to the failure of an attempt in which some of the members had lately .been engaged, the unjust decrees of the commissioners, and the efforts of administration to enforce them, had inflamed the minds of the injured parties to such a height, that the independents and several Presbyterians formed a conspiracy to seize the castle of Dublin, and to defend their property by arms. The design was discovered to the duke of Ormond by sir Theophilus Jones, to whom the conspirators had offered the command of their

forces. Several individuals were seized and executed; and this sudden turn of affairs, with the threats of a dissolution, struck suck a terror into the Irish house of commons, that they expelled seven of their members who had concurred in the plot and then waited upon the lord lieutenant with an account of their proceedings, expressing their sense of the extensiveness of the plot of the greatness of their deliverance by its suppression, of the imminent hazard to which his grace's person was exposed in the prudent management of so great and happy a work; and declaring their resolution to assist him with their lives and fortunes, in maintaining and vindicating his majesty's rights and government, against all secret conspiracies, and open hostilities whatsoever.

23. When the Scotch, in compliance with the obligations of the solemn league and covenant, sent an army into England in the beginning of the year 1644, to cooperate with the parliamentary forces, the marquis of Montrose was dispatched by Charles I into the Highlands, in expectation of his being able to raise such a formidable party there as might oblige his countrymen to recall their troops home for their own security. In order to enable the marquis to act with greater vigour and effect, the king resolved to send the earl of Antrim into Ulster, where his interest lay, with orders to levy as many troops there as he could, and then to join Montrose in the prosecution of his design in Scotland. The alacrity testified by the earl upon this occasion procured him the title of marquis; and there is no doubt but he had also a commission given him to treat with the Irish rebels, and that nothing but the dread of his betraying that important secret, is he was brought to trial, induced Charles II. to shew so much favour to him after the Restoration.



Marquis of Montrose being led up the High Street to the Tollbooth

The Secret History
Of The
Court And Reign
Of
CHARLES THE SECOND
Chapter V

Affairs of England resumed – Venner's insurrection – Artifice used by the Duke of York – First step towards the establishment of a standing army – Design a result of the conference at the Savoy – Conduct of the restored bishops and clergy – Account of the Coronation – Remarkable accidents at this ceremony – in effectual search for the corpse of the late King – Curious conjectures on the unavoidable omission of a public funeral – Partiality shown to the Portuguese ambassador – Prejudices of the King and his brother against the Dutch – dismission of Burdoe the French resident – First suggestion of a treaty of marriage with Portugal – Special proposals made by the ambassador – The Kings strong inclination to the match – Motives by which the Chancellor was actuated in this business – Proceedings of the select committee – Conferences opened with the ambassador – Chief objection to the treaty evaded – The ambassador's departure for Lisbon - Review of the Earl of Bristol's past conduct – Character and reception of the Spanish ambassador – Intrigues to break of the treaty with Portugal – Alarm given to the Chancellor and to the select committee by a sudden change of the Kings sentiments – The Earl of Bristol's extraordinary commission – Effects of the Spanish ambassadors unparalleled indiscretion – Overtures from France – The office of that court readily acceded to – Formalities observed previous to the conclusion of the treaty with Portugal.

Affairs of England Resumed

AFTER so long a digression on the misgovernment of Scotland and Ireland, it is now time to return to the affairs of England, my account of which I broke off at the close of the year one thousand six hundred and sixty. The first event of the new year, which deserves to be noticed, Was a mad insurrection of a few fanatics, leaded by one Venner, a wine-cooper, who expected the personal appearance and immediate reign of Jesus Christ upon earth; and who had persuaded his followers, that they should be able to do as much upon all opponents, as Jonathan and his armour-bearer did upon

the Philistines, or as any others in the Old Testament had done upon those, whom the Lord delivered into their hands. Full of these ideas, they issued forth from their religious meeting, sword in hand, about eleven o'clock at night, on Sunday the sixth of January; and Venner, their inspirer and captain, having taken for his device in his ensign these words, "The Lord God and Gideon," they marched boldly from St. Paul's church-yard, under the sacred banner, uttering with loud shouts in every street, "Live king Jesus."

Venner’s Insurrection

But those wild enthusiasts were not content with the noisy proclamation of their divine sovereign they compelled every person they met to give some proof of the like allegiance, and put one, man to death for declaring, either through drunkenness, or by way of silly bravado, "that he was. for God .and king Charles." They not only dispersed the watchmen: that attempted to seize them, but even attacked a body of the train-bands with so much courage, that it fled in disorder. They then drew off towards Highgate, and kept the woods there[1] till Tuesday evening; when they returned to town, but not with their former confidence of victory, as they had been dislodged by a patty of troops.

At this time the king was gone to Portsmouth; but the duke of York and general Monk were at Whitehall, with a regiment of guards and some horse, which were quickly drawn together. It is almost incredible what terror and alarm were excited by what may be called a handful madmen.

Those who had run away from their fury, magnified their numbers and their irresistible violence, so as to fill the city and the court with the utmost consternation. Sir Richard Browne was then lord mayor of London, And being. joined by a large body of officers, soldiers, and friends, he went in pursuit of the fanatics; but when he came up to them he found the number so small, not above thirty, that thinking force unnecessary, he commanded them to lay down their arms.

On their refusing, he charged them briskly, and they defended themselves with such resolution as could only arise from insanity, or despair. At length, overpowered by numbers, they retreated to an ale-house, where they shut themselves up, determined to hold out to the last, their leader, Venner, though covered with wounds, which he often returned with deadly effect, animating them by his example and. Exhortations.

The lord mayor's unwillingness to have the house set on fire checked for a few moments the progress of the assailants; till one Lambert, a seaman, climbed up, and began to un-roof it. This example being followed-by others, Venner and his companions soon lay exposed on every side, but still made a desperate resistance.

Above half of them were shot dead; the rest fell to the ground with their wounds; and only one of them asked for quarter, at which a comrade, who lay in the same room almost fainting through loss of blood, endeavoured to kill him for his cowardice. Venner and such of the others as survived were committed to prison, and to the special charge of the surgeons, that they might be preserved for a trial. On their examinations it plainly appeared, that they had entered into no plot with any other conspirators; nor expected any aid but from heaven. Even at their deaths (their being ten or a dozen executed) they affirmed, "that if they were deceived, it, was God himself who had deceived them."

Artifice of The Duke of York

But although the whole was the unquestionable effect of the religious frenzy of a sew individuals, the duke of York availed himself of this opportunity for carrying a part of his arbitrary and intolerant system into immediate execution. The council having met, the morning after the insurrection was quelled, to receive an account of all that had passed, the duke observed to them, "that so extravagant an attempt could not be sounded upon the rashness of one man, but must

have arisen from a general plot of all the sectaries and fanatics to overthrow the present government, and to bring themselves into the same posture of authority arid power which they formerly had; and that their confidence of success was owing to a firm persuasion that the soldiers, who were now disbanding, would immediately join them." His highness added, "that he therefore hoped all the members of the council would see how necessary it was, at such an alarming crisis, to suspend the disbanding of the general's regiment of foot, which had the guard of Whitehall, and was by the order of parliament to be disbanded the next day."

First Steps Towards Raising A Standing Army

It is not likely that any of the members saw, at that time, the tendency of the dukes proposal. Those, who were not convinced, by his very improbable assertions, of the necessity of the measure, thought at least there could be no harm in such precaution. Others approved of it for private reasons. The general wished to retain his own regiment not only from motives of interest, but of personal security.

He had just reason to dread the other troops whom he had deluded; and his only confidence was in those under his immediate command, men chosen for the purpose, and whole attachment he had gained by particular marks of indulgence and partiality. The chancellor's constant jealousy add suspicion of the designs of the salaries, and his natural timidity, which was awakened by the smallest appearance of danger, made him give his hearty support to the duke of York's motion.

Indeed nobody seemed inclined to oppose it; and a letter was sent to the king, to request that he would approve of what the council thought highly expedient, and appoint the continuance of the regiment till farther order. To this the king consented and as the rumours of fresh conspiracies were industriously kept up, those troops were continued and augmented, and a way was prepared for the gradual establishment of a standing army, under the name of guards, to defend his majesty's person, and to preserve peace and good order.

Design and Result of The Conference at The Savoy

In a very short time after, the king, by the advice also of his council under the influence of the duke of York, and on the same grounds of preventing the dangerous effects of sedition and fanaticism, published a proclamation, forbidding all meetings and conventicles, under pretence of religion; and commanding the oaths of allegiance and supremacy to be tendered to all disaffected persons, who, in case of refusal, were to be prosecuted on the statute of the seventh of James I.

But as if this rigour had been adopted solely with a view to the security of the state, and not. from any persecuting spirit, his majesty very readily granted the request of many of the Presbyterian ministers, who petitioned for such a conference between the heads of their clergy and those of the established church, as his majesty had promised in his former declaration concerning ecclesiastical affairs.

He named twelve bishops as principals, and nine other clergyman as assistants, to confer with the like number of non-conformists on the heft means of reconciling all religious differences. They were to meet at the bishop of London's lodgings in the Savoy, and their commission was to continue for four months from the twenty-fifth of March following: they were particularly ordered to advise upon and review the book of common prayer; to consult about the several objections, which should now be raised against the same; and (if occasion be) to make such reasonable and necessary alterations, corrections, and amendments, as should be agreed upon to be needful and expedient, for giving satisfaction to tender consciences, and for restoring and preserving peace and unity in the churches under his majesty's government and protection: the matters, whereupon they should so determine, were to be certified in writing, under their several hands, and laid before his majesty for his approbation.

The proceedings at this conference, which was granted more for shew, than for the purpose of any real adjustment of. contradictory opinions, have since been published. Both parties, in their respective accounts, lay claim to sentiments of mutual condescension, and of Christian charity, which neither of them at that time certainly possessed.

The bishops were neither inclined, nor directed to give up any but the most frivolous points; and the Presbyterians finding all their own hopes, and all his majesty's and the general's promises of the most liberal toleration and indulgence to be but an idle dream, were prompted by resentment and despair to insist upon very unreasonable requisitions.

This was precisely what the advocates for persecution desired: they could say, that the king had taken, every step, which the belt policy and the tenderest concern for the happiness of all his subjects could suggest, to gain over and compose the jarring sects into a system of perfect harmony, but that all his wise and benevolent endeavours were defeated by the wilful obstinacy and perverseness of the non-conformists and that he must therefore now pursue such measures as the safety both of the church and state required. The farther progress of these designs I shall hereafter have occasion to trace, but shall now only notice what was done in the interval of parliament, for restoring the bishops and clergy to all their temporal possessions,

Conduct of The Restored Bishops and Clergy

I have before observed, that, as the king had referred the settlement of the church to the parliament that recalled him, he could not himself consistently do every thing he wished till the whole was thrown back, as it were, into his hands by the dissolution of that parliament: He then lost no time to fill the vacant episcopal sees, and to put all the other church establishments upon the ancient footing. Care had been taken in his majesty's former declaration concerning the duties and authority of bishops, to prevent their restoration from giving too great, or too sudden alarm to the Presbyterians.

These also promised themselves a happy result from the appointed conference at the Savoy and his majesty, when he issued writs for convening a new parliament, sent summons likewise to the bishops for the meeting of the clergy in convocation, against the coming together whereof the liturgy was to be finished and to be sent thither to be examined, debated and confirmed; and then his majesty said, "that he hoped he should be able, with the assistance of parliament, to provide for such a settlement in religion, as would remove all just grounds of discontent or dissatisfaction on that account."

In the mean time much unforeseen disorder was occasioned, and much scandal brought upon the church by the conduct of the clergy themselves. Such of the old bishops, deans, and other members of the cathedral chapters as remained alive, who had been long kept fasting, had now appetites proportional. Most of them were poor, some of the bishops having had no other resource than to keep schools, and others said "that, if they died, before they were enabled to make some provision for their wives and children, their families must unavoidably starve.

They made haste therefore to enter upon their old possessions; and called their former tenants to account for rent, and to renew their estates if they had a mind to it; for most old leases were expired in the long continuance of the war, and the tenants had been compelled either to purchase a new right and title from the state, (when the ordinance passed for taking away all bishops, deans, and chapters, and for disposing of their lands) or to sell their present estates to those, who had. purchased the reversion thereof.

Both the old tenants and the new purchasers now applied to the clergy, upon their being reinstated in those possessions; and urged their different claims with an equal degree of plausibility and confidence. The old tenants said, "that though the !ate government had made them the first offers, they had forborne, out of conscience, to buy the inheritance of the church; and had solely on that

account disposed of their old leases for very inadequate compensations: they hoped, therefore, that, when the church was now restored to its rights, they should not remain sufferers for their past fidelity, but be re-admitted tenants of the estates they had involuntarily sold, and have new leases granted them on paying the usual fine."

The new purchasers, on the other hand, asserted, "that it would be not only inconsistent with the clemency practised towards all sorts of men, but with. common justice, that they should lose the sum they had disbursed upon the faith of that government, to which the whole kingdom then submitted: that if the illegality or usurpation of that government rendered their title of perpetual inheritance invalid, they ought at least to be indemnified by a good lease for lives or years, and be continued tenants to the church upon the old rent and moderate fines, without any regard to the un-reasonable pretensions of those, who had sold their former leases with all their right and title for a valuable consideration."

The hopes of this class of men were the greater, because the king had granted a commission, under the great seal England, to some lords of the council and other eminent persons, to interpose and mediate with the bishops and clergy, in such cases as ought not to be prosecuted with rigour.

But the bishops and clergy concerned had not the good fortune to please either their old, or their new tenants. They thought they had been cruelly used themselves and that had too much quenched all tenderness towards others, They did not enough distinguish between persons; nor did the suffering or which any man had undergone for his fidelity to the king, or his affection to the church eminently expressed, often prevail for the mitigation of his fine.

It must however, be confessed, that the most flagrant instances of injustice, where a preference was given to those claimants who offered most money, were chiefly owing to the extreme greediness of the old clergy, though the new bishops, several of whom did not follow such bad precedents, underwent the same reproaches.

(Pages 354-355 missing in original book)

Allowances should late be made, for the necessity there was of raising as much money as could be justly done, in order to repair the cathedrals, which were in a ruinous state, and to build up many, houses of the prebends, which had been pulled down, or let fall. A court of claims was erected, where, before the lords commissioners for that lei-vice, all persons made claim to those privileges and precedence, which they conceived to be due to their persons, or to the offices which they possessed, in the ceremony of the coronation, and which were allowed, or rejected, as their right appeared.

In addition also to the titles, which the king had conferred soon after his return and since, he intended now to shew new marks of the like favour to persons, Whom he could not otherwise reward for their former loyalty, or for the late readiness of their concurrence in his restoration. These new creations took place on the twentieth of April, in order that their proper ranks might be duly settled, and their places previously assigned them for the solemnity[2].

Every thing being now prepared, the king went in his coach early in the morning to the tower, where most of the lords were already met; and about ten o'clock they set forward towards White-Hall ranged in the order, which the heralds had appointed. Those of the long robe, the king's counsel at law, the. masters of chancery, and the judges went first then followed the rest of the nobility in regular succession, all very splendidly habited, and their attendants dressed in the richest liveries. The number of footmen only was limited: ten were allowed to dukes; eight to earls; six to viscounts; and four to barons. Those, who rode first, were in Fleet-Street, when the king issued out of the tower, as was known by the discharge of the ordnance; and it was near three o'clock in the afternoon, when his majesty alighted at Whitehall. The whole shew was the most magnificent that had ever been seen in England.

The next morning the king rode in the same state in his robes, and with his crown on his head, and all the lords in their robes to Westminster-hall, where the ensigns of the coronation were delivered to those who had been appointed to carry them, The earl of Northumberland acted as high constable, and the earl of Suffolk as earl marshal; and the other lords in their order, and the king himself went on foot, upon blue cloth, from Westminster-hall to the abbey church, where, after a sermon preached by Dr. Morley, bishop of Worcester, in Henry the Seventh's chapel, his majesty was sworn, crowned, and anointed by Dr. Juxon, archbishop of Canterbury.

The king then returned in the same manner on foot to Westminster-hall, which was adorned with rich hangings and statues; and there his majesty dined, and the lords on the other side at tables provided for them; and all other ceremonies were performed with great order and magnificence

Remarkable Accidents at This Ceremony

I should not have enlarged thus much on the ceremony of the coronation, nor perhaps have mentioned it, (a perfect account of it having been published at the time) but that there were two accidents in it, the one absolutely new, and the other attended with some inconveniences, which were not then perceived.

The first was, that it being the custom, in all those great ceremonies or triumphs of state, for the master of the king's horse (an office now held by general Monk, who had been created duke of Albemarle) to ride next after the king with a led horse in his hand, the duke of York privately prevailed upon his majesty, who had little, reverence for old customs, to permit Mr. Jermyn, the master of the duke's horse, as he was called, to ride as near his highness's person, as the general did to his majesty, and to lead a horse like-wise in his hand. This was a thing never heard of before; neither in truth hath the younger brother of the king such an officer as master of the horse, which is a term restrained within the establishment pf the king, queen, and prince of Wales; and the two masters of the horse to the queen and prince are subordinate to the king's master of the horse, who hath the jurisdiction over the other two.

The lords were exceedingly surprised and troubled at the present innovation, of which they heard nothing, till they saw it; and they liked it the worse, because they discerned that it issued from, a fountain whence many bitter' waters were likely to flow, the customs of the court of France, whereof the king and the duke had too much the image in their heads, and than which there could not be a copy more universally disagreeable and odious to the English nation.

