BISHOP BURNET'S

HISTORY

OF

HIS OWN TIME.

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WITH THE

SUPPRESSED PASSAGES OF THE FIRST VOLUME,

AND NOTES

BY THE

EARLS OF DARTMOUTH AND HARDWICKE,

AND

SPEAKER ONSLOW,

HITHERTO UNPUBLISHED.

To which are added

THE CURSORY REMARKS OF SWIFT,

AND OTHER OBSERVATIONS.

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THE 1

HISTORY

OF

MY OWN TIMES.

BOOK V.

Of the reign of king William and queen Mary.

I NOW begin, on the first day of May, 1705, to prosecute this work[a]; and have before me a reign, that drew upon it an universal expectation of great things to follow, from such auspicious beginnings; and from so general a joy as was spread over these nations, and all the neighbouring kingdoms and states; of whom, some had apprehended a general depression, if not the total ruin of the protestant religion: and all of them saw such a progress made by the French in the design of enslaving the 1689. The hopes of the new reign. 2

[a] I wrote in the first volume of this book, that I did not believe the bishop designedly published any thing he believed to be false; therefore think myself obliged to write in this, that I am fully satisfied, that he published many things that he knew to be so. D. (It appears, that the bishop had composed some part of this volume as early as the year 1701, by what he says below at page 205.)

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1689. rest of Europe, that the check which the revolution in England seemed to promise, put a new life in those, who before were sunk in despair. It seemed to be a double-bottomed monarchy, where there were two joint-sovereigns; but those who knew the queen's temper and principles, had no apprehensions of divided counsels, or of a distracted government.

The effects of the king's ill health.

That which gave the most melancholy prospect was the ill state of the king's health, whose stay so long at St. James's without exercise or hunting, which was so much used by him that it was become necessary, had brought him under such a weakness, as was like to have very ill effects[b]: and the face he forced himself to set upon it, that it might not appear too much, made an impression on his temper. He was apt to be peevish: it put him under a necessity of being much in his closet, and of being silent and reserved; which, agreeing so well with his natural disposition, made him go off from what all his friends had advised, and he had promised them he would set about, of being more visible, open, and communicative. The nation had been so much accustomed to this, in the two former reigns, that many studied to persuade him, it would be necessary for his affairs to change his way, that he might be more accessible, and freer in his discourse. He seemed resolved on it; but he said, his ill health made it impossible for him to execute it: and so he went on in his former way, or rather he grew more

[b] The duke of Leeds told me, few of the English were concerned for his health, expecting a much milder reign under the queen; and were apprehensive his martial temper would run the kingdom into a great land army, which might have been avoided under her administration. D.

retired, and was not easily come at, nor spoke to. 1689.
And in a very few days after he was set on the throne, he went out to Hampton-Court: and from that palace he came into town only on council days. So that the face of a court, and the rendezvous usual in the public rooms, was now quite broke. This gave an early and general disgust. The gaiety and the diversions of a court disappeared. And, though the queen set her self to make up what was wanting in the king, by a great vivacity and cheerfulness; yet when it appeared that she meddled not in business, so that few found their account in making their court to her, though she gave a wonderful content to all that came near her, yet few came.

The king found the air of Hampton-Court agreed so well with him, that he resolved to live the greatest part of the year there. But that palace was so very old built, and so irregular, that a design was formed of raising new buildings there, for the king and the queen's apartments. This shewed a resolution to live at a distance from London: and the entering so soon on so expensive a building, afforded mat- 3
ter of censure to those who were disposed enough to entertain it. And this spread a universal discontent in the city of London. And these small and almost indiscernible beginnings and seeds of ill humour, have ever since gone on in a very visible increase and progress.

A new ministry.

The first thing the king did was to choose a ministry, and to settle a council. The earl of Shrewsbury was declared secretary of state, and had the greatest share of the king's confidence. No exception could be made to the choice, except on account of his youth. But he applied himself to

1689. business with great diligence, and maintained his candour and temper with more reservedness than was expected from one of his age. It was for some time under consideration, who should be the other secretary; at last the earl of Nottingham was pitched on. He had opposed the settlement with great earnestness, in his copious way of speaking. But he had always said, that, though he would not make a king, yet, upon his principles, he could obey him better than those who were so much set on making one. The high church party did apprehend, that the opposition they had given the king's advancement, and the zeal that others had shewed for it, would alienate him from them, and throw him into other hands, from whom no good was to be expected for them: and they looked for severe revenges for the hardships they had put on these, in the end of king Charles's reign. This grew daily upon that party, and made them begin to look back toward king James. So, not to provoke so great a body too much, it was thought advisable to employ the earl of Nottingham. The great increase of chancery business had made many apprehend, it was too much to be trusted to one person: so it was resolved to put the chancery in commission: and the earl of Nottingham was proposed to be the first in the commission, but he refused it. So Maynard, Keck, and Rawlinson, three eminent lawyers, were made the three commissioners of the great seal. And soon after that, the earl of Nottingham was appointed secretary of state. This gave as much satisfaction to all the high party, as it begot jealousies and distrust in others. The one hoped for protection and favour by his means: they reckoned, he would infuse all

The earl of Nottingham's advancement unacceptable to the whigs.

the prerogative notions into the king; and give him such a jealousy of every step that the others should make in prejudice of these, that from thence the king would see cause to suspect all the shew of kindness that they might put on to him, when at the same time they were undermining some of those prerogatives, for which the earl of Nottingham seemed to be so zealous. This had a great effect on the king, who, being ignorant of our constitution, and naturally cautious, saw cause enough to dislike the heat he found among those, who expressed much zeal for him, but who seemed, at the same time, to have with it a great mixture of republican principles [c]. They, on the other hand, were much offended at the employing the earl of Nottingham. And he gave them daily cause to be more displeased at it: for he set himself with a most eager partiality against the whole party, and against all the motions made by them: and he studied to possess the king with a very bad opinion of them. And, whereas secretaries of state have a particular allowance for such spies as they employ to procure intelligence, how exact soever he might be in procuring foreign intelligence, he spared no cost nor pains to have an account of all that passed in the city, and in other 1689.

[c] I remember to have heard from a great personage, that when the earl of Sunderland came afterwards to be in king William's confidence, and pressed him very much to trust and rely more upon the whigs than he had done, the king said, he believed the whigs loved him best, but they did not love monarchy; and although the tories did not like him so well as the others, yet as they were zealous for monarchy, he thought they would serve his government best: to which the earl replied, that it was very true, that the tories were better friends to monarchy than the whigs were, but then his majesty was to consider that he was not their monarch. See in this copy and notes, page 660—662, in this vol. O.

1689. angry cabals: and he furnished the king very copiously that way; which made a deep impression on him, and had very bad effects. The earl of Danby was made marquis of Carmarthen, and president of the council: and lord Halifax had the privy seal. The last of these had gone into all the steps that had been made for the king, with great zeal, and by that means was hated by the high party, whom for distinction sake I will hereafter call *tories*, and the other *whigs*: terms that I have spoken much against, and have ever hated: but to avoid making always a longer description, I must use them; they being now become as common as if they had been words of our language. Lord Halifax soon saw that his friendship with the whigs was not like to last long: his opposing the exclusion stuck still deep with them: and the business of the *quo warranto's*, and the delivering up of charters, was cast on him: the slowness of relieving Ireland was also charged on him; he had for some time great credit with the king; though his mercurial wit was not well suited with the king's phlegm. Lord Carmarthen could not bear the equality, or rather the preference that seemed to be given to lord Halifax: and therefore set on the storm that quickly broke out upon him [d].

[d] Lord Halifax was not sensible of that equality or preference; for he complained most grievously to all his friends, that he found there was no contesting against the merit of rebellion. D. I have always thought king William unjustly reflected upon, for taking some of the tories into his administration; lord Halifax and lord Danby in particular had done eminent services at the revolution, and could not with decency have been left out. Lord Danby's merit was great in concluding the match with queen Mary, without the knowledge and against the opinion of the duke of York. H. (EARL OF HARDWICKE.)

Lord Mordaunt was made earl of Monmouth, and first commissioner of the treasury: and lord de la Mere, made earl of Warrington, was chancellor of the exchequer: lord Godolphin was likewise brought into the treasury, to the great grief of the other two; who soon saw, that the king considered him more than them both. For, as he understood treasury business well, so his calm and cold way suited the king's temper[e]. The earls of Monmouth and Warrington, though both most violent whigs, became great enemies: the former was generous, and gave the inferior places freely; but sought out the men, who were most noted for republican principles, for them all: and the other, they said, sold every thing that was in his power[f]. The privy council was composed chiefly of whigs. 1689.

Nothing gave a more general satisfaction than the naming of the judges; the king ordered every privy counsellor to bring a list of twelve: and out of these, twelve very learned and worthy judges were chosen. This nomination was generally well received over the nation. The first of these was sir John Holt, made lord chief justice of England, then a young man for so high a post, who maintained it all his time with a high reputation for capacity, integrity, courage, and great despatch. So that since the lord chief justice Hale's time, that bench has not been so well filled as it was by him. The judges well chosen.

The king's chief personal favour lay between Ben-

[e] The treasury was ill composed; lord Godolphin was odious for having adhered to king James to the last, and acted in the privy council, and debated against the abdication. He understood the treasury business much the best. O.

[f] A slight foundation to go upon for such a charge, and absolutely denied by the family. O. Made earl after this, 8vo edit.

1689. thinck and Sidney: the former was made earl of Portland and groom of the stole, and continued for ten years to be entirely trusted by the king; and served him with great fidelity and obsequiousness: but he could never bring himself to be acceptable to the English nation. The other was made first, lord Sidney, and then earl of Rumney: and was put in several great posts. He was made secretary of state, lord lieutenant of Ireland, and master of the ordnance: but he was so set on pleasure, that he was not able to follow business with a due application [g]. The earls of Devonshire and Dorset had the white staffs: the first was lord steward, and the other was lord chamberlain: and they being both whigs, the household was made up of such, except where there were buyers for places, which were set to sale: and though the king seemed to discourage that, yet he did not encourage propositions that were made for the detecting those practices. Thus was the court, the ministry, and the council, composed. The admiralty was put in commission: and Herbert, made earl of Torrington, was first in the commission. He tried to dictate to the board: and, when he found that did not pass upon them, he left it: and studied all he could to disparage their conduct: and it was

[g] When he was made secretary of state, the duke of Leeds told me he happened to go into the king's closet soon after he came out, and the king asked him if he had seen the new secretary; the duke answered, no, he met nobody but lord Rumney, (little thinking he could be the man.) The king told him, he knew he would laugh at his being so, but he could not think of a proper person at present, and knew he was the only Englishman he could put in and out again without disobliging of him. The duke said he did not laugh before, but could not forbear, when he heard he was to be at the secretary's office, like a footman at a play, to keep a place till his betters came. D.

thought he hoped to have been advanced to that high trust alone. 1689.

The first thing proposed to be done was to turn the convention into a parliament, according to the precedent set in the year 1660. This was opposed by all the tories. They said, writs were indispensable to the being of a parliament. And though the like was done at the restoration, yet it was said, that the convention was then called when there was no king nor great seal in England: and it was called by the consent of the lawful king, and was done upon a true and visible, and not on a pretended necessity: and they added, that after all, even then the convention was not looked on as a legal parliament: its acts were ratified in a subsequent parliament; and from thence they had their authority. So it was moved, that the convention should be dissolved, and a new parliament summoned: for in the joy which accompanied the revolution, men well affected to it were generally chosen: and it was thought, that the damp, which was now spread into many parts of the nation, would occasion great changes in a new election. On the other hand, the necessity of affairs was so pressing, that no time was to be lost: a delay of forty days might be the total loss of Ireland; and stop all our preparations at sea: nor was it advisable, in so critical a time, to put the nation into the ferment which a new election would occasion. And it was reasonable to expect, that those who had set the king on the throne would be more zealous to maintain him there, than any new set of men could possibly be: and those who submitted to a king, *de facto*, must likewise submit to a parliament, *de facto*. So the bill passed: and a day was

The convention turned to a parliament.

1689. set for the call of both houses, and for requiring the members to take the oaths.

Some bishops leave the parliament.

Eight bishops absented themselves, who were Sancroft of Canterbury, Thomas of Worcester, Lake of Chichester, Turner of Ely, Lloyd of Norwich, Ken of Bath and Wells, Frampton of Gloucester, and White of Peterborough. But in the mean while, that they might recommend themselves by a shew of moderation, some of them moved the house of lords, before they withdrew from it, for a bill of toleration, and another of comprehension[h]: and these were drawn and offered by the earl of Nottingham: and, as he said to me, they were the same that he had prepared for the house of commons in king Charles's time, during the debates of the exclusion: but then things of that kind were looked on as artifices, to lay the heat of that time, and to render the church party more popular. After those motions were made, the bishops that were in the house withdrew: Sancroft, Thomas, and Lake, never came: the two last died soon after. Ken was a man of a warm imagination: and at the time of the king's first landing, he declared heartily for him, and advised all the gentlemen that he saw, to go and join with him. But during the debates in the convention, he went with great heat into the notion
7 of a prince regent. And now, upon the call of the house, he withdrew into his diocese. He changed his mind again, and wrote a paper, persuading the clergy to take the oaths, which he shewed to Dr.

[h] (Of these eight, five were amongst those excellent prelates, who, in the late reign, when they stood in the gap against popery, had professed their willingness, that favour should be shewn to dissenters.)

Whitby, who read it, as the Dr. has told me often. 1689.
His chaplain, Dr. Eyre, did also tell me, that he came with him to London, where at first he owned he was resolved to go to the house of lords, and to take the oaths [i]. But the first day after he came to town, he was prevailed on to change his mind: and he has continued ever since in a very warm opposition to the government [k]. Sancroft went on in his unactive state, still refusing the oaths, but neither acting nor speaking, except in great confidence, to any against their taking them [l]. These bishops did one thing very inconsistent with their other actions, and that could not be easily reconciled to the rules of good conscience. All presentations are directed to bishops or to their chancellors. But, by a general

[i] (The bishop had been constantly assured, that king James had, by a special instrument, made over the kingdom of Ireland to the French king. See the Biographia Britan. vol. vi. artic. *Ken.*)

[k] Ken had been chaplain to the princess of Orange at the Hague, and sent back upon some disgust the prince took to him, (for the marriage of Zulestein with Mrs. Wroth, a maid of honour,) but retained a most profound respect and zeal for the princess, which induced him to move in the convention, that they should in the name of God, go out and proclaim her. How he reconciled that to his future doctrine and behaviour, nobody could ever understand. He was extremely devout and passionate, with little learning or judgment, and the personal aversion he had to king William seemed to be the chief motive for all his actions. Queen Mary said she knew he had a great desire to be a martyr, but he should not be gratified in her time. D. (Zuylestein had seduced the young lady by a promise of marriage. See Biogr. Britan. as above.)

[l] It was a very tender matter. They perhaps thought it was enough to keep their own scruples and conscience to themselves, and not to be an obstruction to others who could comply. This did not look like faction *then*, and some of them, it has been said, had the same temper afterwards. O. (The pious bishop Sanderson acted in the like cautious way respecting the oath of engagement in the time of the commonwealth.)

1689. agreement in the year 1660, the bishops resolved to except out of the patents, that they gave their chancellors, the power of giving institution into cures, which, before that, the chancellors were empowered to give in the bishops' absence. Now the bishops were bound to see that the clergy, before they gave them institution, took the oaths to the government. In order therefore to decline the doing this, and yet avoid the actions of *quare impedit*, that they would be liable to, if they did not admit the clerks presented to them, they gave new patents to their chancellors, empowering them to give institution; which they knew could not be done, but by tendering the oaths. So they gave authority to laymen, to admit men to benefices, and to do that which they thought unlawful, as was the swearing to an usurper against the lawful king. Thus it appeared how far the engagement of interest and parties can run men into contradictions.

Upon the bishops refusing the oaths, a bill was brought into the house of commons, requiring all persons to take them by a prefixed day, under several forfeitures and penalties. The clergy that took them not were to fall under suspension for six months, and at the end of those, they were to be deprived. This was followed with a particular eagerness by some, who were known enemies to the church: and it was then generally believed, that a great part of the clergy would refuse the oaths. So they hoped to have an advantage against the church by this means. Hambden persuaded the king to add a period to a speech he made, concerning the affairs of Ireland, in which he proposed the admitting all

protestants to serve in that war [m]. This was understood to be intended for taking off the sacramental test, which was necessary by the law to qualify men for employments, and was looked on as the chief security the church of England had, as it excluded dissenters from all employments. And it was tried, if a bargain could be made, for excusing the clergy from the oaths, provided the dissenters might be excused from the sacrament. The king put this into his speech, without communicating it to the ministry: and it had a very ill effect. It was not only rejected by a great majority in both houses; but it very much heightened the prejudices against the king, as bearing no great affection to the church of England, when he proposed the opening such a door, which they believed would be fatal to them. The rejecting this, made the act imposing the oaths to be driven on with the more zeal. This was in debate when I came into the house of lords: for Ward, bishop of Salisbury, died this winter: many spoke to the king in my favour, without my knowledge. The king made them no answer. But a few days after he was set on the throne, he of his own motion named me to that see: and he did it in terms more obliging than usually fell from him. When I waited on the queen, she said, she hoped I would now put in practice those notions with which

1689.

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I was made bishop of Salisbury.

[m] This has been supposed to be John Hampden, called the younger Hampden, (son of Richard, afterwards chancellor of the exchequer.) See the former vol. 539, for his character. O. (Ralph, in the second vol. of his History of England, says, that this measure was proposed by the king when he came to parliament on March 16th, to pass the act for suspending the Habeas Corpus act; and that it seems incredible his majesty took such a step without the participation of his ministry. See p. 67—69.)

1689. I had taken the liberty often to entertain her. All the forms of the *congé d'élire*, and my election, were carried on with despatch. But a great difficulty was in view. Sancroft would not see me; and he refused to consecrate me. So by law, when the mandate was brought to him, upon not obeying it, he must have been sued in a *premunire:* and for some days he seemed determined to venture that: but as the danger came near, he prevented it, by granting a commission to all the bishops of his province, or to any three of them, in conjunction with the bishop of London, to exercise his metropolitical authority during pleasure. Thus he did authorize others to consecrate me, while yet he seemed to think it an unlawful act. This was so mean, that he himself was ashamed of it afterwards. But he took an odd way to overthrow it: for he sent for his original warrant: and so took it out of the office, and got it into his own hands.

I happened to come into the house of lords, when two great debates were managed with much heat in it. The one was about the toleration and comprehension, and the other was about the imposing the oaths on the clergy. And I was engaged at my first coming there, to bear a large share in both.

Debates concerning the oaths.

That which was long insisted on, in the house of lords, was, that instead of the clause positively enacting, that the clergy should be obliged to take the oaths, the king might be empowered to tender them, 9 and then the refusal was to be punished according to the clause, as it stood in the act. It was thought, such a power would oblige them to their good behaviour, and be an effectual restraint upon them: they would be kept quiet at least by it: whereas, if

they came under deprivation, or the apprehensions of it, that would make them desperate, and set them on to undermine the government. It was said, that the clergy, by the offices of the church, did solemnly own their allegiance to God, in the sight of all their people; that no oath could lay deeper engagements on them than those acts of religious worship did: and if they should either pass over those offices, or perform them otherwise than as the law required, there was a clear method, pursuant to the act of uniformity, to proceed severely against them. It was also said, that in many different changes of government, oaths had not proved so effectual a security as was imagined [n]: distinctions were found out, and senses were put on words, by which they were interpreted so as to signify but little, when a government came to need strength from them: and it ill became those, who had formerly complained of these impositions, to urge this with so much vehemence. On the other hand, it was urged, that no man ought to be trusted by a government, chiefly in so sacred a concern, who would not give security to it; especially, since the oath was brought to such low and general terms. The expedient that was proposed would put a hardship upon the king, which was always to be carefully avoided. The day prefixed was at the distance of some months: so that men had time sufficient given them to study the point: and, if in that time they could not satisfy themselves, as to the lawfulness of acknowledging the government, it was not fit that they should continue in the highest posts of the church. An exception of twelve 1689.

[n] And is it not true? It is the integrity of government, and not swearing to it, that must be its defence. O.

1689. was proposed, who should be subject to the law, upon refusing the oaths, when required to it by the king; but that was rejected: and all the mitigation that was obtained, was a power to the king to reserve a third part of the profits of any twelve benefices he should name, to the incumbents who should be deprived by virtue of this act: and so it passed. I was the chief manager of the debate in favour of the clergy, both in the house of lords and at the conferences with the commons. But, seeing it could not be carried, I acquiesced the more easily; because, though in the beginning of these debates I was assured, that those who seemed resolved not to take the oaths, yet prayed for the king in their chapels; yet I found afterwards this was not true, for they named no king nor queen, and so it was easy to guess whom they meant by such an indefinite designation. I also heard many things, that made me conclude, they were endeavouring to raise all the opposition to the government possible.

An act of toleration.

The bill of toleration passed easily. It excused dissenters from all penalties, for their not coming to church, and for going to their separate meetings. There was an exception of Socinians: but a provision was put in it in favour of quakers: and, though the rest were required to take the oaths to the government, they were excused, upon making in lieu thereof a solemn declaration. They were to take out warrants for the houses they met in: and the justices of peace were required to grant them. Some proposed, that the act should only be temporary, as a necessary restraint upon the dissenters, that they might demean themselves so as to merit the continuance of it, when the term of years now offered should

end. But this was rejected: there was now an universal inclination to pass the act: but it could not be expected, that the nation would be in the same good disposition towards them at another time. I shewed so much zeal for this act, as very much sunk my credit, which had risen from the approbation I had gained, for opposing that which enacted the taking the oaths. As for the act of comprehension, some progress was made in it. But a proviso was offered, that, in imitation of the acts passed in king Henry the eighth and king Edward the sixth's time, a number of persons, both of the clergy and laity, might be empowered to prepare such a reformation of things, relating to the church, as might be offered to king and parliament, in order to the healing our divisions, and the correcting what might be amiss or defective in our constitution [p]. This was pressed 1689.

A motion for a comprehension.

[p] By the constitution of the church of England it is, that the supreme legislative power of the church is in king, lords, and commons in parliament. And it is the same with regard to the king's supremacy, whose ecclesiastical jurisdiction and authority is an essential part of our church constitution, renewed and confirmed by parliament, as the supreme legislature of the church, which has the same extent of true power in the church of England, as any church legislature ever had; and may therefore censure, excommunicate, deprive, degrade, &c. or may give authoritative directions to the officers of the church, to perform any of them; and may also make laws and canons to bind the whole church as they shall judge proper, not repugnant to the laws of God or nature. Nay, the laity in England cannot otherwise be bound but by parliament, who have a right (when they think proper) to the advice and assistance of the convocations, or the true parliamentary meetings of the clergy, by the *præmunientes* clause in the parliamentary writs to the bishops, if the one or the other or both should be then assembled. The last has been long disused. See the Journal of the House of Commons of the 13th—16th of April, 1689, 1st of March, 1710. 1712. 1713. The legislature of the primitive church was in the whole body, and afterwards had many variations in its constituents, and may still vary

1689. with great earnestness by many of the temporal lords. I at that time did imagine, that the clergy would have come into such a design with zeal and unanimity: and I feared this would be looked on by them, as taking the matter out of their hands: and for that reason I argued so warmly against this, that it was carried by a small majority to let it fall. But I was convinced soon after, that I had taken wrong measures; and that the method proposed by these lords was the only one like to prove effectual: but this did not so recommend me to the clergy, as to balance the censure I came under, for moving, in another proviso of that bill, that the subscription,

with the consent of the several communities. If this distinction of legislature in the parliament be true, (and I am not the first who has mentioned it,) the church of England is freed from the imputation of being a creature *only* of the state, which by some sects of Christians has been often and much objected to, and makes it to be agreeable to Mr. Lock's notion, indeed demonstration, "that matters "of mere religion are absolute-"ly independent of the civil "magistrate, as such." Where ecclesiastical jurisdictions have cognizance of temporal matters, they are thus far civil courts; and so *vice versa*. The king is said in our law to be *mixta persona*, as it regards his supremacy, in the execution of all civil and ecclesiastical jurisdiction; and so is the parliament a mixed legislature. As to which or what is the best church constitution, I say nothing here. But this may be said, that no church power whatsoever, or wheresoever placed, legislative or otherwise, can have any right to the sanction of civil punishments; nor ought they to be, or any temporal disadvantages. All religions ought to have their free course, where they interfere not with the peace and rights of human society: of such, the civil power is to endow one, and to protect all. See Mr. Lock's Treatises of Government and Toleration. The convocation can by their canons bind only their own body. They are in the nature of by-laws; and this is now fully settled by a solemn determination in the king's bench, made in my lord Hardwick's time there. O. (What is here asserted respecting the right of the legislature to excommunicate the members of the church, and to degrade its clergy, or to command the officers of the church so to act, is not admitted by the church itself to be compatible with

instead of *assent* and *consent*, should only be to *submit* with a promise of conformity [q]. There was a proviso likewise, in the bill, for dispensing with kneeling at the sacrament, and being baptized with the sign of the cross, to such as, after conference upon those heads, should solemnly protest, they were not satisfied as to the lawfulness of them. That concerning kneeling occasioned a vehement debate: for, the posture being the chief exception that the dissenters had, the giving up this was thought to be the opening a way for them to come into employments. Yet it was carried in the house of lords. And I declared my self zealous for it. For since it was acknowledged that the posture was not essential in itself, and that scruples, how ill grounded soever, were raised upon it, it seemed reasonable to leave the matter as indifferent in its practice as it was in its nature. 1689. 11

Those who had moved for this bill, and afterwards brought it into the house, acted a very disingenuous part: for, while they studied to recommend themselves by this shew of moderation, they set on their friends to oppose it: and such as were very sincerely and cordially for it were represented as the enemies of the church, who intended to subvert it. When the bill was sent down to the house of commons, it was let lie on the table [r]. And, instead

the powers given by our Saviour to those officers. It was not pretended, that the bishops who were deprived after the revolution, were degraded from their orders, (if that is meant by the term degrading,) or ceased to be bishops, although deprived of their bishoprics.)

[q] See the Journal of the House of Lords of the 25th of July, 1663, and my collection of the lords' protests, in which there is not one bishop.

[r] See the Journal of the House of Commons of the 9th,

1689. of proceeding in it, they made an address to the king, for summoning a convocation of the clergy to attend, according to custom, on the session of parliament. The party that was now beginning to be formed against the government, pretended great zeal for the church; and declared their apprehensions that it was in danger, which was imputed by many to the earl of Nottingham's management. These, as they went heavily into the toleration, so they were much offended with the bill of comprehension, as containing matters relating to the church, in which the representative body of the clergy had not been so much as advised with.

Nor was this bill supported by those who seemed most favourable to the dissenters: they set it up for a maxim, that it was fit to keep up a strong faction both in church and state[s]; and they thought it was

13th, and 16th of April, 1689, and also of the 1st of March, 1710. O.

[s] A false and foolish notion, the artifice of weak and mean politicians; who value themselves upon small cunning, and think, or hope at least, that it will be deemed wisdom. They are often as wicked as they are weak, and are generally the pests of government. Voltaire, in one of his English letters, has a refinement very agreeable to his character, "That if there was "but one religion in England, "the people would be slaves: if "two only, they would be cut-"ting one another's throats. "But all being allowed the "people, they are free and "quiet." The Christian religion has been and is preserved in the world by churches, but not always the true spirit of Christianity. Some individuals in every sect have it, and are not they the elect? Persecuted churches have most of devotion, and established churches most of persecution: all have the last in some degree, (when they can exert it,) as a matter of policy. But if there were no churches established by the state with endowments, there would soon be an end of all religion, learning, and virtue. By the establishment I think necessary, I mean only public endowments of maintenance for fabrics, ministers, and servants of churches. This will not content the high churchmen of any sect that happens to be established. O.

not agreeable to that, to suffer so great a body as the presbyterians to be made more easy, or more inclinable to unite to the church: they also thought, that the toleration would be best maintained, when great numbers should need it, and be concerned to preserve it: so this good design being zealously opposed, and but faintly promoted, it fell to the ground. 1689.

The clergy began now to shew an implacable hatred to the nonconformists, and seemed to wish for an occasion to renew old severities against them. An ill humour spread among the clergy.

But wise and good men did very much applaud the quieting the nation by the toleration. It seemed to be suitable, both to the spirit of the Christian religion and to the interest of the nation. It was thought very unreasonable, that, while we were complaining of the cruelty of the church of Rome, we should fall into such practices among our selves; chiefly, while we were engaging in a war, in the progress of which we would need the united strength of the whole nation. 12

This bill gave the king great content. He in his own opinion always thought, that conscience was God's province, and that it ought not to be imposed on: and his experience in Holland made him look on toleration as one of the wisest measures of government: he was much troubled to see so much ill humour spreading among the clergy, and, by their means, over a great part of the nation. He was so true to his principle herein, that he restrained the heat of some, who were proposing severe acts against papists. He made them apprehend the advantage, which that would give the French, to alienate all the papists of Europe from us; who from thence Great gentleness towards papists.

1689. might hope to set on foot a new catholic league, and make the war a quarrel of religion; which might have very bad effects. Nor could he pretend to protect the protestants in many places of Germany and in Hungary, unless he could cover the papists in England, from all severities on the account of their religion[t]. This was so carefully infused into many, and so well understood by them, that the papists have enjoyed the real effects of the toleration, though they were not comprehended within the statute that enacted it.

War proclaimed against France.

While domestic matters were raising great heats at home, we saw the necessity of making vigorous preparations for the war abroad, and in Ireland. The king laid before both houses the alliances, formerly made by the crown of England, with the States, and with the empire, together with the new ones that were now proposed, which made a rupture with France necessary. So, by the advices of both houses, war was declared against France: and the necessary supplies, both for the *quota* that the king was to furnish, and for the reduction of Ireland, were provided.

Debates concerning the revenue.

The next care was a revenue, for the support of the government. By a long course, and the practice of some ages, the customs had been granted to our

[t] Which he was under the strictest obligations, both to the pope and emperor, to see performed. Mr. Wells, a Roman catholic gentleman at Rome, told me, that to his knowledge, the nuncio at Brussels was sent in disguise to take his oath on behalf of the first; and he held a constant correspondence with the last to his death, all in his own hand, without communicating the contents either to his ministers or favourites, (as lord Jersey told me;) his correspondence with other princes was chiefly carried on by his favourites, and little besides matters of form transacted by the secretary of state. D.

kings for life: so the king expected that the like regard should be shewn for him. But men's minds were much divided in that matter. Some whigs, who by a long opposition, and jealousy of the government, had wrought themselves into such republican principles, that they could not easily come off from them, set it up as a maxim not to grant any revenue, but from year to year, or, at most, for a short term of years. This, they thought, would render the crown precarious, and oblige our kings to such a popular method of government, as should merit the constant renewal of that grant. And they hoped, that so uncertain a tenure might more easily bring about an entire change of government. For, by the denying the revenue at any time, (except upon intolerable conditions,) they thought that might be easily effected, since it would render our kings so feeble, that they would not be able to maintain their authority. The tories observing this, made great use of it, to beget in the king jealousies of his friends, with too much colour, and too great success. They resolved to reconcile themselves to the king by granting it, but at present only to look on, till the whigs, who now carried every thing to which they set their full strength, should have refused it. 1689. 13

The king, as he had come through the western countries, from his first landing, had been in many places moved to discharge the chimney money: and had promised to recommend it to the parliament. He had done that so effectually, that an act passed discharging it; though it was so much opposed by the tories, that it ran a great hazard in the house of lords. Those who opposed it pretended, that it was the only sure fund, that could never fail in war, so that The chimney money discharged.