The other accident fell out in Westminster-hall, on the morning of the coronation, while the regalia were delivering to the lords appointed to carry them. The earl of Northumberland, who was that day high-constable, cane to the king and told him, that amongst the young noblemen, appointed as bearers of the several parts of his majesty's mantle, the lord Ossory, eldest son of the duke of Ormond, challenged precedence of the lord Percy, who was his eldest son, whereas, he said, the duke of Ormond had no place in the ceremony of that day, as duke, but only as earl of Brecknock, and so the eldest son of all antient earls ought to take place of his eldest son.

This was so known a rule, and of so general a concern, that the king could not chuse, but sent a message by the lord chamberlain to the lord Ossery; that he should desist from his pretence. This and the public manner of asking and determining it produced two very bad effects, in the first place; an ill understanding between the the two families, and secondly, a general prejudice and jealousy in the English nobility, who thought. that the duke of Ormond had secretly encouraged his son to claim that precedency, in hope that by his own interest in the king, he should be able to put this eternal affront upon the peers of England, as to bring then upon the same level with those of Ireland, who had no such esteem.

Ineffectual Search for The Corpse of The Late King

The king had intended, that, some the before this state triumph, on his own account, the body of his father should be removed from Windsor, and interred with all solemnity at Westminster, and that the court should continue in mourning till the coronation. But after the strictest search, the corpse could not be found: There was indeed, no mark which might lead to the discovery of the particular spot; where it was buried. All the wainscot; railing, and partitions in the church belonging to Windsor castle had been broken down by the garrison there during the civil wars, and all the monuments had been defaced before the royal body was conveyed thither by Cromwell's order.

Only four noblemen with three servants each were suffered to enter the castle to attend the interment, and could not well fix upon any objects in so desolate a place to assist their future recollection. Besides, two `them, the duke of Richmond, and the marquis Hertford were now dead; and the survivors, the earls of Southampton and Lindsey, with such of the servants who had been admitted with them, were still living, went in vain to take a survey and examination of the place; they found themselves incapable of forming any judgment where the corpse lay.

On being told by some of the workmen employed in the new pavement of the church, that the earth seemed to lye lighter in a particular part, they ordered it be dug up, and searched all round but to no purpose; and upon their return, the king gave up all farther thought of inquiry.

Curious Conjectures on The unavoidable Omission of a Public Funeral

This was the true reason why the proposed solemnity did not, and could not take place. But as this was not made public, the omission of such a testimony of reverence for the late king ascribed to a variety of other causes, Some thought it was owing to his present majesty's want of filial piety; others fancied that it arose from the want of money to defray the expenses of such a funeral with suitable pomp; and a few, who valued themselves for their political sagacity, said they were sure that his majesty's council had wisely dissuaded him from such a resolution, which might awaken old animosities, and give rise to much disorder and commotion[3].

Partiality Shewn To The Portuguese Ambassador

But the most important business transacted at court during the interval of parliament was a treaty with Portugal, of which I shall set down such particulars as appear to me worthy of notice, after first explaining the king's motives for having shewn a more gracious countenance to the ambassador from that country, than to any other, from the very beginning of his restored sovereignty.

Prejudices of The King and His Brother Against The Dutch

Before the king's return to England, he was complimented by the states at the Hague on the assured prospect of his restoration, and was presented also with a sum of money to the amount of about six thousand pounds sterling. The present was very acceptable, but did not efface his sense of the indifference, with which the Dutch had treated him, when he stood in more need of their assistance[4].

The duke of York had still stronger prejudices against them, on account of their religious and political principles; he therefore let slip no opportunity of increasing his brother's resentment. It happened also that though the states' nominated ambassadors before the king left the Hague, they were not sent, for six months after his majesty's arrival in London, which he looked upon as a great mark of disrespect. He therefore received them with the utmost coolness; and if he some-times entered into treaties with them, it was always from motives of political necessity or convenience, and never from the least impulse of cordial reconciliation or friendship.

Through his majesty not naturally capable of any lasting resentment yet his jealousy of the Dutch was kept alive by those about him, and was afterwards converted into a settled system of hostility by French intrigues.

Dismission of Burdoe The French Resident

The embassador from France, however, who was in England at the time of the king's return, had little cause to boast of his majesty's prepossessions in favour of that court. This was Monsieur Burdoe, who had resided here as French ambassador for more than three years in Cromwell's time, and had lived in great lustre, very acceptable and dear to Cromwell, having managed all the secret alliance between cardinal Mazarin and him, and was even trusted by the protector in many of his counsels, especially to discover any conspiracy against him; for Burdoe lived jovially, gave great entertainments to lords and ladies without distinction; and amongst those in particular, whom he knew to be sincere royalists, he would frequently let drop force expressions of compassion and respect towards the king.

After Cromwell's death, Burdoe's credentials were quickly renewed to Richard, his successor, with whom all the former treaties were confirmed and when Richard was put down, the ambassador was not long without fresh credit to the commonwealth that succeeded.

Thus, upon all vicissitudes, he was supplied with authority to endear his master's affection to the present power, and to let them known how well disposed the cardinal was to support their interest; and in these commissions he had acquitted himself with so much dexterity, that the cardinal thought fit to send him new credentials against the time of the king's coming to London. Within a few days after, as soon as he could provide a new equipage to appear in more glory than he had ever yet done, he sent to desire an audience from the king.

The earl of St. Alban's was newly come from France, and to him Monsieur Burdoe had applied, as to one whom he knew to be always ready to promote any thing that might be grateful to that crown. But the king resolved first to confer upon this matter with his privy council, where it being debated whether Burdoe should received as embassador, or not, the earl of St. Alban's strenuously contended, "that the late changes in the English government ought not to beget any prejudice against a sovereign envoy, who only discharged the commission given him by his court; and that the rejecting of such a man was not so much a personal affront put upon him, as an insult offered to that court, by whom his credentials had been formally renewed

There was some plausibility in this mode of reasoning; and if there had not been particular exceptions to the individual himself, as well as to his great patron the cardinal, no debate would have arisen on the subject. The chancellor, who had very just cause to be as little pleased with the present advocate for the measure, as with either of the other two, answered with some warmth;

"That it could not stand with his majesty's honour to receive that man as embassador, who had transacted so many things to his disadvantage, and shifted his face so often, always in conjunction with his majesty's greatest enemies." The chancellor added, "that it was a. great disrespect in the crown of France towards his majesty to send such a per-son, whom they could not believe (without greatly undervaluing the king) could be acceptable to him."

The king himself was of the chancellor's opinion, in which the rest of the council, except the earl of St. Alban's, concurred. Instead of assigning Burdoe a day for his audience, as was desired, his majesty sent him an express command to depart the kingdom; and even positively refused his very pressing request to be admitted only as a stranger to his majesty's pretence. The reception, which this poor man met with, upon his return home, was still worse, because much more undeserved; and affords a striking instance of the ingratitude of courts.

After having promoted the designs of the French cabinet for five years with notable success, and spent his whole estate in their service, the ministry treated him with the most cruel indifference; and in a short time he died heart-broken, in misery, and un-enquired after. France expressed no resentment of his disgrace in England; but immediately sent the count of Soissons in his stead to congratulate his majesty's happy restoration, with all the compliments of friendship and esteem that can be imagined.

The Portuguese ambassador, who was also in London at the Restoration, might be thought to stand in the same predicament with Burdoe, but was very differently received. He had been sent by his court to finish a treaty with Cromwell, which had been begun by another embassador who obtained his recall, in consequence of his brother's being executed here for murder[5].

The new embassador,was forced to consent to very hard terms imposed by the protector, in resentment of the king of Portugal's having afforded a safe retreat in the port of Lisbon to a royal fleet under the command of prince Rupert, and thereby preserving them from a fleet much superior in number and goodness, that pursued the prince; by commission from Cromwell.

This so much enraged Oliver, that he made war upon Portugal, captured her ships, obstructed her trade, and blocked up all her ports, while the Spanish army co-operated with his designs by land, and took several towns in the very heart of the kingdom. In this alarming situation, the court of Lisbon was obliged to submit to any conditions; and, besides the payment of a great sum of .money, which was to continue for many years, granted very considerable advantages in trade to England.

Cromwell's hard usage of this embassador was naturally a recommendation in his favour to the king, who made no scruple of receiving him with a very good countenance; and as soon as he got his credentials, his majesty gave him a public audience with all the formality and ceremony, that are usual in such cases. This first instance of the king's gracious regard was shortly after very much improved by the matrimonial treaty before hinted at, and of which I shall now describe the most interesting particulars.

First Suggestion of a Treaty of Marriage With Portugal

The first intimation of any offer of marriage, on the part of Portugal, was given to the king by the earl of Manchester, then lord chamberlain, who, in a private conversation with his majesty, said that the Portuguese embassador had lately made him a visit, and opened the business in the following ,manner. After some expressions of his profound respect for the king, the embassador observed "that it was time for his majesty to think of marriage, which it was probable that nothing could keep him from but the difficulty of finding a proper consort; that there was in Portugal a princess in her beauty, person, and age very fit for him; and who would have a portion suitable to her birth and quality: that, indeed, she was a catholic, and would never depart from her religion; but was totally without that meddling and activity in her nature, which many times made people of that persuasion troublesome and restless, when they came into a country, where another religion was practised: that she had been bred under a wise mother, (who was still regent in that kingdom) who had carefully infused another spirit into her, and kept her from affecting to have any hand in business; which she had never been acquainted with; so that she would look only to enjoy her own religion, and not at all concern herself in what others professed: and that he had authority to make the proposition to the king, with such particularities as included advantages above what he thought could accompany any overture of the like kind from any other court."

To this relation of what had been stated by the embassador the chamberlain added, on his own part, "that there could be no question but that a protestant princess would in all respects be looked upon as the greatest blessing to the kingdom; but if such a one could not be found, he did really believe, that a princess of such a temper, as the embassador had described, would be the best of all Catholics."

The chamberlain farther remarked, "that the trade of Portugal was great here, and that England had a more beneficial commerce with that kingdom than with any other, which had induced Cromwell, contrary to his private resentment, to make the peace, which was the most popular action he had ever performed?!

Specific Proposals Made by The Ambassador

As his majesty listened to the whole with seeming complacence, but said only, that he would think of it, the Portuguese embassador waited upon him in a few days, and without any formality entered into the same discourse, and repeated all that the chamberlain had before mentioned. He then explained the particular offer, which he had been authorised to make, and which was to pay down to his majesty in ready money five hundred thousand pounds sterling, as a portion with the infanta; and likewise to assign over and for ever to annexe to the crown of England the possession of Tangier upon the African shore, and the island of Bombay in the East-Indies, with full liberty to the English nation of trading in Brazil.

The ambassador did not fail to dwell upon the magnitude of the offer: he said "that the two places, of which the possession would, be secured to his majesty, might reasonably be valued above the portion in money: that Tangier was a place of such strength and importance as would be of infinite benefit and security to the trade of England in the Mediterranean; and that Bombay would be sound still more favourable to the East-India trade, on account of its towns, its castles, its excellent harbour, and particularly its little distance from Brazil, the valuable trade of which, though denied to all other nations, would now be thrown open to the English alone."

The King’s Strong Inclination Towards The Match

Every circumstance in this offer was very grateful to the king. His un-restrainable profusion made him in perpetual want of money; and half a million appeared to him a very tempting consideration. But as he thought that the infanta's religion might be objected to, and might excite murmurs and suspicions with respect to his own sentiments he was glad to find the proposal accompanied with such advantages in trade as would probably reconcile both the parliament and the people to his marrying a papist.

He answered the embaffador in a very gracious manner; and having taken care to predispose the chancellor to second his wishes, he appointed the lord treasurer, the lord steward of the household, the lord chamberlain, and secretary Nicholas to meet at the chancellor's house, where his majesty would likewise be, and where he intended to lay the business before them.

Motives by Which The Chancellor was Actuated in This Business

No man was ever more deceived, and finally more disappointed, in pursuing the path which policy seemed to point out, than the chancellor was in this treaty. His virtue, his timidity, and his ambition, qualities always at war, and naturally irreconcilable, often led him into the greatest errors and the greatest difficulties. After his daughter's marriage with the duke of York was publicly avowed by his highness, and when the chancellor continued every day to receive fresh proofs of royal favour, still Solomon's interrogation,

Who can land against envy? was often in his mouth, and constantly uppermost in his thoughts. Whatever pleasure he might derive from the acquisition of new honours, it was soon damped by the dread of their raising up new enemies to his ruin; and this very fear, like the disorder of coward troops in battle, hurried him into measures, that accelerated the downfall which he strove to avoid.

In order to prevent any suspicion of his having had the smallest concern in bringing about the duke's alliance into his family, from a fond hope of his daughter's becoming queen at some future

day, he chewed the greatest earnestness in pressing the king to marry. There is no doubt but he wished his majesty to chuse a protestant princess; yet when he found the king determined in favour of the infanta, he readily assented to the match, and appeared a strong advocate for it in council.

It is probable that he then thought he should have less to apprehend from a. queen, whom he thus endeavoured before-hand to make his friend, than from the king's mistresses, whole influence was likely to undermine his own credit and authority. All his foresight and caution failed: this very circumstance of having encouraged the choice of a Roman catholic queen afterwards proved one of those charges of criminality, which occasioned his disgrace and exile.

Proceedings of The Select Committee

When the select party, to whom the king meant to disclose his intentions, met at the chancellor's, his majesty related to them the whole series of what had passed, enlarging on the importance of the places offered him, particularly Tangier, the harbour of which he said he had found out, by indirect and occasional inquiry from some of the best informed persons, would, with the addition of a mole, afford the utmost security to shipping in any weather, and enable the possessors to give the law to all the trade of the Mediterranean.

Having thus fully manifested his own sentiments, he requested the committee to deliver their opinions with freedom, and to consider whether there was any other princess or lady in their view, with whom he might marry more advantageously. The matter admitted of little debate. They all saw the king was fixed in his choice. Some expressed a faint with that it were possible to get a protestant queen; and the earl of Southampton (who was then lord treasurer) named the daughter of Harry prince of Orange, of whom he had heard some mention when his majesty was beyond the seas, and of whose elder sister (afterwards married to the elector of Brandenburgh) there had been some discourse in the life of the late king.

His majesty quickly declared, that he had very unanswerable reasons why he could not entertain that alliance. But although he did not explain those reasons, the committee agreed, that there was no catholic princess in Europe, whom his majesty could with so much reason and advantage marry as the infanta of Portugal; with which approbation the king was very much pleased, and thereupon appointed all those lords with the same secrecy to enter upon a treaty with the ambassador, in order to have a more particular and substantial assurance, for the accomplishment of all those things, than his bare word. Conferences with the ambassador took place accordingly.

Conferences Opened With The Embassador

As those conferences could not be kept secret, the public were led to believe, that they had for their object a treaty of alliance and commerce with Portugal; but none, except the parties concerned, had any idea of a negotiation towards a marriage.

At the first interview, the Portuguese embassador offered, in addition to the before-mentioned inducements, that, in case the marriage was approved of, his court should renew the treaty made with Cromwell, without being so much as exempted from the yearly payment, which he had imposed for the assistance given to prince Rupert.

Chief Objection to The Treaty Evaded

This offer seemed the more generous, as that tribute had been exacted from Portugal in the moment of the utmost distress, and by an usurper, which rendered the treaty invalid.

It was also very grateful to the king; for as the money had been assigned by Cromwell to some English merchants to indemnify them for damages sustained from prince Rupert; if the payment

should be with-held by Portugal, the merchants might think they had a right to claim it from his majesty.

It had been foreseen from that first mention of this marriage, that should the proposed alliance take place, it would be very hard to avoid such a conjunction with Portugal, as would produce a war with Spain. To this his majesty was very averse; for, besides that he had received some civilities from the Spanish king, and that sir Henry Bennet, his resident at Madrid, had in his name renewed the treaty of 1630 between the two crowns, his majesty now resolved to have no difference with any of his neighbours, nor to engage in any war which he could avoid, till the ill humours in his own dominions should be wholly composed or subdued.

This was certainly a very prudent resolution; and if it had bee adhered to, much evil, which succeeded the departure from it, might have been prevented.

But the lords found, upon the perusal of the treaty made between Cromwell and Portugal, one article by which the protector engaged, whenever required, to assist the Portuguese with fix thousand foot, to be levied in England at their charge.

Now the ambassador urged, that, in consequence of the marriage, the portion, the delivery of the places, the advantages in trade, and the interest which his majesty would have in the crown of Portugal, he would take a decided part in its defence against the violent, and unjust pretensions of Spain.

To this, his majesty answered, "that he would not enter into any such positive engagement, as he was not in a condition to make war, till he could not avoid it : he would do what was lawful for him to do:—he could. chuse a wife for himself, and he could help a brother and ally with a levy of men at their charge, without entering into a war with any other prince; and if Spain should, either upon his marriage or upon such supply, declare war against him, he would defend himself as well as he could, and do as much damage as he could to Spain: that he would then apply such assistance to Portugal, as should be most advantageous to it; and that he should not be willing to see it reduced under obedience to Spain for many reasons: that, in the mean time, he would assist Portugal with the same number of men as Cromwell had promised, and transport them at his own charge thither, provided that as soon as they were landed, they should be received into the king of Portugal's Pay."

This last offer the king more readily made upon a reason not then communicated, but which I have before explained in treating of Scotch affairs. He had been induced by the pressing request of the Scotch parliament, and by the still more persuasive insinuations of Lauderdale, to resolve upon withdrawing the English garrisons from Scotland; and he now thought that such a suspected body of men, as they were composed of, could with more security and little more charge be transported to Portugal, than be disbanded in the place where they were.