1689. money would be freely advanced upon it: they said, a few regulations would take away any grievance that might arise from it: but it was thought, they were not willing that such an act should pass, as would render the king acceptable to the body of the nation. It was also thought that the prospect they then had of a speedy revolution, in favour of king James, made some of them unwilling to pass an act, that seemed to lay an obligation on him, either to maintain it, or by resuming his revenue, to raise the hatred of the nation higher against him. When the settling the king's revenue was brought under consideration, it was found, there were anticipations and charges upon it, from which it seemed reasonable to clear it. So many persons were concerned in this, and the season of the year was so far advanced, that it was pretended, they had not time to examine that matter with due care: and therefore, by a provisional act, they granted the king the revenue for one year: and many intended never to carry the grant but from year to year. This touched the king very sensibly. And many discourses, that passed among sour whigs in their cabals, were communicated to him by the earl of Nottingham, by which he concluded he was in the hand of persons that did not intend to use him well.

A bill concerning the militia.

A bill was prepared concerning the militia, which, upon the matter, and in consequence of many clauses in it, took it in a great measure both from the crown and out of the lords lieutenants; who being generally peers, a bill that lessened their authority so much was not like to pass in the house of lords: so it was let lie on the table. By this likewise, which was chiefly promoted by the whigs,

the king came to think, that those who had raised him to the throne, intended to depress his prerogative, as much as they had exalted his person. He seemed to grow tender and jealous upon these points, the importance of every one of them being much aggravated by the earl of Nottingham, who had furnished him with a scheme of all the points of the prerogative, and of their dependance one upon another: and he seemed so possessed with this, that many of those who had formerly most of his confidence, found a coldness growing upon him, which increased their disgust, and made them apprehend they should again see a reign full of prerogative maxims [u]. One thing the house of commons granted, 1689.

[u] The good bishop seems to take all opportunities to load the earl of Nottingham; but the earl of Rochester told me, that one of the first things king William said after he came to the crown was, that it should not be the worse for his wearing, and frequently repeated it, as occasions offered, during his whole reign. But lord Rochester added, in his peevish manner, that he thought he had made it little better than a night cap. D. (An instance of William's making this observation is recorded by Cunningham in his History of Great Britain, vol. i. p. 115, of Dr. Thomson's Translation from the Latin MS. where the following circumstances are mentioned. "About this time, the ambition "of some of his friends, and the "licentiousness of others, gave "the king no small trouble. "..... The king, tired out "with the daily solicitations "and importunate discourses "of Mr. Thomas Wharton," (afterwards marquis of Wharton,) "gave orders to invite the "earl of Shrewsbury, and some "other noble persons, who had "deserved well of him, and "were famous for their wit, to "a private supper with him; "and among the rest, Mr. "Wharton, whom nothing "would content but the office "of secretary of state. As soon "as they were met together, "the king desired them all to "be as free as any where. "The entertainment being continued with great liberality to "a very late hour, they began "to grow warm with wine. "It is reported that the king, "looking upon Mr. Wharton, "said, 'The crown should not "be the worse for his wearing "it:' advised them to be content with his bounty, so far

1689. which was very acceptable to the king: they gave the States about 600,000*l.* for the charge they had been at in the fleet and army, which they furnished the king with at the revolution.

Debates concerning an act of indemnity.

They could not be brought to another point, though often and much pressed to it by the king. He thought nothing would settle the minds of the nation so much as an act of indemnity, with proper exceptions of some criminals, that should be left to justice. Jefferies was in the tower; Wright, who had been lord chief justice, and some of the judges, were in Newgate; Graham and Burton, who had been the wicked solicitors in the former reigns, were in prison; but the hottest of the whigs would not set this on. They thought it best to keep many under the lash; they intended severe revenges for the blood that had been shed, and for the many unjust things that had been done in the end of king Charles's reign; they saw, that the clogging the indemnity with many comprehensive exceptions, would create king James a great party; so they did not think it proper to offer at that: yet they resolved to keep them still in their power, till a better opportunity for falling on them should offer itself: therefore they proceeded so slowly in that matter, that the bill could not be brought to a ripeness during this session. It is true, the great mildness of the king's temper, and the gentleness of his government, which was indeed rather liable to censure, as being too remiss, set people's minds much at ease:

"as he could bestow it; and "then, laying his hand upon his sword, added, 'What "others perform by entreaties, "I will take care to perform "with this.' From that time "Mr. Wharton became more "obsequious to the king's humour, and never forsook his "party in any difficulty.")

ınd, if it gave too much boldness to those, who be- 1689.
ɡan to set up an open opposition to him, yet it gained
ıpon the greater part of the nation, who saw none
›f those moving spectacles that had been so common
n former reigns: and all promised themselves happy
lays under so merciful a prince. But angry men
›ut a wicked construction on the earnestness the
ɛing shewed for an act of indemnity; they said, he
ntended to make use of a set of prerogative men,
ıs soon as legally he could; and therefore he desired
he instruments of king James's illegal government
night be once secured, that so he might employ
hem. The earls of Monmouth and Warrington
vere infusing jealousies of the king into their party,
vith the same industry that the earl of Nottingham
vas, at the same time, instilling into the king jea-
ousies of them: and both acted with too much suc-
ɛess; which put matters much out of joint. For
hough the earls of Shrewsbury and Devonshire did
ıll they could to stop the progress and effects of
hose suspicions, with which the whigs were pos-
ɛessed, yet they had not credit enough to do it.
The earl of Shrewsbury, though he had more of the
ɛing's favour, yet he had not strength to resist the
ɛarl of Nottingham's pompous and tragical declama-
ɛions.

There was a bill of great importance sent up by The bill of rights.
he commons to the lords, that was not finished this
ɛession. It was a bill declaring the rights and li-
›erties of England, and the succession to the crown,
ıs had been agreed by both houses of parliament,
ɛo the king and queen and their issue, and after
hem, to the princess Anne and her issue, and after
hese, to the king and his issue. A clause was in-

1689. serted, disabling all papists from succeeding to the crown, to which the lords added, *or such as should marry papists.* To this I proposed an additional clause, absolving the subjects, in that case, from their allegiance. This was seconded by the earl of Shrewsbury: and it passed without any opposition or debate: which amazed us all, considering the importance of it. But the king ordered me to propose the naming the duchess of Hanover, and her posterity, next in the succession. He signified his pleasure in this also to the ministers. But he ordered me to begin the motion in the house, because I had already set it on foot. And the duke of Hanover had now other thoughts of the matter, and
17 was separating himself from the interests of France. The lords agreed to the proposition without any opposition. So it was sent down to the commons. There were great debates there upon it. Hambden pressed it vehemently. But Wildman, and all the republican party, opposed it. Their secret reason seemed to be, a design to extinguish monarchy, and therefore to substitute none, beyond the three that were named, that so the succession might quickly come to an end. But, it not being decent to own this, all that they pretended was, that there being many in the lineal succession, after the three that were named, who were then of the church of Rome, the leaving to them a possibility to succeed, upon their turning protestants, might have a good effect on them, and dispose them to hearken to instruction; all which would be defeated by a declaration in favour of the duchess.

To this it was answered, in a free conference, that for that very reason it was fit to make this de-

claration: since nothing could bring us into a more certain danger, than a pretended conversion of a false convert, who might by such a disguise ascend the throne, and so work our ruin by secret artifices. Both houses adhered, after the free conference. So the bill fell for that time: but it was resolved to take it up at the opening of the next session. And the king thought it was not then convenient to renew the motion of the duchess of Hanover, of which he ordered me to write her a particular account. It was fit once to have the bill passed, that enacted the perpetual exclusion of all papists: for that, upon the matter, brought the succession to their door. And if any in the line, before her, should pretend to change, as it was not very likely to happen, so it would not be easily believed. So it was resolved to carry this matter no further at this time. The bill passed without any opposition in the beginning of the next session; which I mention here, that I might end this matter all at once. The present session was drawn to a great length, and was not ended till August: and then it broke up with a great deal of ill humour. 1689.

King James's great seal found in the Thames.

One accident happened this summer, of a pretty extraordinary nature, that deserves to be remembered. A fisherman, between Lambeth and Vauxhall, was drawing a net pretty close to the channel; and a great weight was, not without some difficulty, drawn to the shore, which, when taken up, was found to be the great seal of England. King James had called for it from the lord Jefferies, the night before he went away, as intending to make a secret use of it, for pardons or grants. But it seems, when he went away, he thought either that the bulk or

1689. weight of it made it inconvenient to be carried off, or that it was to be hereafter of no more use to him: and therefore, that it might not be made use of against him, he threw it into the Thames. The fisherman was well rewarded, when he brought the great seal to the king: and by his order it was broke.

The state of affairs in Ireland.

But now I must look over to the affairs of Ireland, and to king James's motions. Upon his coming to the court of France, he was received with great shews of tenderness and respect; the French king assuring him, that, as they had both the same interests, so he would never give over the war, till he had restored him to his throne. The only prospect he now had, was to keep up his party in Ireland and Scotland. The message from Tirconnel for speedy supplies was very pressing: and his party in Scotland sent one Lindsay over to him, to offer him their service, and to ask what assistance they might depend upon. The French ministry was at this time much divided. Louvois had the greatest credit, and was very successful in all his counsels: so that he was most considered. But Seignelay was believed to have more personal favour, and to be more entirely united to madame Maintenon. These two were in a high competition for favour, and hated one another. Seignelay had the marine, as the other had the army, for his province. So, king James having the most dependance on the marine, and looking on the secretary for that post as the most powerful favourite, made his chief application to him; which set Louvois to cross and retard every thing that was proposed for his service. So that matters for him went on slowly, and very defec-

tively. There was another circumstance in king James's affairs, that did him much hurt. Lausun, whose adventures will be found in the French history, had come over to king James, and offered him his service, and had attended on the queen when she went over to France. He had obtained a promise of king James, that he should have the command of such forces as the king of France would assist him with. Louvois hated Lausun; nor did the king of France like to employ him: so Louvois sent to king James, desiring him to ask of the king of France, Souvray, a son of his, whom he was breeding to serve in war, to command the French troops. But king James had so engaged himself to Lausun, that he thought he could not in honour depart from it. And ever after that, we were told, that Louvois studied, by all the ways he could think of, to disparage him and all the propositions he made: yet he got about 5000 Frenchmen to be sent over with him to Ireland, but no great supplies in money. Promises were sent the Scots of great assistance that should be sent them from Ireland: they were encouraged to make all possible opposition in the convention: and, as soon as the season of the year would admit of it, they were ordered to gather together in the Highlands, and to keep themselves in safe places there, till further orders should be sent them. With these, and with a small supply in money, of about five or six thousand pounds, for buying ammunition and arms, Lindsay was sent back. I had such a character given me of him, that I entertained good thoughts of him. So, upon his return, he came first to me, and pretended he had gone over on private affairs,

1689.

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King James came over thither.

1689. being deeply engaged in debt for the earl of Melfort, whose secretary he had been. I understood from him, that king James had left Paris to go for Ireland: so I sent him to the earl of Shrewsbury's office: but there was a secret management with one of the under secretaries there for king James: so he was not only dismissed, but got a pass warrant from Dr. Wynne to go to Scotland. I had given the earl of Shrewsbury such a character of the man, that he did more easily believe him; but he knew nothing of the pass warrant. So, my easiness to think well of people, was the chief occasion of the mischief that followed, on his not being clapt up, and more narrowly examined. Upon king James's landing in Ireland, he marched his army from Kinsale to Ulster. And, when it was all together, it consisted of 30,000 foot and 8000 horse. It is true, the Irish were now as insolent as they were undisciplined: and they began to think they must be masters of all the king's counsels. A jealousy arose between them and the French: they were soon on very bad terms, and scarce ever agreed in their advices: all king James's party, in the isle of Britain, pressed his settling the affairs of Ireland the best he could, and his bringing over the French, and such of the Irish as he could best govern and depend on; and advised him to land in the north of England, or in the west of Scotland.

The siege of Londonderry.

But the first thing that was to be done was to reduce Londonderry. In order to this, two different advices were offered. The one was, to march with a great force, and to take it immediately: for the town was not capable of resisting, if vigorously attacked. The other was, to block it up so, that it should be forced

in a little time to surrender; and to turn to other more vigorous designs. But, whereas either of these advices might have been pursued with advantage, a third advice was offered, but I know not by whom, which was the only bad one that could be proposed; and yet, by a sort of fatality, which hung over that king, it was followed by him; and that was, to press the town by a slow siege, which, as was given out, would bring the Irish into the methods of war, and would accustom them to fatigue and discipline. And this being resolved on, king James sent a small body before it, which was often changed: and by these he continued the siege above two months, in which the poor inhabitants formed themselves into great order, and came to generous resolutions of enduring the last extremities. They made some sallies, in which the Irish always ran away, and left their officers; so that many of their best officers were killed. Those within suffered little, but by hunger, which destroyed near two-thirds of their number. One convoy, with two regiments, and provisions, was sent to their relief: but they looked on the service as desperate, being deceived by Lundy, who was the governor of the place, and had undertaken to betray it to king James; but he finding them jealous of him, came to the convoy, and persuaded them that nothing could be done: so they came back, and Lundy with them. Yet the poor inhabitants, though thus forsaken, resolved still to hold out; and sent over such an account of the state they were in, that a second and greater convoy was sent, with about 5000 men, commanded by Kirk, who, after he came in sight, made not that haste to relieve them that was necessary, consider- 1689. 19

1689. ing the misery they were in. They had a river that came up to their town: but the Irish had laid a bomb and chains cross it, and had planted batteries for defending it. Yet a ship sailing up with wind and tide broke through: and so the town was relieved, and the siege raised in great confusion [x].

Was at last raised.

Iniskillin had the same fate: the inhabitants entered into resolutions of suffering any thing, rather than fall into the hands of the Irish: a considerable force was sent against them: but through their courage, and the cowardice of the Irish, they held out.

All this while, an army was preparing in England, to be sent over for the reduction of Ireland, commanded by Schomberg, who was made a duke in England, and to whom the parliament gave 100,000 pounds for the services he had done [y]. The levies were carried on in England with great zeal: and the bodies were quickly full. But though both officers and soldiers shewed much courage and affection to the service; yet they were raw, without experience, and without skill. Schomberg had a quick and happy passage; with about 10,000 men. He

Duke Schomberg with an army went to Ireland.

[x] (Not a word does the bishop afford to the great services of Mr. Walker, rector of Donoughmore, who had raised a regiment of his own, and who saved the town after being elected governor by the brave inhabitants.)

[y] Which king William took to his own use, and allowed duke Schomberg four thousand pounds a year pension in lieu of it; but the public paid it a second time to the duke's heirs, in the reign of king George the first: and some of his Hanover ministers had the modesty to propose a like gratuity for them, though no mortal could tell what their merit was, and thought it very hard that nobody but themselves could be brought to think it reasonable. D.

landed at Belfast, and brought the forces that lay in Ulster together. His army, when strongest, was not above 14,000 men[z]; and he had not above 2000 horse. He marched on to Dundalk; and there posted himself. King James came to Ardee, within five or six miles of him, being above thrice his number. Schomberg had not the supplies from England that had been promised him: much treachery or ravenousness appeared in many who were employed. And he finding his numbers so unequal to the Irish, resolved to lie on the defensive. He lay there six weeks in a very rainy season. His men, for want of due care and good management, contracted such diseases, that he lost almost the one half of his army. Some blamed him for not putting things more to hazard: it was said, that he measured the Irish by their numbers, and not by their want of sense and courage. Such complaints were sent of this to the king, that he wrote twice to him, pressing him to put somewhat to the venture: but he saw the enemy was well posted, and well provided: and he knew they had several good officers among them. If he had pushed matters, and had met with a misfortune, his whole army, and consequently all Ireland, would have been lost: for he could not have made a regular retreat. The sure game was to preserve his army: and that would save Ulster, and keep matters entire for another year. This was censured by some; but better judges thought, the managing this campaign as he did, was one of the greatest parts of his life. The Irish made some poor attempts to beat up his quarters: but 1689.

[z] (Ralph assigns reasons for doubting the accuracy of this computation. See vol. ii. of his History, p. 150.)

1689. even where they surprised his men, and were much superior in number, they were so shamefully beat back, that this increased the contempt the English naturally had for them. In the end of October, all went into winter quarters.

Affairs at sea.

Our operations on the sea were not very prosperous. Herbert was sent with a fleet to cut off the communication between France and Ireland. The French had sent over a fleet, with a great transport of stores and ammunition. They had landed their loading, and were returning back. As they came out of Bantry bay, Herbert engaged them. The wind was against him: so that it was not possible for the greatest part of the fleet to come up, and enter into action: and so those who engaged were forced to retire with some disadvantage. But the French did not pursue him[a]. He came back to Portsmouth, in order to refit some of his ships; and went out again, and lay before Brest till the end of summer. But the French fleet did not come
21 out any more all that summer: so that ours lay some months at sea to no purpose. But, if we lost few of our seamen in the engagement, we lost a great many by reason of the bad victualling. Some excused this, because it was so late in the year be-

[a] ("When king James was at "Dublin, the French ambassa- "dor, the count Devaux, (D'A- "vaux,) came transported to "tell him the news, that his "master's fleet had defeated "the English in Bantry bay; "instead of being pleased, he "let fall the air of his counte- "nance, and coldly answered, "'It is then the first time.'" *Higgons's Short View of English History*, p. 322, 2d edit. This reminds us of his speech during the battle of La Hogue, when, on the English sailors climbing up the sides of the ships of his French allies, he said, to the great offence of the latter, "None but my brave "English could have done "this.")

fore funds were made for it: while others imputed it to base practices and worse designs. So affairs had every where a very melancholy face. 1689.

I now turn to give an account of the proceedings in Scotland. A convention of the states was summoned there, in the same manner as in England. Duke Hamilton was chosen president. And, a letter being offered to them from king James, by Lindsay, they would not receive nor read it [b]: but went on to state the several violations of their constitution and laws, made by king James. Upon these it was moved, that a judgment should be given, declaring, that he had forfeited his right to the crown. Upon this, three parties were formed: one was composed of all the bishops, and some of the nobility, who opposed these proceedings against the king, as contrary to their laws and oaths: others thought, that their oaths were only to the king, as having the executive power, to support him in that; but that, if he set himself to invade and assume the legislature, he renounced his former authority by subverting that upon which it was founded: so they were for proceeding to a declaratory judgment: a third party was formed, of those who agreed with the former in their conclusion: but not in coming to so speedy a determination. They thought, it was

Affairs in Scotland.

Debates in the convention.

[b] ("It is somewhat strange, "that lord Balcarras, in his *Account*, &c. makes no mention "of this letter; and stranger, "that bishop Burnet should "not only affirm it was deli- "vered by Lindsay, instead of "Crane, but that the convention would not receive or read "it, when he might have learned the contrary from the very "gazette." *Ralph's Hist. of England*, vol. ii. p. 91. He goes on to state, that all the bishops, except the archbishop of Glasgow and the bishop of Edinburgh, had left the house before the plan of a new settlement came to be discussed, p. 94.)

1689. the interest of Scotland to be brought under the laws of England, and to be united to the parliament of England; and that this was the properest time for doing that to the best advantage; since England would be obliged, by the present state of affairs, to receive them upon good terms. They were therefore willing to proceed against king James: but they thought it not reasonable to make too much haste in a new settlement; and were for maintaining the government, in an interregnum, till the union should be perfected, or at least put in a probable way. This was specious, and many went into it: but, since it tended to the putting a stop to a full settlement, all that favoured king James joined in it: for by this more time was gained. To this project it was objected, that the union of the two kingdoms must be a work of time; since many difficulties would arise in any treaty about it: whereas the present circumstances were critical, and required a speedy decision, and quick provision to be
22 made for their security; since, if they continued in such a neutral state, they would have many enemies and no friends: and the zeal that was now working among them for presbytery must raise a greater aversion than ordinary, in the body that was for the church of England, to any such treaty with them.

While much heat was occasioned by this debate, great numbers came armed from the western counties, on pretence to defend the convention: for the duke of Gordon was still in the castle of Edinburgh, and could have done them much harm, though he lay there in a very inoffensive state. He thought the best thing he could do was to preserve that place long for king James: since to provoke

the convention would have drawn a siege and ruin upon him, with too much precipitation, while there was not a force in the field ready to come and assist him. So it was said, there was no need of such armed companies, and that they were come to over-awe and force the convention. 1689.

A rising designed there.

The earl of Dundee had been at London, and had fixed a correspondence both with England and France: though he had employed me to carry messages from him to the king, to know what security he might expect, if he should go and live in Scotland without owning his government. The king said, if he would live peaceably, and at home, he would protect him: to this he answered, that, unless he were forced to it, he would live quietly. But he went down with other resolutions; and all the party resolved to submit to his command. Upon his coming to Edinburgh, he pretended he was in danger from those armed multitudes: and so he left the convention; and went up and down the Highlands, and sent his agents about, to bring together what force they could gather. This set on the conclusion of the debates of the convention.

King James was judged there.

They passed the judgment of forfeiture on king James. And on the 11th of April, the day in which the king and queen were crowned, with the ordinary solemnities at Westminster, they declared William and Mary king and queen of Scotland. But with this, as they ordered the coronation-oath to be tendered to them, so they drew up a claim of rights, which they pretended were the fundamental and unalterable laws of the kingdom. By one of these it was declared, that the reformation in Scotland, having been begun

1689. by a parity among the clergy, all prelacy in that church was a great and insupportable grievance to that kingdom. It was an absurd thing to put this in a claim of rights; for which not only they had no law, but which was contrary to many laws then 23 in being: so that, though they might have offered it as a grievance, there was no colour for pretending it was a national right. But they had a notion among them, that every article, that should be put in the claim of rights, became an unalterable law, and a condition upon which the crown was to be held: whereas grievances were such things, as were submitted to the king and parliament to be redressed, or not, as they should see cause: but the bishops, and those who adhered to them, having left the convention, the presbyterians had a majority of voices to carry every thing as they pleased, how unreasonable soever. And upon this, the abolishing episcopacy in Scotland was made a necessary article of the new settlement.

They pass a claim of rights.

Episcopacy by this was abolished.

Soon after the king came to St. James's, the episcopal party there had sent up the dean of Glasgow, whom they ordered to come to me: and I introduced him to the then prince. He was sent to know what his intentions were with relation to them. He answered, he would do all he could to preserve them, granting a full toleration to the presbyterians: but this was, in case they concurred in the new settlement of that kingdom: for if they opposed that, and if, by a great majority in parliament, resolutions should be taken against them, the king could not make a war for them: but yet he would do all that was in his power to maintain such of them as should live peaceably in their func-

tions. This he ordered me likewise to write back, in answer to what some bishops and others had writ to me upon that subject. But the earl of Dundee, when he went down, possessed them with such an opinion of another speedy revolution, that would be brought about in favour of king James, that they resolved to adhere firmly to his interests [c]: so, they declaring in a body, with so much zeal, in opposition to the new settlement, it was not possible for the king to preserve that government there: all those who expressed their zeal for him being equally zealous against that order. 1689.

Among those who appeared in this convention, none distinguished himself more than sir James Montgomery, a gentleman of good parts, but of a most unbridled heat, and of a restless ambition: he bore the greatest share in the whole debate, and promised himself a great post in the new government. Duke Hamilton presided with great discretion and courage: so that the bringing the settlement so soon to a calm conclusion was chiefly owing to him. A petition of grievances, relating to the lords of the articles, the judges, the coin, and several other matters, was also settled: and three commissioners were sent, one from every state, to the king and queen, with the tender of the crown, with which 24

[c] (To William's proposals of supporting episcopacy, in case the bishops of Scotland would serve his interests, which were made to Rose bishop of Edinburgh through bishop Compton of London, the former returned such an answer, says Skinner, in his Ecclesiastical History of Scotland, as was consistent and pertinent enough at the time, but gave no prospect of either his own or his brethren's willingness to comply with these terms, whatever should be the consequence. The English bishop commended his openness and candour. *Skinner*, vol. ii. p. 523.)

1689. they were also to tender them the coronation-oath and the claim of rights: and when the oath was taken, they were next to offer the petition for the redress of grievances [d]. The three commissioners were, the earl of Argyle for the lords, sir James Montgomery for the knights, or, as they call them, for the barons, and sir John Dalrymple for the boroughs. When the king and queen took the oaths, the king explained one word in the oath, by which he was bound *to repress heresies*, that he did not by this bind himself to persecute any for their conscience. And now he was king of Scotland, as well as of England and Ireland.

A ministry in Scotland.

The first thing to be done was to form a ministry in Scotland, and a council; and to send instructions for turning the convention into a parliament, in which the duke of Hamilton was to represent the king, as his commissioner. Before the king had left the Hague, Fagel had so effectually recommended Dalrymple, the father, to him, that he was resolved to rely chiefly on him for advice. And, though he had heard great complaints of him, as indeed there was some ground for them, yet, since his son was sent one of the three, upon so great a deputation, he concluded from thence that the family was not

[d] ("It appears, by the gazette, that the bishop has inverted the order of proceeding for the sake of the inference, that the king was under no obligation to comply with their claims, for therein we are expressly informed, that the coronation-oath was tendered to their majesties *after* the Scotish commissioners had presented the several papers they were charged with: and if his majesty had not understood those claims to be conditions, he would certainly have signified as much, with the same freedom, that he excepted to the clause in the oath, in relation to the rooting out of heresy." *Ralph's Hist. of England*, vol. ii. p. 100.)

so much hated as he had been informed: so he continued still to be advised by him. The episcopal party were afraid of Montgomery's being made secretary, from whom they expected nothing but extreme severities: so they set themselves to divert that, and the lord Melvil, who had married the duchess of Monmouth's sister, and had continued from 1660 firm to presbytery, and had been of late forced to leave the kingdom, was looked on as an easy man, who would have credit enough to restrain the fury of that party. So he was made sole secretary of state; which proved a very unhappy step: for, as he was by his principle bigoted to presbytery, and ready to sacrifice every thing to their humours, so he proved to be in all respects a narrow hearted man, who minded his own interest more than either that of the king or of his country. This choice gave a great distaste: and that was followed by a ministry, in the framing of which he had the chief hand; who were weak and passionate men. All offices were split into commissions, that many might have some share: but it rendered them all contemptible: and, though Montgomery had a considerable post offered him, yet his missing that he aimed at stuck deep, and began to work in him an aversion to the king, which broke out afterwards into much fury and plotting against him. Nor did duke Hamilton think that he was considered, in the new model of the ministry, as he deserved, and might justly have expected. 1689.

The parliament there was opened with much ill humour: and they resolved to carry the redress of grievances very far. Lord Melvill hoped to have gained the presbyterian party, by sending instruc- A faction raised in Scotland.

1689. tions to duke Hamilton, to open the session with an act in favour of presbytery: but the majority resolved to begin with their temporal concerns. So the first grievance, to which a redress was desired, was the power of the lords of the articles; that relating so immediately to the parliament itself. The king consented to a proper regulation, as, that the number should be enlarged and changed as often as the parliament should desire it, and that the parliament might bring matters before them, though they were rejected by the lords of the articles. This answered all the just complaints that had been made of that part of the constitution: but the king thought it was the interest of the crown to preserve it thus regulated: yet it was pretended, that, if the name and shadow of that were still kept up, the parliament would in some time be insensibly brought under all those restraints that were now to be provided against. So they moved to take it quite away. Duke Hamilton writ long letters, both to the king and to the lord Melvill, giving a full account of the progress of an ill humour that was got among them, and of the ill consequence it was like to have: but he had no answer from the king: and lord Melvill writ him back dark and doubtful orders: so he took little care how matters went, and was not ill pleased to see them go wrong. The revenue was settled on the king for life: and they raised the money which was necessary for maintaining a small force in that kingdom, though the greatest part of an army of 6000 men was paid by England. But even the presbyterians began to carry their demands high; they proposed to have the king's supremacy and the right of patronage taken away:

and they asked so high an authority to their government, that duke Hamilton, though of himself indifferent as to those matters, yet would not agree to them. He thought these broke in too much on their temporal concerns; and would establish a tyranny in presbytery, that could not be easily borne. He writ to me very fully on that head, and I took the liberty to speak sometimes to the king on those subjects; my design being chiefly to shelter the episcopal clergy, and to keep the change, that was 26 now to be made, on such a foot, that a door might still be kept open: but lord Melvill had possessed the king with a notion, that it was necessary for his service, that the presbyterians should know, that I did not at all meddle in those matters, otherwise they would take up a jealousy of every thing that was done; and that this might make them carry their demands much further: so I was shut out from all meddling in those matters: and yet I was then, and still continue to be, much loaded with this prejudice, that I did not study to hinder those changes that were then made in Scotland. And all the king's enemies in England continued still to charge him for the alterations then made in Scotland; though it was not possible, had he been ever so zealous for episcopacy, to have preserved it at that time: and I could do no more than I did, both for the order itself, and for all those who adhered to it there. A new debate was set on foot in that parliament, concerning the judges. By the law there, when the king names a judge, he ought to be examined by other judges, whether he is qualified as the law directs: but, in the year 1661, because the bench was to be filled with a new set of judges, so 1689.

1689. that there was none to examine the rest, the nomination the king then made was read in parliament: and, no objection being made to any of them, they did upon that sit and act as judges. It was expected that the same method should be followed at this time. But instead of that, the king continued such a number of the former judges as was sufficient to examine those who were now to be advanced: so that was ordered to be done. Upon this, those who opposed every thing pretended, that the nomination ought to be made in parliament[e]: and they had prepared objections against every one that was upon the list; intending by this to put a public affront on one of the first and most important actions of the king's government. Duke Hamilton had a positive instruction sent him, not to suffer this matter to be brought into parliament: yet he saw the party was so set, and so strong, that they had a clear majority: nor did he himself very much approve of the nomination, chiefly that of old Dalrymple, soon after made lord Stair, to be president. So he discontinued the parliament.

A rising in Scotland.

But, while those animosities were thus fomented, the earl of Dundee had got together a considerable body of gentlemen, with some thousands of Highlanders. He sent several messengers over to Ireland, pressing king James to come, either to the north of
27 England or to Scotland. But, at the same time, he

[e] ("As to the insinuation, "that the right they claimed, "to have the judges nominated "in parliament, was but a pre- "tence, the bishop might have "known, that they made their "appeal to the public, (*Pro- "ceedings of Parliament Vindi- "cated*, p. 38, 39,) and mani- "fested beyond contradiction, "that the claim they made was "founded on law and reason." *Ralph's Hist. of England*, vol. ii. p. 103.)

desired, that he would not bring the lord Melfort over with him, or employ him more in Scotch business; and that he would be contented with the exercise of his own religion. It may be easily supposed, that all this went against the grain with king James; and that the lord Melfort disparaged all the earl of Dundee's undertakings. In this he was much supported by the French near that king, who had it given them in charge (as a main instruction) to keep him up to a high owning of his religion, and of all those who were of it; and not to suffer him to enter into any treaty or conditions with his protestant subjects, by which the papists should in any sort suffer, or be so much as discouraged. The Irish were willing enough to cross the seas to England, but would not consent to the going over to Scotland. So the earl of Dundee was furnished with some small store of arms and ammunition, and had kind promises, encouraging him and all that joined with him. 1689.