When the ambassador found that the king would not be persuaded to enter directly into a war with Spain, he concluded that the alliance and marriage would give a present reputation to Portugal, and make impression upon her enemies. He also thought, and with reason, that the steps, which the king himself proposed to take, and the resolution that he expressed to preserve the independency of Portugal, would unavoidably engage him in a rupture with Spain.

The Ambassador's Departure for Lisbon

The ambassador therefore accepted his majesty's offer; and there remained nothing to be done, but to give unquestionable security to the king for the performance of all the particulars which had bean promised, and for which there appeared yet no other warrant than letters and instructions from the queen regent.

In order therefore to give his majesty complete satisfaction respecting all those matters, the embassador proposed to pass immediately into Portugal; and doubted not, in as short time as could be expected, to return with such power and authority, and such a full concession and confirmation of what had bean proposed, as should be found unexceptionable.

His majesty liked this speedy method of concluding the business very well; and wrote himself to the queen regent and to the king such letters as signifies his full resolution for the marriage. He also wrote a letter with his own hand to the infanta, as to a lady whom he looked upon as his wife. His majesty likewise assigned two ships to attend the ambassador, who immediately, and with some shew of discontent, in order to keep the object of his departure a profound secret from the public, embarked with all his family for the river of Lisbon.

Review of The Earl of Bristol's Past Conduct

That I may not break off the thread of this narrative, till I bring it to a conclusion, nor leave out any important particular relating thereto, I shall in this place make mention of a little cloud or eclipse, raised by the activity and restlessness of the earl of Bristol, that seemed to darken all the boasted lustre of this treaty, and to threaten its very life by extinguishing it in the bud. This earl, upon the defeat of sir George Booth, when the king's hopes in England seemed totally destroyed, had no farther patience, but immediately turned papist, that he might with undoubted success apply himself to the service of Spain, to which the good acceptation he then had with Don Juan was the greater encouragement.

The noise and scandal of this apostasy in a sworn councillor of the king, and one of his secretaries of state, made it necessary to remove him from both those trusts, of which the chancellor very justify asserted that he had made himself incapable, according to the laws of England.

It was vary evident, at the same time, that the king took away the signet from the earl with great reluctance; and that his majesty still shewed him the same countenance as before, without any reprehension for what he had done. He made the king believe, that, as his majesty could have now no other hopes towards his restoration, than in catholic princes, the late change of his religion would-enable him to render his majesty much more effectual service: and that, as to the thing itself, he regarded the outward profession of any religion as depending wholly upon the convenience or discommodity that might arise from it.

His relation also of the manner of his conversion, with all the circumstances, and the discourse of an ignorant old Jesuit whom he perfectly contemned, and of a simple good woman the abbess of a convent who contributed to it, was so ridiculous, and administered such occasion of mirth, that he never was more agreeable company than when upon that subject. But the influence, which the earl thus retained with the king, exposed his majesty to much censure, and certainly did him great injury[6].

Upon the king's making a journey to Fontarabia, to be present at the treaty there negotiating by the French and Spanish ministers, his majesty permitted the earl to accompany him, though he had received advertisement from sir Harry Bennet, that Don Lawis de Haro, the Spanish minister, desired that the earl might not go with his majesty thither.

The least part of the mischief that the earl did in that journey was, that he prevailed with the king to make so many diversions and delays in it, that the treaty was concluded before his majesty got there; and he was very near being disappointed of all the fruit he had proposed to himself to receive from it.

However his majesty did one good thing, in returning without the earl, who, during his short stay at Fontarabia, had the address to overcome all Don Lewis de Haro's prejudices, and so far to insinuate himself into that minister's graces and good opinion, that he took the earl to Madrid,

where the king received him very graciously. There he took up his abode at the house of the English resident, who had bean his own servant, and enjoyed such repose as was agreeable to his wishes, that he might at leisure project his fortune, the only thing his heart was set upon, and of which he despaired in his native country.

The very unexpected news of the king's restoration put an end to the earl's further designs at Madrid. He therefore took his leave of that court, laden with many obligations; and returning through France, arrived at London about the time that the Portuguese embassador was embarked for Lisbon. But before I trace the earl in the farther progress of his new intrigues, it will be proper to describe upon what footing the Spanish embassador was now at court, and the object of the very close connection which the earl quickly entered into with him.

Character and Reception of The New Ambassador

Soon after his majesty's return to England, the king of Spain sent the prince of Ligna with a very splendid embassage, and with compliments of congratulation. The prince then returned home, and the baron of Breteville was sent as ordinary embassador, a man born in Burgundy in the Spanish quarters, and bred a soldier, in which profession he had distinguished himself, and was now governor of St. Sebastian's.

He seemed a rough man, and to have more of the camp in him, but in truth knew the intrigues of a court better than most Spaniards; and except when thrown off his guard by the natural impetuosity of his temper, he was wary and cunning in his negotiation. He lived with less reserve and more jollity than the minister of that crown used to do; and drew to his table and conversation such of the court as he observed were loud talkers, and most confident in the king's presence.

At the baron's first private audience, he presented a memorial to his majesty, in which he required the delivery of the island of Jamaica to the catholic king, it having been taken from him by his Britannic majesty's rebel subjects contrary to the treaty of peace between the two crowns. He likewise claimed the restoration of Dunkirk and Mardyke to the catholic king, as having been taken from him, not only contrary to the before-mentioned treaty, but even at a time when his Britannic majesty was entertained in the Spanish dominions with all courtesy and respect.

His memorial concluded with a farther requisition in the king his master's name, that his Britannic majesty would not give any assistance to Portugal, nor enter into any treaty of alliance with that court, as such an alliance, like the former grounds of complaint, would be directly contrary to the treaty with Spain, which was now again revived, and flood in force by the declaration of the English resident at Madrid.

But when the embassador had delivered this memorial to the king, he never called for an answer, nor willingly entered upon the discourse of either of the subjects: he seemed to regard the whole as a matter of form which he was to do once, but not to be pressed till a sitter conjuncture. In the mean time, he took advantage of the licence of the court, where no rules or formalities were yet established, the king himself being little inclined to them, and willingly leaving all doors open to all persons.

The embassador, perceiving this, made himself a domestic; came to the king at all hours; and spoke to his majesty when and as long as he would. It even frequently happened that, without the least ceremony, or desiring an audience according to the old custom, he went into the king's bedchamber, while his majesty was dressing himself; and mingled in all discourses with the same freedom as he could in his own apartment.

From this never heard of licence, introduced by the French and the Spaniard at this time, without any dislike from the king, though not permitted in any other court in Christendom, many inconveniences and mischiefs broke in, which could never after be shut out.

Intrigues to Break off The Treat with Portugal

As soon as the earl of Bristol came to the court, he was very willing to be looked upon as wholly devoted to the Spanish interest, that he might give a testimony of his gratitude for the favours he had so lately received at Madrid. He therefore made a particular friendship with the Spanish embassador, whom he had formerly been acquainted with at Fontarabia.

The embassador could not but be very much pleased with such an accession of interest, for he saw that the earl was graciously received by the king; and the earl himself had also an excellent talent in spreading the gold-leaf of royal favour very thin, to make it appear much more than it was: he took pains by being always in the king's presence, and often whispering in his ear, and talking upon some subjects with a liberty not ungrateful, to have it believed that he was more than ordinarily acceptable to his majesty.

It is likewise certain that the king by his own conduct towards the earl very much encouraged that opinion both in him and in others; and even communicated to him more of the treaty with Portugal than he had done to any person, except those who were immediately trusted in it.

Though the earl knew that he could not be of the council, nor in any ministry of the state, by reason of his religion, yet he had always promised himself that he was in so good esteem with his majesty and with the duke of York, that he should have a great share in all foreign affairs. He was therefore surprised at the notice of this intended marriage, in which he had not been consulted; and presently expressed his dislike of it, telling the king, "that his majesty would be exceedingly deceived in it; that Portugal was poor and unable to pay the promised portion; and that now it was forsaken by France, Spain would over-run and reduce it in one year.”

He then enlarged on the great preparations, which were made for that expedition, of which Don Lawis de Haro was to be general, and was lure to be joined in Portugal by a great party, who were weary of that government, so that the earl said "that miserable family had no hope but by transporting themselves and their poor adherents to Brazil, and to their other territories in the East-Indies, which were possessed only by Portuguese, who might possibly be willing to be subject to them. “This," he added, "was so much in the view of all men, that the great care of Spain at present was to prevent their escape."

The boldness of the earl's assertions staggered the king: yet he did not inform him that any thing was concluded upon, or that the Portuguese embassador was gone for more ample powers to complete the business. The earl, who valued himself upon his great faculty in puzzling and obstructing whatever he himself had no hand in the contrivance of, went to the Spanish embassador, and informed him, under obligation of secrecy, of the treaty the king was entered upon with Portugal, which he hoped that they two should find means to break.

But the embassador's breast was not large enough to contain that secret, that burned his entrails. He talked of it in all places with great passion; and then, as if taking it up from common report, spoke of it to the king, and said, "that the Portuguese embassador had in his vanity bragged of it to some Catholics, and promised them great things upon it; none of which," he added, “he was confident could be true, as he had too high an opinion of his majesty's good sense, to suppose that he could be prevailed with to consent to a treaty, which would prove ruinous to himself and to his kingdom, for that Spain would resent it to such a degree, as must give great inconvenience to his majesty's affairs." He concluded with some sarcastic and indelicate remarks on the infanta herself.

Finding, or fancying that they had made, same impression, the earl and the embassador returned again and again to the charge; the earl more pathetically, or rather more rudely enlarging upon the defects of the infanta's person, her many diseases, and her incapacity of bearing children. He also told the king, “that there were many beautiful ladies in Italy of the greatest houses; that his

majesty might take his choice of them; and that the king of Spain would give a portion with her as if she were a daughter of Spain, and that she should be married as such."

Whether the king grew less inclined to marry, and liked the liberty he enjoyed too well to be willing to be restrained; or whether what had been laid to him of the infanta's person and her unaptness for children, gave him any prejudice against her; or whether his fancy had been inflamed by the earl's manner of describing the charms and magnifying the conversations or the Italian ladies, in which arguments he had naturally a very luxurious style, unlimited by any rules of truth or modesty; it is not to be denied that his majesty appeared much colder, and less delighted to speak of Portugal than he had been.

He would sometimes wish that the embassador had not gone; and at other times, that he might return without the full powers he went for, to give his majesty satisfaction. He seemed to reflect on a war with Spain, (which he said could not possibly be avoided in the proposed alliance) with more apprehension than he had formerly done, when that contingency had been debated.

Alarm Given to The Chancellor and to The Select Committee by a Sudden Change of The Kings Sentiments

So remarkable and unexpected a change in the king's sentiments and discourse gave great uneasiness to the lords, who had been intrusted with the management of the treaty. They could hardly be believe that the Spanish embassador's passionate language, or the earl of Bristol's levity had produced this effect, However it appeared that the earl was much more in private with his majesty than he used to be, many hours shut up together; and that, when the king came from those conversations, he always seamed to be perplexed and full of thought.

The chancellor was particularly alarmed at the idea of any new obstacle being thrown in, the way of a treaty, which he had carried to such a point, and in the completion of which he thought the king's honour and his own character were deeply engaged. The earl of Bristol had undertaken to convince him of the impolicy of the treaty; and the chancellor had spoken to him and to the Spanish embassador upon the subject; but perceiving that the king had not imparted to either of them how far he had proceeded in the business, the chancellor did not take himself to be at liberty to enter into a serious debate with them on the subject.

He permitted them to enjoy the pleasure of their own opinion, and to imagine that there had been no very strong inclination to such a treaty, or that the weight of their reasons would quickly overturn it.

The Earl of Bristol’s Extraordinary Commission

One morning the earl called upon the chancellor, and after some compliments told him, that he was come to take his leave of him for some months, being to begin a long journey as soon as he should part with him, having already kissed the king's hand; but that his friendship would not. permit him to go without first imparting to the chancellor a secret of to much importance as the object of his journey.

He then said, "that the king had heard such unanswerable reasons against the marriage with Portugal, that he was firmly resolved never more to entertain a thought of it: that the Spanish embassador had recommended to his majesty two princesses" (whom the earl named) "of incomparable beauty, and all excellent parts of mind, either of whom should be endowed as a daughter of Spain by that king, to whom they were allied: that so inviting a proposal had till the more weight with his majesty, as it could raise no jealousies in France, with whom he desired to live on good terms, that he might be sure to have peace in his own dominions: that nothing therfore remained but to be satisfied of the persons, beauties, and humours of the princesses, for which purpose he was now going to Italy, as he perfectly knew his majesty's taste, and as the

king had trusted to his judgment, and had granted him full powers to conclude a treaty, in case that he should think that either of the ladies was likely to please his majesty." Before he had done speaking, he did not forget to give a very artful hint of the real motive that prompted him to make this discovery.

One reason," he said, betides his friendship for the chancellor, had made him impart so great secret, and that was a presumption that the chancellor, being now informed how far his majesty was disposed, and in truth engaged in this particular, would not do any thing to cross or interrupt the design."

It was with some difficulty that the chancellor could conceal his amazement and confusion at such a discovery; but perceiving by a few questions, that the earl, was utterly uninformed how far the king stood engaged unto Portugal, he used little more discourse with him than to wish him a good journey. The chancellor then immediately waited upon the king, and related all that the earl had said to him, with which his majesty seemed much displeased, as expecting that the secret should have been kept better.

He did not dissemble his wishing that the treaty with Portugal might not succeed, and confessed that he had sent the earl of Bristol to see some ladies in Italy, who were extolled by the Spanish embassador; but denied having given the earl such powers as he had bragged of.

The chancellor thereupon asked his majesty, whether he well remembered the engagement which he had voluntarily, and without any body's persuasion, made to the king and queen regent; and begged that his majesty would impart his new resolution to the lords, who were formerly trusted by him; adding, "that probably he might find good reason and just arguments to break off the treaty with Portugal, which ought to be first done, before his majesty embarked in another; otherwise that ha would so far expose his honour to reproach, that all princes would be afraid of entering into any treaty with him."

Upon this the king, rather through complaisance, than any apparent change of opinion, sent for the lord treasurer and the marquis of Ormond to confer with them upon the business; but finding that they were as much surprised at the precipitancy of' what he had done, and that they urged the same arguments against it as the chancellor, his majesty seemed to recollect himself, and to think, that, whatever resolution he might take in the end, he had not chosen the best way of proceeding towards it.

He therefore sent a letter the same night by sir Kenelm Digby to recall the earl; but whether it reached him in time, or not, he continued his journey into Italy, and afterwards pretended he had not received those dispatches till it was too late. In this pretence he had also good fortune to be believed.

Meanwhile the Portuguese embassador having finished his voyage in less time than could well have been expected, returned with full satisfaction, as he thought, respecting all particulars. But the cool reception he met with struck the poor gentleman, who was naturally hypochondriac, to the heart; and not being able to conceive whence ibis change proceeded, he forbore. to deliver his letters for fear of exposing the honour of his master and mistress; and remained quietly in his house, without demanding a second audience, until he could by some way or other be informed of what had fallen out since his departure. He saw the Spanish ambassador exceedingly exalted; and heard that he had bragged loudly of his having broken the treaty with Portugal.

It is very true, that the Spaniard every day did somewhat either vainly or insolently, that gave the king a bad opinion of his discretion, and made his majesty withdraw much of his former countenance from him.

Effects of The Spanish Embassador’s Indiscretion

Now it was that the violence of the Spaniard's passion defeated the effect of all his part intrigues, and once more turned the scale in favour of Portugal. Irritated at the king's reserve towards him, and also inflamed with jealousy at the other embassador's returning from Lisbon with the title of marquis de Sande, (an evidence of approved services, according to the custom of that court) he came to the king with warm expostulations, and presented a memorial, in which he said, "that he had orders from his master, in case his majesty should proceed towards a marriage with a daughter of the duke of Braganza, his master's rebel, to take his leave presently, and to declare war against him."

To such insolence the king returned a sharp answer, and told him, "he might be gone as soon as he would; and that the catholic king was not to give him orders how to dispose of himself in marriage."

Next day, the embassador, beginning to think that he had gone too far, desired another audience, wherein he said, "he had received new orders, and that his matter had so great an affection for his majesty and the good of his affairs, that, having understood that nothing could be more mischievous to him at the present than to marry a catholic, he would give a portion, as with a daughter of Spain, to any protestant lady his majesty should approve of, by which every inconvenience might be avoided, and his majesty's affairs and occasions supplied."

He named at the same time the daughter of the princess dowager of Orange, against whom the king was particularly prejudiced. But his majesty was also struck with the strange consistency of the embassador's conduct; and saw clearly that he had no grounds for what he said or did, but his own fancy. His majesty therefore desired to be no more troubled by him on the subjects.

Full of resentment, mortification, and despair, the Spaniard proceeded at length to an act of the highest extravagance that hath been done in Europe by the minister of any state in this age. He caused to be printed in English the copies of the memorials which he had presented to the king, and of the speeches he had made against the match with Portugal, with the offers made by the king of Spain to prevent so great a mischief to the kingdom, and other seditious papers to the same purpose, and took pains to have those papers spread abroad; and even some of them were thrown out of his own windows amongst the soldiers, as they passed to and from guard.

Upon this unparalleled misdemeanour the king was so much incensed, that he sent the secretary of state to require him forthwith to depart the kingdom, without seeing his majesty’s face; and to let him know, that a complaint of his misbehaviour would be sent to the king his master, from whom his majesty would expect that justice should be done upon him. The embassador, alarmed at this message, desired to be admitted to his majesty's presence, and to beg pardon, which being positively denied, he departed the kingdom in a few days, carrying with him the character of a very bold, rash man.

His majesty now seriously reflected upon all the ambassador's proceeding and behaviour: he revolved the discourses he had held with him; and began to consider whether they had not made greater impressions upon him than the weight of them would bear. He spoke to some persons who had seen the infanta, and who described her to be a person very different from what the embassador had asserted.

A picture, said to be very like her, was also shewn his majesty; and, upon the view of it, he said that person could not be unhandsome. Thus by degrees weighing well the many harsh things alleged by the Spanish embassador, and which appeared to result only from malice, his majesty began to return to his old resolution with regard to Portugal; and his mind was fully decided and confirmed in it by an accident that sell out at this critical juncture.

Overtures From France

Cardinal Mazarin was just dead, and the administration of affairs was chiefly intrusted by the French king to monsieur de Tellier, and monsieur de Leon, the, two secretaries of state, and to monsieur Fouquet, who was what is called in that country *surintendent des finances*, and procureur général du roi, offices that correspond nearly with those of chancellor of the exchequer, and attorney general in England, with this difference, that as the first implies the sole power over the revenue in France, whoever holds it is always looked upon as prime minister.

Upon Mr. Fouquet's appointment, he sent a private letter to the chancellor of England, by the hands of a monsieur Bastide, who having acted as secretary here under Burdoe for some years, spoke our language very well. The letter was little more than a sort of credential to the bearer, who was to explain the farther particulars of his commission viva voce. The chancellor, after hearing his message, appointed another interview with him next day ; and thought that the matters were important enough for him to request that the king himself would be present, and determine as he might judge proper.

Next day the king and the duke of York went to the chancellor's at the hour assigned; and monsieur Bastide, being introduced, again explained his message, which consisted of the following parts: first, "that the king of France was troubled to hear that there was some obstruction fallen out in the treaty with Portugal, and that it would be a very generous thing in his majesty to undertake the protection of that crown, which, if it should fall into the possession of Spain, would be a great damage and a great shame to all the kings in Europe: that his most Christian majesty had himself heretofore thought of marrying the infanta of Portugal, a lady of great beauty, and admirable endowment; but that his mother, and the then minister, and, indeed, all other princes so much desired peace between the two crowns of France and Spain, that he was diverted from his former design, and induced to make a treaty of marriage and alliance with Spain, which obliged him to desert Portugal at present, and neither to receive any embassador from thence, nor to send any there; but that Portugal was well assured of the continuance of his affection, and that he would find some opportunity by one way or other to preserve it: that the king of France foresaw that his Britannic majesty might not be provided so soon after his return, in regard of his other great expenses, to disburse such a sum as the sending of vigorous and necessary assistance to Portugal would require; but that he himself would take care of that, and for the present cause to be paid to his Britannic majesty three hundred pistoles which would defray the charge of that summer's expedition, and that for the future, provision should be made proportionate to the urgency of farther wants: that the king of France was therefore strongly of opinion, that his Britannic majesty could not bestow himself better in marriage than with the infanta of Portugal."

The second part of the message was, " that there were now in France ambassadors from the states of the United Provinces, and the like in England, to renew their alliances with both crowns, which they hoped to do upon the same terms they had been used to obtain, beneficial to themselves, and disadvantageous to others: that those people were grown too proud and insolent towards all their neighbours, and treated kings as if they were their equals: that France had been ill used by them, and was sensible of it; and that the king of England had experienced but very little of their civility: that his Christian majesty therefore proposed, that both kings would act in such concert as to reduce that people to behave with good manners and that the one king should promise not to conclude any thing without communicating it to the other, so that both treaties with the states might be con- eluded together."

The third point, which Bastide touched upon in the delivery of his message, was, "that the particulars already explained, and whatever should in future pass between the French minister and the chancellor, might be retained with wonderful secrecy; which it would not be, if it were communicated to the queen-mother, or the earl of St. Alban's, who were at that time in France:

that his Christian majesty therefore desired, that neither of them should know any thing of this business, or of the proposed correspondence,"

The Offers of That Court Readily Acceded To

All the proposals contained in this message were grateful to the king. It favoured his resentment and prejudices against the Dutch; and it strengthened his determination to marry the infanta and to assist Portugal, which he could now do without any expense to himself. He was also very desirous of a close connection with France, and was highly flattered by that court's making the first overtures.

He told Baftide, "that, upon the encouragement and promise of the French king, of the performance whereof he could make no doubt, he would proceed in the treaty with Portugal, and give that kingdom the best assistance he could, without beginning a war with Spain; that he would also, comply with what his Christian majesty desired respecting the treaty with Holland, and send him from time to time an account how it should advance; and that he would not conclude any thing without his Christian majesty's privity."

Thus the first objects of this secret negotiation were settled to the satisfaction of all the parties concerned: Bastille was delighted to find his message so cordially received: the king was not less pleased, for the reasons before assigned; and the chancellor regarded the whole as a providential event to secure the completion of the treaty with Portugal, to save his own character, to increase the importance of his services, and enable him to defy the intrigues of the earl of Bristol, or of the queen-mother's formidable party.

But in these hopes he was miserably disappointed. The managing of this private correspondence with France betrayed him into a weak compliance with many of the king's pernicious measures, the whole blame of which was thrown, though very unjustly, upon the chancellor[7]. His enemies did not scruple even to assert, that he had been bribed by France; but this was so far from being true, that at the time of receiving the above message from that court, he gave a strong proof of his disinterested, and incorruptible integrity: he rejected with indignation a present of ten thousand pounds sent him in a very artful and delicate manner by the French minister, as an earnest of the like sum every year, or of more, if necessary, to defeat the efforts of faction, and to make himself friends by acts of generosity and bounty.

Formalities Observed Previous to The Conclusion of The Treaty with Portugal

The king having now made up his mind respecting the treaty with Portugal, sent for the embassador, and after conversing with him very fully upon the subject, and receiving his letters, he referred him to the lords with whom he had formerly conferred, to give them an account how all particulars were adjusted in Portugal. This the embassador did in the following manner:

"For the portion,"he said, the queen regent having resolved not to dispose of any of the money that was provided for the war with Spain, had sold her own jewels and much of her plate, and had borrowed both plate and jewels from the churches and monasteries; by which means she had the whole portion ready, which was all sealed up in bags, and deposited where nobody could take it to apply to any other use.

"As to the delivery of Tangier,"he informed the lords, "that the old governor, in whom the queen could not confide, was removed, and another sent to take that charge, who was a creature of the queen's and was so far trusted, that he knew for what end he was sent thither, and chearfully undertook to perform it: that the fleet, to be sent by his majesty for the infanta, should first go to Tangier, and take possession thereof; and that the infanta should not embark till after the

delivery of that place into his majesty's hands, and till all the money promised should be put on board:

"And, with respect to Bombay, that the like steps should be taken to secure to his majesty the possession of that island: that the present viceroy of Brazil, to the government of which Bombay is annexed, should be forthwith recalled, and another, of whom the queen had all assurance, sent to that high charge; and should go thither in his majesty's fleet, and deliver the island to the person whom his majesty should appoint for that purpose."

The embassador added, "that there would another security, greater than any of the rest, and such a one as had never been given before in such a case : that the infanta should be put on board the fleet and conveyed to England, before she was married; which was such a trust as had never been reposed in any prince, nor offered to any other but his majesty, who, if he would break his word, might put an everlasting reproach upon their nation."

The cause of the last extraordinary proposal was truly this: the power of Spain was so great in the court of Rome, that, notwithstanding the interpolation of France, and a menace thrown out by her embassador, that Portugal should chuse a patriarch and have no longer dependence on the pope, yet neither Urban, in whole pontificate Portugal severed itself from Spain, nor Innocent, nor Alexander would acknowledge the duke of Braganza title as king, nor receive an embassador, or other minister from him.

Hence the court of Lisbon foresaw, that, if they should in what manner soever demand a dispensations at Rome (without which the marriage could not be celebrated in Portugal) the interest of Spain would cause it to be denied, or granted in the most exceptionable manner, by mentioning the infanta only as the, daughter and sister of the duke of Braganza, Before Portugal, therefore, would receive that affront, the most jealous and most apprehensive nation in the world chose rather to send the daughter of the kingdom to England, upon his majesty's promise of marriage, and not to require her being married till the should come hither.

The king declared himself perfectly satisfied in all the particulars; and the lords, of course, made no exceptions, His majesty then ordered a report of the whole proceedings to be made to a full meeting of his privy council, whose free sentiments he affected to consult, saying "that he had not yet so firmly resolved on the marriage, but that he might change his mind, if he heard reasons to move him."

The members, being all prepared, seemed to agree in one opinion; and recommended to his majesty the speedy conclusion of so advantageous a treaty. The king answered "that he looked upon their unanimous concurrence as a good omen; and that he would follow their advice[8]."

These were all the transactions of any moment that took place at court, between the dissolution of the parliament in December and the assembling of the other in the May following.

Notes to Chapter 5

1. Caen wood, the present residence of the earl of Mansfield, was the spot to which those enthusiasts retired, not so much for security, as to prepare themselves by fasting and prayer for the supernatural exploits, which they hoped to perform.

2. Upon this occasion, chancellor Hyde was created earl of Clarendon; Arthur lord Capel, earl of Essex; Thomas lord Brudenell, earl of Cardigan; Sir Charles Howard, earl of Carlise; Sir John Grenville, earl of Bath; Sir Arthur Annesley, earl of Anglesey; Sir Anthony Ashley Cooper, lord

Ashley of Wimbourne; Sir George Booth, lord de la Mere; Sir Horatio Townsend, lord Townsend; Frederic Cornwallis, lord Cornwallis; John Crew, Baron Crew; and Denzil Holles, lord Holles.

3. But the Oliverians accounted for the omission of the expected funeral in a very different, and a very curious manner. They affected, that Cromwell, to guard against any insult to which the change of times might expose him, had ordered his body to be secretly interred in the field of Naseby, and the body of the late king to be removed with equal secrecy from Windsor and then put into the vault, where, according to public appearance, Cromwell's own corpse was deposited. Hence, they said, it necessarily followed, that when the parliament meant to treat Cromwell's remains with ignominy, it was the king's corpse that was hanged at Tyburn, and could not of course be found in its former place of interment at Windsor. The propagators of this story seemed to forget that Charles was beheaded. How then could his corpse be mistaken for Cromwell's, and hanged at Tyburn?—But party zeal, like superstitious credulity, will make men believe the grossest absurdities.

4. At the time, however, of accepting the above present, and in consequence of the very magnificent reception he met with from the Dutch, during his short stay among them, in his way from Breda, he declared himself to be so much obliged, that be did not believe he could find more tenderness and affection in the hearts of his own subjects than he had found in the inhabitants of the States of Holland; and in acknowledgment of the grateful sentiment, which he entertained of their extraordinary generosity he told Mr. de Witt, the pensionary of Holland, “that the states might rest assured he would always be constant in his friendship to them, and would have their interest as much at heart as his own."

5 This happened in 1654, about a year aster Cromwell had seized the supreme power. The Portuguese embassador's brother had some quarrel with a Mr. Gerard, and fired by that spirit of deadly revenge, for which his countrymen have been often reproached, he went with a large party to the Royal Exchange, where, in the blindness of his passion, he killed another gentleman by mistake for Gerard, and fled with his accomplices to his brother's. The mob, who could not suppose that the house even of an embassador ought to be made an inviolable asylum for murderers, crowded round it, threatening fire and devastation, if the assassins were not given up. The embassador sent to demand an audience of the protector, urging the danger of his situation, and claiming the immediate interference of government. Cromwell returned this peremptory message, "that the criminals must be surrendered to the law, or that he could not answer for the violence of a justly enraged populace." Upon this the murderers were given up. The only. favour, which the ambassador's brother met with, on account of his rank or privileges, was to be executed in the Tower, when his accomplices were hanged at Tyburn.

6. It is no wonder that the earl retained this influence, as he was one of the few, who were privy to the king's abjuration of the protestant religion. The possession of such a secret was the main-spring of the earl's power, interest, and security.

7. Is we admit the fiction in law, "that kings can do me wrong," which seems to throw all responsibility upon their ministers, Clarendon was not unjustly, as is here pretended, but necessarily blamed for those secret intrigues with France, in the carrying on of which he was for some years Charles's principal agent.

8. Here we see the farce of pretended deliberations in privy councils laid open. Every thing is first fettled behind the curtain, and mere forms alone are left to the ostensible agents. Poor Clarendon fell the victim of his weak acquiescence: the late earl of Chatham's superior virtue and spirit guarded him probably from the like insults and the like disgrace.

The Secret History
Of The
Court And Reign
Of
CHARLES THE SECOND
Chapter VI

Complexion of the new parliament – Substance of the King's speech – Alarm given by the Chancellor address from both houses – The eradication of anti-monarchy principles – Grants to the Crown – Tardiness of the Commons in confirming the Act of Indemnity – Vote for restoring the bishops to their seats in Parliament – Intrigued to obstruct this bill in the house of lords – adjournment – Proceedings of the convocation – Spies encouraged – The Kings apology for an unusual visit to Parliament at its re-meeting – Order to disbanded soldiers, and vote for fresh supplies – Corporation act – Additions made to the liturgy – Numberless claims, and petitions from the royalists - The Commons sent for to the banqueting house – Act of Uniformity – The dissenters ensnared by the promise of a dispensation – Militia and review bills – Restraints on the right of petitioning, and of the liberty of the press – Parliament prorogued – Embassy to bring the infanta to England – Her arrival and marriage – New intrigues that called in favour of Barbara Villiers – The Kings son by Lucy Walton brought over from France – Effects of Charles fondness for him – Circumstantial account of the sale of Dunkirk – Dread of plots and insurrections kept up – Scheme to obtain a complete toleration of Popery.

Complexion of The New Parliament

HE effects of the hint given by the Chancellor at the dissolution of the late Parliament[1], and of the powerful exertions used by the court party in the interval, were manifested in the temper and constitution of the new house of Commons, which met on eighth of May, the very day twelve month that is Majesty had been proclaimed year before.

Few remembers were returned, who had not given proofs of their zeal for the Royal cause, and of their affection for the old establishments in both church and state. The tide of popularity ran so strongly against the independence and fanatics, that scarcely any of them had the least chance of carrying an election.

Even the Presbyterians, before so powerful, seemed in most places to have shrunk from an useless contest, so that a very small number of were chosen upon that interest.

The King now hoped to be relieved from troubled by finding an easy compliance with all his wishes; and the Duke of York exalted at the prospect of assured success in the prosecution of his more secret, and more pernicious designs.

Substance of The King's Speech

His majesty, having gone to the house of lords[3], sent for the commons, and told them, "that he had deferred calling them together for a week, that they might meet upon that day, for the memory of the former day, on which he was proclaimed." He added some gracious expressions of his confidence in them, observing, " that the greater part of the members, who composed that assembly, were personally known to him, and that there were very few, of whom he had not heard much good."

After this introduction, and and same remarks on his own affection for parliaments[4], he told them, " that they would find what method he thought best for their proceeding, by two bills which he had caused to be provided for them, which were for confirmation of all that had been enacted in the last meeting." He now repeated what he had. said when last there, "that next to the miraculous blessing of God Almighty, and indeed as an immediate effect of that blessing, he did impute the good disposition and security they were all in to the happy act of indemnity and oblivion: that was the principal cornerstone, which supported the whole building, and created kindness in them to each other; and confidence was their joint and common security."

But though his Majesty declared himself still of the same opinion, and more so, he said, "if it were possible, from the experience he had of the benefit of that act, and from the unreasonableness of what some men said against it; yet he desired parliament to provide full remedies for **FUTURE** mischief; to be as severe as they would against NEW offenders, especially if they were so upon **OLD PRINCIPLES**; and to **PULL UP THOSE PRINCIPLES BY THE ROOTS**."

When his majesty had spoken all that he intended on those subjects, he told both houses, that he could not conclude without imparting to them some news, which he believed, would be very acceptable; and therefore he should think himself unkind and ill-natured, if he did not mention it.

"He had," he said, "been often put in mind by his friends that it was high time to marry, and he had thought so himself ever since he came into England; but there appeared difficulties enough in the choice, though many overtures had been made to him; and, if he should never marry till he could make such a choice, against which there could be no foresight of any inconvenience that might ensue, they would live to see him an old bachelor, which he thought they did not desire to do: he would now tell them, not only that he was resolved to marry, but whom he resolved to marry, if it pleased God; it was the daughter of Portugal: he had not formed this resolution without using such deliberation, and taking such advice as he ought to do in a case of that importance; nor, without fully considering the good of his subjects as well as of himself."

He then informed them of the debate on this proposed match in full council, not above one member being absent, and of the chearful and unanimous approbation of all the rest, "which," he said, "he regarded as very wonderful, and even as some instance of the approbation of God himself; and that he thereupon had concluded with the ambassador of Portugal, who was departing with the whole treaty signed, which they would find to contain many great advantages to the kingdom, and that he would make all the haste he could to fetch them a queen hither, who, he doubted not, would bring great blessings with her to kiss and to them."

Some points, which the king could not delicately touch upon, were, as usual, left to be noticed by the chancellor. Those were the insufficiency of the supplies for the payment of the army and navy, the seditious spirit of certain preachers, and the danger to which his majesty's person and the kingdom were exposed by conspiracies and insurrections[6].