Mackay, a general officer, that had served long in Holland with great reputation, and who was the piousest man I ever knew, in a military way, was sent down to command the army in Scotland. He was one of the best officers of the age, when he had nothing to do but to obey and execute orders; for he was both diligent, obliging, and brave: but he was not so fitted for command. His piety made him too apt to mistrust his own sense, and to be too tender, or rather fearful, in any thing, where there might be a needless effusion of blood. He followed the earl of Dundee's motions, who was less encumbered with cannon and other baggage, and so marched quicker than it was possible for him to fol-

1689. low: his men were for the most part new-levied, and without experience; but he had some old bodies, on whom he depended. The heads of the clans among the Highlanders promised to join him: but most of them went to the earl of Dundee. At last, after many marches and motions, they came to an engagement at Gillicranky, some few miles above Dunkell: the ground was narrow: and lord Dundee had the advantage: he broke through Mackay's army, and they ran for it: and probably, if the earl of Dundee had outlived that day, the victory might have been pursued far: but a random shot put an end to his life and to the whole design[f]: for Mackay

[f] ("The next day after the action of Killikrankie, an officer of king James's riding by the place where lord Dundee fell, saw lying there a bundle of papers and commissions, which those who stript his body had left unregarded, as things of no value: these he took up, and finding them all to be of moment, communicated them to several of his friends. Among them was a letter from lord Melfort to lord Dundee, which accompanied a declaration of king James's, containing not only an offer of indemnity to all such as returned to their duty, but of toleration to all persuasions. Now this declaration, the first of these lords had advised and prepared, purposely to bridle the rage of the last against the fanatics: and the letter, we are told, was calculated to sweeten that bitter pill to him; for it imported, 'that notwithstanding the seeming promises of indulgence and indemnity in the declaration, he had so worded them, that king James might break through them when he pleased: and that his majesty might not think himself obliged to stand to them.' It is fit to point out to posterity, that this passage is taken from the account of Scotish affairs which lord Belcarras himself thought fit to lay before that unfortunate prince; and that his lordship observes upon it, that it not only dissatisfied Dundee, but many of his majesty's friends, who thought a more ingenuous way of dealing would have been more agreeable to his honour and his interest: that it did no small prejudice to his affairs: and that it would have done more, if it had not been carefully suppressed." *Ralph's Hist.* vol. ii. p. 109. Compare *Balcarras*, p. 72, edit. 1754.)

rallied his men, and made such a stand, that the other side fell into great disorder, and could never be formed again into a considerable body: a fort was soon after built at Innerlocky, which was called Fort William, and served to cut off the communication between the northern and southern Highlanders. 1689.

During all these public disorders, that happened in so many different places, the trade suffered considerably: for the French, not setting out a fleet any more, sent out so many cruisers and privateers into our seas, that England thereby suffered great losses: there not being at that time a sufficient number of frigates to convoy and secure the merchantmen. We seemed to be masters at sea, and yet were great losers there. 28

Affairs went much better on the Rhine. The imperial army, commanded by the duke of Lorrain, took Mentz, which the French had entered, after they took Philipsburg: the siege was slow and long, but prosperous in its conclusion: and by this means Franconia, which before lay exposed, was now covered. The elector of Brandenburg came down with an army, and cleared the archbishopric of Cologn, which was before possessed by French garrisons. Keizerwart and Bonne held him some time: but the rest were soon taken. So now the Rhine was open all up to Mentz. Nothing passed in Flanders, where prince Waldeck commanded: and the campaign ended without any misfortunes on that side. Foreign affairs.

I now return to the affairs of England during the recess. The clergy generally took the oaths, though with too many reservations and distinctions, which laid them open to severe censures, as if they A jealousy of the king spread among the English clergy.

1689. had taken them against their conscience. The king was suspected by them, by reason of the favour shewed to dissenters, but chiefly for his abolishing episcopacy in Scotland, and his consenting to the setting up presbytery there. This gave some credit to the reports, that were with great industry infused into many of them, of the king's coldness at best, if not his aversion, to the church of England. The leading men in both universities, chiefly Oxford, were possessed with this; and it began to have very ill effects over all England. Those who did not carry this so far as to think, as some said they did, that the church was to be pulled down; yet said, a latitudinarian party was like to prevail, and to engross all preferments. These were thought less bigoted to outward ceremonies: so now it was generally spread about, that men zealous for the church would be neglected, and that those who were more indifferent in such matters would be preferred. Many of the latter had managed the controversies with the church of Rome with so much clearness, and with that success, that the papists, to revenge themselves, and to blast those whom they considered as their most formidable enemies, had cast aspersions on them as Socinians, and as men that denied all mysteries. And now, some angry men at
29 Oxford, who apprehended that those divines were likely to be most considered in this reign, took up the same method of calumny; and began to treat them as Socinians. The earl of Clarendon, and some of the bishops, who had already incurred the suspension, for not taking the oaths to the government, took much ill-natured pains to spread these slanders. Six bishoprics happened to fall within this

year: Salisbury, Chester, Bangor, Worcester, Chichester, and Bristol: so that the king named six bishops within six months. And the persons promoted to these sees were, generally, men of those principles. The proceedings in Scotland cast a great load on the king: he could not hinder the change of the government of that church, without putting all his affairs in great disorder. The episcopal party went almost universally into king James's interests: so that the presbyterians were the only party that the king had in that kingdom. The king did indeed assure us, and my self in particular, that he would restrain and moderate the violence of the presbyterians. Lord Melvill did also promise the same thing very solemnly: and at first he seemed much set upon it. But when he saw so great a party formed against himself; and since many of the presbyterians inclined to favour them, and to set themselves in an opposition to the court, he thought it was the king's interest, or at least his own, to engage that party entirely: and he found nothing could do that so effectually, as to abandon the ministers of the episcopal persuasion to their fury. He set up the earl of Crawford, as the head of his party; who was passionate in his temper, and was out of measure zealous in his principles: he was chosen to be the president of the parliament. He received and encouraged all the complaints that were made of the episcopal ministers: the convention, when they passed the votes, declaring the king and queen, ordered a proclamation to be read the next Sunday in all the churches of Edinburgh; and in all the other churches in the kingdom by a certain prefixed day; but which was so near at hand, that it was scarce possible to 1689.

1689. lay proclamations, all round the nation, within the time; and it was absolutely impossible for the clergy to meet together, and come to any resolution among themselves: for the most part, the proclamations were not brought to the ministers till the morning of the Sunday, in which they were ordered to be read; so, this having the face of a great change of principles, many could not on the sudden resolve to submit to it: some had not the proclamations brought to them till the day was past; many of these read it the Sunday following. Some of those who did not think fit to read the proclamation, yet obeyed it; and continued, after that, to pray for the king and queen. Complaints were brought to the council of all those who had not read nor obeyed the proclamation; and they were in a summary way deprived of their benefices. In the executing this, lord Crawford shewed much eagerness and violence. Those who did not read the proclamation on the day appointed had no favour, though they did it afterwards. And upon any word that fell from them, either in their extemporary prayers or sermons, that shewed disaffection to the government, they were also deprived: all these things were published up and down England, and much aggravated: and raised the aversion that the friends of the church had to the presbyterians so high, that they began to repent their having granted a toleration to a party, that, where they prevailed, shewed so much fury against those of the episcopal persuasion. So that such of us, as had laboured to excuse the change, that the king was forced to consent to, and had promised, in his name, great moderation towards our friends in that kingdom, were much out of coun-

tenance, when we saw the violence with which matters were carried there. These things concurred to give the clergy such ill impressions of the king, that we had little reason to look for success, in a design that was then preparing for the convocation, for whom a summons was issued out to meet, during the next session of parliament. 1689.

It was told, in the history of the former reign, that the clergy did then express an inclination, to come to a temper with relation to the presbyterians, and such other dissenters as could be brought into a comprehension with the church: the bishops had mentioned it in the petition to king James, for which they were tried; and his present majesty had promised, to endeavour an union between the church and the dissenters, in that declaration, that he brought over with him: but it seemed necessary to prepare and digest that matter carefully, before it should be offered to the convocation. Things of such a nature ought to be judged of by a large number of men; but must be prepared by a smaller number well chosen: yet it was thought a due respect to the church, to leave the matter wholly in the hands of the clergy. So, by a special commission under the great seal, ten bishops and twenty divines were empowered to meet, and prepare such alterations, in the book of common-prayer and canons, as might be fit to lay before the convocation [g]. A comprehension endeavoured.

[g] I never heard of but one reasonable objection to any part of the liturgy, which is, thanking God for the king's being what we ought to pray he should be; the absurdity of which appeared very plainly in king James's reign, during which we were obliged to call him our most religious and gracious prince, and to desire that God would continue him in the true worship of him, when he went publickly to mass, and was

1689. This was become necessary, since by the submission,
which the clergy in convocation made to king Henry
31 VIII, which was confirmed in parliament, they bound themselves not to attempt any new canons, without obtaining the king's leave first, and that under the pains of a *premunire*. It was looked on therefore, as the properest way, to obtain the king's leave, to have a scheme of the whole matter put in order, by a number of bishops and divines: great care was taken to name these so impartially, that no exceptions could lie against any of them: they, upon this, sat closely to it for several weeks: they had before them all the exceptions, that either the puritans before the war, or the nonconformists since the restoration, had made to any part of the church-service: they had also many propositions and advices that had been offered, at several times, by many of our bishops and divines, upon those heads: matters were well considered, and freely and calmly debated: and all was digested into an entire correction of every thing, that seemed liable to any just objection: we had some very rigid, as well as very learned men among us; though the most rigid either never came to our meetings, or they soon withdrew from us, declaring themselves dissatisfied with every thing of that nature; some telling us plainly, that they were against all alterations whatsoever. They thought too much was already done for the dissenters, in the toleration that was granted them; but that they would do nothing to make that

overturning all the laws and liberties of the kingdom: but the bishop and his companions took no notice of that from the same principle of flattery, by which it was first put in, and will always remain. D.

still easier. They said further, that the altering the customs and constitution of our church, to gratify a peevish and obstinate party, was like to have no other effect on them, but to make them more insolent; as if the church, by offering these alterations, seemed to confess that she had been hitherto in the wrong. They thought, this attempt would divide us among ourselves, and make our people lose their esteem for the liturgy, if it appeared that it wanted correction. They also excepted to the manner of preparing matters, by a special commission, as limiting the convocation, and imposing upon it: and to load this with a word of an ill sound, they called this a new ecclesiastical commission. But in answer to all this, it was said; that, if by a few corrections or explanations, we offered all just satisfaction to the chief objections of the dissenters, we had reason to hope, that this would bring over many of them, at least of the people, if not of the teachers among them; or, if the prejudices of education wrought too strongly upon the present age, yet, if some more sensible objections were put out of the way, we might well hope, that it would have a great effect on the next generation. If these condescensions were made so, as to own, in the way of offering them, that the nonconformists had been in the right, that might turn to the reproach of the church: but, such offers being made only in regard to their weakness, the reproach fell on them; as the honour accrued to the church, who shewed herself a true mother, by her care to preserve her children. It was not offered, that the ordinary posture, of receiving the sacrament kneeling, should be changed: that was still to be the received and favoured posture: 1689. 32

1689. only such as declared they could not overcome their scruples in that matter, were to be admitted to it in another posture. Ritual matters were of their own nature indifferent, and had been always declared to be so: all the necessity of them arose only from the authority in church and state, that had enacted them. Therefore it was an unreasonable stiffness to deny any abatement or yielding in such matters, in order to the healing the wounds of our church. Great alterations had been made in such things, in all the ages of the church. Even the church of Rome was still making some alterations in her rituals. And changes had been made among ourselves, often since the reformation, in king Edward, Queen Elizabeth, king James, and king Charles the second's reigns. These were always made upon some great turn: critical times being the most proper for designs of that kind. The toleration, now granted, seemed to render it more necessary than formerly, to make the terms of communion with the church as large as might be; that so we might draw over to us the greater number, from those who might now leave us more safely: and therefore we were to use the more care in order to gaining of them. And as for the manner of preparing these overtures the king's supremacy signified little, if he could not appoint a select number to consider of such matters, as he might think fit to lay before the convocation. This did no way break in upon their full freedom of debate; it being free to them to reject, as well as to accept, of the propositions that should be offered to them. But, while men were arguing this matter on both sides, the party that was now at work for king James, took hold of this

occasion to inflame men's minds. It was said, the church was to be pulled down, and presbytery was to be set up; that all this now in debate was only intended to divide and distract the church, and to render it, by that means, both weaker and more ridiculous, while it went off from its former grounds, in offering such concessions. The universities took fire upon this; and began to declare against it, and against all that promoted it, as men that intended to undermine the church: severe reflections were cast on the king, as being in an interest contrary to the church: for the church was as the word given out by the Jacobite party, under which they thought they might more safely shelter themselves: great canvassings were every where, in the elections of convocation men; a thing not known in former times: so that it was soon very visible, that we were not in a temper, cool or calm enough, to encourage the further prosecuting such a design. 1689. 33

When the convocation was opened, the king sent them a message by the earl of Nottingham, assuring them of his constant favour and protection, and desiring them to consider such things, as by his order should be laid before them, with due care, and an impartial zeal for the peace and good of the church. But the lower house of convocation expressed a resolution not to enter into any debates with relation to alterations: so that they would take no notice of the second part of the king's message: and it was, not without difficulty, carried to make a decent address to the king, thanking him for his promise of protection. But because, in the draught which the bishops sent them, they acknowledged the protection that the protestant religion in general, and the

A convocation met, but would not agree to it.

1689. church of England in particular, had received from him, the lower house thought, that this imported their owning some common union with the foreign protestants: so they would not agree to it. There was at this time but a small number of bishops in the upper house of convocation: and they had not their metropolitan with them: so they had not strength nor authority to set things forward. Therefore they advised the king to suffer the session to be discontinued. And thus, seeing they were in no disposition to enter upon business, they were kept from doing mischief by prorogations, for a course of ten years. This was in reality a favour to them; for, ever since the year 1662, the convocation had indeed continued to sit, but to do no business; so that they were kept at no small charge in town to do nothing, but only to meet and read a Latin litany. It was therefore an ease to be freed from such an attendance to no purpose. The ill reception that the clergy gave the king's message, raised a great and just outcry against them: since all the promises made in king James's time were now so entirely forgot.

But there was a very happy direction of the providence of God observed in this matter. The Jacobite clergy, who were then under suspension, were designing to make a schism in the church, whensoever they should be turned out, and their places should be filled up by others. They saw, it would not be easy to make a separation upon a private
34 and personal account; they therefore wished to be furnished with more specious pretences: and, if we had made alterations in the Rubric, and other parts of the Common Prayer, they would have pre-

tended, that they still stuck to the ancient church of England, in opposition to those who were altering it, and setting up new models: and, as I do firmly believe that there is a wise Providence, that watches upon human affairs, and directs them, chiefly those that relate to religion; so I have with great pleasure observed this, in many instances relating to the revolution. And, upon this occasion, I could not but see, that the Jacobites among us, who wished and hoped that we should have made those alterations, which they reckoned would have been of great advantage for serving their ends, were the instruments of raising such a clamour against them, as prevented their being made. For by all the judgments we could afterwards make, if we had carried a majority in the convocation for alterations, they would have done us more hurt than good. 1689.

A session of parliament.

I now turn to a more important, as well as more troublesome scene. In winter, a session of parliament met, full of jealousy and ill humour. The ill conduct of affairs was imputed chiefly to the lord Halifax; so the first attack was made on him. The duke of Bolton made a motion in the house of lords, for a committee to examine, who had the chief hand in the severities and executions in the end of king Charles's reign, and in the *quo warranto's*, and the delivering up the charters: the inquiry lasted some weeks, and gave occasion to much heat: but nothing appeared that could be proved, upon which votes or addresses could have been grounded: yet the lord Halifax having, during that time, concurred with the ministry in council; he saw, it was necessary for him to withdraw now from the ministers, and quit the court. And soon

1689. after he reconciled himself to the tories, and became wholly theirs: he opposed every thing that looked favourably towards the government, and did upon all occasions serve the Jacobites, and protect the whole party. But the whigs began to lose much of the king's good opinion, by the heat that they shewed in both houses against their enemies; and by the coldness that appeared in every thing that related to the public, as well as to the king in his own particular. He expressed an earnest desire to have the revenue of the crown settled on him for life: he said he was not a king, till that was done; without that, the title of a king was only a pageant. And he spoke of this with more than ordinary vehemence: so that sometimes he said, he would not stay, and hold an empty name, unless that was done: he said once to my self, he understood the good of a commonwealth, as well as of a kingly government: and it was not easy to determine which was best: but he was sure, the worst of all governments was, that of a king without treasure and without power. But a jealousy was now infused into many, that he would grow arbitrary in his government, if he once had the revenue; and would strain for a high stretch of prerogative, as soon as he was out of difficulties and necessities. Those of the whigs, who had lived some years at Amsterdam, had got together a great many stories, that went about the city, of his sullenness, and imperious way of dictating: the Scotch, who were now come up, to give an account of the proceedings in parliament, set about many things that heightened their apprehensions. One Simpson, a Scotch presbyterian, was recommended to the earl of Portland, as a man

The king grew jealous of the whigs.

whom he might trust; who would bring him good intelligence: so he was often admitted, and was entertained as a good spy: but he was in a secret confidence with one Nevill Payne, the most active and dexterous of all king James's agents, who had indeed lost the reputation of an honest man entirely: and yet had such arts of management, that even those who knew what he was, were willing to employ him. Simpson and he were in a close league together; and he discovered so much of their secretest intelligence to Simpson, that he might carry it to the earl of Portland, as made him pass for the best spy the court had. When he had gained great credit, he made use of it to infuse into the earl of Portland jealousies of the king's best friends; and as the earl of Portland hearkened too attentively to these, so by other hands it was conveyed to some of them, that the court was now become jealous of them, and was seeking evidence against them. 1689.

Conspiracy against the government.

Sir James Montgomery was easily possessed with these reports: and he and some others, by Payne's management, fell a treating with king James's party in England: they demanded an assurance for the settlement of presbytery in Scotland, and to have the chief posts of the government shared among them: princes in exile are apt to grant every thing that is asked of them; for they know that, if they are restored, they will have every thing in their power: upon this, they entered into a close treaty, for the way of bringing all this about. At first they only asked money, for furnishing themselves with arms and ammunition; but afterwards they insisted on demanding 3000 men, to be sent over from Dunkirk because, by duke Schomberg's being posted in

1689. Ulster, their communication with Ireland was cut off. In order to the carrying on this design, they reconciled themselves to the duke of Queensbury, and the other lords of the episcopal party; and on both sides it was given out, that this union of those, who were formerly such violent enemies, was only to secure and strengthen their interest in parliament: the episcopal party pretending, that since the king was not able to protect them, they, who saw themselves marked out for destruction, were to be excused for joining with those who could secure them. Simpson brought an account of all this to the earl of Portland, and was pressed by him to find out witnesses to prove it against Montgomery: he carried this to them, and told them, that the whole business was discovered, and that great rewards were offered to such as would merit them by swearing against them. With this they alarmed many of their party, who did not know what was at bottom, and thought that nothing was designed, but an opposition to lord Melvill and lord Stair; and they were possessed with a fear, that a new bloody scene of sham plots and suborned witnesses was to be opened. And when it began to be whispered about, that they were in treaty with king James, that appeared to be so little credible, that it began to be said, by some discontented men, What could be expected from a government, that was so soon contriving the ruin of its best friends? Some feared, that the king himself might too easily receive such reports; and that the common practices of ministers, who study to make their masters believe, that all their own enemies are likewise his, were like to prevail in this reign, as much as they had formerly done. Montgomery came

to have great credit with some of the whigs in England, particularly with the earl of Monmouth and the duke of Bolton: and he employed it all, to persuade them not to trust the king, and to animate them against the earl of Portland: this wrought so much, that many were disposed to think they could have good terms from king James: and, that he was now so convinced of former errors, that they might safely trust him. The earl of Monmouth let this out to my self twice; but in a strain that looked like one who was afraid of it, and who endeavoured to prevent it: but he set forth the reasons for it with great advantage, and those against it very faintly [h]. Matters were trusted to Montgomery and Payne; and Ferguson was taken into it, as a man that naturally loved to embroil things. So, a design was managed, first to alienate the city of London so entirely from the king, that no loans might be advanced on the money bills; which, without 37 credit upon them, could not answer the end for which they were given. It was set about, that king James would give a full indemnity for all that was past; and that, for the future, he would separate himself entirely from the French interest, and be contented with a secret connivance at those of his own religion. It was said, he was weary of the insolence of the French court, and saw his error, in 1689.

[h] (Ralph esteems it unreasonable and unjust in the author to draw unfavourable inferences from the intimacy of Montgomery with the duke of Bolton and lord Monmouth, or the private conversation of the latter. See History of England, vol. ii. p. 187. The earl of Monmouth is better known by the title of earl of Peterborough, to which he succeeded on the death of his uncle; and was that vicious eccentric nobleman, of great military talents, who commanded afterwards in Spain.)

1689. trusting to it so much as he had done. This corrupted party had gone so far, that they seemed to fancy, that the restoring him would be not only safe, but happy to the nation. I confess, it was long before I could let my self think that the matter was gone so far; but I was at last convinced of it.

Discovered to the author.

I received a letter from an unknown hand, with a direction how to answer it: the substance of it was, that he could discover a plot, deeply laid against the king, if he might be assured not to be made a witness; and to have his friends, who were in it, pardoned: by the king's order, I promised the first; but an indefinite promise of pardon was too much to ask: he might, as to that, trust to the king's mercy. Upon this he came to me, and I found he was Montgomery's brother: he told me a treaty was settled with king James; articles were agreed on; and an invitation was subscribed, by the whole cabal, to king James to come over; which was to be sent to the court of France; both because the communication was easier, and less watched, when it went through Flanders, than with Ireland; and, to let the court see how strong a party he had, and by that means to obtain the supplies and force that was desired. He said he saw the writing, and some hands to it; but he knew many more were to sign it; and he undertook to put me in a method to seize on the original paper. The king could not easily believe the matter had gone so far; yet he ordered the earl of Shrewsbury to receive such advices as I should bring him, and immediately to do what was proper: so a few days after this, Montgomery told me, one Williamson was that day gone

to Dover, with the original invitation: I found the earl of Shrewsbury inclined enough to suspect Williamson. He had for some days solicited a pass for Flanders, and had got some persons, of whom it was not proper to shew a suspicion, to answer for him. So one was sent post after him, with orders to seize him in his bed, and to take his clothes and portmanteau from him, which were strictly examined; but nothing was found: yet, upon the news of this, the party was grievously affrighted: but soon recovered themselves: the true secret of which was afterwards discovered. Simpson was (it seems) to go over with Williamson; but first to ride to some houses that were in the way to Dover; whereas the other went directly in the stage coach. It was thought safest for Simpson to carry these papers; for there were many different invitations, as they would not trust their hands to one common paper: Simpson came to the house at Dover, where Williamson was in the messenger's hands: thereupon he went away immediately to Deal, and hired a boat, and got safe to France with his letters. Montgomery, finding that nothing was discovered by the way which he had directed me to, upon that fancied he would be despised by us, and perhaps suspected by his own side; and went over soon after, and turned papist: but I know not what became of him afterwards. The fear of this discovery soon went off: Simpson came back with large assurances: and 12000 pounds were sent to the Scotch, who undertook to do great matters. All pretended discoveries were laughed at, and looked on as the fictions of the court: and upon this the city of London were generally possessed with a very ill opinion of the king. The house of 1689. 38

1689. commons granted the supplies that were demanded for the reduction of Ireland, and for the *quota*, to which the king was obliged by his alliances: and they continued the gift of the revenue for another year. But one great error was committed by the court, in accepting remote funds; whereby the interest of the money, then advanced on a fund, payable at the distance of some years, did not only eat up a great deal of the sum, but seemed so doubtful, that great premiums were to be offered to those who advanced money upon a security which was thought very contingent; since few believed that the government would last so long. So here was a shew of great supplies, which yet brought not in the half of what they were estimated at.

A bill concerning corporations.

The tories, seeing the whigs grow sullen, and that they would make no advances of money, began to treat with the court, and promised great advances, if the parliament might be dissolved, and a new one be summoned. Those propositions came to be known; so the house of commons prepared a bill, by which they hoped to have made sure of all future parliaments; in it they declared, that corporations could not be forfeited, nor their charters surrendered; and they enacted, that all mayors and recorders, who had been concerned in the private delivering up of charters, without the consent of the whole body, and who had done that in a clandestine manner, before 39 the judgment that was given against the charter of London, should be turned out of all corporations, and be incapable of bearing office in them for six years[i]. This was opposed in the house of commons,

[i] This was left out by the commons at the third reading of the bill, and was not originally in it, but added by the house

by the whole strength of the tory party; for they saw the carrying it was the total ruin of their interest through the whole kingdom. They said a great deal against the declaratory part; but whatsoever might be in that, they said, since the thing had been so universal, it seemed hard to punish it with such severity: it was said, that by this means the party for the church would be disgraced, and that the corporations would be cast into the hands of dissenters. And now both parties made their court to the king; the whigs promised every thing that he desired, if he would help them to get this bill passed; and the tories were not wanting in their promises, if the bill should be stopped, and the parliament dissolved. The bill was carried in the house of commons by a great majority[k]: when it was brought up to the lords, the first point in debate was upon the declaratory part, whether a corporation could be forfeited or surrendered. Holt, and two other judges, were for the affirmative, but all the rest were for the negative[l]: no precedents for the affirmative 1689.

upon the report. See the Journal of the 3d and 10th of January, 1689. O.

[k] ("Bishop Burnet is pleased "to say, that the bill, in which "he lumps the two clauses "thus violently contested, was "carried by a great majority "in the house of commons; "whereas the truth is, that "the tory party had the ma- "jority on every division, though "that majority was never above "eighteen: and the whigs, to "countenance their own de- "feat, gave out, 'that even the "unexpected addition to their "numbers, which the tories "that day received, had not "given them the balance, if a "too great confidence in the "reasonableness of the thing "contended for, had not made "others careless.' *State Tracts*, "p. 756." *Ralph's History of England*, vol. ii. p. 183.)

[l] Holt was always of opinion that the judgment upon the *quo warranto* against the city of London was legal, and accepted of being made recorder there by the king under that judgment. He was turned out, or forced to resign, at the latter end of king James's reign, for not expounding the statute of

1689. were brought, higher than the reign of king Henry VIII, in which the abbeys were surrendered; which was at that time so great a point of state, that the authority of these precedents seemed not clear enough for regular times: the house was so equally divided, that it went for the bill only by one voice: after which, little doubt was made of the passing the act. But now the applications of the tories were much quickened [m]; they made the king all possible promises: and the promoters of the bill saw themselves exposed to the corporations, which were to feel the effects of this bill, so sensibly, that they made as

(2 and 3 Edw. 6.) against desertion, to affect deserters from king James's army. I have been since told, that although Holt was of opinion that a corporation might be forfeited, and that franchises of a corporation might be seized into the hands of the crown; yet he thought the judgment in this case, of seizing into the hands of the crown the corporate capacity, was not right. See Modern Reports, vol. iv. page 52, &c. O.

[m] ("But according to the "Journals of the house, it ap- "pears, that their lordships, "(being in a general com- "mittee on the said bill, Jan. "23, the earl of Mulgrave in "the chair,) were not in a hu- "mour to go so far in the bill, "as even the house of com- "mons had done; for they "would not allow, that even "the first enacting clause was "rightly founded, or that the "proceedings were illegal which "gave rise to the bill: and ac- "cordingly the issue of the de- "bate was put on the following "question; *viz.* whether the "words [declared, and were, "and are, illegal] should stand "in the bill; which passed in "the negative, both in the "committee and on the report; "on which last occasion, the "numbers stood thus; namely, "*contents*, (to agree with the "committee,) fifty-one; *not-* "*contents*, forty-three: the bi- "shop adds, that *little doubt was* "*made of the passing the act;* "but surely this negative seemed "to indicate, that nothing less "was to be expected; for hav- "ing thus removed the founda- "tion, the superstructure was "sure to fall with the next "breath: and it was probably, "in the clear foresight of such "an event, that the following "severe protest (signed *Bolton*, "*Herbert*, *Macclesfield*, *Bed-* "*ford*, *Ashburnham*, *Montague*, "*Vaughan*, *Stamford*, *Sydney*,) "was entered in the Journals "of the house." *Ralph's Hist. of England*, vol. ii. p. 183.)

great promises on their part: the matter was now at a critical issue; the passing the bill put the king and the nation in the hands of the whigs; as the rejecting it, and dissolving the parliament upon it, was such a trusting to the tories, and such a breaking with the whigs, that the king was long in suspense what to do. 1689.

He was once very near a desperate resolution[n]; he thought he could not trust the tories, and he resolved he would not trust the whigs: so he fancied the tories would be true to the queen, and confide in her, though they would not in him. He therefore resolved to go over to Holland, and leave the government in the queen's hands: so he called the marquis of Caermarthen, with the earl of Shrewsbury, and some few more, and told them, he had a convoy ready, and was resolved to leave all in the queen's hands; since he did not see how he could extricate himself out of the difficulties into which the animosities of parties had brought him: they pressed him vehemently to lay aside all such desperate resolutions, and to comply with the present necessity. Much passion appeared among them: the debate was so warm, that many tears were shed: in conclusion, the king resolved to change his first design, into another better resolution, of going over in person, to put an end to the war in Ireland: this was told me some time after by the earl of Shrewsbury; but the queen knew nothing of it, till she

[n] ("The earl of Balcarras "(in his *Account*, &c.) takes no- "tice, that the prince of O- "range, so he calls king Wil- "liam, was so weary of both "sides, and so embarrassed "with these broils, that he "told duke Hamilton, 'that he "wished he were a thousand "miles from England, and that "he had never been king of it.'" *Ralph's Hist.* vol. ii. p. 186.)

1689. had it from me; so reserved was the king to her, even in a matter that concerned her so nearly. The king's design of going to Ireland, came to be seen by the preparations that were ordered; but a great party was formed in both houses to oppose it: some did really apprehend the air of Ireland would be fatal to so weak a constitution; and the Jacobites had no mind that king James should be so much pressed, as he would probably be, if the king went against him in person: it was by concert proposed in both houses, on the same day, to prepare an address to the king against this voyage: so the king, to prevent that, came the next day, and prorogued the parliament; and that was soon after followed by a dissolution.