The commons gave the first instance of their readiness to oblige the court in chussing for their speaker Sir Edward Turner, solicitor to the duke of York; and next day both houses sent to the king to request that he would appoint a time for admitting them to his presence, which when he had done, they went in a body, and presented an address to his majesty for having vouchsafed to acquaint them with his resolution to marry, "which had exceedingly rejoiced their hearts, and would, they doubted not, draw God's blessing upon him and the kingdom."

As soon as this ceremony, and some other matters of form, which usually attend the beginning n of a new parliament, were settled, it cannot be expressed, hardly imagined, with what alacrity both houses entered upon all affairs which they thought could gratify the king, or promote in any sort his honour, security, or profit.

They were particularly attentive to the several objects recommended to their notice in the king's and the chancellor's speeches[7], except the Act of Indemnity, which they were unwilling to confirm without some new clauses, for reasons that will be hereafter explained. The commons voted, that all their members should receive the sacrament, according to the prescribed liturgy, before a certain day, under penalty of explosion. This was intended as a test of their religious sincerity. The two houses then proceeded, to pull up by the roots, as the king desired, all principles of resistance to his authority.

They first ordered the solemn League and Covenant to be taken out of all the courts and places where it was recorded, and to be burnt by the common hangman[8]; and in three days after, they passed the like order for burning all the other acts, ordinances, or engagements, which had been dictated by a republican spirit during the late times[9].

They declared the distinction formerly made between the king's person and his office to be treason; that his negative voice could not be taken from him; and that his assent was so essential to the making of a law, that no order, or ordinance of either house could be binding to the subject without it. They made it felony to affirm that the king was a papist, or popishly affected; or to raise any calumnies of that kind for the purpose of alienating the affections of his subjects.

They confirmed to his majesty the sole and supreme power, and disposition of the militia, and of any forces by sea and land, declaring this to be a right inseparably vested in the crown. In short, they vindicated all his regalities and prerogatives; and were thought by many sober men to have gone too far in their resentment, or eradication of anti-monarchical principles, and to have paid too little regard to the rights and freedom of the subject, in their, intemperate zeal for the security. of the king's person and government.[10].

Grants to The Crown

The parliament was not less careful to provide for his majesty's wants; and shewed the greatest willingness to attend to any new expedients that could be proposed for raising and settling a revenue proportionable to the king's dignity and expenses, besides confirming all that had been granted in the last convention.

The hints given by the chancellor on former deficiencies, and on the king's intended visit to Worcester were not without effect. An act was passed for collecting the arrears of the excise, and other imposts. His majesty was also empowered to receive from his subjects a free and voluntary contribution for his present occasions and another bill was readily carried through both

houses for providing him with necessary carriages in all his progresses and removals. There is no doubt but if proper and adequate funds, could at this time have been thought of, or fixed upon, the commons would have chearfully assented to any motion for assigning to his majesty a full. And permanent income.

Tardiness of The Commons in Confirming the Act of Indemnity

The Act of Indemnity was the only thing recommended by his majesty, to the confirming of which, without some material changes, the parliament shewed very great aversion. The royal party, which was by far the most numerous, there being but very few of any other description in the house, thought that both the king and the late convention had been too liberal in that act; and that what was released by it might lawfully be distributed amongst themselves.

A great deal of intrigue was parried on at court for this purpose; and it was urged, that since the king had referred that whole affair to the parliament, he might as well leave it to their judgments, without his own interposition. But the king himself, and the majority of those who had most influence with him, were very much troubled and offended at these intimations.

The unwillingness also of parliament to pass that act had spread much alarm among a confineable body of the people, and had caused a petition to be presented to his majesty on the subject. He therefore sent very pressing menages to both houses to dispatch that bill, adding, that however necessary other bills might be even for his own private concerns, he could not think of passing them till the Act of Indemnity was likewise ready for his assent. At length, on the eighth of July, and within three weeks of the intended adjournment, his majesty's earnestness prevailed, and the act was fully confirmed[11].

Vote for Restoring The Bishops to Their Seats in Parliament

After this matter was settled, no delay took place in preparing all the other bills for the royal assent; and there cannot be a greater proof of the desire of the commons to please the king, than their agreeing not only readily, but almost unanimously to a motion for the repeal of that act, by which the bishops were excluded from a seat in parliament; notwithstanding the clergy had brought so much scandal and prejudice upon themselves and the church by such conduct as I have before described.

But when this bill came into the house of peers; where every body thought it would find a general concurrence, it met with some obstruction from a quarter that was least suspected, and led to the discovery of a very extraordinary intrigue.

Intrigue to Obstruct This Bill in The House of Lords

The earl of Bristol, checked in the career of his Italian embassy, had been for some time come back, and was glad of a fresh occasion for the exercise of his mercurial brain. He was well acquainted with the king's sentiments towards the Roman Catholics, who had not sustained the least prejudice by their religion since his majesty's return, but enjoyed as much liberty at court and in the country as any, other men.

He knew that the king desired to give them ease from all the sanguinary and penal laws, to which they were subject; and a committee of the lords had been appointed to review those laws, and to make thereupon a report to the house for their farther confederation. When the earl, therefore, saw the bill for restoring the bishops to their seats brought into the house, he went to the king, and informed his majesty, "that, if this bill should speedily pass, it would absolutely deprive the catholics of all those graces and indulgence which he intended to them; for that the bishops, when they should sit in the house, whatever their opinions or inclinations were, would find

themselves obliged, for the sake of preserving their own reputation with the people, to contradict and oppose whatsoever should look like favour or connivance towards the catholics."

He added, "that if his majesty therefore continued his former gracious inclination towards the catholics, he must put some stop, even for the bishops' own sakes, to the passing of that bill, till the other for the relief of the catholics should be more advanced, which he supposed might shortly be done, as some progress had been already made in it by the committee."

The king thought the earl's reasons for the delay to have some weight in them; and thereupon was willing that the bill for restoring the bishops to their feats should not be brought up, but detained for some time, when under commitment. In order the better to produce this delay, he permitted the earl to tell some of his friends, "that there need not be over much haste in presenting that bill for his royal assent."

It was quickly noticed in the house, that after the first reading of that bill, it had been put off for a second reading longer than usual, when the house was at so much leisure; and that now it was under commitment, it was obstructed there, notwithstanding all the endeavours some lords of the committee could use for dispatch, the bill itself containing very few words, being only for the repeal of a former act and the expressions giving little cause for any debate.

The chancellor, upon inquiry, being informed by one of the lords of the committee, that the delay was by the king's define, immediately waited upon his majesty, who told him all the conference which the earl of Bristol had held with him, and what he had contented should be done. To this the chancellor replied, "that he was sorry his majesty had been prevailed with to give any obstruction to the bill; and that if the reason were known, it would quickly put an end to all the pretences of the Roman Catholics, by inflaming the prejudices and animosity of the nation against them."

The king was convinced of his error; and no farther obstacle was thrown in the way of the bill, during its quick progress through all the remaining stages[12].

Adjournment

In a few days after the king came to the parliament to give his assent to those bills which were prepared for him, and then addressing himself to both houses he thanked them for such instances of their zeal, and particularly for the bill respecting the militia, and for the repeal of that act, which excluded the bishops from sitting in parliament.

"It was," he said, "an unhappy act in an unhappy time, passed with many unhappy circumstances, and attended with miserable events; and therefore he did again thank them for repealing it, and thereby restoring parliaments to the primitive instruction." This was upon the thirtieth of July 1661, when the parliament was adjourned to the twentieth of November following[13].

Upon the conclusion of the treaty with Portugal, and after its being approved by parliament, vice-admiral Montague, who soon after the king's restoration had been created earl of Sandwich, was appointed embassador extraordinary to the court of Lisbon, and sent thither with a fleet to receive the infanta, and to conduct her to England.

I shall in a more convenient place mention some very unexpected circumstances attending his voyage and embassy; and shall then also explain the cause of a deficiency in the queen's portion, contrary to the positive promises given by the Portuguese embassador.

During the session of parliament, the clergy met in convocation, according to the king's summons, to deliberate on the affairs of the church, particularly on certain alterations to be made in the liturgy, and on the most advisable method of composing religious differences.

Proceedings of The Convocation

But as their assembly broke up with the parliament, they had not time, nor indeed, were they much inclined to come to any decision or settlement in those matters. The chief result of their debates was to testify their gratitude and attachment to the king by the vote of a free gift for the supply of his exigencies[14].

Spies Encouraged

They then adjourned till the end of November; and during the recess, the bishops were to revile the book of common prayer, and to prepare such alterations and additions as the present time, and part miscarriages might seem to require, in the mean time the duke of York's favourite plan was pursued to keep alive the alarm of plots and conspiracies, and thereby to furnish new pretences for persecution and rigour.

Spies, the worst agents of government, and who were too much encouraged ever since the restoration, crowded round the court; and were sure to invent, is they could not discover, what they knew would gratify the wishes, and answer the purposes of their employers. Packets of treasonable letters were intercepted, and other information every day laid before the privy council[15], all stated with sufficient plausibility to frighten the timid, or impose upon the credulous; but the dispassionate and unprejudiced saw very, clearly the fatal source, whence all those counsels and contrivances originated.

The King’s Apology for an Unusual Visit to Parliament at its Re-Meeting

The parliament met again at the time appointed with the same zeal and affection to serve and please his majesty; and the king himself came to them the same day they met, and told them, "that he knew that visit was not of course: yet if there were no more in it, it would not be strange that he came to see, what he and they had so long desired to see, the lords spiritual and temporal and the commons of England met together, to consult for the peace and safety of the church and fate; by which parliaments were restored to their primitive lustre and integrity.

He therefore heartily congratulated with them for that day; but he had also come thither upon another occasion, which was to say somewhat to them on his own behalf—to ask somewhat of them for himself, which was more than he had done of them, or of those who met before them, since his coming into England[16]; adding, "that if the uneasy condition he was in—if the streights, and necessities he was to struggle with, did not manifestly relate to the public peace and safety, he would not have troubled them on that day, as he could bear the necessities which merely related to himself with patience enough."

After this apology for so unusual a mode of requesting immediate supplies, his majesty said, that he did not importune them to make more haste in settling the constant revenue of the crown, than was agreeable to the method they had proposed to, themselves; nor to consider the insupportable weight that lay upon it, and the obligations it lay under to provide for the interest, honour, and security of the nation, in another proportion than in any former times it had been obliged to: he well knew that they had very affectionately and worthily taken all that into their hearts, and would proceed in it with expedition.

But he came to put them in mind of some crying debts, which every day called upon him; of some necessary provisions which were to be made without delay for the very safety of the kingdom; of the great sum of money that should be ready to discharge the several fleets when they came home; and for the necessary preparations that were to be made for the setting out new fleets to sea against the next spring: these were the pressing occasions which he was forced to recommend to them with all possible earnestness, and which he conjured them to provide for,

as speedily as possible, and in such a manner as might give them security at home, and some reputation abroad."

As he knew the reports which had gone abroad of his profusion, he thought it equally politic and safe, in this part of his speech, to make parliament a seemingly frank offer to have his revenue and expenses inspected, to prove the reality of his wants, to shew that they did not arise from the corruption of his officers, or his own un-thriftiness, and to discredit what he called "the loose discourses of his giving away eighty thousand pounds in a morning."

His majesty then touched upon two other points, which had been usually left to the chancellor, but which, it was thought, would have greater effect, if they came from the king himself, at this unexpected visit to his parliament. He told them, "that he was very sorry to find, that the general temper and affections of the nation were not so well composed as he hoped they would have been, after such signal blessings from God Almighty upon them all, and after so great indulgence and condescension from him towards all their interests.

But as there were still many wicked instruments as active as ever, who laboured night and day to disturb the public peace, and to make all people jealous of each other; it would be worth their care and vigilance to provide proper remedies for the diseases of that kind; and, if they should find new diseases, they must study new remedies.

For those difficulties, which concerned matters in religion, he confessed that they were too hard for him; and therefore he recommended them to the care and discretion of parliament, who could best provide for them." This had been suggested to the king as the only means of avoiding, on his own part, a direct breach of his repeated promises of indulgence to the dissenters; as the matter would now be wholly referred to parliament, the result of whole deliberations in this respect he might afterwards say he was bound to enforce with as much strictness as any other law of the kingdom.

Order to Disbanded Soldiers, and Vote of Fresh Supplies

The two houses were abundantly pleased with all that his majesty had laid to them; and immediately betook themselves to the consideration of those particulars which he had principally recommended. The turbulent spirit of the times, the supposed proofs of a plot, and the packets of treasonable letters, of which I have before spoken, were mentioned by some of the members in very alarming language; and gave rise to a petition to his majesty, in which both houses concurred, to order by proclamation all the disbanded officers and soldiers to depart twenty miles from London.

The commons gave some farther proofs of their concern for the safety of the state[17]; and they also, voted a very liberal supply for his majesty's, present occasions[18]

Soon after, in consequence of a message from the king, containing new information of seditious designs[19], a committee of twelve members from each house was appointed, and ordered to sit together during the Christmas holidays, to enquire into those horrible plots, to prevent their execution, and to secure the peace of the kingdom[20]. It having been moreover strongly represented, that offices of the greatest power and trust in cities, boroughs, and the like places, were still filled by persons disaffected to the present government, an act was passed for the well regulating and governing corporations, and for expelling from such offices all persons, who would not give the most solemn test of their abhorrence of certain dangerous doctrines, and of their allegiance and submission to the king's authority both in church and state[21]. After this, and the bill for the supply of the king's present occasions received the royal assent, the parliament adjourned till the tenth of January[22].

However ready" both houses were to engage in any business recommended to their care and deli-

beration by the king, they could take no steps before the holidays towards the settlement of religion.

Additions Made to The Liturgy

The revisal of the book of common prayer was not yet finished in the convocation; and the parliament could do nothing till the clergy themselves had established some standard of uniformity. Upon this the bishops were not agreed: some thought it best to restore and confirm the old liturgy without any alterations, or additions: a few of the more moderate were inclined to make such changes in unimportant words and ceremonies as might quiet and remove the doubts and scruples of many conscientious men.

But much the greater number, both of the prelates and the other members of convocation thought that the victory and triumph of the church would be with the more lustre, if somewhat were inserted that might be understood to reflect upon the rude and rebellious behaviour of the late times.

This idea was unhappily carried too far: the alterations made in favour of tender consciences were trifling, or unsatisfactory and the additions were of a nature to increase the enmity, and heighten the clamour of those, whom it would have been more agreeable to good policy, as well as to Christian charity to endeavour to reconcile[23].

Numberless Claims and Petitions From The Roylists

As the clergy spent a great deal of time in debating upon and adjusting those new articles, the house of commons expressed much impatience that the liturgy was so long in preparation, and that parliament was thereby prevented from passing an act of uniformity. They seemed even unwilling to attend to any other concerns of the state, before the settlement of religion should be first determined upon.

The course of public business was also very much impeded and interrupted by the numberless claims and petitions from the adherents to the royal cause, who pretended that the violence of the late times had often forced them to make unthrifty sales and conveyances of their estates; but that they now hoped for relief, and for the repossession if their lands, from the equity of parliament, which could set aside and invalidate any formalities of law that may have accompanied such transactions.

Some of these pretences were, indeed, well founded, where actual oppression had been used; or where estates had been seized by the stronger party, and afterwards held upon the right of possession, merely because the title-deeds of the true owners had been burnt with their houses or so unwarily buried under ground, that the writings were taken up defaced or rotted in such a manner that they could not be pleaded in any court of justice.

In such cases, I say, redress was due to the sufferers, and parliament very property interfered: but the example and precedent of these few drew with them a world of the most justifiable applications, too many of which were admitted through excessive kindness for the king's party; and too many breaches made not only in the act of oblivion, but in other laws designed to regulate and secure the transfer of property.

The Commons Sent for to The Banqueting House

The vast number of those private bills diverted the attention of the commons from other Matters which the king had more at heart, as more immediately relating to himself. For though they had made, as they thought, a very liberal provision for his immediate wants; yet they had done nothing towards the complete establishment of his revenue. He therefore sent for the Speaker and the

house of commons to attend him at Whitehall, where he addressed them in a style, that seemed to have more of expostulation and reprehension than they had been accustomed to. He began, however, with some flattering compliments on their affection, duty, and zeal for the welfare of their king and country: he said, "he knew most of their persons and names; and he could never hope to find better men in their places: “Yet,", he added, "he could not but lament and even complain, that he and they and the kingdom were still without that present fruit and advantage, which they might reasonably promise themselves from such unity in resolution to advance the public service:—

He knew not how it happened; but for many weeks past, even since their last adjournment, private and particular business had almost thrust the consideration of the public out of doors; and he did not know that they were nearer settling his revenue, than they had been at Christmas.—He had communicated his condition to them without reserve; and he was sure, if they considered the matter well, they would find that they were the richer by what they gave, since it was all to be laid out, that they might enjoy the rest in peace and security."

After this intermixture of compliment and rebuke, his majesty said, "he need not put them in mind of the miserable effects that had attended the wants and necessities of the crown: he needed not to tell them, that there was a republican party still in the kingdom, which had the courage to promise themselves another revolution: he thought he had as. little need to tell them, that the only way, with God's blessing, to disappoint those hopes, was to let such men see, that parliament had so provided for the crown, that it had wherewithal to support itself, and to secure his people which, he was sure, was all he desired, and desired only for their preservation.