1690. A new parliament. This session had not raised all the money that was demanded for the following campaign; so it was necessary to issue out writs immediately for a new parliament. There was a great struggle all England over in elections; but the corporation bill did so highly provoke all those whom it was to have disgraced, that the tories were by far the greater number in the new parliament. One thing was a part of the bargain that the tories had made, that the lieutenancy of London should be changed: for upon the king's coming to the crown, he had given a commission, out of which they were all excluded; which was such a mortification to them, that they said, they could not live in the city with credit, unless some of them were again brought into that commission: the king recommended it to the bishop of London, to prepare a list of those who were known to be churchmen, but of the more moderate,

and of such as were liable to no just exception; that so the two parties in the city might be kept in a balance: the bishop brought a list of the most violent tories in the city, who had been engaged in some of the worst things that passed in the end of king Charles's reign: a committee of council was appointed to examine the list; but it was so named, that they approved of it. This was done to the great grief of the whigs, who said, that the king was now putting himself in his enemies hands; and that the arms of the city were now put under a set of officers, who, if there was a possibility of doing it without hazard, would certainly use them for king James. This matter was managed by the marquis of Caermarthen and the earl of Nottingham; but opposed by the earl of Shrewsbury, who was much troubled at the ill conduct of the whigs, but much more at this great change in the king's government. The elections of parliament went generally for men who would probably have declared for king James, if they could have known how to manage matters for him. The king made a change in the ministry, to give them some satisfaction; the earls of Monmouth [o] and Warrington were both dismissed; other lesser changes were made in inferior places: so that 1690. 41

[o] (He was viscount Mordaunt before the revolution, and would be earl of Peterborough when his uncle died, who was a very old man: but being descended from Carey earl of Monmouth, by his mother, was put upon asking that title, to prevent the duke of Monmouth's children from ever being restored; which was thought a very spiteful request from a man that did not want it, and that had always professed himself a great friend to the duke of Monmouth; but the king was well pleased to be furnished with an excuse for doing an ill-natured thing, and hated the duke as much as the other had pretended to love him. D.

1690. whig and tory were now pretty equally mixed; and both studied to court the king, by making advances upon the money bills.

A bill recognizing the king, queen, and the acts of the convention.

The first great debate arose, in the house of lords, upon a bill that was brought in, acknowledging the king and queen to be their rightful and lawful sovereigns; and declaring all the acts of the last parliament to be good and valid. The first part passed, with little contradiction; though some excepted to the words rightful and lawful, as not at all necessary [p]. But the second article bore a long and warm debate. The tories offered to enact, that these should be all good laws, for the time to come, but opposed the doing it in the declaratory way. They said, it was one of the fundamentals of our constitution, that no assembly could be called a parliament, unless it was called and chosen upon the king's writ. On the other hand it was said, that whatsoever tended to the calling the authority of that parliament in question, tended likewise to the weakening of the present government, and brought the king's title into question. A real necessity, upon such extraordinary occasions, must supersede forms of law: otherwise the present government

[p] ("Unluckily the words "*rightful* and *lawful* are not "in the act, and the sequel of "his lordship's account, al- "though servilely followed by "our cotemporary, (Tindal in "his Continuation of Rapin's "History,) as usual, is far from "being so perfect as it ought "to be, or as might have been "expected from the pen of a "person who was present at "the debate. He takes no notice that the bill was committed, that the whigs carried their point in the committee, that they lost it again "on the report by six voices, "and that by dint of one of "the warmest and most alarming protests that ever was "made, they recovered it again, "although not in the same "words as before." *Ralph's History of England*, vol. ii. p. 194.)

was under the same nullity. Forms were only rules for peaceable times: but, in such a juncture, when all that had a right to come, either in person or by their representatives, were summoned, and freely elected; and when, by the king's consent, the convention was turned to a parliament, the essentials, both with relation to king and people, were still maintained in the constitution of that parliament. After a long debate, the act passed in the house of lords, with this temper, declaring [q] and enacting, that the acts of that parliament were and are good and valid: many lords protesting against it, at the head of whom was the earl of Nottingham, notwithstanding his great office at court. It was expected, that great and long debates should have been made in the house of commons upon this act. But, to the wonder of all people, it passed in two days in that house, without any debate or opposition. The truth was, the tories had resolved to commit the bill; and in order to that, some trifling exceptions were made to some words, that might want correction; for bills are not committed, unless some amendments are offered: and, when it was committed, it was then resolved to oppose it. But one of them discovered this too early; for he questioned the legality of the convention, since it was not summoned by writ: Somers, then solicitor general, answered this with great spirit; he said, if that was not a legal parliament, they who were then met, and had taken the oaths, enacted by that parliament, were guilty of high treason; the laws repealed by it were still in force, so they must presently return to king

1690.

42

[q] This word is not in the act. See the act, and also the similar one of 13th of Charles the second. Cap. 7. O.

1690. James; all the money levied, collected, and paid, by virtue of the acts of that parliament, made every one that was concerned in it highly criminal: this he spoke with much zeal, and such an ascendant of authority, that none was prepared to answer it; so the bill passed without any more opposition. This was a great service, done in a very critical time, and contributed not a little to raise Somers's character.

The speaker of the house of commons, sir John Trevor, was a bold and dexterous man; and knew the most effectual ways of recommending himself to every government: he had been in great favour in king James's time, and was made master of the rolls by him[r]; and, if lord Jefferies had stuck at any thing, he was looked on as the man, likeliest to have had the great seal[s]: he now got himself to be chosen speaker, and was made first commissioner of the great seal: being a tory in principle, he undertook to manage that party, provided he was furnished with such sums of money as might purchase some votes; and by him began the practice of buying off men, in which hitherto the king had kept to stricter rules. I took the liberty once to complain to the king of this method; he said, he hated it as much as any man could do; but he saw, it was not possible, considering the corruption of the age, to avoid it, unless he would endanger the whole.

The revenue given for years.

The house of commons gave the king the customs for five years, which they said made it a surer fund, for borrowing money upon, than if they had given it for life: the one was subject to accidents, but the

[r] He was speaker in king James's parliament. O.

[s] He or Williams. O. (See note before at page 742, vol. i.)

other was more certain. They also continued the other branches of the revenue for the same number of years. It was much pressed to have it settled for life; but it was taken up as a general maxim, that a revenue for a certain and short term was the best security that the nation could have for frequent parliaments. The king did not like this; he said to myself, why should they entertain a jealousy of him, who came to save their religion and liberties; when they trusted king James so much, who intended to destroy both? I answered, they were not jealous of him, but of those who might succeed him; and if he would accept of the gift for a term of years, and settle the precedent, he would be reckoned the deliverer of succeeding ages, as well as of the present; and it was certain, that king James would never have run into those counsels that ruined him, if he had obtained the revenue only for a short term; which probably would have been done, if Argyle's and Monmouth's invasions had not so overawed the house, that it would then have looked like being in a conspiracy with them, to have opposed the king's demand: I saw the king was not pleased, though he was persuaded to accept of the grant thus made him. The commons granted a poll bill, with some other supplies, which they thought would answer all the occasions of that year: but as what they gave did not quite come up to what was demanded, so when the supply was raised, it came far short of what they estimated it at. So that there were great deficiencies to be taken care of, in every session of parliament: which run up every year, and made a great noise, as if the nation was, through mismanagement, running into a great ar- 1690. 43

1690. rear. An act passed in this session, putting the administration in the queen, during the king's absence out of the kingdom; but with this proviso, that the orders which the king sent should always take place. In all this debate, the queen seemed to take no notice of the matter, nor of those who had appeared for it or against it: the house of commons, to the great grief of the whigs, made an address to the king, thanking him for the alterations he had made in the lieutenancy of London.

Debates for and against an abjuration of king James.

But the greatest debate in this session was concerning an abjuration of king James; some of the tories were at first for it, as were all the whigs: the clergy were excepted out of it, to soften the opposition that might be made[t]; but still the main body of the tories declared they would never take any such oath: so they opposed every step that was made in it, with a great copiousness of long and vehement arguing: they insisted much on this; that 44 when the government was settled, oaths were made to be the ties of the subject to it, and that all new impositions were a breach made on that, which might be called the original contract of the present settlement: things of that kind ought to be fixed and certain, and not mutable and endless; by the same reason, that the abjuration was now proposed, another oath might be prepared every year; and every party, that prevailed in parliament, would bring in some discriminating oath or test, such as

[t] (Ralph affirms, that the bishop is mistaken when he says, that the clergy were excepted out of it, to soften the opposition which might be made, for that we find by the Journals of the commons, that ecclesiastics were comprehended in it, at the last reading, as well at the first. *History*, vol. ii. p. 197.)

could only be taken by those of their own side; and thus the largeness and equality of government would be lost, and contracted into a faction. On the other side it was said, that this was only intended to be a security to the government, during the war; for, in such a time it seemed necessary, that all who were employed by the government, should give it all possible security: it was apparent, that the comprehensive words in the oaths of allegiance had given occasion to much equivocation; many who had taken them having declared, which some had done in print, that they considered themselves as bound by the oaths, only while the king continued in peaceable possession; but not to assist or support his title, if it was attacked or shaken; it was therefore necessary, that men in public trusts should be brought under stricter ties. The abjuration was debated in both houses at the same time; I concurred with those that were for it[u]. The whigs pressed 1690.

[u] The king was present during the whole debate in the house of lords. Lord Wharton said, he was a very old man, and had taken a multitude of oaths in his time, and hoped God would forgive him if he had not kept them all; for truly they were more than he could pretend to remember; but should be very unwilling to charge himself with more at the end of his days. The earl of Macclesfield, who had been an old cavalier, and came over with the prince from Holland, said he was much in the same case with lord Wharton, though they had not always taken the same oaths; but he never knew them of any use, but to make people declare against the government, that would have submitted quietly to it, if they had been let alone: the truth was, he had made very free with his oath of allegiance to king James, but should be loath to be under the temptation of breaking more. The earl of Marlborough said he was surprised to hear that lord say what he did, for he was sure there was no man in England that had more merit in bringing the late happy revolution to effect than his lordship. The earl of Macclesfield said, he had spoke his mind with more freedom, because he was sure he should not

1609. the king to set it forward; they said, every one who took it would look on himself as impardonable, and so would serve him with the more zeal and fidelity; whereas those that thought the right to the crown was still in king James, might perhaps serve faithfully as long as the government stood firm; but, as they kept still measures with the other side, to whom they knew they would be always welcome, so they would never act with that life and zeal which the present state of affairs required. At the same time, the tories were as earnest in pressing the king to stop the further progress of those debates: much time was already lost in them; and it was evident, that much more must be lost, if it was intended to carry it on, since so many branches of this bill, and incidents that arose upon the subject of it, would give occasion to much heat and wrangling: and it was a doubt, whether it would be carried, after all the time that must be bestowed on it, or not: those who opposed it would grow sullen, and oppose every thing else that was moved for the king's service: and if it should be carried, it would put the king again into the hands of the whigs, who would im-

be misrepresented; but his lordship did him too much honour, in thinking he had so great a share in the revolution: there were others that had gone much greater lengths than he either could or would have done; for he had been only a rebel, and should be always ready to venture his head, whenever he thought the laws and liberties of his country required it. This cast so great a damp upon the debate, that the house adjourned presently after, and the king seemed as little pleased as the earl of Marlborough. The bishop of London made a long speech against multiplying of oaths; but the conclusion set them all a laughing; for he desired not to be misunderstood; he did not speak for himself: there was not, nor could be, made an oath to the present government, that he would not take. D.

mediately return to their old practices against the prerogative; and it would drive many into king James's party, who might otherwise stick firm to the king, or at least be neutrals: these reasons prevailed with the king to order an intimation to be given in the house of commons, that he desired they would let that debate fall, and go to other matters, that were more pressing. 1690. 45

This gave a new disgust to the whigs, but was very acceptable to the tories; and it quickened the advances of money upon the funds that were given: it had indeed a very ill effect abroad; for both friends and enemies looked on it as a sign of a great decline in the king's interest with his people: and the king's interposing, to stop further debates in the matter, was represented as an artifice only to save the affront of its being rejected [x]. The earl of Shrewsbury was at the head of those who pressed the abjuration most; so, upon this change of counsels, he thought he could not serve the king longer with reputation or success: he saw the whigs, by using the king ill, were driving him into the tories; and he thought these would serve the king with

The earl of Shrewsbury left the court.

[x] ("Whatever intimation of "his pleasure his majesty gave "to the house of commons, it "is most certain that the two "parties contested the matter "with all their power: that a "motion was made to commit "the bill, which passed in the "negative, yeas 178, noes 192: "and that it was the same day "finally rejected by the same "192 against 165. It is also "equally certain, that the dis-"pute was so far from taking up "much time, that the bill was "brought in one day, *viz.* the "25th, when it was read once, "and ordered, *nemine contradi-"cente,* to be read again, and "actually rejected the next; "though his lordship farther "says, that the king's interpos-"ing was represented as an ar-"tifice to prevent that affront." *Ralph's Hist. of England,* vol. ii. p. 198, which may be consulted on what follows below upon the same subject.)

1690. more zeal, if he left his post. The credit that the marquis of Caermarthen had gained was not easy to him: so he resolved to deliver up the seals. I was the first person to whom he discovered this: and he had them in his hands when he told me of it; yet I prevailed with him not to go that night; he was in some heat. I had no mind that the king should be surprised by a thing of that kind; and I was afraid that the earl of Shrewsbury might have said such things to him, as should have provoked him too much; so I sent the king word of it. It troubled him more than I thought a thing of that sort could have done; he loved the earl of Shrewsbury; and apprehended, that his leaving his service at this time might alienate the whigs more entirely from him; for now they, who thought him before of too cold a temper, when they saw how firm he was, came to consider and trust him more than ever. The king sent Tillotson, and all those who had most credit with the earl, to divert him from his resolution: but all was to no purpose. The agitation of mind that this gave him, threw him into a fever, which almost cost him his life. The king pressed him to keep the seals till his return from Ireland, though he should not act as secretary; but he could not be prevailed on. The debate for the abjuration lasted longer in the house of lords; it had some variation from that which was proposed in the house of commons: and was properly an oath of a special fidelity to the king, in opposition to
46 king James: the tories offered, in bar to this, a negative engagement against assisting king James or any of his instruments, knowing them to be such, with severe penalties on such as should refuse it.

In opposition to this, it was said, this was only an expedient to secure all king James's party, whatever should happen; since it left them the entire merit of being still in his interests, and only restrained them from putting any thing to hazard for him. The house was so near an equality, in every division, that what was gained in one day was lost in the next; and by the heat and length of those debates, the session continued till June. A bill, projected by the tories, passed, relating to the city of London, which was intended to change the hands that then governed it; but through the haste or weakness of those who drew it, the court of aldermen was not comprehended in it; so, by this act, the government of the city was fixed in their hands: and they were generally whigs. Many discoveries were made of the practices from St. Germains and Ireland; but few were taken up upon them: and those were too inconsiderable to know more, than that many were provided with arms and ammunition, and that a method was projected for bringing men together upon a call. And indeed things seemed to be in a very ill disposition towards a fatal turn. 1690.

The king was making all possible haste to open the campaign, as soon as things could be ready for it, in Ireland: the day before he set out, he called me into his closet; he seemed to have a great weight upon his spirits, from the state of his affairs, which was then very cloudy: he said, for his own part, he trusted in God, and would either go through with his business, or perish in it: he only pitied the poor queen, repeating that twice with great tenderness, and wished that those who loved him would The king's sense of affairs.

1690. wait much on her and assist her: he lamented much the factions and the heats that were among us, and that the bishops and clergy, instead of allaying them, did rather foment and inflame them: but he was pleased to make an exception of my self: he said, the going to a campaign was naturally no unpleasant thing to him: he was sure he understood that better than how to govern England: he added, that, though he had no doubt nor mistrust of the cause he went on, yet the going against king James in person was hard upon him, since it would be a vast trouble both to himself and to the queen, if he should be either killed or taken prisoner: he desired my prayers, and dismissed me, very deeply affected with all he had said.

The king's tenderness for king James's person.

47 I had a particular occasion to know, how tender he was of king James's person, having learned an instance of it from the first hand; a proposition was made to the king, that a third rate ship, well manned by a faithful crew, and commanded by one who had been well with king James, but was such a one as the king might trust, should sail to Dublin, and declare for king James. The person who told me this, offered to be the man that should carry the message to king James, (for he was well known to him,) to invite him to come on board, which he seemed to be sure he would accept of; and, when he was aboard, they should sail away with him, and land him either in Spain or Italy, as the king should desire; and should have twenty thousand pounds to give him when he should be set ashore: the king thought it was a well formed design, and likely enough to succeed; but would not hearken to it: he said he would have no hand in treachery: and

king James would certainly carry some of his guards and of his court aboard with him: and probably they would make some opposition; and in the struggle some accident might happen to king James's person; in which he would have no hand. I acquainted the queen with this; and I saw in her a great tenderness for her father's person; and she was much touched with the answer the king had made [y]. 1690.

The king sailed to Ireland.

He had a quick passage to Ireland, where matters had been kept in the state they were in all this winter; Charlemont was reduced, which was the only place in Ulster that was then left in king James's hands. The king had a great army; there were about 36,000 men, all in good plight, full of heart and zeal; he lost no time, but advanced in six days from Belfast, where he landed, to the river of Boyne, near Drogheda. King James had abandoned the passes between Newry and Dundalk, which are so strait for some miles, that it had been easy to have disputed every inch of ground; king James and his court were so much lifted up, with the news of the debates in parliament, and of the distractions of the city of London, that they flattered themselves with false hopes, that the king durst not leave England, nor venture over to Ireland: he had been six

[y] This great tenderness appeared plainly afterwards, by a warrant found amongst the earl of Torrington's papers, wrote all in the earl of Nottingham's own hand, and signed by the king, authorizing lord Torrington, if he could seize king James's person, to deliver him to the states of Holland, to be disposed of as they should think proper. D. (Ralph, in his History, vol. ii. p. 219, on the authority of the London gazette, reports that the bombs, or rather, as he observes, the cannon, beat down several tents next adjoining to those of king James and the French general.)

1690. days come, before king James knew any thing of it. Upon that he immediately passed the Boyne, and lay on the south side of it. His army consisted of 26,000 men; his horse were good; and he had 5000 French foot, for whom he had sent over, in exchange, 5000 Irish foot. He held some councils of war, to consider what was fit to be done; whether he should make a stand there, and put all to the decision of a
48 battle, or if he should march off, and abandon that river, and by consequence all the country on to Dublin.

Advices given to king James.

All his officers, both French and Irish, who disagreed almost in all their advices, yet agreed in this, that, though they had there a very advantageous post to maintain, yet their army being so much inferior, both in number and in every thing else, they would put too much to hazard, if they should venture on a battle. They therefore proposed the strengthening their garrisons, and marching off to the Shannon with the horse and a small body of foot, till they should see how matters went at sea: for the French king had sent them assurances, that he would not only set out a great fleet, but that, as soon as the squadron that lay in the Irish seas, to guard the transport fleet, and to secure the king's passage over, should sail into the channel, to join our grand fleet, he would then send into the Irish seas a fleet of small frigates and privateers to destroy the king's transports. This would have been fatal, if it had taken effect; and the executing of it seemed easy and certain. It would have shut up the king within Ireland, till a new transport fleet could have been brought thither, which would have been the work of some months: so that England

might have been lost before he could have passed the seas with his army. And the destruction of his transports must have ruined his army: for his stores, both of bread and ammunition, were still on board; and they sailed along the coast as he advanced on his march: nor was there, in all that coast, a safe port to cover and secure them. The king indeed reckoned, that by the time the squadron, which lay in the Irish seas, should be able to join the rest of the fleet, they would have advanced as far as the chops of the channel, where they would guard both England and Ireland: but things went far otherwise. 1690.

The queen in the administration.

The queen was now in the administration. It was a new scene to her; she had, for above sixteen months, made so little figure in business, that those who imagined that every woman of sense loved to be meddling, concluded that she had a small proportion of it, because she lived so abstracted from all affairs. Her behaviour was indeed very exemplary: she was exactly regular, both in her private and public devotions: she was much in her closet, and read a great deal: she was often busy at work, and seemed to employ her time and thoughts in any thing rather than matters of state: her conversation was lively and obliging; every thing in her was easy and natural; she was singular in great charities to the poor; of whom, as there are always great numbers about courts, so the crowds of persons of quality, that had fled over from Ireland, drew from her liberal supplies: all this was nothing to the public. If the king talked with her of affairs, it was in so private a way, that few seemed to believe it; the earl of Shrewsbury told me, that the king 49

1690. had, upon many occasions, said to him, that though he could not hit on the right way of pleasing England, he was confident she would; and that we should all be very happy under her. The king named a cabinet council of eight persons, on whose advice she was chiefly to rely; four of them were tories and four were whigs: yet the marquis of Caermarthen and the earl of Nottingham, being of the first sort, who took most upon them, and seemed to have the greatest credit, the whigs were not satisfied with the nomination [z]. The queen balanced all things with an extraordinary temper; and became universally beloved and admired by all about her.

Affairs at sea.

Our concerns at sea were then the chief thing to be looked to: an unhappy compliment, of sending a fleet to convoy a queen to Spain, proved almost fatal to us. They were so long delayed by contrary winds, that a design of blocking up Toulon was lost by it. The great ships, that lay there, had got out before our fleet could reach the place. Our squadron returned back, and went into Plymouth to refit there: and it was joined by that which came from the Irish seas. These two squadrons consisted of above thirty ships of the line: the earl of Torrington, that had the chief command, was a man of plea-

[z] Carmarthen, a tory. Nottingham, a tory. Earl of Devonshire, a whig. Earl of Dorset, a whig. Lord Pembroke. Russel, a whig. Earl of Monmouth. (Quære,) whether lord Marlborough or Godolphin. O. (Ralph reports the number to have been nine, the list standing thus: the lord steward, Devonshire, the lord chamberlain, Dorset, the earl of Monmouth, and Mr. Edward Russell, whigs; and the lord president, Carmarthen, the earl of Nottingham, secretary of state, the earl of Pembroke, first lord of the admiralty, sir John Lowther, first commissioner of the treasury, and the earl of Marlborough, tories. *Hist.* vol. ii. p. 225.)

sure, and did not make the haste that was necessary to go about and join them[a]: nor did the Dutch fleet come over so soon as was promised: so that our main fleet lay long at Spithead. The French understood that our fleets lay thus divided, and saw the advantage of getting between them: so they came into the channel, with so fair a wind, that they were near the Isle of Wight before our fleet had any advice of their being within the channel. The earl of Torrington had no advice-boats out to bring him news; and though notice thereof was sent post over land as soon as the French came within the channel, yet their fleet sailed as fast as the post could ride: but then the wind turned upon them; otherwise they would, in all probability, have surprised us. But after this first advantage, the winds were always contrary to them and favourable to us. So that the French officers in Ireland had reason to look for that fleet of smaller vessels, which was promised to be sent to destroy the king's transport ships. And, for these reasons, all king James's officers were against bringing the war to so speedy a decision. 1690.

In opposition to all their opinions, king James himself was positive, that they must stay and defend the Boyne: if they marched off and abandoned Dublin, they would so lose their reputation, that the

[a] ("Burnet is extremely willing to burden lord Torrington with all the miscarriages of the year, and in particular says, that he did not make haste to join his own squadron with that under Killigrew from Spain, and that under Shovel from Ireland, both which that author supposes were waiting for him at Plymouth, whereas neither of them arrived there till July; which was after the action between the two fleets was over." *Ralph's Hist. of England*, vol. ii. ibid.)

1690. people would leave them, and capitulate; it would also dispirit all their friends in England: therefore he resolved to maintain the post he was in, and seemed not a little pleased to think, that he should have one fair battle for his crown. He spoke of this with so much seeming pleasure, that many about him apprehended that he was weary of the struggle, and even of life, and longed to see an end of it at any rate: and they were afraid that he would play the hero a little too much. He had all the advantages he could desire: the river was deep, and rose very high with the tide: there was a morass to be passed, after the passing the river, and then a rising ground.

A cannon ball wounded the king.

On the last of June, the king came to the banks of the river: and as he was riding along, and making a long stop in one place, to observe the grounds, the enemy did not lose their opportunity, but brought down two pieces of cannon: and, with the first firing, a ball passed along the king's shoulder, tore off some of his clothes, and about a hand-breadth of the skin, out of which about a spoonful of blood came. And that was all the harm it did him. It cannot be imagined, how much terror this struck into all that were about him: he himself said it was nothing: yet he was prevailed on to alight, till it was washed, and a plaister put upon it, and immediately he mounted his horse again, and rode about all the posts of his army: it was indeed necessary to shew himself every where, to take off the apprehensions with which such an unusual accident filled his soldiers. He continued that day nineteen hours on horseback: but, upon his first alighting from his horse, a deserter had gone over to the enemy with

the news, which was carried quickly into France, where it was taken for granted that he could not outlive such a wound: so it ran over that kingdom, that he was dead. And, upon it, there were more public rejoicings than had been usual upon their greatest victories: which gave that court afterwards a vast confusion, when they knew that he was still alive; and saw that they had raised in their own people a high opinion of him, by this inhuman joy, when they believed him dead. 1690.

But to return to the action of the Boyne: the king sent a great body of cavalry to pass the river higher, while he resolved to pass it in the face of the enemy: and the duke of Schomberg was to pass it in a third place, a little below him. I will not enter into the particulars of that day's action, but leave that to military men. 51

It was a complete victory: and those who were the least disposed to flattery said, it was almost wholly due to the king's courage and conduct. And, though he was a little stiff by reason of his wound, yet he was forced to quit his horse in the morass, and to go through it on foot: but he came up in time to ride almost into every body of his army: he charged in many different places; and nothing stood before him. The Irish horse made some resistance, but the foot threw down their arms, and ran away. The most amazing circumstance was, that king James stayed all the while with his guards, at a safe distance, and never came into the places of danger or of action. But, when he saw his army was every where giving ground, was the first that ran for it, and reached Dublin before the action was quite over; for it was dark before the king forsook the pursuit The battle of the Boyne.

1690. so it was under debate what was fittest to be done: the earl of Torrington thought he was not strong enough, and advised his coming in, till some more ships, that were fitting out, should be ready: some began to call his courage in question, and imputed this to fear; they thought this would too much exalt our enemies, and discourage our allies, if we left the French to triumph at sea, and to be the masters of our coast and trade; for our merchants' richest ships were coming home; so that the leaving them in such a superiority would be both very unbecoming and very mischievous to us. The queen ordered Russel to advise, both with the navy board and with all that understood sea affairs; and, upon a view of the strength of both fleets, they were of opinion, that though the French were superior in number, yet our fleet was so equal in strength to
53 them, that it was reasonable to send orders to our admiral, to venture on an engagement: yet the orders were not so positive, but that a great deal was left to a council of war[b]. The two fleets engaged near Beachy in Sussex; the Dutch led the van; and, to shew their courage, they advanced too far out of the line, and fought in the beginning with some advantage, the French flying before them; and our blue squadron engaged bravely: but the earl of Torrington kept in his line, and continued to fight at a

[b] ("The French fleet consisted of seventy-eight men of war and twenty-two fire-ships, carrying in all 4702 pieces of cannon; whereas the English and Dutch together had but fifty-six men of war, which mounted in all but 3462 guns." *Ralph's Hist. of England*, vol. ii. p. 226, where it is also denied, that the orders to engage were not positive. This circumstance is confirmed by the MS. Memoirs of Byng lord Torrington, an extract from which is given by sir John Dalrymple in the third Appendix to his Memoirs, p. 170.)

distance: the French, seeing the Dutch came out so far before the line, fell on them furiously both in front and flank, which the earl of Torrington neglected for some time; and, when he endeavoured to come a little nearer, the calm was such that he could not come up. The Dutch suffered much; and their whole fleet had perished, if their admiral, Calembourg, had not ordered them to drop their anchors while their sails were all up; this was not observed by the French: so they were carried by the tide, while the others lay still; and thus in a few minutes the Dutch were out of danger. They lost many men, and sunk some of their ships which had suffered the most, that they might not fall into the enemies' hands. It was now necessary to order the fleet to come in with all possible haste; both the Dutch and the blue squadron complained much of the earl of Torrington; and it was a general opinion, that if the whole fleet had come up to a close fight, we must have beat the French: and, considering how far they were from Brest, and that our squadron at Plymouth lay between them and home, a victory might have had great consequences. Our fleet was now in a bad condition, and broken into factions; and if the French had not lost the night's tide, but had followed us close, they might have destroyed many of our ships: both the admirals were almost equally blamed; ours for not fighting, and the French for not pursuing his victory[c]. 1690.

[c] The best account I have seen of this action is in a manuscript memoir of Sir G. Byng. It is evident from his narrative, that lord Torrington committed much the same fault as the late admiral Byng did in the engagement at Mahon; *viz.* the not bearing *down right* on the enemy, and *equally* with his van: when he would have retrieved this mistake it was too

1690. very cheap. But before they sailed, they made a descent on a miserable village, called Tinmouth, that happened to belong to a papist: they burnt it, and a few fisher-boats that belonged to it; but the inhabitants got away; and, as a body of militia was marching thither, the French made great haste back
55 to their ships: the French published this in their gazettes with much pomp, as if it had been a great trading town, that had many ships, with some men of war in port: this both rendered them ridiculous, and served to raise the hatred of the nation against them; for every town on the coast saw what they must expect, if the French should prevail.

The queen's behaviour upon this occasion.

In all this time of fear and disorder, the queen shewed an extraordinary firmness; for though she was full of dismal thoughts, yet she put on her ordinary cheerfulness when she appeared in public, and shewed no indecent concern: I saw her all that while once a week; for I stayed that summer at Windsor; her behaviour was in all respects heroical: she apprehended the greatness of our danger; but she committed herself to God; and was resolved to expose herself, if occasion should require it; for she told me, she would give me leave to wait on her, if she was forced to make a campaign in England while the king was in Ireland.

The king came to Dublin.

Whilst the misfortunes in Flanders and at sea were putting us in no small agitation, the news first of the king's preservation from the cannon ball, and then of the victory gained the day after, put another face on our affairs: the earl of Nottingham told me, that when he carried the news to the queen, and acquainted her in a few words that the king was well; that he had gained an entire vic-

tory; and that the late king had escaped; he ob- 1690.
served her looks, and found that the last article made her joy complete, which seemed in some suspense till she understood that. The queen and council upon this sent to the king, pressing him to come over with all possible haste; since, as England was of more importance, so the state of affairs required his presence here: for it was hoped the reduction of Ireland would be now easily brought about. The king, as he received the news of the battle of Flerus the day after the victory at the Boyne, so on the day in which he entered Dublin he had the news of the misfortune at sea, to temper the joy that his own successes might give him; he had taken all the earl of Tyrconnel's papers in the camp; and he found all king James's papers, left behind him in Dublin: by these he understood the design the French had of burning his transport fleet, which was therefore first to be taken care of; and, since the French were now masters at sea, he saw nothing that could hinder the execution of that design.

A design to assassinate the king.

Among the earl of Tyrconnel's papers, there was one letter writ to queen Mary at St. Germains the night before the battle; but it was not sent. In it, he said, he looked on all as lost; and ended it thus; 56 *I have now no hope in any thing but in Jones's business.* The marquis of Caermarthen told me, that some weeks before the king went to Ireland, he had received an advertisement, that one named Jones, an Irishman, who had served so long in France and Holland, that he spoke both languages well, was to be sent over to murder the king. And sir Robert Southwell told me, that he, as secretary

1690. of state for Ireland, had looked into all Tyrconnel's papers, and the copies of the letters he wrote to queen Mary, which he had still in his possession: and he gave me the copies of two of them. In one of these he writes, that Jones was come; that his proposition was more probable, and liker to succeed than any yet made; his demands were high; but he added, *if any thing can be high for such a service.* In another he writes, that Jones had been with the king, who did not like the thing at first; but he added, we have now so satisfied him both in conscience and honour, that every thing is done that Jones desires. Southwell further told me, that Deagle, the attorney general, had furnished him with money, and a poniard of a particular composition; and that they sought long for a bible bound without a common prayer book, which he was to carry in his pocket, that so he might pass, if seized on, for a dissenter. Some persons of great quality waited on him to the boat that was to carry him over: he was for some time delayed in Dublin; and the king had passed over to Ireland before he could reach him; we could never hear of him more; so it is likely he went away with his money. A paper was drawn of all this matter, and designed to be published; but, upon second thoughts, the king and queen had that tenderness for king James, that they stopped the publishing to the world so shameful a practice. The king said upon this to my self, that God had preserved him out of many dangers, and he trusted he would still preserve him; he was sure he was not capable of retaliating in that way. The escape of a cannon ball, that touched him, was so signal, that it swallowed up lesser ones: yet, in the battle at the

Boyne, a musket ball struck the heel of his boot, and recoiling, killed a horse near him; and one of his own men, mistaking him for an enemy, came up to shoot him: but he gently put by his pistol, and only said, *Do not you know your friends?* 1690.

At Dublin he published a proclamation of grace, offering to all the inferior sort of the Irish their lives and personal estates, reserving the consideration of the real estates of the better sort to a parliament, and indemnifying them only for their lives: it was hoped, that the fulness of the pardon of the commons might have separated them from the gentry; and that by this means they would be so forsaken, that they would accept of such terms as should be offered them. The king had intended to have made the pardon more comprehensive; hoping, by that, to bring the war soon to an end: but the English in Ireland opposed this. They thought the present opportunity was not to be let go, of breaking the great Irish families, upon whom the inferior sort would always depend. And, in compliance with them, the indemnity now offered was so limited, that it had no effect: for the priests, who governed the Irish with a very blind and absolute authority, prevailed with them to try their fortunes still. The news of the victory the French had at sea was so magnified among them, that they made the people believe, that they would make such a descent upon England as must oblige the king to abandon Ireland. The king was pressed to pursue the Irish, who had retired to Athlone and Limerick, and were now joined by their officers, and so brought again into some order: but the main concern was to put the transport fleet in a safe station. And that could 57

1690. not be had, till the king was master of Waterford and Duncannon fort, which commanded the entrance into the river: both these places capitulated; and the transports were brought thither. But they were not now so much in danger as the king had reason to apprehend; for king James, when he sailed away from Duncannon, was forced by contrary winds to go into the road of Kinsale, where he found some French frigates, that were already come to burn our fleet: he told them it was now too late, all was lost in Ireland. So he carried them back, to convoy him over to France; where he had but a cold reception: for the miscarriage of affairs in Ireland was imputed both to his ill conduct and his want of courage. He fell under much contempt of the people of France: only that king continued still to behave himself decently towards him [d].

The king sent his army towards the Shannon; and he himself came to Dublin, intending, as he was advised, to go over to England; but he found there letters of another strain; things were in so good a posture, and so quiet in England, that they were no more in any apprehension of a descent: so the king went back to his army, and marched towards Limerick. Upon this Lausun, who commanded the French, left the town; and sent his equipage to France, which perished in the Shannon. It was hoped, that Limerick, seeing itself thus aban-

[d] I was told by a Roman catholic gentleman at Rome, who had a very low opinion of king James's conduct, that he was present at the interview between him and the king of France upon his return; which, he said, was very cold, though civil, on one side, and with great confusion on the other. But the court of France could not forbear speaking great disrespect, even in his own hearing; which the queen seemed much more sensible of than he did. D.

doned, would have followed the example of other towns, and have capitulated. Upon that confidence, the king marched towards it, though his army was now much diminished; he had left many garrisons in several places, and had sent some of his best bodies over to England; so that he had not now above 20,000 men together. Limerick lies on both sides of the Shannon, and on an island, that the river makes there: the Irish were yet in great numbers in Connaught; so that, unless they had been shut up on that side, it was easy to send in a constant supply both of men and provisions: nor did it seem advisable to undertake the siege of a place so situated, with so small an army, especially in that season, in which it used to rain long; and by that means, both the Shannon would swell, and the ground, which was the best soil of Ireland, would be apt to become deep, and scarce practicable for carriages. Yet the cowardice of the Irish, the consternation they were in, and their being abandoned by the French, made the king resolve to sit down before it. Their out-works might have been defended for some time; but they abandoned these in so much disorder, that it was from hence believed they would not hold out long. They also abandoned the posts which they had on the other side of the Shannon: upon which, the king passed the river, which was then very low, and viewed those posts; but he had not men to maintain them: so he continued to press the town on the Munster side. 1690. 58 The siege of Limerick.

He sent for some more ammunition, and some great guns; they had only a guard of two troops of horse, to convoy them, who despised the Irish so much, and thought they were at such distance, that

1690. they set their horses to grass, and went to bed. Sarsfield, one of the best officers of the Irish, heard that the king rode about very carelessly, and upon that, had got a small body of resolute men together, on design to seize his person; but now, hearing of this convoy, he resolved to cut it off: the king had advertisement of this brought him in time, and ordered some more troops to be sent, to secure the convoy: they, either through treachery or carelessness, did not march till it was night, though their orders were for the morning; but they came a few hours too late. Sarsfield surprised the party, destroyed the ammunition, broke the carriages, and burst one of the guns, and so marched off: Lanier, whom the king had sent with the party, might have overtaken him; but the general observation made of him (and of most of those officers, who had served king James, and were now on the king's side) was, that they had a greater mind to make themselves rich, by the continuance of the war of Ireland, than their master great and safe by the speedy conclusion of it.

59 By this, the king lost a week, and his ammunition was low; for a great supply, that was put on shipboard in the river of Thames, before the king left London, still remained there, the French being masters of the channel. Yet the king pressed the town so hard, that the trenches were run up to the counterscarp; and when they came to lodge there, the Irish ran back so fast, at a breach that the cannon had made, that a body of the king's men run in after them; and if they had been seconded, the town had been immediately taken; but none came in time, so they retired: and though the king sent

another body, yet they were beaten back with loss. 1690.
As it now began to rain, the king saw that, if he stayed longer there, he must leave his great artillery behind him: he went into the trenches every day; and it was thought he exposed himself too much. His tent was pitched within the reach of their cannon; they shot often over it, and beat down a tent very near it; so he was prevailed on, to let it be removed to a greater distance: once, upon receiving a packet from England, he sat down in the open field for some hours, reading his letters, while the cannon balls were flying round about him. The Irish fired well; and shewed, they had some courage, when they were behind walls, how little soever they had shewn in the field.

The king lay three weeks before Limerick; but at last the rains forced him to raise the siege: they within did not offer to sally out, and disorder the retreat; this last action proving unlucky, had much damped the joy, that was raised by the first success of this campaign. The king expressed a great equality of temper upon the various accidents that happened at this time. Dr. Hutton, his first physician, who took care to be always near him, told me, he had observed his behaviour very narrowly, upon two very different occasions. The siege raised.

The one was, after the return from the victory at the Boyne; when it was almost midnight, after he had been seventeen hours in constant fatigue, with all the stiffness that his wound gave him: he expressed neither joy nor any sort of vanity; only he looked cheerful; and when those about him made such compliments, as will be always made to princes, even though they do not deserve them, he put all

1690. that by, with such an unaffected neglect, that it appeared how much soever he might deserve the acknowledgments that were made him, yet he did not like them. And this was so visible to all about him, that they soon saw, that the way to make their court was, neither to talk of his wound nor of his behaviour on that day. As soon as he saw his physician, he ordered him to see that care should be taken of the wounded men, and he named the prisoners, as well as his own soldiers. And though he had great reason to be offended with Hamilton, who had been employed to treat with the earl of Tyrconnel, and was taken prisoner in his sight, and was preserved by his order: yet since he saw he was wounded, he gave particular directions to look after him [e]. Upon the whole matter, the king was as grave and silent as he used to be; and the joy of a day, that had been both so happy and so glorious to him, did not seem to alter his temper or deportment in any way.

The equality of the king's temper.

He told me, he was also near him, when it was resolved to raise the siege of Limerick; and saw the same calm, without the least depression, disorder, or peevishness: from this he concluded, that either his mind was so happily balanced, that no accident could put it out of that situation; or that, if he had commotions within, he had a very extraordinary command over his temper, in restraining or concealing them.

While he lay before Limerick, he had news from

[e] He was brought up to the king, who asked him, if he thought the Irish would rally, and fight again. He answered that upon his honour he believed they would; to which the king only replied, "Your ho-"nour." O. (See before, vol. i. p. 808.)

England, that our fleet was now out, and that the French were gone to Brest: so, since we were masters of the sea, the earl of Marlborough proposed, that five thousand men, who had lain idle all this summer in England, should be sent to Ireland; and with the assistance of such men as the king should order to join them, they should try to take Cork and Kinsale. The king approved of this; and ordered the earl to come over with them: and he left orders for about five thousand more, who were to join him. And so he broke up this campaign, and came over to Bristol, and from thence to London. The contrary winds stopped the earl of Marlborough so, that it was October before he got to Ireland [f]. He soon took Cork by storm: and four thousand men, that lay there in garrison, were made prisoners of war. In this action, the duke of Grafton received a shot, of which he died in a few days; he was the more lamented, as being the person of all king Charles's children, of whom there was the greatest hope: he was brave, and probably would have become a great man at sea [g]. From Cork, the earl of Marlborough marched to Kinsale, where he found the two forts, that commanded the port, to be so much stronger, than the plans had represented them to be, that he told me, if he had known their true strength, he had never undertaken the expedition, in a season so far advanced; yet in a few days the place capitulated. The Irish drew their forces together, but durst not venture on raising the siege; but to divert it, they

1690.

The earl of Marlborough proposes the taking Cork and Kinsale in winter, and effects it.

[f] (Ralph says that the earl came to anchor in Cork road on September the 21st. History of England, vol. ii. p. 243.)

[g] (See above, vol. i. p. 791.)

1690. set the country about, which was the best built of any in Ireland, all in a flame.

The French left Ireland.

61 Thus, those two important places were reduced in a very bad season, and with very little loss; which cut off the quick communication between France and Ireland. Count Lausun, with the French troops, lay all this while about Galway, without attempting any thing[h]; he sent over to France an account of the desperate state of their affairs, and desired ships might be sent for the transport of their forces: that was done; yet the ships came not till the siege of Limerick was raised: probably, if the court of France had known how much the state of affairs was altered, they would have sent contrary orders: but Lausun was weary of the service, and was glad to get out of it; so he sailed away, without staying for new orders; by which he lost the little reputation that he was beginning to recover at the court of France. The earl of Tyrconnel went over with him, and gave full assurances, that though the Irish were like to suffer great hardships next winter; yet they would stand it out, if they were still supported from France. It had appeared, upon many occasions, that the French and the Irish soldiers did not agree well together: therefore he proposed, that no more soldiers, but only a number of good officers, together with arms, ammunition, and clothes, might be sent

[h] King James's affairs were always ruined, happily for this nation, by the conduct of their being placed in unable hands. Lausun was an extravagant coxcomb, and lord Tyrconnel no officer, a liar, and a passionate bigot. He had (*here two or three words are unintelligible*) when young. Vide Lord Clarendon's Letters. H.

over to them. In the mean while, the Irish formed themselves into many bodies, which, by a new name, were called Rapparees: these knowing all ways, and the bogs, and other places of retreat in Ireland, and being favoured by the Irish that had submitted to the king, robbed and burnt houses in many places of the country; while the king's army studied their own ease in their quarters, more than the protection of the inhabitants: many of them were suspected of robbing in their turn, though the Rapparees carried the blame of all: between them, the poor inhabitants had a sad time, and their stock of cattle and corn was almost quite destroyed in many places. 1690.

From the affairs of Ireland, I turn next to give an account of what passed in Scotland: matters went very happily, as to the military part: when the remnants of the earl of Dundee's army (to whom many officers, together with ammunition and money, had been sent from Ireland) began to move towards the low country, to receive those who were resolved to join with them, and were between two and three thousand strong, they were fallen upon and entirely defeated by a Dutch officer, Levingston, that commanded the forces in Scotland: about an hundred officers were taken prisoners: this broke all the measures that had been taken for king James's interests in Scotland. Upon this, those who had engaged in Montgomery's plot, looked upon that design as desperate; yet they resolved to try what strength they could make in parliament. Affairs in Scotland. 62

Lord Melvill carried down powers, first to offer to duke Hamilton, if he would join in common measures heartily with him, to be commissioner in par-

1690. liament, or if he proved intractable, as indeed he did, to serve in that post himself. He had full instructions for the settlement of presbytery; for he assured the king, that without that, it would be impossible to carry any thing; only the king would not consent to the taking away the rights of patronage, and the supremacy of the crown: yet he found these so much insisted on, that he sent one to the king to Ireland for fuller instructions in those points; they were enlarged, but in such general words, that the king did not understand, that his instructions could warrant what lord Melvill did; for he gave them both up. And the king was so offended with him for it, that he lost all the credit he had with him; though the king did not think fit to disown him, or to call him to an account for going beyond his instructions.

A parliament there.

The Jacobites persuaded all their party to go to the parliament, and to take the oaths; for many of the nobility stood off, and would not own the king, nor swear to him: great pains were taken by Paterson, one of their archbishops, to persuade them to take the oaths, but on design to break them; for he thought by that means they could have a majority in parliament; though some of the laity were too honest to agree to such advices; but with all these wicked arts, they were not able to carry a majority. So other things failing, they saw a necessity of desiring a force to be sent over from France: this appeared so odious, and so destructive of their country, that some of them refused to concur in it: others were not pleased with the answers king James had sent to the propositions they had made him. He had indeed granted all that they had asked, upon

their own particular interests, and had promised to settle presbytery; but he rejected all those demands that imported a diminution of his prerogative, in as firm a manner, as if he had been already set on the throne again: they proposed, finding his answer so little to their satisfaction, to send him a second message. 1690.

A plot discovered.

Upon this, the earls of Argyle, Annandale, and Braidalbin, withdrew from them: Annandale came up to the Bath, pretending his ill health: both lord Argyle and Braidalbin went to Chester, pretending, as they said afterwards, that they intended to discover the whole matter to the king; but he had passed over to Ireland before they got to Chester. Montgomery, upon this, looked on the design as 63 broken; and so he went and reconciled himself to Melvill, and discovered the whole negotiation to him. Upon which, the earl of Melvill pressed the king to grant a general indemnity, and gave Montgomery a pass to go to London; and he wrote to the queen in his favour. But the king was resolved to know the bottom of the plot, and particularly how far any of the English were engaged in it; so Montgomery absconded for some time in London, since he saw no hopes of pardon, but upon a full discovery. A warrant was sent to the Bath for the earl of Annandale, of which he had notice given him, and went up privately to London. Montgomery sent Ferguson to him, assuring him, that he had discovered nothing, and desiring him to continue firm and secret; but when he had certain notice that Montgomery had discovered all the negotiation among the Scotch, he cast himself on the queen's mercy, asking no other conditions, but that

1690. he might not be made an evidence against others. He himself had not treated with any in England, so, as to them, he was only a second-hand witness; only he informed against Nevil Payne, who had been sent down to Scotland, to manage matters among them: he was taken there, but would confess nothing; upon the earl of Annandale's information, which he gave upon oath, the earl of Nottingham wrote to the council of Scotland, that he had in his hands a deposition upon oath, containing matter of high treason against Payne; upon which it was pretended, that, according to the law of Scotland, he might be put to the torture; and that was executed with rigour: he resisted a double question, yet was still kept a prisoner; and this was much cried out on, as barbarous and illegal. Montgomery lay hid for some months at London; but when he saw he could not have his pardon, but by making a full discovery, he chose rather to go beyond sea: so fatally did ambition and discontent hurry a man to ruin, who seemed capable of greater things. His art in managing such a design, and his firmness in not discovering his accomplices, raised his character as much as it ruined his fortune. He continued in perpetual plots after this, to no purpose: he was once taken, but made his escape; and at last, spleen and vexation put an end to a turbulent life.

The lord Melvill had now a clear majority in parliament, by the discovery of the plot: some absented themselves; and others, to redeem themselves, were compliant in all things: the main point, by which Melvill designed to fix himself and his party was, the abolishing of episcopacy, and the setting up of
64 presbytery. The one was soon done, by repealing

all the laws in favour of episcopacy, and declaring it contrary to the genius and constitution of that church and nation; for the king would not consent to a plain and simple condemnation of it. But it was not so easy to settle presbytery: if they had followed the pattern set them in the year 1638, all the clergy, in a parity, were to assume the government of the church; but those being episcopal, they did not think it safe to put the power of the church in such hands; therefore it was pretended, that such of the presbyterian ministers, as had been turned out in the year 1662, ought to be considered as the only sound part of the church; and of these there happened to be then threescore alive: so the government of the church was lodged with them; and they were empowered to take to their assistance and to a share in the church government, such as they should think fit: some furious men, who had gone into very frantic principles, and all those who had been secretly ordained in the presbyterian way, were presently taken in: this was like to prove a fatal error, at their first setting out: the old men among them, what by reason of their age or their experience of former mistakes, were disposed to more moderate counsels; but the taking in such a number of violent men, put it out of their power to pursue them; so these broke out into a most extravagant way of proceeding against such of the episcopal party as had escaped the rage of the former year. Accusations were raised against them; some were charged for their doctrine, as guilty of Arminianism; others were loaded with more scandalous imputations: but these were only thrown out to defame them. And where they looked for proof, it was in 1690.

1690. a way more becoming inquisitors than judges: so apt are all parties, in their turns of power, to fall into those very excesses of which they did formerly make such tragical complaints. All other matters were carried in the parliament of Scotland, as the lord Melvill and the presbyterians desired. In lieu of the king's supremacy, he had chimney-money given him; and a test was imposed on all in office, or capable of electing or being elected to serve in parliament, declaring the king and queen to be their rightful and lawful sovereigns, and renouncing any manner of title pretended to be in king James.

Affairs abroad.

As for affairs abroad, the duke of Savoy came into the alliance: the French suspected he was in a secret treaty with the emperor, and so they forced him to declare it, before matters were ripe for it. They demanded, that he would put Turin and Montmelian in their hands. This was upon the matter to ask all, and to make him a vassal prince: upon his refusal, a French army took possession of Savoy; and marched into Piedmont, before he was ready to receive them: for though the imperialists and the Spaniards had made him great promises, in which they are never wanting, when their affairs require it; yet they failed so totally in the performance, that if the king and the Dutch, who had promised him nothing, had not performed every thing effectually, he must have become at once a prey to the French. The emperor was this year unhappy in Hungary, both by losing Belgrade, and by some other advantages which the Turks gained: yet he was as little inclined to peace, as he was capable of carrying on the war.

The king, at his first coming over from Ireland,

was so little wearied with that campaign, that he intended to have gone over to his army in Flanders: but it was too late; for they were going into winter quarters: so he held the session of parliament early, about the beginning of October, that so, the funds being settled for the next year, he might have an interview with many of the German princes, who intended to meet him at the Hague, that they might concert measures for the next campaign. 1690.

A session of parliament in England.

Both houses began with addresses of thanks and congratulation to the king and queen, in which they set forth the sense they had of their pious care of their people, of their courage and good government, in the highest expressions that could be conceived; with promises of standing by them, and assisting them with every thing that should be found necessary for the public service: and they were as good as their word; for the king, having laid before them the charge of the next year's war, the estimate rising to above four millions, the vastest sum that ever a king of England had asked of his people, they agreed to it; the opposition that was made being very inconsiderable; and they consented to the funds proposed, which were thought equal to that which was demanded, though these proved afterwards to be defective[i]. The administration was so just and gentle, that there were no grievances to inflame the house; by which the most promising beginnings of some sessions, in former reigns, had often miscarried.

Some indeed began to complain of a mismanage-

[i] ("It appears, both by lord "Halifax's books, and by an "account delivered by the trea- "sury to the house of commons in 1697, that the said "funds produced a surplus of "77,381*l.* 3*s.* 4¼*d.*" *Ralph's Hist. of England*, vol. ii. p. 256.)

1690. ment of the public money: but the ministry put a stop to that, by moving for a bill, empowering such as the parliament should name to examine into all accounts, with all particulars relating to them; giving them authority to bring all persons that they should have occasion for before them, and to tender them an oath, to discover their knowledge of such things as they should ask of them. This was like the power of a court of inquisition: and how unusual soever such a commission was, yet it seemed necessary to grant it; for the bearing down and silencing all scandalous reports. When this bill was brought to the lords, it was moved, that since the commons had named none but members of their own house, that the lords should add some of their number: this was done by ballot; and the earl of Rochester having made the motion, the greatest number of ballots were for him; but he refused to submit to this with so much firmness, that the other lords, who were named with him, seemed to think they were in honour bound to do the same; so, since no peer would suffer himself to be named, the bill passed as it was sent up. Many complaints were made of the illegal commitments of suspected persons for high treason; though there was nothing sworn against them. But the danger was so apparent, and the public safety was so much concerned in those imprisonments, that the house of commons made a precedent for securing a ministry that should do the like, upon the like necessity, and yet maintained the Habeas Corpus act; they indemnified the ministry for all that had been done contrary to that act [k].

[k] ("The indemnity was granted by a special act of parliament, which had its rise in the house of lords, and extended

Great complaints were brought over from Ireland, where the king's army was almost as heavy on the country as the Rapparees were: there was a great arrear due to them; for which reason, when the king settled a government in Ireland of three lords justices, he did not put the army under their civil authority, but kept them in a military subjection to their officers: for he said, since the army was not regularly paid, it would be impossible to keep them from mutiny, if they were put under strict discipline, and punished accordingly. The under officers, finding that they were only answerable to their superior officers, took great liberties in their quarters; and, instead of protecting the country, they oppressed it. The king had brought over an army of seven thousand Danes, under the command of a very gallant prince, one of the dukes of Wirtemberg; but they were cruel friends, and thought they were masters; nor were the English troops much better. The Dutch were the least complained of; Ginkle, who had the chief command, looked strictly to them; but he did not think it convenient to put those of other nations under the same severe measures. But the pay, due for some months, being now sent over, the orders were changed; and the army was made subject to the civil government: yet it was understood, that instructions were sent to the lords justices, to be cautious in the exercise of their authority over them; so the country still suffered much by these forces. 67

1690. Ireland much wasted by the Rapparees and the army there.

The house of commons passed a vote, to raise a A bill concerning the Irish forfeitures.

" not only to the seizing and im- " prisoning suspected persons, " but to the seizing horses " and arms, and the raising " and maintaining the militia." *Ralph's Hist.* vol. ii. p. 247.)

1690. million of money out of the forfeitures and confiscations in Ireland: and in order to that, they passed a bill of attainder of all those who had been engaged in the rebellion of Ireland, and appropriated the confiscations to the raising a fund for defraying the expense of the present war; only they left a power to the king, to grant a third part of those confiscated estates to such as had served in the war; and to give such articles and capitulations to those who were in arms, as he should think fit. Upon this bill many petitions were offered, the creditors of some, and the heirs of others, who had continued faithful to the government, desired provisos for their security. The commons, seeing that there was no end of petitions for such provisos, rejected them all; imitating in this too much the mock parliament that king James held in Dublin; in which about 3000 persons were attainted, without proof or process, only because some of them were gone over to England, and others were absconding, or informed against in Ireland. But when this bill was brought up to the lords, they thought they were in justice bound to hear all petitions; upon this, the bill was like to be clogged with many provisos; and the matter must have held long: so the king, to stop this, sent a message to the commons: and he spoke to the same purpose afterwards from the throne, to both houses: he promised, he would give no grants of any confiscated estates; but would keep that matter entire, to the consideration of another session of parliament: by which the king intended only to assure them, that he would give none of those estates to his courtiers or officers; but he thought he was still at liberty to pass such acts of grace, or grant

such articles to the Irish, as the state of his affairs should require. 1690.

There were no important debates in the house of lords. The earl of Torrington's business held them long: the form of his commitment was judged to be illegal; and the martial law, to which by the statute all who served in the fleet were subject, being lodged in the lord high admiral, it was doubted, whether, the admiralty being now in commission, that power was lodged with the commissioners. The judges were of opinion that it was: yet, since the power of life and death was too sacred a thing to pass only by a construction of law, it was thought the safest course to pass an act, declaring that the powers of a lord high admiral did vest in the commissioners. The secret enemies of the government, who intended to embroil matters, moved that the earl of Torrington should be impeached in parliament; proceedings in that way being always slow, incidents were also apt to fall in, that might create disputes between the two houses, which did sometimes end in a rupture: but the king was apprehensive of that; and, though he was much incensed against that lord, and had reason to believe that a council of war would treat him very favourably, yet he chose rather to let it go so, than to disorder his affairs. The commissioners of the admiralty named a court to try him, who did it with so gross a partiality, that it reflected much on the justice of the nation; so that, if it had not been for the great interest the king had in the States, it might have occasioned a breach of the alliance between them and us[1]. He came off safe as to his person and estate, but much loaded in his re- The earl of Torrington tried, and justified. 68

[1] (He was unanimously acquitted.)

1690. putation; some charging him with want of courage, while others imputed his ill conduct to a haughty sullenness of temper, that made him, since orders were sent him contrary to the advices he had given, to resolve indeed to obey them, and fight; but in such a manner, as should cast the blame on those who had sent him the orders, and give them cause to repent of it.

Designs against the marquis of Caermarthen.

Another debate was moved in the house of lords, (by those who intended to revive the old impeachment of the marquis of Caermarthen,) whether impeachments continued from parliament to parliament, or whether they were not extinguished by an act of grace: some ancient precedents were brought to favour this, by those who intended to keep them up: but in all these, there had been an order of one parliament to continue them on to the next: so they did not come home to the present case: and how doubtful soever it was, whether the king's pardon could be pleaded in bar to an impeachment; yet, since the king had sent an act of grace, which had passed in the first session of this parliament, it seemed very unreasonable to offer an impeachment against an act of parliament. All this discovered a design against that lord, who was believed to have the greatest credit both with the king and queen, and was again falling under an universal hatred. In a house of commons, every motion against a minister is apt to be well entertained; some envy him; others are angry at him; many hope to share in the spoils of him, or of his friends that fall with him; and a love of change, and a wantonness of mind, makes the attacking a minister a diversion to the rest: the thing was well laid, and fourteen leading men had

undertaken to manage the matter against him; in which the earl of Shrewsbury had the chief hand, as he himself told me; for he had a very bad opinion of the man, and thought his advices would, in conclusion, ruin the king and his affairs. But a discovery was at this time made that was of great consequence; and it was managed chiefly by his means, so that put an end to the designs against him for the present. 1690. 69

The session of parliament was drawing to a conclusion: and the king was making haste over, to a great congress of many princes, who were coming to meet him at the Hague. The Jacobites thought this opportunity was not to be lost; they fancied it would be easy, in the king's absence, to bring a revolution about: so they got the lord Preston to come up to London, and to undertake the journey to France, and to manage this negotiation. They thought no time was to be lost, and that no great force was to be brought over with king James; but that a few resolute men, as a guard to his person, would serve the turn, now that there was so small a force left within the kingdom, and the nation was so incensed at a burden of four millions in taxes. By this means, if he surprised us, and managed his coming over with such secrecy, that he should bring over with himself the first news of it, they believed this revolution would be more easy and more sudden than the last. The men that laid this design were, the earl of Clarendon, the bishop of Ely, the lord Preston, and his brother Mr. Graham, and Pen, the famous quaker. Lord Preston resolved to go over, and to carry letters from those who had joined with him in the design, to king James and his queen. Lord Preston sent over to France.

1690. The bishop of Ely's letters were writ in a very particular style; he undertook both for his elder brother and the rest of the family; which was plainly meant of Sancroft and the other deprived bishops: in his letter to king James's queen, he assured her of his and all their zeal for the prince of Wales; and that they would no more part with that than with their hopes of heaven. Ashton, a servant of that queen's, hired a vessel to carry them over; but the owner of the vessel, being a man zealous for the government, discovered all he knew; which was only, that he was to carry some persons over to France: the notice of this was carried to the marquis of Caermarthen: and the matter was so ordered, that lord Preston, Ashton, and a young man (Elliot) were got aboard, and falling down the river, when the officer sent to take them came, on pretence to search, and press for seamen; and drew the three passengers out of the hold in which they were hid. Lord Preston
70 left his letters behind him in the hold, together with king James's signet[m]; Ashton took them up, on design to have thrown them in the sea; but they were taken from him.

Both they and their letters were brought to Whitehall. Lord Preston's mind sunk so visibly, that it was concluded he would not die, if confessing all he knew could save him. Ashton was more firm and sullen; Elliot knew nothing. There was among their papers one, that contained the heads of a declaration, with assurances of pardon, and promises

[m] ("Burnet erroneously says, "king James's signet, whereas "one was the seal of lord Pres- "ton's office, when secretary of "state, and the other his pri- "vate seal." *Ralph's History*, vol. ii. p. 254.)

to preserve the protestant religion and the laws; another paper contained short memorials, taken by lord Preston, in which many of the nobility were named: the most important of all was, a relation of a conference between some noblemen and gentlemen, whigs and tories; by which it appeared, that, upon a conversation on this subject, they all seemed convinced, that upon this occasion France would not study to conquer, but to oblige England; and that king James would be wholly governed by protestants, and follow the protestant and English interest. The prisoners were quickly brought to their trial; their design of going to France, and the treasonable papers found about them, were fully proved: some of them were writ in lord Preston's, and some in Ashton's hand. They made but a poor defence: they said, a similitude of hands was not thought a good proof in Sidney's case; but this was now only a circumstance; in what hand soever the papers were writ, the crime was always the same, since they were open, not sealed: so they knew the contents of them, and thus were carrying on a negotiation of high treason with the king's enemies: upon full evidence they were condemned. 1690. Taken, tried, and condemned.

Ashton would enter into no treaty with the court; but prepared himself to die. And he suffered with great decency and seriousness. He left a paper behind him, in which he owned his dependance on king James, and his fidelity to him; he also affirmed, that he was sure the prince of Wales was born of the queen[n]: he denied that he knew the contents of the papers that were taken with him. Ashton suffered.

[n] (He was a servant of king James's queen, and a protestant.)