He therefore conjured them by, all the professions of affection which they had made to him, by all the kindness which he knew they had for him, that they would, after all their deliberation, betake themselves to some speedy resolutions and settle such a real and substantial revenue upon him, as might hold some proportion with the necessary expenses he was at, for the peace, benefit, and honour of the kingdom.

Towards the close of this speech; his majesty mentioned his earnest endeavours to hasten the revisal of the liturgy, which he said was at length finished; and that on its being presented to him by the convocation, he had immediately transmitted it to the house of peers with his approbation, that the Act of Uniformity might relate to it.

He concluded with assuring them, "that he promised himself great fruits from this conversation; and that they would justify the confidence he had in their affections, by letting the world see, that they took his concern to heart and were ready to do whatsoever he desired for the peace and welfare of the kingdom."

Act of Uniformity

When the book of common prayer, as altered, by the convocation, and confirmed by his majesty under the great Seal of England, was presented to the house of lords by the two archbishops, it was submitted to with very little contest. But the new Act of Uniformity gave rise to much debate in both houses.

The lords where it began, inserted two very material clauses, not contained in the old act made in queen Elizabeth's reign, and which were not carried without some violent opposition. By the one, no person was to be admitted to have any cure of souls, or any ecclesiastical dignity in the church of England, unless he had been, or should be ordained by a bishop[24].

To this an exception was added in favour of ministers and pastors of the French arid Dutch churches in. London and other places allowed by the king, who were permitted to enjoy their former privileges. By the other clause, a form of subscription and a solemn declaration of

unfeigned assent and consent to all and every thing contained and prescribed in and by the book of common prayer were indispensably required from every man before he received any benefice or preferment in the church, which comprehended all the governors, superiors, and fellows in the colleges and halls in either university, and all school-masters, and the like who are subservient towards learning.

But when the bill had passed the house of lords, and was sent of course to the commons, there was a third clause added, still more exceptionable than either of the former. This was another subscription and declaration, which every one was to make before his being admitted into any benefice of ecclesiastical promotion, or to be a governor or fellow in either of the universities.

He must first declare, "that it is not lawful, upon any pretence whatsoever, to take arms against the king; and that he doth abhor that traitorous position of taking arms by his authority against his person, or against those that are commissioned by him: that he will conform to the liturgy of the church of England, as it is by law now established: that he doth hold, that there lies no obligation upon him, or any other person, from the oath commonly called the solemn league and covenant, to endeavour any change or alteration of government either in church or state: and that the same was in itself an unlawful oath, and imposed upon the subjects of this realm against the known laws, and liberties of the kingdom."

The framing of this last clause, with some additions that need not be mentioned, because they were afterwards left out, took up much time in the lower house; and being sent back to the lords excited still longer debates, and a more violent opposition. The fear, indeed, of incurring the least suspicion of disloyalty made many lords suppress the arguments that obviously lay against the unqualified extent to which the doctrine of non-resistance was carried.

They confined their objections chiefly to the pernicious tendency of such a clause to widen the breach between parties, to revive, the dying spirit of animosity and faction, and to irritate and open afresh, instead of closing up the wounds already made. But an indiscreet zeal for the church and king prevailed; some amendments were made in other clauses; and the bill was returned to the commons, upon whose concurrence it was left for the royal assent, which his majesty soon after gave with much heart-felt pleasure[25]

By this Act of Uniformity there was an end put to all the indulgence granted from the time of his majesty's return ; and by his declaration, which he issued afterwards, the common prayer was to be constantly read in all churches, and no other admitted; and what clergyman soever did not fully conform to every thing contained in that book, or enjoined by the act, before Bartholomew day, (which was about three months after the publication of the act) he was *ipfo facto* deprived of his benefice, or of any other spiritual promotion; and the patron was to present another in his place, as if he were dead.

The Dissenters Insnared by The Promise of a Dispensation

As I with to continue my account of this act till its execution, I shall here observe, that in the intermediate time, the king promised several of the Presbyterian clergy, that the act should not be rigorously enforced at the appointed day, but that he would take care to have it dispensed with for three months longer, that they might have more leisure to confider of the necessity of conforming to it.

As this promise was not performed, it brought fresh scandal on the king's disregard for his word; and it was even insinuated, that the promise had been purposely made to betray the dissenting clergy to the loss of their livings, by keeping them irresolute and unprepared till the moment' when they were all expelled to a man[26].

The latter insinuation, however, could not be strictly true; for his

majesty informed them before the day, that unanswerable reasons had been given him, why he neither could, nor ought to fulfil so rash a promise[27].

Militia and Revenue Bills

In the midst of the debates, which the Act of Uniformity, and an almost constant succession of private bills gave rise to, the commons did not forget his majesty's address to them at Whitehall; nor did they leave any thing undone, which they thought he could want or define for the support of his dignity and the establishment of his power.

They confirmed in a new act their former declaration respecting the militia, and prescribed such an oath as has been repeatedly mentioned, on the un-lawfulness of taking up arms against the king, to all lord lieutenants, deputy-lieutenants, officers, and soldiers[28].

They examined the precedents of former reigns, and carried the authority of the crown to as great a height as it had been at, upon the head of any sovereign who had ever ruled in this nation. They also settled upon his majesty a constant revenue, which according to the estimate then made, would amount to the yearly value of twelve hundred thousand pounds, a proportion double to what it was in the reign of queen Elizabeth, and it may be of any preceding king; and they declared, that if it did not amount to that full value, they would supply it at another meeting[29].

After these proofs of their loyalty and affection, upon notice of the infanta's being upon the coast, and next of her arrival at Portsmouth, the king appointed the Houses to present all their bills to him on the nineteenth of May for his royal assent.

Parliament Prorogued

When his majesty came to the parliament, and gave his assent to those bills[30], he said, "that he thought there had been very few sessions, in which there had been so many bills, as he passed that day; he was confident never so many private bills; which he hoped they would not draw into example." He then acknowledged their having so much obliged him, not only in the matter of the bills which concerned his own revenue, but in the manner of passing them with so great affection and kindness, that he knew not how to thank them enough.

He also took notice of the extravagance which prevailed in all ranks: he hoped it had only been the effect of joy, after so long sufferings; but warned his people, that the continuance of such excesses would corrupt their natures: he confessed that he had been very faulty himself; and promised in future to set the example of good husbandry.

He said many other good things that pleased every body at the moment; but which were too soon disregarded, or rather seemed totally forgotten both by him and his hearers. The chancellor then, by the king's command, enlarged on the present exigencies of the state, and on the necessity of those liberal supplies, which parliament had granted. This was deigned to silence any murmurs that might be raised at such an unprecedented addition to the revenue of the crown[31].

After the chancellor had done speaking on this subject, the parliament was prorogued to the eighteenth of February following.

Embassy to Bring The Infanta to England

Before I make any remarks on the queen's reception, and the new intrigues it gave rise to at court, it may be proper to take some notice of a few remarkable circumstances attending the voyage and embassy of the earl of Sandwich, who had been sent to bring her to England. His orders were first to go to Tangier[32] which, according to the treaty, was to be delivered to him before

he went to Lisbon; and delivered to him it was, though by an accident that might have caused it to be put into other hands.

There was never the least doubt but that the queen regent did resolve religiously to perform all the conditions on the part of Portugal: and she was still at the head of the government. But the king growing towards his majority, and of a nature not likely to comply long with his mother's advice, factions began like-wise to grow in that court.

The delivery of Tangier, and into the hands of heretics, was much murmured at, as likely to increased the prejudices of the pope, who already shewed a strong partiality to Spain; and though the queen had lately sent a governor to Tangier, upon whose devotion to her will she thought she could depend, yet it is certain he went thither with a contrary resolution.

Very few days before the arrival of the earl of Sandwich at Tangier, the new governor had marched out with all the horse and above half the foot forces of the garrison into the country, and had fallen into an ambush of the moors, who cut off the whole party. By this stroke the governor and such a number of the chief officers and soldiers being killed, the garrison was left so weak, that if the moors had pursued their advantage, they must have taken it with little difficulty. The earl of Sandwich coming at this critical moment, the town was delivered into his hands.

Having left there a considerable body of English forces, sent for that purpose, and consigned the command to the earl of Peterborough, whom the king had appointed to be governor thereof, the admiral pursued his voyage with the remainder of the Portugese garrison, who, upon their return home, had like to be stoned to death by the populace.

The earl's arrival in Portugal happened likewise at a very lucky conjuncture. The Spanish army, which had been lately reinforced, was upon its march to besiege a seaport, which lay so near Lisbon, as to enable the enemy, if they should become masters of it, very much to infest the whole Portuguese trade.

Upon the report of the English fleet's approach, the Spaniards gave over that design and retired. But the alarm excited by their march had one unfavourable effect: it had made the Portuguese government employ most of the money, which they said had been laid up for the infanta's portion, in raising forces upon such an emergency.

The queen-regent made the best apology she could for a step to which she had been driven by the streights and poverty of the kingdom; and proposed immediately to put on board to the amount of one half of the portion in jewels, sugar, and other commodities; with a positive promise of paying the other half in a year.

Her Arrival and Marriage

The earl was very much perplexed, but as matters had been carried so far, he thought it best to acquiesce and the infanta, and her retinue having embarked, he set sail from Lisbon on the fifteenth of April, and arrived safe at Portsmouth on the fourteenth of May. Here the infanta rested for a few days, to recover from the indisposition contracted during so long a voyage at sea; and being then waited upon by the king, and the marriage being solemnised[33], their majesties came together to Hampton-court on the twenty-ninth of May, the king's birth-day, and just two years after his triumphal entrance into London.

New Intrigues at Court in Favour of Barbara Villiers

Whatever testimonies of public joy were given on this occasion, yet in a short time there appeared not that serenity at court, which was expected. There was a lady of youth and beauty[34], with

whom, the king had lived in great and notorious familiarity from the time of his coming into England; and who, a little before the queen's arrival, had been delivered of a son, whom the king owned.

The scandal of such a connection, though she was a married woman, had hitherto been the less in consideration of the king's being young, vigorous, and single; and upon a presumption, that when he should be married, he would contain himself within stricter bounds of decency and virtue.

But it soon appeared that this favourite mistress not only retained, but greatly increased her former influence; and succeeded too well in completely alienating the king's affections from his queen, and filling him with prejudices against the virtuous counsels of his best friends.

When the queen came to Hampton-court, she brought with her a formed resolution that she would never suffer the lady, who was so much spoken of, to be in her presence. The king was determined on the very reverse; and, in a day or two, led the lady himself into her majesty's chamber, and presented her to the queen, who received her with the same grace as she had done the rest, there being many lords and other ladies at the same time there.

But whether her majesty in the instant knew who she was, or upon recollection found it afterwards, she no sooner sat down in her chair than her colour changed, tears gushed out of her eyes, her nose bled, and she fainted, so that the was forthwith removed into another room, and all the company withdrew.

Though these were the natural workings of flesh and blood in a young and jealous wife, the king was so enraged, that, from that moment, he treated the queen even in public with the utmost indifference and indignity[35], till her spirit being at length broken by such cruelty, and the firmness of her mind exhausted in useless struggles, she sunk into the opposite extreme of condescension and meanness.

She not only admitted the lady to be of her bedchamber, and used, her kindly in private, but was familiar and merry with her in public, so that her majesty forfeited all the compassion before felt for the barbarity of the affronts she underwent; and the king's indifference was now changed into a settled contempt.

During this unhappy contest between a wife and a mistress, the spirit of intrigue, the strength of personal influence, and all the arts of persuasion were fully exerted by the different factions at court. The chancellor and his friends went as far in their endeavours to dissuade the king from his improper purposes, as they could do without incurring his absolute displeasure.

They warned him of the fatal consequences of such conduct, and proved very clearly that it was not less inconsistent with policy than with religion. But all their arguments and remonstrances were in vain[361.

The violence of his majesty's passion made him listen with more pleasure to those who flattered it. The earl of Bristol, and several other ambitious and profligate men, who dreaded the queen's gaining any ascendancy, and the increase of the chancellor's power from her good opinion of him, paid their court to the other lady, and left nothing undone, or unsaid, to rivet the king's attachment to her.

All scruples on the score of religion they turned into ridicule, as if it were only an invention of the clergy to impose upon men, and to restrain them from the liberty and use of those faculties which God and nature, had given them, besides; they said, his marriage was in fact dissolved by the breach of the conditions on the part of Portugal. They then addressed themselves to the king's passions; flirt to his pride, by suggesting to him the disgrace of giving up the point to a woman

infected with all the caprice, and jealousy of her country; and next to his love, by still more artful and seducing insinuations: they said, "that the charms of his person and professions had won the heart of a young and beautiful lady of a noble extraction, whose father had lost his life in the service of the crown[37]; that she had provoked the jealousy and rage of her husband to that degree, that he had separated himself from her, and now the disconsolate lady had no place of retreat lest from the infamy of the world but in his majesty's tenderness and protection."

Thus was the king encouraged in his wort propensities; the lady had apartments assigned her at court; his majesty spent most of his time in her company, or in the conversation of those, whose greatest talent consisted in being able to raise a laugh at the expense of every thing serious and sacred; and the wisest men despaired of finding any remedies to apply to the increasing dissoluteness and debauchery of the times.

The King’s Son by Lucy Walter Brought Over From France

Soon after the king's marriage, the queen mother returned to England, in order, as was then supposed, to pass the remainder of her days here. A proper establishment was granted for the maintenance of her court with becoming dignity; and a great sum of money had been expended in making a noble addition to Somerset-house for her residence.

With the queen there came over a youth of about twelve or thirteen years of age, who was called by the name of Mr. Crofts, because the lord Crofts had been trusted to take care of his breeding. But he was generally thought to be the king's son, begotten upon a private Welch woman of no good fame, but handsome[38] who had transported herself to the Hague, when the king was first there, with a design to obtain that honour, which a groom of the bedchamber willingly preferred her to; and there it was this boy was born[39].

The mother lived afterwards for some years in the same intimacy with the king; but at last lost his majesty's favour. Yet he desired to have the son delivered to him, that he might take care of his education, which she would not content to. At last, the mother dying at Paris, the lord Crofts got the son into his chargé, and took care to have him trained up in a genteel manner.

He was a very handsome boy, and performed those exercises gracefully, which youths of his age used to learn in France. The queen mother had often seen him; and now, by the king's desire, brought him with her to England, where his majesty received him with extraordinary fondness, and assigned a very liberal maintenance for him; but took not such care for strict breeding of him as his age required.

General Monk, during the time of his command in Scotland, had acquaintance with the countess of Wemys, who had been before the wife of the earl of Buccleugh, and by him had, one only daughter, who inherited his great estate, and was called the countess of Buccleugh, a child of ten or twelve years of age.

All men believed that the general's purpose was to get this young lady for his own son; but the earl of Lauderdale thought his countrywoman might be much better married, if she were given to the king for this youth, towards whom he expressed so much fondness; and the general, whatever intentions he had before, would not be so ill a courtier as not to advance such a proposition. The king liked it well, as, the young lady was already in possession of the greatest fortune in Scotland, and would have a fair addition upon the death of her mother.

They were both sent for to court, and the farther management of the .treaty left entirely to the earl of Lauderdale, by whose advice a contract was drawn up, (as the parties were both under the years of consent) whereby the whole estate for want of issue by the young lady, or by her death, be devolved, upon the young man who was to marry her, and upon his heirs for ever; and this contract was to be ratified by act of parliament in Scotland,

Effects of Charles Fondness for Him

Matters having been drawn to this length, and the writings being about to be prepared, it was necessary that the young gentleman should have a name; and the Scotch advocate had made out a draught, in which he was styled the king's natural son, and was also to have the title of an English duke.

Till this time the whole matter had .been treated in secret among the Scots; but the king thought fit to shew the writings to the chancellor, and to ask his opinion. The chancellor expressed his dislike, not of the match, but of the young man's being stiled, in the draught of the contract, the king's natural son, with an English title annexed to him," which, "he said would have an ill sound in England with all his majesty's subjects, who thought that those unlawful acts, ought to be concealed, and not published and justified."

The king had just before consulted the queen-mother and though she seldom agreed with the chancellor, yet in this matter, she happened to be of the same opinion. But the king spoke with neither of them afterwards about it. He signed the writings, without having any alteration made in the language; and created the youth duke of Monmouth.

Very few besides the chancellor ventured to dissuade it: lady Castlemaine was very earnest for it, thereby endearing herself more to the king[40] ; and the earl of Bristol, as well as Lauderdale, the two great confidants in such matters, pressed it as the only way to make the king's friendship valuable. •

Circumstantial Account of The Sale of Dunkirk

In all those intrigues the chancellor and his friends constantly lost ground; but there was another matter of a public and political nature, settled about this time, which did him much greater injury, by affording his enemies one plausible and popular pretence for impeaching him this was the sate of Dunkirk. How undeservedly he bore all the blame will appear from the following exact relation of' the whole proceedings. I must, however, first observe, that the king's constant wants, arising from his constant profusion, exposed him too much to the designs of the French court; and often caused a precipitancy in his bargains and

40. She not only pleased the king, but indirectly pleaded her own cause in recommending his illegitimate progeny to the highest honours of the state treaties for which the chancellor was afterwards accused with great malignity and injustice[41],

Whoever; first suggested the parting with Dunkirk, a matter which was always kept a profound. secret, it certainly did not originate from the chancellor. The first debate upon the subject, at which he was present, was in a committee which met at his house by the king's order, the chancellor being then confined by the gout. Here the little value Dunkirk was of to the nation was pointed. out by the earl of Sandwich and sir George Carteret; while the lord treasurer stated the expense, which attended the retaining of it, to amount to ten thousand pounds a month. To these arguments the king himself, who was present, added, the great probability that, if Dunkirk was kept, his majesty would be shortly involved in a war with France or Spain.