1690. In his way, he ran a very great hazard; when he got within the Maese, so that it was thought two hours' rowing would bring him to land, being weary of the sea, he went into an open boat with some of his lords: but by mists and storms, he was tossed up and down above sixteen hours, before he got safe to land. Yet neither he, nor any of those who were with him, were the worse for all this cold and wet weather. And, when the seamen seemed very apprehensive of their danger, the king said in a very intrepid manner; What, are you afraid to die in my company? He soon settled some points, at which the States had stuck long; and they created the funds for that year. The electors of Bavaria and Brandenburg, the dukes of Zell and Wolfenbuttel, with the landgrave of Hesse, and a great many other German princes, came to this interview, and entered into consultations concerning the operations of the next campaign. The duke of Savoy's affairs were then very low; but the king took care of him, and both furnished as well as procured him such supplies, that his affairs had quickly a more promising face. Things were concerted among the princes themselves, and were kept so secret, that they did not trust them to their ministers: at least, the king did not communicate them to the earl of Nottingham, as he protested solemnly to me, when he came back. The princes shewed to the king all the respects that any of their rank ever paid to any crowned head; and they lived together in such an easy freedom, that points of ceremony occasioned no disputes among them; though those are often, upon less solemn interviews, the subjects of much quarreling, and interrupt more important debates.

A congress of princes at the Hague.

72

During this congress, pope Alexander the eighth, Ottoboni, died. He had succeeded pope Innocent, and sat in that chair almost a year and a half: he was a Venetian, and intended to enrich his family as much as he could [q]. The French king renounced his pretensions to the franchises: and he, in return for that, promoted Fourbin and some others recommended by that court to be cardinals; which was much resented by the emperor. Yet he would not yield the point of the regale to the court of France: nor would he grant the bulls for those whom the king had named to the vacant bishoprics in France, who had signed the formulary, passed in 1682, that declared the pope fallible, and subject to a general council. When pope Alexander felt himself near death, he passed a bull in due form, by which he confirmed all pope Innocent's bulls: and by this he put a new stop to any reconciliation with the court of France. This he did to render his name and family more acceptable to the Italians, and most particularly to his countrymen, who hated the French as much as they feared them. Upon his death, the conclave continued shut up for five months, before

1690.

A new pope chosen after a long conclave.

[q] I was told at Rome that he was a man of no religion, but left his family, who were poor before, possessed of above a hundred thousand pistoles a year in church preferments, besides vast wealth in personal estates. When some of the cardinals told him he made too much haste, he answered, that it had struck three and twenty, for he was past eighty years of age. Cardinal Ottoboni, who was chancellor of the church, kept a mistress in the chancery, which old cardinal Alteri told the pope gave great offence: he said that was a fault, and next time he saw his nephew, asked him why he did not take a private lodging for her. A little before he died, he asked his physicians how long they thought he could live: they said about an hour: then he called for a large draught of lachrymæ Christi, (a wine he loved extremely,) and said he could not die much the sooner for that. D.

1690. they could agree upon an election. The party of the
73 zealots stood long firm to Barbarigo, who had the reputation of a saint, and seemed in all things to set cardinal Boromeo before him as a pattern: they at last were persuaded to consent to the choice of Pignatelli, a Neapolitan, who, while he was archbishop of Naples, had some disputes with the viceroy concerning the ecclesiastical immunities, which he asserted so highly, that he excommunicated some of the judges, who, as he thought, had invaded them. The Spaniards had seemed displeased at this; which recommended him so to the French, that they also concurred to his elevation. He assumed pope Innocent's name, and seemed resolved to follow his maxims and steps; for he did not seek to raise his family; of which the king told me a considerable instance: one of his nearest kindred was then in the Spanish service in Flanders, and hasted to Rome upon his promotion: he received him kindly enough, but presently dismissed him, giving him no other present, if he said true, but some snuff. It is true, the Spaniards afterwards promoted him: but the pope took no notice of that [r].

To return to the Low Countries: the king of

[r] I was at Rome in his pontificate; he was the very reverse of his predecessor, extremely charitable and devout; had little regard to his relations, though of a very noble family; but said he found, since he was pope, he had a great many more than he knew of before. He took most notice of the princess of Palistrin, who was a Pignatelli of Sicily, and a great heiress; but had a very bad husband, which he seemed very much to compassionate. He never allowed above a crown a day for his own table. He broke two of his ribs by an odd accident after he was pope, which made him very helpless, but bore it with great patience, and was in all respects a very good man. The person that had most credit with him was cardinal Albano, who was his successor. D.

France resolved to break off the conferences at the Hague, by giving the alarm of an early campaign: Mons was besieged; and the king came before it in person. It was thereupon given up, as a lost place; for the French ministers had laid that down among their chief maxims, that their king was never to undertake any thing in his own person, but where he was sure of success. The king broke up the congress, and drew a great army very soon together: and, if the town had held out so long as they might well have done, or if the governor of Flanders had performed what he undertook, of furnishing carriages to the army, the king would either have raised the siege, or forced the French to a battle. But some priests had been gained by the French, who laboured so effectually among the townsmen, who were almost as strong as the garrison, that they at last forced the governor to capitulate. Upon that, both armies went into quarters of refreshment: and the king came over again to England for a few weeks. 1690. The siege of Mons.

He gave all necessary orders for the campaign in Ireland; in which Ginkle had the chief command. Russel had the command of the fleet, which was soon ready, and well manned. The Dutch squadron came over in good time. The proportion of the quota, settled between England and the States, was, that we were to furnish five, and they three ships of equal rates and strength. Affairs settled for the next campaign.

Affairs in Scotland were now brought to some temper: many of the lords, who had been concerned in the late plot, came up, and confessed and discovered all, and took out their pardon; they excused themselves, as apprehending that they were exposed 74 Affairs in Scotland.

1690. to ruin; and that they dreaded the tyranny of presbytery, no less than they did popery: and they promised that, if the king would so balance matters, that the lord Melvill and his party should not have it in their power to ruin them and their friends, and in particular, that they should not turn out the ministers of the episcopal persuasion, who were yet in office, nor force presbyterians on them, they would engage in the king's interests faithfully and with zeal: they also undertook to quiet the Highlanders, who stood out still, and were robbing the country in parties: and they undertook to the king, that, if the episcopal clergy could be assured of his protection, they would all acknowledge and serve him: they did not desire, that the king should make any step towards the changing the government that was settled there; they only desired, that episcopal ministers might continue to serve, in those places that liked them best; and that no man should be brought into trouble for his opinion, as to the government of the church; and that such episcopal men, as were willing to mix with the presbyterians in their judicatories, should be admitted, without any severe imposition in point of opinion.

Some changes made in Scotland.

This looked so fair, and agreed so well with the king's own sense of things, that he very easily hearkened to it; and I did believe that it was sincerely meant; so I promoted it with great zeal; though we afterwards came to see, that all this was an artifice of the Jacobites, to engage the king to disgust the presbyterians; and by losing them, or at least rendering them remiss in his service, they reckoned they would be soon masters of that kingdom. For the party resolved now to come in ge-

nerally, to take the oaths; but in order to that, they 1690.
sent one to king James, to shew the necessity of it, and the service they intended him in it; and therefore they asked his leave to take them. That king's answer was more honest; he said, he could not consent to that which he thought unlawful; but if any of them took the oaths on design to serve him, and continued to advance his interests, he promised, it should never be remembered against them. Young Dalrymple was made conjunct secretary of state with the lord Melvill; and he undertook to bring in most of the Jacobites to the king's service; but they entered at the same time into a close correspondence with St. Germains: I believed nothing 75
of all this at that time, but went in cordially to serve many who intended to betray us.

The truth was, the presbyterians, by their violence and other foolish practices, were rendering themselves both odious and contemptible: they had formed a general assembly, in the end of the former year, in which they did very much expose themselves, by the weakness and peevishness of their conduct: little learning or prudence appeared among them; poor preaching and wretched haranguing; partialities to one another, and violence and injustice to those who differed from them, shewed themselves in all their meetings. And these did so much sink their reputation, that they were weaning the nation most effectually from all fondness to their government: but the falsehood of many, who, under a pretence of moderating matters, were really undermining the king's government, helped in the sequel to preserve the presbyterians, as much as their own conduct did now alienate the king from them.

1690. The next thing the king did was to fill the sees vacant by deprivation[s]. He judged right, that it was of great consequence, both to his service and to the interests of religion, to have Canterbury well filled: for the rest would turn upon that. By the choice he was to make, all the nation would see, whether he intended to go on with his first design of moderating matters, and healing our breaches, or if he would go into the passions and humours of a high party, that seemed to court him as abjectly as they inwardly hated him. Dr. Tillotson had been now well known to him for two years; his soft and prudent counsels, and his zeal for his service, had begot, both in the king and queen, a high and just opinion of him. They had both, for above a year, pressed him to come into this post: and he had struggled against it with great earnestness: as he had no ambition, nor aspiring in his temper, so he foresaw what a scene of trouble and slander he must enter on, now in the decline of his age. The prejudices, that the Jacobites would possess all people with, for his coming into the room of one, whom they called a confessor, and who began now to have the public compassion on his side, were well foreseen by him. He also apprehended the continuance of that heat and aversion, that a violent party had always expressed towards him, though he had not only avoided to provoke any of them, but had, upon all occasions, done the chief of them great services,

The vacant sees filled.

[s] (Eight of the twenty-six bishops had declined taking the new oaths; Sancroft of Canterbury and seven of his suffragans, whose names are mentioned in p. 6. The major part of them had been persecuted by that king to whom they now adhered.)

as oft as it was in his power. He had large principles, and was free from superstition; his zeal had been chiefly against atheism and popery: but he had never shewed much sharpness against the dissenters. He had lived in a good correspondence with many of them: he had brought several over to the church, by the force of reason, and the softness of persuasion and good usage; but was a declared enemy to violence and severities on those heads. Among other prejudices against him, one related to myself; he and I had lived, for many years, in a close and strict friendship: he laid before the king all the ill effects, that, as he thought, the promoting him would have on his own service: but all this had served only to increase the king's esteem of him, and fix him in his purpose. 1690. 76

The bishop of Ely's letters to St. Germains gave so fair an occasion of filling those sees, at this time, that the king resolved to lay hold on it: and Tillotson, with great uneasiness to himself, submitted to the king's command: and soon after, the see of York falling void, Dr. Sharp was promoted to it: so those two sees were filled with the two best preachers that had sat in them in our time: only Sharp did not know the world so well, and was not so steady as Tillotson was. Dr. Patrick was advanced to Ely, Dr. More was made bishop of Norwich, Dr. Cumberland was made bishop of Peterborough [t], Dr. Fowler was made bishop of Gloucester, Ironside was promoted to Hereford, Grove to Many promotions in the church.

[t] I have heard that the first notice or thought, which that extraordinary man bishop Cumberland had of his promotion, was by reading it in a newspaper at Stamford, where he was minister. O.

1690. Chichester, and Hall to Bristol; as Hough, the president of Magdalen's, was the year before this, made bishop of Oxford. So that in two years' time the king had named fifteen bishops; and they were generally looked on as the learnedest, the wisest, and best men that were in the church [u]. It was visible, that in all these nominations, and the filling the inferior dignities that became void by their promotion, no ambition nor court favour had appeared; men were not scrambling for preferment, nor using arts, or employing friends to set them forward; on the contrary, men were sought for, and brought out of their retirements; and most of them very much against their own inclinations: they were men both of moderate principles and of calm tempers: this great promotion was such a discovery of the king and queen's designs, with relation to the church, that it served much to remove the jealousies, that some other steps the king had made, were beginning to raise in the whigs, and very much softened the ill humour that was spread among them.

The campaign in Flanders.

As soon as this was over, the king went back to command his army in Flanders. Both armies were now making haste to take the field. But the French were quicker than the confederates had yet learned to be. Prince Waldeck had not got above eighteen thousand men together, when Luxemburg, 77 with an army of forty thousand men, was marching to have surprised Brussels: and at the same time, Bouflers, with another army, came up to Liege.

[u] (Bull, Cave, Hooper, and others, whose names will always survive, were not of the number; Beveridge was indeed amongst those who were nominated to the vacant sees, but he refused to succeed bishop Ken.)

Waldeck posted his army so well, that Luxemburgh, 1690.
believing it stronger than indeed it was, did not attempt to break through, in which it was believed he might have succeeded. The king hastened the rest of the troops, and came himself to the army in good time, not only to cover Brussels, but to send a detachment to the relief of Liege; which had been bombarded for two days. A body of Germans, as well as that which the king sent to them, came in good time to support those of Liege, who were beginning to think of capitulating. So Bouflers drew off; and the French kept themselves so close in their posts, all the rest of the campaign, that though the king made many motions, to try if it was possible to bring them to a battle, yet he could not do it. Signal preservations of his person did again shew that he had a watchful providence still guarding him. Once he had stood under a tree for some time, which the enemy observing, they levelled a cannon so exactly, that the tree was shot down two minutes after the king was gone from the place. There was one, that belonged to the train of artillery, who was corrupted to set fire to the magazine of powder: and he fired the matches of three bombs, two of these blew up, without doing any mischief, though there were twenty-four more bombs in the same waggon, on which they lay, together with a barrel of powder: the third bomb was found, with the match fired, before it had its effect. If this wicked practice had succeeded, the confusion, that was in all reason to be expected, upon such an accident, while the enemy was not above a league from them, drawn up, and looking for the success of it, must have had terrible effects. It cannot be easily

1690. imagined, how much mischief might have followed upon it, in the mere destruction of so many as would have perished immediately, if the whole magazine had taken fire; as well as in the panic fear, with which the rest would have been struck upon so terrible an accident; by the surprise of it, the French might have had an opportunity to have cut off the whole army. This may well be reckoned one of the miracles of Providence, that so little harm was done, when so much was so near being done. The two armies lay along between the Samber and the Maese: but no action followed. When the time came of going into quarters, the king left the armies in prince Waldeck's hands, who was observed not to march off with that caution that might have been
78 expected from so old a captain: Luxemburgh upon that drew out his horse, with the king's household, designing to cut off his rear; and did, upon the first surprise, put them into some disorder; but they made so good a stand, that, after a very hot action, the French marched off, and lost more men on their side than we did. Auverquerque commanded the body that did this service: and with it the campaign ended in Flanders.

Affairs at sea.

Matters went on at sea with the same caution. Dunkirk was for some time blocked up by a squadron of ours. The great fleet went to find out the French; but they had orders to avoid an engagement: and though for the space of two months Russel did all he could to come up to them, yet they still kept at a distance, and sailed off in the night: so that, though he was sometimes in view of them, yet he lost it next day. The trading part of the nation was very apprehensive of the danger the

Smyrna fleet might be in, in which the Dutch and English effects together were valued at four millions: for, though they had a great convoy, yet the French fleet stood out to intercept them: but they got safe into Kinsale. The season went over without any action; and Russel, at the end of it, came into Plymouth in a storm: which was much censured; for that road is not safe: and two considerable ships were lost upon the occasion. Great factions were among the flag officers: and no other service was done by this great equipment, but that our trade was maintained. 1690.

The campaign in Ireland.

But, while we had no success either in Flanders or at sea, we were more happy in Ireland, even beyond expectation. The campaign was opened with the taking of Baltimore, on which the Irish had wrought much, that Athlone might be covered by it: we took it in one day; and the garrison had only ammunition for a day more. St. Ruth, one of the violentest of all the persecutors of the protestants in France, was sent over with two hundred officers to command the Irish army: this first action reflected much on his conduct, who left a thousand men, with so slender a provision of ammunition, that they were all made prisoners of war. From thence Ginkle advanced to Athlone, where St. Ruth was posted on the other side of the Shannon, with an army in number equal to his: the river was deep, but fordable in several places: the castle was soon turned to a ruin by the cannon: but the passing the river, in the face of an enemy, was no easy thing, the ford being so narrow, that they could not pass above twenty in front; parties were sent out to try other fords, which probably made the enemy ima-

1690. gine that they never intended to pass the river, just
79 under the town, where the ford was both deep and narrow. Talmash, a general officer, moved, that two battalions might have guineas apiece to encourage them; and he offered to march over at the head of them; which was presently executed by Mackay, with so much resolution, that many ancient officers said it was the gallantest action they had ever seen. They passed the river, and went through
Athlone taken. the breaches into the town, with the loss only of fifty men, having killed above a thousand of the enemy; and yet they spared all that asked quarter. St. Ruth did not, upon this occasion, act suitably to the reputation he had formerly acquired; he retired to Aghrem; where he posted himself to great advantage, and was much superior to Ginkle in number; for he had abandoned many small garrisons, to increase his army, which was now twenty-eight thousand strong; whereas Ginkle had not above twenty thousand; so that the attacking him was no advisable thing, if the courage of the English, and the cowardice of the Irish, had not made a difference so considerable, as neither numbers nor posts could balance.

The battle of Aghrem. St. Ruth had indeed taken the most effectual way possible to infuse courage into the Irish: he had sent their priests about among them, to animate them by all the methods they could think of: and, as the most powerful of all others, they made them swear on the sacrament, that they would never forsake their colours. This had a great effect on them: for as when Ginkle fell on them, they had a great bog before them; and the grounds on both sides were very favourable to them: with those advan-

tages, they maintained their ground much longer than they had been accustomed to do. They disputed the matter so obstinately, that for about two hours the action was very hot, and every battalion and squadron, on both sides, had a share in it. But nature will be always too strong for art; the Irish, in conclusion, trusted more to their heels than to their hands; the foot threw down their arms, and ran away [x]. St. Ruth, and many more officers, were killed, and about eight thousand soldiers, and all their cannon and baggage was taken. So that it was a total defeat; only the night favoured a body of horse, that got off [y]. From thence Ginkle advanced to Galloway, which capitulated; so that now Limerick was the only place that stood out; a squadron of ships was sent to shut up the river. In the mean while, the lords justices issued out a new proclamation, with an offer of life and estate, to such as, within a fortnight, should come under the king's protection. 1690.

Ginkle pursued his advantages: and, having reduced all Connaught, he came and sat down before Limerick, and bombarded it; but that had no great effect; and though most of the houses were beat down, yet as long as the Connaught side was open, fresh men and provisions were still brought into the place. When the men of war were come up, near the town, Ginkle sent over a part of his army to the 1691. 80 Limerick besieged.

[x] They did not run till St. Ruth was killed. Bishop Burnet is very inaccurate in military matters. H.

[y] The ground was very advantageous to the Irish. The attack not the most regularly made. The English cavalry behaved with great bravery; and when the first morass was forced, the Irish fled. H.

1691. Connaught side, who fell upon some bodies of the Irish that lay there, and broke them; and pursued them so close, as they retired to Limerick, that the French governor d'Usson, fearing that the English would have come in with them, drew up the bridge; so that many of them were killed and drowned. This contributed very much towards heightening the prejudices that the Irish had against the French. The latter were so inconsiderable, that, if Sarsfield and some of the Irish had not joined with them, they could not have made their party good. The earl of Tyrconnel had, with a particular view, studied to divert the French from sending over soldiers into Ireland; for he designed, in case of new misfortunes, to treat with the king, and to preserve himself and his friends; and now he began to dispose the Irish to think of treating; since they saw that otherwise their ruin was inevitable. But as soon as this was suspected, all the military men, who resolved to give themselves up entirely to the French interest, combined against him, and blasted him as a feeble and false man, who was not to be trusted. This was carried so far, that to avoid affronts, he was advised to leave the army: and he stayed all this summer at Limerick, where he died of grief, as was believed: but before he died, he advised all that came to him, not to let things go to extremities, but to accept of such terms as could be got: and his words seemed to weigh more after his death, than in his life-time: for the Irish began generally to say, that they must take care of themselves, and not be made sacrifices to serve the ends of the French. This was much heightened, by the slaughter of the Irish, whom the French governor had shut out, and

left to perish. They wanted no provisions in Limerick. And a squadron of French ships stood over to that coast, which was much stronger than ours, that had sailed up to the town. So it was to be feared, that they might come into the river to destroy our ships. 1691.

To hinder that, another squadron of English men of war was ordered thither. Yet the French did not think fit to venture their ships within the Shannon, where they had no places of shelter; the misunderstanding that daily grew between the Irish and the French was great; and all appearance of relief from France failing, made them resolve to capitulate. This was very welcome to Ginkle and his army, who began to be in great wants; for that country was quite wasted, having been the seat of war for three years: and all their draught horses were so wearied out, that their camp was often ill supplied. 81

When they came to capitulate, the Irish insisted on very high demands; which was set on by the French, who hoped they would be rejected: but the king had given Ginkle secret directions, that he should grant all the demands they could make, that would put an end to that war: so every thing was granted, to the great disappointment of the French, and the no small grief of some of the English, who hoped this war should have ended in the total ruin of the Irish interest. During the treaty, a saying of Sarsfield's deserves to be remembered; for it was much talked of, all Europe over. He asked some of the English officers, if they had not come to a better opinion of the Irish, by their behaviour during this war; and whereas they said, it was much the The Irish capitulate.

1691. same that it had always been; Sarsfield answered, As low as we now are, change but kings with us, and we will fight it over again with you. Those of Limerick treated, not only for themselves, but for all the rest of their countrymen that were yet in arms. They were all indemnified, and restored to all that they had enjoyed in king Charles's time. They were also admitted to all the privileges of subjects, upon their taking the oaths of allegiance to their majesties, without being bound to take the oath of supremacy. Not only the French, but as many of the Irish as had a mind to go over to France, had free liberty, and a safe transportation. And upon that, about twelve thousand of them went over.

The war there at an end.

And thus ended the war of Ireland: and with that our civil war came to a final end. The articles of capitulation were punctually executed; and some doubts that arose, out of some ambiguous words, were explained in favour of the Irish. So earnestly desirous was the king to have all matters quieted at home, that he might direct his whole force against the enemy abroad. The English in Ireland, though none could suffer more by the continuance of the war than they did, yet were uneasy, when they saw that the Irish had obtained such good conditions; some of the more violent men among them, who were much exasperated with the wrongs that had been done them, began to call in question the legality of some of the articles: but the parliament of England did not think fit to enter upon that discussion; nor made they any motions
82 towards the violating the capitulation. Ginkle came over full of honour, after so glorious a campaign,

and was made earl of Athlone, and had noble re- 1691.
wards for the great service he had done; though, without detracting from him, a large share of all that was done was due to some of the general officers, in particular to Rouvigny, made upon this earl of Galway, to Mackay, and Talmash. Old Rouvigny being dead, his son offered his service to the king, who unwillingly accepted of it; because he knew that an estate, which his father had in France, and of which he had still the income, would be immediately confiscated: but he had no regard to that, and heartily engaged in the king's service, and has been ever since employed in many eminent posts; in all which he has acquitted himself with that great reputation, both for capacity, integrity, courage, and application, as well as success in most of his undertakings, that he is justly reckoned among the great men of the age: and to crown all, he is a man of eminent virtues, great piety, and zeal for religion.

Affairs in Hungary.

The emperor's affairs in Hungary went on successfully this year, under the command of prince Lewis of Baden; though he committed an error, that was like to have proved fatal to him: his stores lay near him, in great boats on the Danube: but upon some design, he made a motion off from that river; of which the grand vizier took the advantage, and got into his camp, between him and his stores; so he must either starve, or break through, to come at his provisions. The Turks had not time to fortify themselves in their new camp: so he attacked them with such fury, that they were quite routed, and lost camp and cannon, and a great part of their army; the grand vizier himself being killed. If the court of Vienna had really desired a peace,

1691. they might have had it, upon this victory, on very easy terms: but they resolved they would be masters of all Transilvania; and, in order to that, they undertook the siege of Great Waradin, which they were forced to turn to a blockade: so that it fell not into their hands till the spring following. The emperor was led on by the prophecies, that assured him of constant conquests, and that he should, in conclusion, arrive at Constantinople itself: so that the practices of those, whom the French had gained about him, had but too much matter to work on in himself.

The maxims of the court of Vienna.

The news of the total reduction of Ireland confirmed him in his resolutions, of carrying on the war in Hungary. It was reckoned that England, being now disengaged at home, would, with the rest of the protestant allies, be able to carry on the 83 war with France. And the two chief passions in the emperor's mind being his hatred of heresy and his hatred of France, it was said, that those about him, who served the interests of that court, persuaded him that he was to let the war go on between France, and those he esteemed heretics; since he would be a gainer, which side soever should lose; either France would be humbled, or the heretics be exhausted; while he should extend his dominions, and conquer infidels: the king had a sort of regard and submission to the emperor, that he had to no other prince whatsoever: so that he did not press him, as many desired he should, to accept of a peace with the Turks, that so he might turn his whole force against France [a].

[a] But might not the king wish, and at that time hope, to subdue France by a protestant interest only? yet see what

Germany was now more entirely united in one common interest than ever: the third party, that the French had formed, to obstruct the war, were now gone off from those measures, and engaged in the general interest of the empire: the two northern kings had some satisfaction given them, in point of trade, that so they might maintain their neutrality: and they were favourable to the allies, though not engaged with them. The king of Sweden, whom the French were pressing to offer his mediation for a peace, wrote to the duke of Hanover, assuring him, he would never hearken to that proposition, till he had full assurances from the French, that they would own the present government of England. 1691. The state of the empire.

That duke, who had been long in a French management, did now break off all commerce with that court, and entered into a treaty, both with the emperor and with the king: he promised great supplies against France and the Turk, if he might be made an elector of the empire; in which the king concurred to press the matter so earnestly, at the court of Vienna, that they agreed to it, in case he could gain the consent of the other electors; which the emperor's ministers resolved to oppose, underhand, all they could. He quickly gained the consent of the greater number of the electors; yet new objections were still made. It was said, that if this A ninth elector created.

followed afterwards in the course of this history, &c. O. ("Nothing is more certain than "that the principal article in "sir William Hussey's instruc- "tions, who was sent ambassa- "dor from England to the Port "in the beginning of the year, "was to make an express offer "of his majesty's mediation." *Ralph in his History*, vol. ii. p. 290, who adds some reasons for concluding, that this was done with the emperor's concurrence.)

1691. was granted, another electorate in a Popish family ought also to be created, to balance the advantage that this gave the Lutherans: and they moved that Austria should be made an electorate. But this was so much opposed, since it gave the emperor two votes in the electoral college, that it was let fall. In conclusion, after a year's negotiation, and a great opposition, both by popish and protestant princes, (some of the latter, considering more their jealousies of the house of Hanover, than the interest of their religion,) the investiture was given, with the title of
84 elector of Brunswick, and great marshal of the empire. The French opposed this with all the artifices they could set at work. The matter lay long in an unsettled state; nor was he now admitted into the college; it being said, that the unanimous consent of all the electors must be first had.

Affairs in Savoy.

The affairs of Savoy did not go on so prosperously as was hoped for: Caraffa, that commanded the imperial army, was more intent on raising contributions, than on carrying on the war: he crossed every good motion that was made: Montmelian was lost, which was chiefly imputed to Caraffa; the young duke of Schomberg, sent thither to command those troops that the king paid, undertook to relieve the place, and was assured that many protestants in Dauphiny would come and join him. But Caraffa, and indeed the court of Turin, seemed to be more afraid of the strength of heresy than of the power of France; and chose to let that important place fall into their hands, rather than suffer it to be relieved by those they did not like. When the duke of Savoy's army went into quarters, Caraffa obliged the neighbouring princes, and the state of Genoa, to

contribute to the subsistence of the imperial army, threatening them otherwise with winter quarters: so that how ill soever he managed the duke of Savoy's concerns, he took care of his own. He was recalled, upon the complaints made against him on all hands; and Caprara was sent to command in his room. 1691.

The greatest danger lay in Flanders, where the feebleness of the Spanish government did so exhaust and weaken the whole country, that all the strength of the confederate armies was scarce able to defend it: the Spaniards had offered to deliver it up to the king, either as he was king of England, or as he was stadtholder of the united provinces [b]. He knew the bigotry of the people so well, that he was convinced it was not possible to get them to submit to a protestant government; but he proposed the elector of Bavaria, who seemed to have much heat, and an ambition of signalizing himself in that country, which was then the chief scene of war: and he could support that government by the troops and treasure that he might draw out of his electorate: besides, if he governed that country well, and acquired a fame in arms, that might give him a prospect of succeeding to the crown of Spain, in the right of his electoress, who, if the house of Bourbon was set aside, was next in that succession. The

The elector of Bavaria commanded in Flanders.

[b] (Ralph thinks that the offer made to the king was no more than the guardianship or government of those provinces, which the elector of Bavaria afterwards accepted of, for that the kings of Spain were of no part of their dominions so tenacious, as of Flanders, both because it was their ancient patrimony, and because their connections with the rest of the powers of Europe depended principally on their rights of sovereignty there. *Hist.* vol. ii. p. 338.)

1691. Spaniards agreed to this proposal; but they would not make the first offer of it to that elector, nor would he ask it; and it stuck for some time at this: but the court of Vienna adjusted the matter, by making the proposition, which the elector accepted: and that put a new life into those oppressed and miserable provinces.

A session of parliament.

This was the general state of affairs, when a new session of parliament was opened at Westminster, and then it appeared that a party was avowedly formed against the government. They durst not own that before, while the war of Ireland continued. But now, since that was at an end, they began to infuse into all people, that there was no need of keeping up a great land army, and that we ought only to assist our allies with some auxiliary troops, and increase our force at sea. Many that understood not the state of foreign affairs, were drawn into this conceit; not considering, that if Flanders was lost, Holland must submit, and take the best terms they could get. And the conjunction of those two great powers at sea, must presently ruin our trade, and in a little time subdue us entirely. But it was not easy to bring all people to apprehend this aright; and those who had ill intentions would not be beaten out of it, but covered worse designs with this pretence: and this was still kept up as a prejudice against the king and his government, that he loved to have a great army about him; and that when they were once modeled, he would never part with them, but govern in an arbitrary way, as soon as he had prepared his soldiers to serve his ends.

Jealousies of the king.

Another prejudice had more colour, and as bad effects. The king was thought to love the Dutch

more than the English, to trust more to them, and to admit them to more freedom with him. He gave too much occasion to a general disgust, which was spread both among the English officers and the nobility: he took little pains to gain the affections of the nation; nor did he constrain himself enough to render his government more acceptable: he was shut up all the day long; and his silence, when he admitted any to an audience, distasted them as much as if they had been denied it. The earl of Marlborough thought that the great services he had done were not acknowledged nor rewarded, as they well deserved; and began to speak like a man discontented. And the strain of all the nation almost was, that the English were overlooked, and the Dutch were the only persons favoured or trusted [c]. This was national; and the English being too apt to despise other nations, and being of more lively tempers than the Dutch, grew to express a contempt and an aversion for them, that went almost to a mutiny. It is true, the Dutch behaved themselves so well, and so regularly in their quarters, and paid for every thing so punctually, whereas the English were 86 apt to be rude and exacting; especially those who were all this winter coming over from Ireland, who had been so long in an enemy's country, that they 1691.

[c] The real cause of the earl of Marlborough's disgrace was never cleared up; it is generally supposed that king William had discovered a correspondence at the court of St. Germains. The king was certainly in the right to employ some Dutch officers at first, as the English were generally novices in the art of war, and those at the head of the service suspected of attachment to king James. Possibly a more gracious manner to the English might have prevented much of the discontent. H. (Compare p. 90, and lord Dartmouth's note there.)

1691. were not easily brought into order; so that the common people were generally better pleased with the Dutch soldiers than with their own countrymen, but it was not the same as to the officers. These seeds of discontent were carefully managed by the enemies of the government; and by those means, matters went on heavily in the house of commons. The king was also believed to be so tender, in every point that seemed to relate to his prerogative, that he could not well bear any thing that was a diminution of it: and he was said to have taken a dislike and mistrust of all those, whose notions leaned to public liberty, though those were the persons that were the firmest to him, and the most zealous for him. The men, whose notions of the prerogative were the highest, were suspected to be Jacobites: yet it was observed, that many of these were much courted, and put into employments, in which they shewed so little affection to the government, and so close a correspondence with its professed enemies, that it was generally believed they intended to betray it. The blame of employing these men was cast on the earl of Nottingham, who, as the whigs said, infused into the king jealousies of his best friends, and inclined him to court some of his bitterest enemies.

1692. The taking off parliament men, who complained of grievances, by places and pensions, was believed to be now very generally practised. Seimour, who had, in a very injurious manner, not only opposed every thing, but had reflected on the king's title and conduct, was this winter brought into the trea-

sury and the cabinet council [d]: yet though a great opposition was made, and many delays contrived, all the money that was asked was at length given. Among the bills that were offered to the king, at the end of the session, one was to secure the judges salaries; and to put it out of the king's power to stop them. The judges had their commission, during their good behaviour; yet their salaries were not so secured to them, but that these were at the king's pleasure. But the king put a stop to this, and refused to pass the bill: for it was represented to him, by some of the judges themselves, that it was not fit they should be out of all dependance on the court; though it did not appear that there was any hurt in making judges in all respects free and independent [e]. A parliament was summoned to meet in 1692.

[d] Lord Preston had accused him; but there being no other proof, no notice was taken of it. Upon his being very troublesome to the court in the house of commons, the king sent for him, and told him lady Dorchester had offered to be a second witness, but if he would come heartily into the service, he should be a lord of the treasury; if not, he should be prosecuted. He chose to be a lord of the treasury, but went to all his old friends, and told them he had done nothing to their prejudice, or would, but must forbear having any correspondence with them for the future, which made him be very well received by them again, when the court turned him out; which they soon did, having brought him in, only to make him lose his credit with the other side. D.

[e] (" In order to maintain " both the dignity and inde- " pendence of the judges in the " superior courts, it is enacted " by the statute, 13 W. III. " c. 2. that their commissions " shall be made (not, as for- " merly, *durante bene placito*, " but) *quamdiu bene se gesse-* " *rint*, and their salaries ascer- " tained and established; but " that it may be lawful to re- " move them on the address of " both houses of parliament. " And now, by the noble im- " provements of that law in the " statute of 1 Geo. III. c. 23. " enacted at the earnest recom- " mendation of the king him- " self from the throne, the " judges are continued in their " offices during their good be- " haviour, notwithstanding any " demise of the crown, (which " was formerly held immedi-

1692. 87 Ireland, to annul all that had passed in king James's parliament; to confirm anew the act of settlement; and to do all other things that the broken state of that impoverished island required, and to grant such supplies as they could raise, and as the state of their affairs would permit.

Affairs in Scotland.

Affairs in Scotland were put in another method; lord Tweedale was made lord chancellor, and not long after a marquis in that kingdom: lord Melvill was put in a less important post; and most of his creatures were laid aside; but several of those who had been in Montgomery's plot were brought into the council and ministry. Johnstoun, who had been sent envoy to the elector of Brandenburgh, was called home, and made secretary of state for that kingdom[f]: it began soon to appear in Scotland, how ill the king was advised, when he brought in some of the plotters into the chief posts of that government: as this disgusted the presbyterians, so it was very visible, that those pretended converts came into his service, only to have it in their power to deliver up that kingdom to king James: they scarce disguised their designs; so that the trusting such men amazed all people. The presbyterians had very much offended the king, and their fury was instrumental in raising great jealousies of him in England: he well foresaw the ill effects this was like to have; and therefore he recommended to a general assembly, that met this winter, to receive the episcopal clergy, to concur with them in the govern-

" ately to vacate their seats,) " and their full salaries are ab- " solutely secured to them dur- " ing the continuance of their " commissions." *Blackstone's Commentaries on the Laws of England*, vol. i. p. 267.)

[f] The same who is mentioned in the former vol. p. 764. O.

ment of the church, upon their desiring to be admitted: and in case the assembly could not be brought to consent to this, the king ordered it to be dissolved, without naming any other time or place of meeting. It was not likely that there could be any agreement, where both parties were so much inflamed one against another; and those who had the greatest credit with both, studied rather to exasperate than to soften them. The episcopal party carried it high; they gave it out that the king was now theirs; and that they were willing to come to a concurrence with presbytery, on design to bring all about to episcopacy in a little time: the presbyterians, who at all times were stiff and peevish, were more than ordinarily so at this time: they were jealous of the king; their friends were now disgraced, and their bitterest enemies were coming into favour: so they were surly, and would abate in no point of their government: and upon that, the assembly was dissolved. But they pretended, that by law they had a right to an annual meeting, from which nothing could cut them off; for they said, according to a distinction much used among them, that the king's power of calling synods and assemblies was 88 cumulative, and not privative; that is, he might call them if he would, and appoint time and place; but that, if he did not call them, they might meet by an inherent right that the church had, which was confirmed by law: therefore they adjourned themselves. This was represented to the king as a high strain of insolence, that invaded the rights of the crown, of which he was become very sensible: most of those, who came now into his service, made it their business to incense him against the presby- 1692.

1692. terians, in which he was so far engaged, that it did alienate that party much from him.

The affair of Glencoe.

There was, at this time, a very barbarous massacre committed in Scotland, which shewed both the cruelty and the treachery of some of those, who had unhappily insinuated themselves into the king's confidence: the earl of Braidalbin formed a scheme of quieting all the Highlanders, if the king would give twelve or fifteen thousand pounds for doing it, which was remitted down from England; and this was to be divided among the heads of the tribes or clans of the Highlanders. He employed his emissaries among them, and told them, the best service they could do king James was to lie quiet, and reserve themselves to a better time; and if they would take the oaths, the king would be contented with that, and they were to have a share of this sum, that was sent down to buy their quiet; but this came to nothing; their demands rose high; they knew this lord had money to distribute among them; they believed he intended to keep the best part of it to himself; so they asked more than he could give: among the most clamourous and obstinate of these were the Mackdonalds of Glencoe, who were believed guilty of much robbery and many murders; and so had gained too much by their pilfering war, to be easily brought to give it over. The head of that valley had so particularly provoked lord Braidalbin, that as his scheme was quite defeated, by the opposition that he raised, so he designed a severe revenge. The king had, by a proclamation, offered an indemnity to all the Highlanders that had been in arms against him, upon their coming in by a prefixed day to take the oaths; the day had been twice or thrice prolonged; and it

was at last carried to the end of the year 1691; 1692.
with a positive threatening, of proceeding to military execution against such as should not come into his obedience by the last day of December.

All were so terrified, that they came in; and even that Macdonald went to the governor of fort William, on the last of December, and offered to 89
take the oaths; but he, being only a military man, could not or would not tender them; and Macdonald was forced to seek for some of the legal magistrates, to tender them to him. The snows were then fallen, so four or five days passed before he could come to a magistrate; he took the oaths in his presence, on the fourth or fifth of January, when, by the strictness of law, he could claim no benefit by it; the matter was signified to the council; and the person had a reprimand for giving him the oaths when the day was past.

This was kept up from the king; and the earl of Braidalbin came to court, to give an account of his diligence, and to bring back the money, since he could not do the service for which he had it. He informed against this Macdonald, as the chief person who had defeated that good design; and that he might both gratify his own revenge, and render the king odious to all the Highlanders, he proposed, that orders should be sent for a military execution on those of Glencoe. An instruction was drawn by the secretary of state [g], to be both signed and counter-

[g] Master of Stair, (Dalrymple,) father of the late earl of Stair, one of the duke of Marlborough's principal generals, sent ambassador to France by George the first, before the death of Lewis the XIVth, who could scarcely bear the sight of him. He sustained his character there with great ability, spirit, and dignity, as a British minister should especially do at

1692. signed by the king, (that so he might bear no part of the blame, but that it might lie wholly on the king,) that such as had not taken the oaths by the time limited, should be shut out of the benefit of the indemnity, and be received only upon mercy. But when it was found, that this would not authorize what was intended, a second order was got to be signed and countersigned, that if the Glencoe men could be separated from the rest of the Highlanders, some examples might be made of them, in order to strike terror into the rest. The king signed this, without any inquiry about it; for he was too apt to sign papers in a hurry, without examining the importance of them. This was one effect of his slowness in despatching business: for as he was apt to suffer things to run on, till there was a great heap of papers laid before him; so then he signed them a little too precipitately. But all this while the king knew nothing of Macdonald's offering to take the oaths, within the time, nor of his having taken them soon after it was past, when he came to a proper magistrate. As these orders were sent down, the secretary of state writ many private letters to Levingstoun, who commanded in Scotland, giving him a strict charge and particular directions for the execution of them: and he ordered the passes in the valley to be kept, describing them so minutely, that the orders were certainly drawn by one who knew the country well. He gave also a positive direction,

that court. O. (Ralph observes, that if lord Braidalbin was a Jacobite, the master of Stair was not, any more than his brother secretary Johnston; and that how far soever Braidalbin might have been instrumental to the massacre by his representations at court, Stair was the man, who took such pains to make it as terrible as possible. *Hist.* vol. ii. p. 333.)

that no prisoners should be taken, that so the execution might be as terrible as was possible. He pressed this upon Levingstoun, with strains of vehemence, that looked as if there was something more than ordinary in it; he indeed grounded it on his zeal for the king's service, adding, that such rebels and murderers should be made examples of. 1692. 90

In February, a company was sent to Glencoe, who were kindly received, and quartered over the valley; the inhabitants thinking themselves safe, and looking for no hostilities: after they had stayed a week among them, they took their time in the night, and killed about six and thirty of them, the rest taking the alarm, and escaping: this raised a mighty outcry, and was published by the French in their gazettes, and by the Jacobites in their libels, to cast a reproach on the king's government, as cruel and barbarous; though in all other instances it had appeared, that his own inclinations were gentle and mild, rather to an excess. The king sent orders to inquire into the matter; but when the letters, writ upon this business, were all examined, which I myself read, it appeared, that so many were involved in the matter, that the king's gentleness prevailed on him to a fault; and he contented himself with dismissing only the master of Stair from his service [h]: the Highlanders were so inflamed with this, that they were put in as forward a disposition as the Jacobites wished for, to have rebelled upon the first favourable opportunity: and indeed the not punishing this with

[h] (It was not till the year 1695, that the dismission took place of this secretary of state, whom the bishop mentions in the beginning of his account of this perfidious and unjustifiable slaughter. On the fact more is said below, in p. 156, &c.)

1692. a due rigour, was the greatest blot in this whole reign, and had a very ill effect in alienating that nation from the king and his government.

The earl of Marlborough disgraced.

An incident happened near the end of this session, that had very ill effects; which I unwillingly mention, because it cannot be told without some reflections on the memory of the queen, whom I always honoured, beyond all the persons I had ever known. The earl of Nottingham came to the earl of Marlborough, with a message from the king, telling him, that he had no more use for his service, and therefore he demanded all his commissions. What drew so sudden and so hard a message was not known: for he had been with the king that morning, and had parted with him in the ordinary manner. It seemed some letter was intercepted, which gave suspicion: it is certain, that he thought he was too little considered, and that he had, upon many occasions, censured the king's conduct, and reflected on the Dutch[i]. But the original cause of his disgrace arose from another consideration; the

[i] The earl of Nottingham told me, there was a design upon France, in which lord Marlborough was to have been employed: success depended upon secrecy; but lord Marlborough told it to his lady, and she to lady Fitzharding; who told it to lord Colchester, and he acquainted the king with it, and how he came by it: which was the true cause of his disgrace, besides some very disrespectful things he had said of the king's person and government to the old duke of Bolton, of which he had informed the king. But that was some time before this happened, and I have good reason to believe the bishop knew this, which makes me suspect his whole paragraph, as well as many more in this second volume, to have been very much altered by her grace of Marlborough's directions: Tom Burnet having, as I have been credibly informed, sent the original to her grace, for her perusal, before it was published. D. (Compare the earl of Hardwicke's note at the next page.)

princess thought herself too much neglected by the king, whose cold way towards her was soon observed: after the king was on the throne, no propositions were made to her of a settlement, nor any advances of money. So she, thinking she was to be kept in a necessitous dependance on the court, got some to move in the house of commons, in the year 1690, when they were in the debate concerning the revenue, that she should have assignments suitable to her dignity. This both king and queen took amiss from her; the queen complained more particularly, that she was then ill, after her lying in of the duke of Glocester at Hampton Court, and that she herself was treating her and the young child with the tenderness of a mother, and that yet such a motion was made, before she had tried, in a private way, what the king intended to assign her. The princess, on the other hand, said, she knew the queen was a good wife, submissive and obedient to every thing that the king desired; so she thought, the best way was to have a settlement by act of parliament: on the other hand, the custom had always been, that the royal family (a prince of Wales not excepted) was kept in a dependance on the king, and had no allowance but from his mere favour and kindness[k]; yet in this case, in which the princess was put out of the succession during the king's life, it seemed reasonable, that somewhat more than ordinary should be done in consideration of that. The act passed, allowing her a settlement of fifty thousand pounds. But upon this a coldness followed, 1692. 91

[k] This may be good policy in some countries, but it may be otherwise in this. Both sides of this matter have their evils, which I have seen. O.

1692. between not only the king, but even the queen and the princess. And the blame of this motion was cast on the countess of Marlborough, as most in favour with the princess: and this had contributed much to alienate the king from her husband, and had disposed him to receive ill impressions of him.

A breach between the queen and the princess.

Upon his disgrace, his lady was forbid the court; the princess would not submit to this; she thought, she ought to be allowed to keep what persons she pleased about herself. And when the queen insisted on the thing, she retired from the court. There were, no doubt, ill offices done on all hands, as there were some that pressed the princess to submit to the queen, as well as others who pressed the queen to pass it over; but without effect: both had engaged themselves, before they had well reflected on the consequences of such a breach: and the matter went so far, that the queen ordered, that no public honours should be shewed the princess, besides many other lesser matters, which I unwillingly reflect on, because I was much troubled to see the queen carry such a matter so far: and the breach continued to the end of her life. The enemies of the government tried what could be made of this, to create distractions among us; but the princess gave no en-
92 couragement to them [l]. So that this misunderstanding had no other effect, but that it gave enemies much ill-natured joy, and a secret spiteful diversion [m].

[l] Bishop Burnet was quite ignorant of the plots of these times, or his editor has curtailed the manuscript. The earl of Marlborough is proved by later discoveries to have been tampering with the court of St. Germains. H.

[m] The bishop very unjustly endeavours to throw all the scandalous treatment of the princess upon the queen;

The king gave Russel the command of the fleet; 1692.
though he had put himself in ill terms with him, by pressing to know the grounds of the earl of Marlborough's disgrace: he had not only lived in great friendship with him, but had carried the first messages that had passed between him and the king, when he went over to Holland; he almost upbraided the king with the earl of Marlborough's services, who, as he said, had set the crown on his head °. Russel also came to be in ill terms with the earl of Nottingham, who, as he thought, supported a faction among the flag officers against him; and he fell indeed into so ill an humour, on many accounts, that he seemed to be for some time in doubt, whether he ought to undertake the command of the fleet, or not: I tried, at the desire of some of his friends, to soften him a little, but without success.

Russel commanded the fleet.

The king went over to Holland in March, to pre-

though he knew she did nothing but as she was ordered by the king; as he did, that the message to the princess was to part with lady Marlborough immediately, or remove herself out of her lodgings at the Cockpit; (which king Charles the second bought of lord Danby for her use when she was married;) which she instantly did, and was carried in a sedan to Sion, being then with child, without any guard or decent attendance; where she miscarried, and all people forbid waiting upon her; which was complied with by every body but the duke of Somerset, whose house she was in, and lord Rochester, who was her uncle. After she removed to Berkely house, the minister of St. James's was commanded not to show her the respect that was due to the royal family; which he refused to obey, in respect to their majesties, (as he sent them word,) knowing the near relation she had to them. I cannot tell what spiteful ill-natured people he might converse with in secret, but the nation in general were so much offended at the indignities she received, that after her sister died, king William, when he had nobody else to lay it upon, was glad to make up the matter as fast as he could. D.

° (See vol. i. p. 766.)

1692. pare for an early campaign. He intimated somewhat in his speech to the parliament, of a descent designed upon France; but we had neither men nor money to execute it [p]. And, while we were pleasing our selves with the thoughts of a descent in France, king James was preparing for a real one in England. It was intended to be made in the end of April: he had about him fourteen thousand English and Irish; and marshal Belfonds was to accompany him, with about three thousand French. They were to sail from Cherbourg and La Hogue, and some other places in Normandy, and to land in Sussex, and from thence to march with all haste to London. A transport fleet was also brought thither: they were to bring over only a small number of horses; for their party, in England, undertook to furnish them with horses at their landing. At the same time, the king of France was to march with a great army into Flanders; and he reckoned, that the descent in England would either have succeeded, since there was a very small force left within the kingdom; or at least, that it would have obliged the king to come over, with some of his English troops: and in that case, which way soever the war of England had ended, he should have mastered Flanders, and so forced the States to submit: and, in case other designs had failed, there was one in reserve, managed by the French ministry, and by Luxemburgh, of assassinating the king, which would have brought about all their designs. The French king seemed

A descent in England, prepared by king James.

[p] (Ralph observes, that in the copies of the king's speech now extant, no such intimation can be found, and sets aside the whole of this paragraph as void of all foundation. See his Hist. of England, vol. ii. p. 331.)

to think the project was so well laid, that it could not miscarry: for he said publicly, before he set out, that he was going to make an end of the war. We in England were all this while very secure, and did not apprehend we were in any danger. Both the king and his secretaries were much blamed, for taking so little care to procure intelligence: if the winds had favoured the French, they themselves would have brought us the first news of their design[q]; they sent over some persons, to give their friends notice, but a very few days before they reckoned they should be on our coast: one of these was a Scotchman, and brought the first discovery to Johnstoun[r]: orders were presently sent out, to bring together such forces as lay scattered in quarters; and a squadron of our fleet, that was set to sea, was ordered to lay on the coast of Normandy: but the heavens fought against them more effectually than we could have done. There was, for a whole month together, such a storm that lay on their coast, that it was not possible for them to come out of their ports; nor could marshal D'Estrees come about with the squadron from Toulon, so soon as was expected. In the beginning of May, about forty of our ships were on the coast of Normandy, and were endeavouring to destroy their transport ships: upon which, orders were sent to marshal Tourville, to sail to the channel, and fight the English fleet. They had a westerly wind to bring them within the channel: but 1692. 93

[q] (The contrary to this assertion is proved from the gazettes by Ralph; and the care of the government to make the fleet as strong as possible is likewise shewn in detail by the same writer. See p. 346—348 of vol. ii. of his Hist.)

[r] Before mentioned, p. 87. O. (See in vol. i. p. 764, some account of him.)

1692. then the wind struck into the east, and stood so long there, that it both brought over the Dutch fleet, and brought about our great ships. By this means, our whole fleet was joined: so that Tourville's design, of getting between the several squadrons that composed it, was lost. The king of France, being then in Flanders, upon this change of wind, sent orders to Tourville not to fight: yet the vessel that carried these was taken, and the duplicate of these orders, that was sent by another conveyance, came not to him till the day after the engagement.

A great victory at sea.

On the nineteenth of May, Russel came up with the French, and was almost twice their number; yet not above the half of his ships could be brought into the action, by reason of the winds: Rook, one of his admirals, was thought more in fault[s]. The number of the ships that engaged was almost equal; our men said, that the French neither shewed courage nor skill in the action; the night and a fog separated the two fleets, after an engagement that had lasted some hours. The greatest part of the French ships drew near their coasts; but Russel not casting anchor, as the French did, was carried out by the tide: so next morning he was at some distance from them[t]. A great part of the French fleet sailed westward, through a dangerous sea, called the race of Alderney: Ashby was sent to pursue
94 them: and he followed them some leagues: but then, the pilots pretending danger, he came back; so twenty-six of them, whom if Ashby had pursued,

[s] That does not appear from the accounts. H.

[t] The French were well beat in the action, and fairly ran for it. Our number was greatly superior, but the whole of our fleet, from Russel's account, did not come into the engagement. H.

by all appearance, he had destroyed them all, got into St. Malo's. Russel came up to the French admiral, and the other ships that had drawn near their coasts; Delaval burnt the admiral and his two seconds: and Rook burnt sixteen more before La Hogue [u]. 1692.

It was believed, that if this success had been pursued with vigour, considering the consternation with which the French were struck upon such an unusual and surprising blow, that this victory might have been carried much farther than it was. But Russel was provoked by some letters and orders that the earl of Nottingham sent him from the queen, which he thought were the effects of ignorance; and upon that he fell into a crossness of disposition; he found fault with every order that was sent him; but would offer no advices on his part. And he came soon after to St. Helens; which was much censured; for though the disabled ships must have been sent in, yet there was no such reason for bringing in the rest, that were not touched. Cross winds kept them long in port; so that a great part of the summer was spent before he went out again. The French had recovered out of the first disorder, that had quite dispirited them. A descent in France came to be thought on when it was too late: about seven thousand men were shipped; and it was intended to land them at St. Malo's; but the seamen were of opinion, that neither there nor any where else a descent was then practicable. They complained that

But not followed as it might have been.

[u] Was it for burning sixteen of the enemy's ships, or the winds not serving, that Rook was so much in fault? for the bishop has specified nothing else to support a party lie, that he would willingly have pass for a truth, because he hated the man. D.

1692. the earl of Nottingham was ignorant of sea affairs, and yet that he set on propositions relating to them without consulting seamen, and sent orders which could not be obeyed without endangering the whole fleet. So the men, who were thus shipped, lay some days on board, to the great reproach of our counsels: but that we might not appear too ridiculous, both at home and abroad, by landing them again in England, the king ordered them to be sent over to Flanders, after they had been for some weeks on shipboard; and so our campaign on the sea, that began so gloriously, had a poor conclusion. The common reflection that was made on our conduct was, that the providence of God, and the valour of our men, had given us a victory, of which we knew not what use we should make: and, which was worse, our merchants complained of great losses this summer; for the French having laid up their fleet, let their seamen go and serve in privateers, with which they watched all the motions of our trade: and so, by an odd reverse of
95 things, as we made no considerable losses when the French were masters of our sea two years before, so now, when we triumphed on that element, our merchants suffered the most. The conclusion of all was, Russel complained of the ministry, particularly of the earl of Nottingham; and they complained no less of him [x]; and the merchants complained of the

[x] The earl of Nottingham had been one of the lords of the admiralty in king Charles the second's reign, and peeked himself upon understanding sea affairs, though he gave little satisfaction to the seamen at that time; (the duke of York in a letter from Scotland says, "As "to Mr. Finch, I could not "help disapproving some things "he did at the admiralty, and "thought others more in the "right, but never did him any "unkindness;") and, in truth, all men that had been bred to that profession unanimously agreed, that he was totally ig-

admiralty: but they in their own defence said, that we had not ships nor seamen both to furnish out a great fleet, and at the same time to send out convoys for securing the trade. 1692.

A design to assassinate the king.

In Flanders, the design, to which the French trusted most, failed: that was laid for assassinating the king: one Grandval had been in treaty with Louvoy about it; and it was intended to be executed the former year. He joined with Du Mont to follow the king and shoot him, as he was riding about in his ordinary way, moving slowly, and visiting the posts of his army. The king of France had lost two ministers, one after another. Seignelay died first, who had no extraordinary genius, but he knew all his father's methods, and pursued them so, that he governed himself both by his father's maxims and with his tools. Louvoy did not survive him long; he had more fire, and so grew uneasy at the authority madam de Maintenon took in things which she could not understand: and was in conclusion so unacceptable to the king, that once, when he flung his bundle of papers down upon the floor before him, upon some provocation, the king lifted up his cane; but the lady held him from doing more[y]: yet that

norant in their science, and were highly provoked, when ever he pretended to contradict, or give them directions. D.

[y] Louvoy's insolence deserved this; but it would have had more of dignity, if the king had taken another method of punishment. Queen Elizabeth's striking the earl of Essex was more excusable, as the provocation was greater, and more daring; but she should have left him to a legal correction, which might at that time have been severely inflicted upon him. It hurt her, and was the foundation of his ruin; for he never forgot or forgave it, or was ever cool, or master of himself afterwards. Some say his death was the cause of hers. Princes should be very cautious how they affront or resent personally. O.

1692. affront, as was given out, sunk so deep into Louvoy's spirits, that he died suddenly a few days after. Some said it was of an apoplexy; others suspected poison; for a man that knew so many secrets would have been dangerous, if he had outlived his favour. His son Barbesieux had the survivance of his place, and continued in it for some years; but, as he was young, so he had not a capacity equal to the post. He found, among his father's papers, a memorandum of this design of Grandval's; so he sent for him, and resolved to pursue it; in which madam de Maintenon concurred, and Luxemburgh was trusted with the direction of it. Du Mont retired this winter to Zell, as one that had forsaken the French service: from some practices and discourses of his a suspicion arose, of which sir William Colt, the king's envoy there, gave notice: so one Leefdale, a Dutch papist, was secretly sent to Paris, as a person that would enter into the design; but, in reality, went on purpose to discover it.

96 Grandval and he came back to Flanders to set about it; but Leefdale brought him into a party that seized on him: both king James and his queen were, as Grandval said, engaged in the design; one Parker, whom they employed in many black designs, had concerted the matter with Grandval, as he confessed, and had carried him to king James, who encouraged him to go on with it, and promised great rewards[z]. When Grandval saw there was full proof

Grandval suffered for it, and confesses it.

[z] He was my mother's uncle; bred up in very different principles; whose father, a very worthy man, had been in much public business, particularly in the management of the excise, under the parliament and Cromwell. This son of his took to arms, became devoted to king James, was a colonel in his army, and followed his fortunes. He was a protestant, and con-

against him, he confessed the whole series of the management, without staying till he were put to the torture. Mr. Morel, of Berne, a famous medalist, (who had for some years the charge of the French king's cabinet of medals, but being a protestant, and refusing to change his religion, was kept a close prisoner in the Bastile for seven years,) was let out in April this year. And before he left Paris, his curiosity carried him to St. Germains, to see king James: he happened both to go and come back in the coach with Grandval; and while he was there, he saw him in private discourse with king James: Grandval was full of this project, and, according to the French way, he talked very loosely to Morel, 1692.

tinued so; but there was nothing that was the most desperate, or even wicked, which he would not have undertaken for the service of his master, from a strange notion of fidelity and honour. He was in all respects a fit instrument for this work. He had two sons, the eldest of which he forced away into France, but he soon got from him, and came back, and resorted to my father for protection; who, in conjunction with sir Charles Hara, (afterwards lord Tyrawley,) his uncle-in-law, procured a commission in the army for him from king William, to whom he continued very grateful and faithful: and proving an excellent officer, and of long and great services, came at last to be commander-in-chief of the forces in Ireland under the present king, (George the second,) and died in that station. The other son (who now (1759) lives in very good esteem in Ireland) was put into the sea service, and by his merit came to be very high in it, and was much respected by sir Charles Wager. His age and ill health made him retire from the service; but he is in the rank of an admiral. I have often thought it an extraordinary instance of felicity and good providence to a family, that the two and only sons of such a father should be so delivered from him, and be able, notwithstanding his character, to raise themselves here to what they arrived at. In one particular in Ireland, the eldest had his father's character objected to him; but most unjustly and cruelly, and in its effects with the government did him no hurt. Both of them acquired good fortunes, who had nothing in their beginnings. O.

1692. not knowing who he was; but fancied he was well affected to that court. He said there was a design in hand that would confound all Europe: for the prince of Orange, so he called the king, would not live a month. This Morel writ over to me in too careless a manner; for he directed his letter with his own hand, which was well known at court; yet it came safe to me. The king gave orders, that none belonging to him should go near Grandval, that there might be no colour for saying, that the hopes of life had drawn his confession from him; nor was he strictly interrogated concerning circumstances; but was left to tell his story as he pleased himself. He was condemned; and suffered, with some slight remorse, for going into a design to kill a king: his confession was printed. But how black soever it represented the court of France, no notice was taken of it: nor did any of that court offer to disown or disprove it, but let it pass and be forgotten: yet so blind and violent was their party among us, that they resolved they would believe nothing, that either blemished king James or the French court [a].

Namur was taken by the French.

But though this miscarried, the French succeeded in the siege of Namur; a place of great importance, that commanded both the Maese and Sambre, and covered both Liege and Maestricht: the

[a] (The account here given of this plot is examined by Ralph in his History, vol. ii. p. 368—370, who attributes a pamphlet composed on the subject to bishop Burnet. "Lewis the fourteenth," (says Macpherson,) "and the late king of England, "were involved by the discoveries in this conspiracy. But "as there is no probability that "the former would be guilty of "such a villainous design; so "there is now a certainty, that "the latter rejected always, "with becoming horror, all "proposals of the like kind." *Macpherson's Hist. of Great Britain,* vol. ii. p. 18. Compare the Life of King James II. lately edited by Dr. Clarke, vol. ii. p. 536—538.)

town did soon capitulate, but the citadel held out much longer. The king came with a great army to raise the siege; Luxemburgh lay in his way with another to cover it, and the Mehaigne lay between. 97 The king intended to pass the river, and force a battle; but such rains fell the night before he designed to do it, and the river swelled so much, that he could not pass it for some days: he tried, by another motion, to come and raise the siege. But the town having capitulated so early, and the citadel laying on the other side of the Sambre, he could not come at it: so after a month's siege it was taken. This was looked on as the greatest action of the French king's life; that, notwithstanding the depression of such a defeat at sea, he yet supported his measures, so as to take that important place in the view of a great army. The king's conduct was on this occasion much censured: it was said, he ought to have put much to hazard, rather than suffer such a place to be taken in his sight. 1692.

After Namur surrendered, that king went back to Paris in his usual method; for, according to the old Persian luxury, he used to bring the ladies with him, with the music, poems, and scenes, for an opera and a ball; in which he and his actions were to be set out, with the pomp of much flattery. When this action was over, his forces lay on the defensive, and both armies made some motions, watching and waiting on one another.

The battle of Steenkirk.