The only question, therefore, he said, that remained, was, to which of those two powers he ought to dispose of it; but upon this he thought there could be little doubt; doubt it was evident that, whatever France should contract for, he would be sure to receive, and the business would be soon dispatched ; whereas, on the other hand, it was manifest to all who had any. knowledge of the court of Spain, and; of the scarcity of money there and in Flanders, that, how large offers soever the Spaniards might make, they could not be able soon to pay any considerable sum; and besides, that there would be so much time spent in consult between Madrid and Brussels, before

it could be dispatched, that the keeping it so long in his hands would in the expense disappoint him of a good part of the end which he proposed to himself in getting rid of it,"

As the king wished to prepare the members of this committee for the resumption of the debate before a full meeting at the council board, he strove to obviate any other objections that might be made to his giving France the preference. He said, it was very likely, that the Spaniard would shortly declare himself an enemy; for besides that he demanded Dunkirk as of right, so he likewise required the restitution of Tangier and Jamaica upon the same reason, and declared, that without it there could be no lasting peace between England and Spain; and even refused to enter upon any treaty of alliance till such restitution should be promised him."

His majesty also observed, "that he did not suppose any person could recommend the making an offer of Dunkirk to the states of the United Provinces, from a weak notion, that they would give more for it than either of the two, kings for," he said, " it must be evident to every man's reason, that, though the States had rather Dunkirk should be put into the hands of the Spaniard, than delivered to France, or retained by the English, yet they durst. not receive it into their own possession, which neither of the two crowns would have approved of, and so it would have exposed them to the displeasure, if not to the hostility of both."

Under these specious pretences the king concealed his private determination in favour of France; and it is certain, that, from the time of his entering into a secret correspondence with that court, he shewed a condescension and weakness in many points much more derogatory, from his own dignity, and more injurious to the nation than the fate of Dunkirk[42].

When this matter was laid before the privy council, very few were disposed to throw any fresh difficulties in the way of what they knew his majesty had resolved upon. Mention was, indeed, made of what had been, done relative to Dunkirk in the convention, soon after the king's return.

The lower house, upon the Spanish ambassadors claiming the restitution of that place, had passed a bill for inseparably annexing it to the crown; but this bill was thrown out in the house of peers, and so. expired as soon as it was born. It seemed therefore now to have little weight; and the earl of St. Alban's was the only member of the council who advised the king not to part with the place, though the ground of his dissenting from the rest was well enough understood to have nothing of a regard to the public in it, but solely with a view of drawing the negotiation for the sale into his own hands.

Nothing could be more welcome to the king of France than the account which was immediately sent him of this determination in the English cabinet. He had just resolved to visit Flanders, as soon as he should know of the death of the king of Spain, which was expected every day; and therefore caught with eagerness at so inviting a proposal as the acquisition of Dunkirk. Monsieur d'Estrade came privately to London by his majesty's desire, without any character, but pretending to make it his way to Holland, whither he was appointed embassador[43].

He had several conferences with the chancellor and three or four other lords of the council commissioned to treat with him, They could not for along time agree on the terms, the English lords asking seven hundred thousand pounds, and d'Estrade offering little more than the sixth part of that sum. The treaty was frequently interrupted, and seemed once or twice on the point of being wholly broken off; for as the expectation of a great sum of ready money was the king's motive to part with it, so the French court concluded that his necessities would oblige him to do so at a moderate price.

At last, after the return of different expresses that had been sent by d'Estrade to France, his majesty's impatience made him agree, that upon the payment of five millions of livres[44] at Calais to such persons as he should appoint, his garrisons at Dunkirk and Mardyke should be

withdrawn, and those places with the artillery, ammunition, and stores put into the hands of the king of France; all which was executed accordingly.

Some thought that more money should have been insisted upon; but whether the bargain was well or ill made, the chancellor acted, in every stage of the business, only in obedience to the king's commands[45].

Dread of Plots and Insurrections Kept Up

Though no more than half the money was paid immediately, yet even that being a large sum in specie, it was conveyed with great shew to the Tower, in order to dazzle the people; and the king at the same time declared that no part of it should be applied to any ordinary occasion, but reserved for some emergency, such as a sudden insurrection, the dread of which was constantly kept up either from real or artificial causes.

Informing, as I have before repeatedly observed, was become a trade, to which many applied in order to get money. The facility, with which they obtained a reward, and the secrecy of the whole transaction were very fatal encouragements. They were seldom obliged to appear as witnesses against those they accused, under the pretence, that, if the informers were known, they should be rendered useless for the future, whereas they were yet unsuspected, and therefore admitted into all the councils of the disaffected and seditious.

This was plausible, and might be true in some cases; but it opened a door to deception, falsehood, and villainy. About the end of the year, six of the fanatical party were convicted of a conspiracy to seize the Tower, and the castle of Windsor, and to kill the king, the duke of York, and general Monk. Four of them suffered. As they were very obscure men, without influence, or connections, if they conceived any such design, it must have been the effect of frenzy, or of fifth-monarchy notions, like the insurrection of Venner and his accomplices[46].

Proclamations were. also often issued for banishing all officers, who had ever borne arms against the king, twenty miles from London; and. several suspected or accused persons were every day imprisoned, though there was often cause to believe, that many were committed, who, in truth, had been guilty of no other fault than that of hearing idle discourses, or speaking with a little freedom of the very flagrant excesses of the court.

Scheme to Obtain Complete Toleration of Popery

Before the conclusion of this year, another measure was revolved upon by the king at a private meeting at his mother's palace,. Somerset house, but without the chancellor's privity or concurrence. It respected the exercise of a dispensing power, sometimes claimed and exerted by the crown, but. never expressly sanctioned or allowed by the law, or by the constitution of England.

In my remarks on the king's wish to have the penal laws against the papists repealed, I mentioned that, a committee of the house of peers was appointed to examine those laws, and to make a report on the subject. But the matter was afterwards suddenly dropped, the Roman Catholics not being able to agree among themselves on the form of an oath of allegiance to the king, instead of the test exacted from other non-conformists; and some of their clergy asserting, that they ought not, and could not with a good conscience renounce and disclaim the pope's temporal authority.

It is also likely, that trusting to his majesty's favour and to the powerful interest they had at court, they hoped for indulgence to a much greater latitude than they imagined the house of lords at that time would be ready to grant them. A scheme of toleration had been proposed by their friends, and approved by the king, in which the Roman Catholics and the Presbyterians were to

be placed exactly on the same footing; but the leaders of the latter party, however zealous for liberty of conscience, would not listen to any plan of comprehension with papists.

After great numbers of the dissenting clergy had been ejected from their livings for non-compliance with the Act of Uniformity, the king was incessantly teased with their petitions and remonstrances. He had, indeed, broken his promises to them; and was therefore obliged to hear their complaints and their importunities.

The immediate object of their, requests,—their most pressing claim upon his royal word was to have the rigours of that act dispensed with, till some plan of more effectual relief could be devised. This the friends of popery looked upon as a favourable moment for securing the acquiescence of all the aggrieved dissenters in the terms which some of them had before rejected as affording an equal indulgence to Roman Catholics.

The king, the duke of York, the earl of Bristol, and one or two more of the queen-mother's most trusty counsellors had a private meeting at her palace, where the policy of some such experiment was debated upon, and where it was resolved, that his majesty should publish a declaration in very cautious terms, to discover the sentiments of all the sectaries; to feel, as it were, the pulse of the whole nation; and to try how far the king might be able to carry the exercise of the dispensing power, without any dangerous opposition[47]

But though this whole business was settled, and the declaration drawn up in the most secret manner, yet his majesty thought it would seem unprecedented to publish such a thing, without once consulting even the select committee of his privy council. He therefore laid it before them, but in a manner Which almost precluded their giving any opinion of it.

He said, that he had weighed well all the objections that might be urged against it; but that, conscious of the purity of his motives, he despised idle clamour, and was resolved to make some attempt to render effectual the promises he had made of granting full indulgence to all his subjects." He added with some warmth, "that he hoped every man, who valued his friendship, or his peace of mind, would heartily concur with him in this design."

The earl of Southampton and the chancellor were the only persons who ventured to deprecate the precipitancy of such a measure, "which," they said, "would inflame the minds both of the people and of parliament; would prejudice them more strongly against the papists; and would increase the very scandals thrown upon his majesty's government, which he complained of in the proposed declaration."

The king heard their remarks, though with much apparent uneasiness, and with those frequent interruptions which were natural to him when he disliked any advice. The publishing of the declaration was delayed till the beginning of the new year[48] but it then appeared, without the least change in any of the most exceptionable clauses; and it soon produced all the bad affects which the chancellor and the treasurer had so zealously and wisely predicted.

Notes to Chapter 6

1. See page 171,

2. There were only fifty-six members of that party returned, notwithstanding their great interest in almost all the corporations.

3. He went there with almost as much pomp and splendour as had been displayed on the coronation-day, and for the same reasons, to dazzle the mob, and to impress on the minds of the people very exalted notions of the dignity of regal government.

4. Those remarks were in fact artful compliments to himself on the punctual observance of his word, in calling together, at so early a period of his reign, a second national assembly. His very patriotic intentions have been already pointed out, and will be farther illustrated in the course of the above work.

5. Heaven, no doubt, must have approved of a treaty begun in avarice, carried on with falsehood, interrupted by levity and intrigue, renewed by corruption, and concluded with perfidy. A little cant may be allowed in such men as Charles I. and Cromwell, who kept up at least the shew of religion, and both of whom had probably a strong tincture of enthusiasm. But frequent boasts of the divine blessing in the mouth of such a notoriously debauched, unprincipled, impious profligate as Charles IL cannot but excite the strongest indignation.

6. The chancellor, from those motives which the author has before pointed out with great delicacy, enlarged upon poor Venner's frantic attempt "as the most desperate and prodigious rebellion which had ever been heard of in any age. By the multitude of intercepted letters," he said, "from and to all the counties in England; by the desperate carriage of the traitors. themselves, and the bragging of their friends, it might be concluded, the combination had reached very far: and if the indefatigable industry of the lord-mayor had not prevented it, probably the fury would not have been extinguished, before the city, or a great part of it had been burnt to ashes: therefore it would become the wisdom of that assembly to provide new remedies for new diseases; to secure the precious person of the sovereign from the full approaches of villainy, and the peace of the kingdom from the first overtures of sedition." Here we see, how the fears and prejudices of the chancellor realized in his mind all the most improbable suggestions of the duke of York and urged him to recommend and support a system of civil and spiritual tyranny, to which he himself afterwards fell a sacrifice.

7. When the commons, after having chosen a speaker, returned with him to the house of lords, to be presented as is usual, the chancellor took that opportunity of giving them some farther hints of what was expected from their loyalty and zeal. "The late parliament," he acknowledged, "had invited his majesty home; and had restored him to his throne, and monarchy to the nation: but it would be the glory of the present parliament to establish him in his power and greatness; and so to annexe monarchy to the nation, that neither he nor his posterity should ever again be forced to live abroad;—so to rivet monarchy to the hearts and understandings of all men, that no man might ever presume to conspire against it. Let it not suffice," said he, " that we have our king again, our laws again, and parliament again; but let us so provide, that neither king, nor laws, nor parliaments may be so used again: let not monarchy be undermined by a fifth-monarchy, nor men suffered to have the protection of a government which they profess to hate." At the conclusion of this his second speech to both houses, the chancellor acquainted them with the king's desire soon to visit his good city of Worcester, to thank God for his deliverance there. This was not mentioned without design: it suggested the necessity of dispatch in the present proceedings, of parliament; and, after such notice, it would have been ungenerous in the commons, not to provide for the king's accommodation on his journey.

8. This ceremony of consigning the Covenant to the flames was performed in the Palace Yard at Westminster, in Cheapside, and before the Old Exchange.

9. Those were, the act for erecting a high court of justice for trying and judging the late king; the national engagement against a king and house of peers; the act for declaring the people of England to be a commonwealth and free state; the solemn renunciation of the title of Charles Stewart; and the act for the security of the lord protector's person.

10. They renounced all right, even of defensive arms, against the sovereign; they authorized all the illegal oppressions which had been committed by the militia, in virtue of powers derived only from the prerogative; and, as if they meant to exclude all probability of obtaining by any

method the redress of grievances, they imposed, in another act the following restrictions on the right of petitioning:

No petition was to be subscribed with more than twenty hands, unless with the sanction of three justices, or the major part of the grand jury; nor presented to the king, or to either house of parliament, by above ten persons, under the penalty of a fine of one hundred pounds, and three months imprisonment.

11. His majesty very politically shewed such impatience to have this act passed, that he would not stay a few days till other bills should be likewise ready to be presented to him; so that the only one which received his assent at the same time with the Act of Indemnity was that which impowered him to accept of a free gift from his subjects.

12. It would be almost insulting the reader's good sense to make any comments on so striking a proof of the hypocrisy practised by Charles from the very beginning of his reign.

13. Besides the acts before-mentioned, (two of which, the Indemnity Bill, and the act for legalizing a free and voluntary contribution, received the royal assent on the eighth of July) the king was gratified with another testimony of parliamentary zeal and loyalty in the act for imposing certain pains and penalties upon the persons or estates of those who had a hand in the murder of the late king. See the account given in page 116 of the sentence passed on the lord Munson and others.

14. This benevolence of the clergy, which was made by virtue of the new act for impowering the king to receive a voluntary contribution from his subjects, amounted to thirty-three thousand seven hundred and forty-three pounds.

15. In consequence of these informations, one Parsons, a Presbyterian, was fined and imprisoned on a charge of uttering seditious words; and John James, a small-coal man, though the evidence was deficient in point of legality, was found guilty of speaking treason, and was put to death.

16. Charles had a very short memory; and fancied that others were as forgetful as himself. Yet it was not easy to avoid recollecting the curious account he gave of his distresses to the convention, when he said he was so much grieved to see many of his friends come to him at Whitehall, and to think that they were obliged to go somewhere else for a dinner. This was pitiable, indeed! But it is said, that some of this poor man's mistresses were such voracious creatures, as frequently to devour more for a breakfast than would have been sufficient to give a very sumptuous treat to the whole parliament!

17. As during the late parliamentary recess, government, with a view of giving the appearance of reality to those pretended alarms, had ordered Vane, Lambert, Harrington, and several prisoners in the Tower to be moved to separate places of confinement; the commons now requested his majesty to remand the two first to the Tower, in order for judgment and execution; and also proposed another fiery trial of the late king's judges, who had surrendered on the faith of government. But this last instance of their unbounded zeal was checked by the court, from the motives already explained in page 115.

18. No less than twelve hundred thousand pounds, to be disposed of as he pleased!

19. In this message it was said, that, besides the apprehensions and fears which were generally abroad, his majesty had received letters from several parts of the kingdom, and intercepted others, by which it did appear, that divers discontented persons were endeavouring to raise new troubles. These matters of great consequence his majesty desired the house of commons should be made acquainted with, that he might receive the advice of both houses of parliament on what was fit to be done. A conference thereupon took place between the two houses, at which the chancellor

declared, "that there had been a design forming ever since March last, to disturb the union and peace of the kingdom; and though the design was at present interrupted as to it; being effected in the capital, yet the conspirators were still practising, in order to put it into execution in the country." He therefore recommended the appointment of the committee above described, to provide a remedy against those evils. With what pleasure must the duke of York have perceived the successful operation of his schemes on the chancellor's mind! The civil wars had filled him, as it were, with excessive timidity: he was alarmed at the smallest tumult, or at a rumour of disturbance; and it even appears, by one of his quotations from Livy, that he often looked upon the profoundest stillness and tranquility as a symptom of sedition, like the calm that usually precedes a storm. In a speech which he made at the close of this session, he introduced the following sentence from the Roman historian: "***Novum feditionis genus SILENTIUM, OTIUMQUE inter cives***." What a fatal weakness in the character of a man, who possessed a considerable share of virtue and ability!

20. According to the chancellor's report at the re-meeting of parliament, this committee had discovered, that Praise-God Bare-bone, Major Wildman, and several others had been engaged in a dangerous conspiracy. But though the committee pretended to be in possession of the most exact information respecting the whole plot, it does not appear that they could produce sufficient proof of guilt to prosecute a single culprit.

21. By this statute it was ordained, that every mayor, alderman, common-council man, or any other officer in a corporation, should be obliged, besides the common oath of allegiance and supremacy, expressly to disclaim the obligation of the covenant, and to declare in the most solemn manner, that it was not lawful, UPON ANY PRETENCE WHATSOEVER, to take arms against the king; and that he did abhor that traitorous position of taking arms by the king's authority against his person, or against those commissioned by him. One would suppose that the parliament, who prescribed such an oath, must have been as near sighted and stupid as they were servile and corrupt. Such a maxim of non-resistance to the king, on any pretence, was directly subversive of their own consequence, as well as of all civil and religious liberty. The extent, to which this principle might be carried, was put to the proof by James II; but the people of England rent asunder the chains which had been forged for them by their perfidious representatives.

22. According to the grant for his majesty's present occasions seventy thousand pounds a month were to be levied for eighteen months; but as the sum total of the supply would in that case amount to twelve hundred and sixty thousand pounds, this very economical and confederate house of commons ordered at their next meeting, that the odd sixty thousand should be distributed among the poor cavaliers, who had been sufferers in the late troubles.

23. They increased the former list of holidays, already too numerous: they embellished the church-service with the story of Bell and the Dragon, and other chapters out of the Apocrypha: they added some more collects, with the prayer for the high court of parliament, in which, as if to shew that they had no sense of shame, they stiled his majesty "our most religious king;" they appointed three new offices, one for baptism of adults, another for the thirtieth of January, and the third for the twenty-ninth of May: in short, they seemed desirous of preventing for ever all communion with the dissenters by the grossest and most insulting absurdities.

24. The penalty of exercising the function of a minister, without submitting to this ceremony, was the forfeiture of one hundred pounds for every offence.

25. Charles and his brother differed widely in sentiment from that Spartan monarch, who declared, "that he thought the limitations made to his power were the strengthening of his government." But such a liberal idea was far beyond the conceptions of a drunken debauchee, and of an arbitrary bigot. The opposite notion of uncontrouled authority led on James to his ruin: it led to the forfeiture of his crown, and to the perpetual disinheritance and beggary of his wretched offspring

26. Two thousand dissenting clergymen were expelled from their cures in one day. Here it should also be remarked, that, under the dominion of the long parliament, a fifth of the livings had been left to the ejected clergy; but by the present act of retaliation the Presbyterian ministers were deprived of all their possessions, and lest without any visible means of support.

27. This was a very curious method of treating the Presbyterians, first to amuse them with the promise of a dispensation from the rigours of the act; and then, after the whole party had been filled with confidence, and had therefore resolved to hold out, to tell them, a little before the time, that the king had weighty reasons for breaking his word and insnaring them! It is very evident from some other parts of the king's conduct, mentioned in the above work, that his design was to drive the dissenters to despair, and to make them glad of a toleration on any terms, in which the papists might also be comprehended.

28. The form of this oath differed from that prescribed by the corporation act only in the addition of a few words to adapt it more particularly to the army. It ran thus: "I do declare and believe that it is not lawful, upon any pretence whatsoever, to take arms against the king; and that I do abhor that traitorous position, that arms may be taken by his authority again his person, or against those that are commissioned by him, in pursuance of such military commissions." In the debate on the form of this oath, Sir John Vaughan, an eminent lawyer, very clearly proved from the statutes themselves, "that it was lawful in many cases to take up arms against those who were commissioned by the king;" but all his arguments could not obtain the insertion even of the single word "lawfully" before the word "commissioned."

29. The excise was one of the principal funds for the supply of this constant revenue, to which they added another perpetual and very productive tax of two shillings a year on every chimney.

30. Among the private bills passed at this time, there was one for reversing the earl of Stratford's attainder. This was an indirect compliment to royalty. There was another also, which though it promoted an object of public convenience and utility, was more immediately designed to oblige the king. In his speech to the commons at Whitehall, he had given them an intimation, that he expected they would pay the queen the compliment of making the town fit for her entrance. This hint occasioned the act for repairing the highways and sewers, and for paving and clearing the streets in and about the cities of London and Westminster. Thus whatever business the pension-parliament engaged in, the gratification of his majesty seems to have been the grand principle of all their proceedings.

31 The addition to the revenue was certainly unprecedented; but the endeavour to perpetuate it was still more censurable. The pension-parliament, however, who had carried their compliance with the desires of the court, in this and in many other particulars, to the most criminal length, took care to prevent, as far as they were able, the severity of public reproach. In one act, before noticed, they restrained the right of petitioning; and by another they destroyed the liberty of the press. A licenser was appointed to examine every book and pamphlet, that no bold truths might be disseminated through the kingdom. We may form some idea of the private instructions given to this licenser, as well as of his excessive caution and ignorant zeal, when we are assured that on his taking exception to the following lines in Milton's Paradise Lost, that admirable poem had like to be suppressed:–

"As when the Sun, new risen,
Looks through the horizontal misty air
Shorn of his beams or, from behind the moon,
In dim eclipse, disastrous twilight sheds
On half the nations, and with fear of change
perplexes monarchies."

32. The earl had also orders to go to Tunis and Algiers to intimidate the corsairs, by whom the Mediterranean trade was at this time greatly annoyed; but he found them so well prepared for resistance, and so little inclined to listen to moderate proposals, that he thought it best to prosecute his voyage, without making any other attempt to reduce them to reason, than setting fire to a few of their piratical cruisers.

33. The following circumstances, though passed over by the writer of the Secret History, may appear worthy of notice, The infanta remained on board till the twentieth of May, partly through indisposition, but chiefly from an observance of etiquette, which made her wait for the king's coming in person to receive her. He was detained in town to hurry the proceedings of parliament, and to thank them for their services before the prorogation. As soon as this business was dispatched, he went immediately to Portsmouth; and, as we are told by his brother, "was married privately by lord Aubigny, a secular priest and almoner to the queen, according to the rites of Rome, in the queen's chamber. None were present but the Portuguese ambassador, three more Portuguese of quality, and two or three Portuguese women: the outward ceremony was afterwards performed by Dr. Sheldon, bishop of London." This account, written by James himself, corresponds nearly with what Burnet relates from the same testimony. Only Burnet adds, that, when Sheldon came to perform the ceremony, the queen would not say the words of matrimony, nor bear the sight of the bishop; but that the king said the words hastily; upon which the bishop pronounced them married persons.

34. This was the famous, or rather. infamous Barbara Villiers, who had been married to a Mr. Palmer; but who had as little regard for decency, or virtue as Charles. Their criminal intercourse began the very night of the restoration. An attempt was made to bribe her husband's acquiescence by the title of earl of Castlemain; and afterwards, upon his separating from her, she was advanced to be duchess of Cleveland. Burnet tells us, "she was a woman of great beauty, but most enormously vicious and ravenous; foolish, but imperious; very uneasy to the king; and always carrying on intrigues with other men, while yet she pretended she was jealous of him. His passion for her, and her strange behaviour towards him, did so disorder him, that often he was not master of himself, nor capable of minding business," Sufficient proofs of this are given in the above history,

35. The king never took the least notice of her majesty in public; but was always conversing, even in her presence, with his favourite Barbara. He dismissed most of the queen's Portuguese attendants and sent them to Lisbon, without any compensation for their services, or the smallest apology for the disappointment of their hopes. He caused the utmost strictness to be observed by the officers of the revenue in the receipt of that part of the portion that was brought over by the fleet; and committed to prison Diego de Silva, (who had come to England on promise of being made treasurer to the queen) merely because the poor man had undertaken to see the money paid, and could not now find funds adequate to the discharge of that engagement. But notwithstanding the grossness of these personal insults, Charles did not neglect the contract he had entered into with Lewis for assisting the Portuguese. Besides the protection afforded to their trade by our fleets, the victory at the famous battle of Amexial in June 1663, which established the independence of Portugal, was entirely owing to the English auxiliaries, whose valour, intrepidity and success were on that day so conspicuous, as to make the Portuguese commander exclaim, "These heretics are better to us than all our saints."

36. The chancellor having used every effort in vain, absented himself for a few days from court, to avoid any farther concern in so scandalous a business. In the mean time the king wrote to him a letter on the subject, in which he says "I wish I may be unhappy in this world and in the world to come, if I fail in the least degree of what I have resolved, which is of making my lady Castlemine of my wife’s bedchamber: and whosoever I find use any endeavours to hinder this resolution of mine, except it be only to myself, I will be his enemy to the last moment my life. You know how true a friend I have been to you if you will oblige me eternally, make this business as easy to me as you can, what opinion soever you are of; for I am resolved to go through this

matter, let what will come on it, which again I swear before Almighty God: therefore, if you desire to have the continuance of my friendship, meddle no more with this business, except it be to beat down all false and scandalous reports, and to facilitate what I am sure my honour is so much concerned in; and whosoever I find to be my lady Castlemaine's enemy in the matter, I do promise, upon my word, to be his enemy as long as I live." At the beginning, and in the conclusion of this letter, he desires the chancellor to give the same hints. to his friends. Can such a letter require any comment?

37. She was the daughter of lord Francis Villiers, who, in the year 1648, was killed at Kingston, in a skirmish with some of the parliamentary forces.

38. Her name was Lucy Walter, though she assumed that of Barloe; and by many was supposed to have been married to the king. She is repeatedly stiled his wife in letters to him from his sister the princess of Orange, who makes this curious apology for Lucy's intriguing with other men: "Tis a frailty, they say, is given to the sex; therefore you will pardon her, I hope."

39. He was born at Rotterdam, April the ninth, 1649.

40. She not only pleased the king, but indirectly pleaded her own cause in recommending his illegitimate progeny to the highest honours of the state.

41. See the note, page 400, on a similar apology for this minister's weak compliance with Charles's most; pernicious resolutions.

42. Charles gave up all the commercial advantages of the treaty which Cromwell had made with France; and suffered that court to impose such duties on English goods as amounted almost to a prohibition, by which management the French gained, a million a year in the overbalance of trade: he meanly relinquished the national claim to the sovereignty of the seas and the honour of the flag; and after having given a spirited check to the intrusions of Dutch and French fishermen on the English coasts, he stooped to the most humiliating submissions, returning the nets which had been seized, and shutting his eyes to a treaty between Lewis and the States, in which there was an article of express guarantee of the fisheries to the latter. Theft, however, were only preludes to a fill closer, and more fatal connexion with the French Monarch.

43. d'Estrades had been embassador at the English court in the beginning of the year 1662, but returning to Paris in April, was appointed embassador extraordinary to the Hague. On his way thither, he received a letter from Charles, dated the seventeenth of July, requesting him to come to London on business of importance. He deferred his journey to Holland till the bargain about Dunkirk was concluded.

44. About £208,333. 6s. 8d. Sterling.

45. The writer seems to have forgotten one of his own former remarks on the unsatisfactory defence of the Irish commissioners in the case of the marquis of Antrim. Compliance with a king's wishes is certainly a bad excuse for a minister's doing wrong. Besides, it appears from d'Estrade's letters and negotiations which have been since published, that the chancellor was not merely passive in this business. It is there said, "that he had proposed it to the king; but that his being liable to a public censure, that might endanger even his life, obliged hint to conceal his opinion, and to seem to agree with that of other so as not to appear as the chief promoter of the treaty." In another letter written by d'Estrade to the French king, dated October the twenty-seventh 1662, he says, "At last, after several delays, and getting over several difficulties, I have signed the treaty of Dunkirk; and send it over to your majesty by this express. I ought not to omit, that the chancellor was the person, of all the others, who suffered most during the contest which was formed on this affair. The commissioners laboured to break it off; and it may be said, that the reasons alleged were so strong, that the king of England and the duke of York would have been

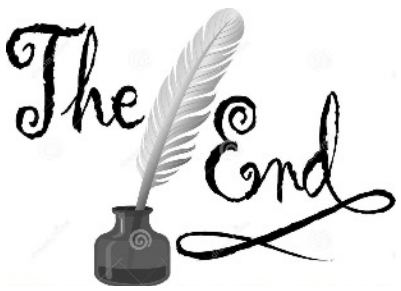
staggered, had he (the chancellor) not taken great pains to keep them to their first resolutions." Towards the conclusion of this letter, d'Estrade, after giving an account of what lie calls "their very honourable manner of treating," adds, "this uncommon procedure fully persuaded me, that the king of England very earnestly desires to be in friendship with your majesty, and knows how useful it may be to him; and that the chancellor seconds and cherishes this disposition for his own particular interest; and that it is. for thin reason, principally, that the duke of York goes to have an interview with your majesty at Dunkirk, to give you stronger assurances of this: and, I believe; he will be furnished by the chancellor with some information, which may be of use at any such time as your majesty may form any designs in Flanders."

46. The poor wretches, executed for this supposed conspiracy were a hatter, a cheese-monger, a distiller, and a disbanded sergeant. What a formidable combination to surprise the Tower, to storm Windsor castle, to assassinate the royal family, and to restore the commonwealth!

47. In the beginning of the declaration the king complained of certain scandals thrown on his government, particularly the accusation of the breach of his promises made at Breda, which, he said, he was fill resolved to perform to the full. At the same time he asserted his zeal for the true protestant religion, and his intentions to give its establishment the precedence before matters of indulgence to dissenters from it; but that being, he hoped, sufficiently done by the Act of Uniformity, he was glad to lay hold on the occasion to renew unto all his subjects, concerned in those promises, this assurance, "that, as for what concerned the penalties upon those, who, living peaceably, did not, through scruple and tenderness of misguided conscience, conform to the discipline, ceremony, and government of the church of England, but modestly and without scandal performed their devotions in their own way, he would make it his special care, without invading the freedom of parliament, to incline their wisdom, at the next session, to concur with him in making some such act for that purpose, as should enable hint to exercise, with a more universal satisfaction that POWER of DISPENSING, which be conceived to be INHERENT in him." He then took notice of another injurious scandal, artfully spread and fomented, of his favour to papists; “which," he said, "was but a repetition of the same acts that had brought all the calamities on the kingdom in his royal father's time. He owned, however, "he had a due sense of the deserving of his Roman catholic subjects, in the maintenance of the crown, and of the established religion, against those who, under the name of zealous protestants, employed fire and sword to destroy both;" and he should with freedom profess to the world, " hat it was not his intention to exclude his Roman catholic subjects from the benefit of such an act; for it would appear no less than injustice that those who had deserved well should be denied that mercy, which he had obliged himself to afford to those who had not done so."

48. The declaration was dated December 36th, 1662 but was not published for a fortnight after.

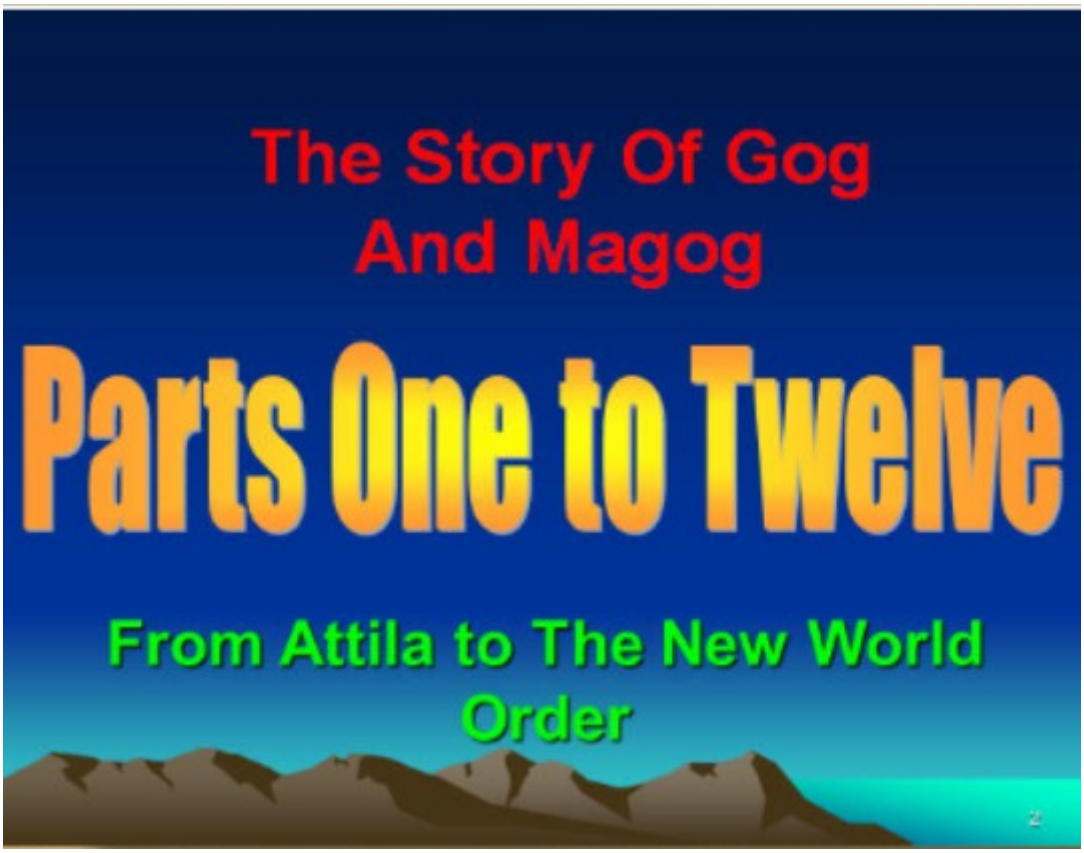
END OF THE FIRST VOLUME.



The Secret History
Of The
Court And Reign
Of
CHARLES THE SECOND
Addendum

HE following note on Sir HENRY VANE'S disinterestedness and patriotism was omitted in page 138.

The fees of his office, as treasurer of the navy, were four pence in the pound, which, by reason of the war with the Dutch, and the frequent capture of rich prizes, amounted to little less than thirty thousand pounds a year. But Sir Henry looked upon it as too much for any man's public services, and gave up his patent, which had been granted him for life. In consequence of so generous and patriotic a surrender of his right, the parliament settled upon him and his heirs twelve hundred pounds per annum; and adopted by his advice an oeconomical regulation, according to which the treasurer of the navy was in future to be allowed only one thousand pounds a year for himself, his deputies, and clerks, in lieu of all salaries, fees, and other profits formerly belonging to that office.



The series on Gog & Magog is now in video format, thanks to the work of David James (see his advert on top of this page) and can be viewed on You Tube at:

https://www.youtube.com/user/SuperElectricChannel/videos

THE NEW CHRISTIAN CRUSADE CHURCH

CALLING THE PEOPLE OF BRITAIN

At last the bible makes sense!

At last we know its meaning.

Its the book of the RACE

"For out of Zion shall go forth the law, and the Word of the Lord from Jerusalem" (Isaiah 2:3).”