At Steenkirk, the king thought he had a favourable occasion for attacking the French in their camp; but the ground was found to be narrower, and less practicable, than the king had been made to believe it was. Ten battalions begun the attack,

1692. and carried a post with cannon, and maintained it long, doing great execution on the enemy: and if they had been supported, or brought off, it had proved a brave attempt: but they were cut in pieces. In the whole action, the French lost many more men than the confederates did; for they came so thick, that our fire made great execution. The conduct of this affair was much censured. It was said, the ground ought to have been better examined before the attack was begun; and the men ought to have been better maintained than they were: for many thought, that if this had been done, we might have had a total victory. Count Solms bore the blame of the errors committed on this occasion. The English had been sometimes checked by him, as he was much disgusted with their heat and pride: so they charged all on him, who had some good qualities; but did not manage them in an obliging manner. We lost in this action about five thousand men, and many brave officers; here Mackay was killed, being ordered to a post that he saw could
98 not be maintained; he sent his opinion about it; but the former orders were confirmed: so he went on, saying only, The will of the Lord be done. He was a man of such strict principles, that he would not have served in a war that he did not think lawful. He took great care of his soldiers' morals, and forced them to be both sober and just in their quarters: he spent all the time that he was master of, in secret prayers, and in the reading of the scriptures. The king often observed, that when he had full leisure for his devotions, he acted with a peculiar exaltation of courage. He had one very singular quality; in councils of war, he delivered his

opinion freely, and maintained it with due zeal; but how positive soever he was in it, if the council of war overruled it, even though he was not convinced by it, yet to all others he justified it, and executed his part with the same zeal, as if his own opinion had prevailed [b]. After the action at Steenkirk, there was little done this campaign. A detachment, that the king sent from his army, joined with those bodies that came from England, broke in some way into the French conquests: they fortified Dixmuyde and Furnes, and put the country about them under contribution, and became very uneasy neighbours to Dunkirk. The command of those places was given to the count of Horn, who understood well the way to make all possible advantages by contributions; but he was a man of no great worth, and of as little courage. This disgusted the English still more; who said, the Dutch were always trusted and preferred, while they were neglected. They had some colour to censure this choice the following winter: for, upon the motion of some French troops, Horn (without studying to amuse the enemy, or to gain time, upon which much may depend in winter) did immediately abandon Dixmuyde. All he had to justify himself, was a letter from the elector of Bavaria, telling him, that he could send him no relief; and therefore he ordered him to take care of the garrison, which was of more importance than the place itself. Thus the campaign ended in Flanders; Namur was lost; the reputation of the king's con- 1692.

[b] This has not been uncommon in ministers; even that great and honest man, the earl of Clarendon, had too much of it; it contributed to his ruin; things, by this, being imputed to him which he was really against. O.

1692. ducting armies was much sunk, and the English were generally discontented, and alienated from the Dutch.

Affairs in Germany. Nothing was done on the Rhine. The elector of Saxony had promised to bring an army thither: but Shening his general, who had great power over him, was gained by the French, to break his design. The duke of Saxony complained, that the emperor favoured the circles of Franconia and Swabia so much, that he could have no good quarters assigned him for his army: and upon this occasion it was 99 said, that the emperor drew much money from those circles, that they might be covered from winter quarters; and that he applied all that to carrying on the war in Hungary; and so left the weight of the war with France, to lie very heavy on the princes of the empire. This contest went on so high, that Shening, who was thought the ill instrument in it, going for his health to the hot baths in Bohemia, was seized on by the emperor's orders; upon which, great expostulations passed between the courts of Vienna and Dresden. There were two small armies, that acted separately on the Rhine, under the command of the landgrave of Hesse, and the marquis of Bareith: but they were not able to cover the empire: and another small army, brought together by the duke of Wirtemberg, for the defence of his country, was totally defeated; not only cannon and baggage, but the duke himself fell into the enemies hands.

Affairs in Hungary. But, though the emperor did, as it were, abandon the empire to the French, he made no great progress in Hungary: the Turks lay upon a defensive; and the season was spent in motions, without either

battle or siege. There was still some discourse, but no great probability of peace. Two English ambassadors dying, the one, sir Thomas Hussay, soon after his arrival at Constantinople; and the other, Mr. Harbord, on his way thither; the lord Paget, then our ambassador at the emperor's court, was ordered to go thither, to mediate the peace. He found the mediation was in a great measure spoiled by the Dutch ambassador, before his arrival: for he had been prevailed on, by the court of Vienna, to offer the mediation of the Dutch upon a very high scheme. Caminieck, and the Ukrain, and Podolia, with Moldavia, and Valachia, were demanded for Poland; Transilvania, with the person of count Tekeli, for the emperor; and Achaia and Livadia, as an antemurale to cover the Morea, for the Venetians. The court of Vienna, by offering such a project, reckoned the war must go on, which they desired. The ministers of the Port, who were gained by the French to carry on the war, were glad to see so high a project; they were afraid of tumults; so they spread this project over the whole empire, to shew, on what ignominious terms the mediation was proposed; and by that they justified their going on with the war. But the lord Paget offered the king's mediation upon another project; which was, that every prince was to keep what he was then possessed of: and Caminieck was only demanded to be razed. If this had been offered at first, the Ottoman court durst not have refused it: the people were become so weary under a long and unprosperous war; but the vizier suppressed this, and made it still pass among them, that the English pressed the same project, that the Dutch had proposed; which was 1692. 100

1692. the more easily believed there, because how ignorant soever they were at that court, they knew well what an interest the king of England had in the States. So the war was still carried on there; and Trumbal, who came over to England at this time, told the king, that if, instead of sending embassies, he would send a powerful fleet into the Mediterranean, to destroy the French trade, and stop the commerce with Turkey, he would quickly bring that court to other measures, or raise such tumults among them, as would set that empire, and even Constantinople itself, all in a flame.

Affairs in Piedmont.

In Piedmont, the campaign was opened very late; and the French were on a defensive: so the duke of Savoy entered into Dauphiny with an army; and if he had carried on that attempt with the spirit with which he began it, he had put the affairs of France on that side into great disorder: but he was either ill served or betrayed in it; he sat down before Ambrun, and besieged it in form: so that a place, which he might have carried in three days, cost him some weeks: and in every step he made it appear, there was either a great feebleness or much treachery in his counsels. He made no great progress; yet the disorder it threw that and the neighbouring provinces into was very great. He was stopped by the small-pox, which saved his honour, as much as it endangered his person: the retreat of his army, when his life was in danger, looked like a due caution. He recovered of the small-pox, but a ferment remained still in his blood, and broke out so often into feverish relapses, that it was generally thought he was poisoned. Many months passed, before he was out of danger. So the campaign

ended there with considerable losses to the French, but with no great advantage to the duke. The greatest prejudice the French suffered this year was from the season; they had a very bad harvest, and no vintage in the northern parts. We in England had great apprehensions of as bad an one, from a very cold and wet summer. Great deluges of rain continued till the very time of harvest. But, when we were threatened with a famine, it pleased God to send such an extraordinary change of the season, that we had a very plentiful crop, enough both to serve ourselves, and to supply our neighbours, which made us easy at home, and brought in much wealth, for that corn which we were able to spare. 1692.

A great earthquake.

In the beginning of September, there was an earthquake felt in most places in England; and was at the same time felt in many parts of France, Germany, and the Netherlands. No harm was done by it, though it continued for three or four minutes. I can write nothing of it from my own observation; for it was not sensible in the place where I happened to be at that time; nor can it be determined, whether this had any relation to those terrible earthquakes that happened, some months after this, in Sicily and Malta: upon which I cannot enlarge, having seen no other account of them, than what was in public gazettes, which represented them as the dreadfullest by much, of any that are in history: it was estimated, that about one hundred thousand persons perished by them in Sicily. It is scarce to be imagined, that the earthquake, which about the same time destroyed the best part of the chief town in Jamaica, could have any connection with these in Europe. These were very extraordinary things, 101

1692. which made those, who studied apocalyptical matters, imagine that the end of the world drew near. It had been happy for us, if such dismal accidents had struck us with a deeper sense of the judgments of God.

A great corruption over England.

We were indeed brought to more of an outward face of virtue and sobriety: and the great examples that the king and queen set the nation, had made some considerable alterations, as to public practices: but we became deeply corrupted in principle: a disbelief of revealed religion, and a prophane mocking at the Christian faith, and the mysteries of it, became avowed and scandalous. The queen, in the king's absence, gave orders to execute the laws against drunkenness, swearing, and the prophanation of the Lord's day; and sent directions over England to all magistrates to do their duty in executing them; to which the king joined his authority, upon his return to England[c]. Yet the reformation of manners, which some zealous men studied to promote, went on but slowly: many of the inferior magistrates were not only remiss, but very faulty themselves: they did all they could to discourage those who endeavoured to have vice suppressed and punished: and it must be confessed, that the behaviour of many clergymen gave atheists

[c] There came forth at this time several puritanical regulations for observing the sabbath in London, savouring so much of John Knox's doctrine and discipline, that Burnet was thought to have been the chief contriver. One was, that hackney coaches should not drive upon that day; by another, constables were ordered to take away pies and puddings from anybody they met carrying of them in the streets: with a multitude of other impertinences, so ridiculous in themselves, and troublesome to all sorts of people, that they were soon dropt, after they had been sufficiently laughed at. D.

no small advantage: they had taken the oaths, and read the prayers for the present government; they observed the orders for public fasts and thanksgivings; and yet they shewed in many places their aversion to our establishment but too visibly: so that the offence that this gave, in many parts of the nation, was too evident: in some places it broke out in very indecent instances, that were brought into courts of law, and censured. This made many conclude, that the clergy were a sort of men, that would swear and pray, even against their consciences, rather than lose their benefices; and by consequence, that they were governed by interest, and not by principle. The Jacobites grew still to be more and more outrageous, while the clergy seemed to be neutrals in the dispute; and, which was yet the most extraordinary thing in the whole matter, the government itself acted with so much remissness, and so few were inquired after or punished, that those who were employed by the king behaved themselves, in many places, as if they had secret instructions to be heavy upon his best friends, and to be gentle to his enemies. Upon the whole matter, the nation was falling under such a general corruption, both as to morals and principles; and that was so much spread among all sorts of people, that it gave us great apprehensions of heavy judgments from heaven. 1692. 102

The session of parliament was opened under great disadvantages. The earl of Marlborough and some other peers had been put in the tower, upon a false accusation of high treason, which was evidently proved to be a conspiracy, designed by some profligate creatures, who fancied that forgeries and false A session of parliament.

1692. swearing would be as acceptable, and as well rewarded, in this reign, as they had been formerly [d]. But till this was detected, the persons accused were kept in prison; and were now only out upon bail [e]: so it was said to be contrary to the nature and freedom of parliaments, for prisoners to sit in it. It was confessed, that in times of danger, and such was the former summer, it must be trusted to the discretion of a government, to commit such persons as were suspected: but when the danger was over, by our victory at sea, those against whom there lay nothing besides suspicions ought to have been set at liberty: and this was thought reasonable. There was an association pretended to be drawn against the government, to which the subscriptions of many lords were set so dexterously, that the lords themselves said, they could not distinguish between their true subscriptions, and those that were forged for them. But the manner of the discovery, with several other circumstances, carried such marks of imposture, that the lords of the council ordered a strict prosecution of all concerned in it, which ended in a full conviction of the forgery: and those who had combined in it were whipped and pilloried, which, to the reproach of our constitution, is the only punishment that our law has yet provided for such practices. The lords passed some votes, asserting their privileges; and were offended with the judges,

[d] (The most profligate forgers and perjured persons in the former reigns were Oates and his crew, and their chief favourers and patrons were not the courtiers, but anticourtiers.)

[e] ("For Marlborough's subsequent detention, we must seek another cause, namely, his clandestine intercourse with the exiled family." *Coxe's Memoirs of John Duke of Marlborough*, vol. i. p. 53.)

for detaining some in prison, though there was no reason nor colour for their displeasure[f]. But where the privilege or the dignity of peerage is in question, it is not easy to keep the house within bounds. 1692. 103

The debate went off in a bill, that indemnified the ministry for those commitments, but limited them, for the future, by several rules; all which rules were rejected by the commons. They thought those limitations gave a legal power to commit, in cases where they were observed; whereas they thought the safer way was to indemnify the ministry, when it was visible they did not commit any but upon a real danger, and not to set them any rules: since, as to the committing of suspected persons, where the danger is real and visible, the public safety must be first looked to, and supersede all particular laws. When this was over, an attempt was made in both houses, for the abjuration of king James: the king himself was more set on it than he had been formerly. It was rejected by the house of commons: and though some steps were made in it by the lords, yet the opposition was so great, that it was let fall.

The affairs at sea occasioned much heat in both houses. The earl of Nottingham laid before the lords, upon an address they had made to the king, all the letters that had passed between himself and Russel; with all the orders he had sent him: and he aggravated Russel's errors and neglects very severely. But the house of commons justified Russel, and gave him thanks over and over again; and remained so fixed in this, that though the lords then commu-

[f] (But see Ralph in the 2d vol. of his History, p. 389—391.)

1692. nicated the papers, the earl of Nottingham had laid before them, to the commons, they would not so much as read them [g], but renewed their first votes, that justified Russel's fidelity, courage, and conduct [h].

Jealousies of the king's ministers.

The king was now possessed against him: for he dismissed him from his service, and put the command of the fleet into the hands of three persons, Killigrew, Delaval, and Shovel: the two first were thought so inclinable to king James's interests, that it made some insinuate, that the king was in the hands of those who intended to betray him to his enemies: for though no exception lay against Shovel, yet it was said, he was only put with the other two, to give some reputation to the commission, and that he was one against two: so that he could neither

[g] (But see the Journals of the House of Commons, cited by Ralph, vol. ii. p. 397.)

[h] It does appear, from an impartial perusal of the papers laid before the house of commons, that admiral Russel's conduct, after the battle of La Hogue, was none of the ablest; even admitting lord Nottingham took more upon him in directing the operations than he ought to have done. Russel was a peevish, surly character, and did not love lord Nottingham, and did not choose to be dictated to. Another absurd notion prevailed at that time, that the great ships were to be laid up before Michaelmas, which greatly lamed our naval operations. After such a defeat, some material impression might have been made on the French court, with duke Schomberg's corps, and such a fleet. This seems just, when one considers what the French call *la ruse de guerre;* but when one reflects on the suspicious conduct of Russel, he looks higher for the source of it. H. (The intrigues of this admiral with king James, in consequence of his being discontented, like many others of the whig party, with the reigning king, may now be seen in Dalrymple's Memoirs, vol. i. pp. 195, 199. Macpherson's Original Papers, vol. i. p. 420; and his Hist. of Great Britain, vol. i. p. 5, and 50; and in the Life of King James II. vol. ii. pp. 489, 499, 500. Compare Somerville's Political Transactions, vol. i. pp. 367, 394. and lord Hardwicke's note at p. 82. of this work.)

hinder nor do any thing. The chief blame of this nomination was thrown on the earl of Nottingham; and of those who belonged to his office, many stories were raised and spread about, as if there had been among them, besides a very great remissness in some of the concerns of the government, an actual betraying of all our secrets and counsels. The opinion of this was spread both within and without the kingdom; and most of our confederates were possessed with it. He justified not only himself, but all his under secretaries; both king and queen continued still to have a good opinion of his fidelity; but they saw some defects in his judgment, with a most violent party heat, that appeared upon all occasions, and even in the smallest matters. The bills for the supply went on with a heavy progress in the house of commons; those who could not oppose them, yet shewed their ill humour in delaying them and clogging them with unacceptable clauses all they could. And they continued that wasteful method of raising money upon remote funds; by which there lay a heavy discount on tallies; so that above a fourth part was, in some of them, to be discounted: the parties of whig and tory appeared almost in every debate, and in every question. 1692. 104

Complaints in parliament.

The ill humour prevailed most in the house of lords, where a strong opposition was made to every thing that was proposed for the government. They passed many votes, and made many addresses to the king, which were chiefly designed to load the administration, and to alienate the king from the Dutch. The commons begun with great complaints of the admiralty: and then they had the conduct in Flanders, particularly in the action at Steenkirk,

1692. before them: and they voted some heads of an address relating to those matters: but by a secret management, they let the whole thing fall, after they had passed those angry votes. Any thing that the lords could do was of less moment, when it was not like to be seconded by the commons; yet they shewed much ill humour.

1693. This was chiefly managed by the marquis of Halifax and the earl of Mulgrave; and they drew in the earl of Shrewsbury, who was very ill pleased with the credit that some had with the king, and lived in a particular friendship with the earl of Marlborough; and thought that he was both ungratefully and unjustly persecuted. These lords had all the Jacobites ready to assist them in every thing that could embroil matters; a great many whigs, who were discontented, and jealous of the ministry, joined with them: they knew that all their murmuring would signify little, unless they could stop a money-bill: and, since it was settled in the house of commons as a maxim, that the lords could not make any alterations in money-bills; when the bill for four shillings in the pound land-tax came up, they put their strength to carry a clause that the peers should tax themselves. And though, in the way in which this clause was drawn up, it could not
105 be defended, yet they did all that was possible to put a stop to the bill; and with unusual vehemence pressed for a delay, till a committee should be appointed to examine precedents. This the earl of Mulgrave pressed for many hours, with a force of argument and eloquence, beyond any thing that I had ever heard in that house. He insisted much

upon the dignity of peerage; and made this, which was now proposed, to be so main a part of that dignity, that he exhausted all the topics of rhetoric, to convince the lords, that, if they yielded to this, they divested themselves of their true greatness; and nothing would remain but the name and shadow of a peer, which was but a pageant. But after all the pomp and heat of his oratory, the lords considered the safety of the nation more than the shadow of a privilege; and so they passed the bill. 1693.

These lords also set on foot a proposition, that had never been offered, but when the nation was ready to break out into civil wars; and that was, that a committee of lords and commons should be appointed to confer together, concerning the state of the nation: this once begun, would have grown in a very short time to have been a council of state; and they would soon have brought all affairs under their inspection; but this was so strongly opposed, that it was soon let fall.

When the party, that was set against the court, saw they could carry nothing in either house of parliament, then they turned their whole strength against the present parliament, to force a dissolution; and in order to that, they first loaded it with a name of an ill sound; and, whereas king Charles's long parliament was called the pensioner parliament, they called this the officer's parliament; because many that had commands in the army were of it: and the word, that they gave out among the people, was, that we were to be governed by a standing army and a standing parliament. They tried to carry a bill, that rendered all members of the house of commons incapable of places of trust or profit;

1693. so that every member that accepted a place should be expelled the house, and be incapable of being chosen again, to sit in the current parliament. The truth was, it came to be observed, that some got credit by opposing the government; and that to silence them, they were preferred: and then they changed their note, and were as ready to flatter, as before to find fault. This gave a specious colour to those who charged the court with designs of corrupting members, or at least of stopping their mouths by places and pensions[i]. When this bill was set on, it went through the house of commons with
106 little or no difficulty: those who were in places, had not strength and credit to make great opposition to it, they being the persons concerned, and looked on as parties: and those who had no places, had not the courage to oppose it; for in them it would have looked as an art to recommend themselves to one. So the bill passed in the house of commons: but it was rejected by the lords[k]; since it seemed to establish an opposition between the crown and the people, as if those who were employed by the one could not be trusted by the other.

A bill to exclude members of parliament from places.

When this failed, another attempt was made in the house of lords; in a bill that was offered, enacting, that a session of parliament should be held every year, and a new parliament be summoned every third year, and that the present parliament

Another for a triennial parliament.

[i] (What does the bishop himself mean by the secret management, he speaks of in the preceding page? Compare also p. 42, and p. 86.)

[k] "Forty-two were for the "bill, and only forty against it, "so that the scale was turned "by the proxies, of whom the "court had seven, and the oppo- "site lords but three: difference "upon the whole two." *Ralph's History of England*, vol. ii. p. 407.)

should be dissolved within a limited time. The statutes for[l] annual parliaments, in king Edward the first[m] and king Edward the third's time, are well known. But it is a question, whether the supposition *if need be* falls upon the whole act, or only upon those words, *or oftener:* it is certain these acts were never observed[n]; and the non-observance of them was never complained of as a grievance. Nor did the famous act in king Charles the first's time carry the necessity of holding a session further, than to once in three years. Anciently, considering the haste and hurry in which parliaments sat, an annual parliament might be no great inconvenience to the nation: but by reason of the slow methods of sessions now, an annual parliament in times of peace would become a very insupportable grievance. A parliament of a long continuance seemed to be very dangerous, either to the crown or to the nation: if the conjuncture, and their proceedings, gave them much credit, they might grow very uneasy to the crown, as happened in king Charles the first's time; or in another situation of affairs, they might be so practised upon by the court, that they might give all the money and all the liberties of England up, when they were to have a large share of the money, and were to be made the instruments of tyranny; as it was in king Charles the second's time. It was likewise hoped, that frequent parliaments would put an end to the great expense candidates put themselves to in elections; and that it would oblige the members to behave themselves so well, both with relation to the public, and in their private de- 1693.

[l] Holding. O.

[m] Q. There are two in Edward the third's time. O.

[n] Q. O.

1693. portment, as to recommend them to their electors at three years' end: whereas when a parliament was to sit many years, members covered with privileges were apt to take great liberties, forgot that they represented others, and took care only of themselves. So it was thought, that England would have a truer
107 representative, when it was chosen anew every third year, than when it run on to the end of a reign. All that was objected against this was, that frequent elections would make the freeholders proud and insolent, when they knew that applications must be made to them at the end of three years; this would establish a faction in every body that had a right to an election; and whereas now an election put men to a great charge all at once, then the charge must be perpetual all the three years, in laying in for a new election, when it was known how soon it must come round. And as for the dissolution of the present parliament, some were for leaving it to the general triennial clause, that it might still sit three years; they thought that, during so critical a war, as that in which we were now engaged, it was not advisable to venture on a new election; since we had so many among us, who were so ill affected to the present establishment: yet it was said, this parliament had already sat three years; and therefore, it was not consistent with the general reason of the act, to let it continue longer. So the bill passed in the house of lords: and though a bill from them, dissolving a parliament, struck only at the house of commons, the lords being still the same men; so that, upon that single account, many thought they would have rejected it, yet they also passed it, and fixed their own dissolution to the

twenty-fifth of March in the next year; so that they reserved another session to themselves. The king let the bill lie for some time on the table; so that men's eyes and expectations were much fixed on the issue of it. But in conclusion, he refused to pass it; so the session ended in ill humour. The rejecting a bill, though an unquestionable right of the crown, has been so seldom practised, that the two houses are apt to think it a hardship, when there is a bill denied. 1693.

A change in the ministry.

But to soften the distaste this might otherwise give, the king made considerable alterations in his ministry [o]. All people were now grown weary of the great seal's being in commission; it made the proceedings in chancery to be both more dilatory and more expensive: and there were such exceptions made to the decrees of the commissioners, that appeals were brought against most of them, and generally they were reversed. Sir John Somers had now got great reputation, both in his post of attorney general, and in the house of commons; so the king gave him the great seal. He was very learned in his own profession, with a great deal more learning in other professions, in divinity, philosophy, and history [p]. He had a great capacity for business, with an extraordinary temper: for he was fair and gentle, perhaps to a fault, considering his post. So that he had all the patience and softness, 108

[o] (Ralph observes, that these alterations were made at the same time with those mentioned before in p. 103, being recorded in the same gazette, vol. ii. p. 414.)

[p] And in all parts of philology, with the best taste of any man of that age, and the most correct judgment in the best authors of antiquity, as well as of later times, and was himself one of the greatest writers in the English language. O.

1693. as well as the justice and equity, becoming a great magistrate. He had always agreed in his notions with the whigs; and had studied to bring them to better thoughts of the king, and to a greater confidence in him [q]. Trenchard was made secretary of state [r]. He had been engaged far with the duke of Monmouth, as was told formerly. He got out of England, and lived some years beyond sea, and had a right understanding of affairs abroad: he was a calm and sedate man; and was much more moderate than could have been expected, since he was a leading man in a party. He had too great a regard to the stars, and too little to religion. The bringing these men into those posts was ascribed chiefly to the great credit the earl of Sunderland had gained with the king; he had now got into his confidence, and declared openly for the whigs. These advancements had a great effect on the whole party: and brought them to a much better opinion of the king.

[q] I remember among lord Somers's papers, a very spirited letter to lord Nottingham, on the making (if I mistake not) of an attorney or solicitor general without consulting him. This was just after his receiving the seals. His chief argument is a just one, and drawn from the inability of the great seal to serve the crown with proper weight and authority without being considered in the disposal of law places. This was just after lord Somers's having the seals, and before the king went abroad. H.

[r] He was a lawyer and a sergeant. Lechmere (afterwards Lord Lechmere) having a desire to be secretary of state in George the first's reign, and it being objected to him, that he was of the profession of the law, and unused to the business of a secretary of state, mentioned this instance of sergeant Trenchard; to which he was answered, "that serjeant Tren-"chard never *was secretary of* "*state,*" meaning that he was not in the secret of affairs. This I had from sir R. Walpole, who told me that it was quoted by lord —— to —— But the person it was then said to, did more than once get the better of him who said it. O.

A young man, Mr. Montague, a branch of the earl of Manchester's family, began to make a great figure in the house of commons [s]. He was a commissioner of the treasury, and soon after made chancellor of the exchequer. He had great vivacity and clearness, both of thought and expression: his spirit was at first turned to wit and poetry, which he continued still to encourage in others, when he applied himself to more important business. He came to have great notions, with relation to all the concerns of the treasury, and of the public funds, and brought those matters into new and better methods: he shewed the error of giving money upon remote funds, at a vast discount, and with great premiums to raise loans upon them; which occasioned a great outcry, at the sums that were given, at the same time that they were much shrunk, before they produced the money that was expected from them. So he pressed the king to insist on this as a maxim, to have all the money for the service of a year, to be raised within that year. 1693.

Factions formed against the court.

But as the employing these men had a very good effect on the king's affairs, so a party came to be now formed, that studied to cross and defeat every thing; this was led by Seimour [t] and Musgrave [u]. The last was a gentleman of a noble family in Cumberland, whose life had been regular, and his deport-

[s] He was first brought into business by the old marquis of Halifax, who recommended him to be a clerk of the council: he afterwards took his title, in grateful remembrance (as he pretended) of his first benefactor; but generally thought more out of vanity, (of which he had a sufficient share,) in hopes of raising of it to as high a degree as his benefactor had done. D.

[t] Sir Edward. O.

[u] Sir Christopher. O.

1693. ment grave. He had lost a place in king James's time: for though he was always a high tory, yet he would not comply with his designs. He had indeed contributed much to increase his revenue, and to offer him more than he asked; yet he would not go into the taking off the tests. Upon the revolution,
109 the place out of which he had been turned, was given to a man that had a good share of merit in it. This alienated him from the king; and he, being a man of good judgment and of great experience, came to be considered as the head of the party; in which he found his account so well, that no offers that were made him could ever bring him over to the king's interests. Upon many critical occasions, he gave up some important points, for which the king found it necessary to pay him very liberally [x].

[x] Lord Pelham, who was a lord of the treasury in king William's time, told me, that to his knowledge he had seven thousand pounds for settling the king's revenue for life, and that he carried the money himself in bank bills to the king's closet for that use. D. Upon one of these occasions Seymour said to him, "Kit, Kit, I know "where you have been, and "what you have got, but it was "first offered to me." "Yes," said another person, "it was so, "and the offer was 5000*l.* but "Seymour stood for 10,000*l.*" Mr. Pope alludes somewhere to Musgrave's having received this money from the king, and that it was discovered by his dropping one of the bags, as he was coming down the back stairs at court. The occasion was after this period, (*viz.* 1698,) and it was the settling of the civil list. The king desired it might be 700,000*l.* a year, and the contrivance for it was thus: Somebody for the court was to propose a million, upon which Musgrave was to rise up, and exclaim against the extravagancy of the demand, and the danger of it, and after many severe reflections upon the court, he was to conclude with saying, "he dared venture "to answer for country gentle- "men, that if the demand had "been for a modest and rea- "sonable sum, it would not "have met with any opposition; "that they were not unwilling "to support the greatness and "dignity of the crown, and "that he thought for all good "purposes of government, "700,000*l.* would be suffici- "ent, and hoped no larger sum

But the party of the tories was too inconsiderable to have raised a great opposition, if a body of whigs had not joined with them; some of these had such republican notions, that they were much set against the prerogative: and they thought the king was become too stiff in maintaining it: others were offended, because they were not considered nor preferred as they thought they deserved. The chief of these were Mr. Paul Foley and Mr. Harley; the first of these was a younger son of one, who from mean beginnings had by iron works raised one of the greatest estates that had been in England in our time. He was a learned, though not a practising lawyer[y]; and was a man of virtue and good principles, but morose and wilful: and he had the affectation of passing for a great patriot, by his constant finding fault with the government, and keeping up an ill humour, and a bad opinion of the court. Harley was a man of a noble family, and very eminently learned; much turned to politics, and of a restless ambition. He was a man of great industry and application; and knew forms and the records of parliament so well, that he was capable both of lengthening out and of perplexing debates. Nothing could answer his aspiring temper: so he and Foley joined with the tories to create jealousies, and raise an opposition: they soon grew to be able to delay matters long; and set on 1693.

" would be given into." This he undertook, and did; and the court got what they wanted. I had all this from an eminent member of the house of commons, who was then in parliament. See postea, 208. 410. 411. O. These lines in Pope, " Once we confess beneath the " partriot's cloak," &c. refer to an accident which happened to sir Christopher in coming out of the closet. H.

[y] Learned also in the antiquities and law of parliament. It was he who was afterwards speaker in two parliaments. O.

1693. foot some very uneasy things that were popular; such as the bill against parliament men being in places, and that for dissolving the parliament, and for having a new one every third year.

That which gave them much strength was, the king's cold and reserved way; he took no pains to oblige those that came to him; nor was he easy of access; he lived out of town at Kensington; and his chief confidents were Dutch. He took no notice of the clergy, and seemed to have little concern in the matters of the church or of religion; and at this time some atheists and deists, as well as Socinians, were publishing books against religion in general, and more particularly against the mysteries of our faith. These expressed great zeal for the government: which gave a handle to those who were waiting for all advantages, and were careful of increasing and improving them, to spread it all over the nation, that the king and those about him had no regard to religion nor to the church of England.

But now I go on to the transactions of this summer: the king had, in his speech to the parliament, told them, he intended to land a considerable army in France this year. So, after the session, orders were given for hiring a fleet for transports, with so great a train of artillery, that it would have served an army of forty thousand men: this was very acceptable to the whole nation, who loved an active war; and were very uneasy to see so much money paid, and so little done with it: but all this went off without any effect. The French had attempted this winter the siege of Rhinfeldt, a place of no great consequence. But it lay upon the Rhine, not far from Coblentz; and by it Franconia would have

Affairs in Flanders.

been open to them. They could not cut off the communication by the Rhine: so that fresh supplies of men and provisions were every day sent to them, by the care of the landgrave of Hesse, who managed the matter with such success, that, after a fortnight's stay before it, the French were forced to raise the siege; which was a repulse so seldom given them, that upon it some said, they were then sure Louvoy was dead. The French had also made another attempt upon Huy, of a shorter continuance, but with the like success: The campaign was opened with great pomp in Flanders: for the king of France came thither in person, accompanied by the ladies of the court, which appeared the more ridiculous, since there was no queen at the head of them; unless madam de Maintenon was to be taken for one, to whom respects were indeed paid with more submission than is commonly done to queens; so that what might be wanting in the outward ceremony, was more than balanced by the real authority that she had. It was given out, that the king of France, after he had amused the king for some days, intended to have turned either to Brussels on the one hand, or to Liege on the other. In the mean while, the French were working on the Dutch, by their secret practices, to make them hearken to a separate peace; and the ill humour that had appeared in the parliament of England against them, was an argument much made use of, to convince them how little ground they had to trust to their alliance with England: so that, as French practices had raised this ill humour among us, they made now this use of it, to break our mutual confidence, and, by consequence, our alliance with the States. The king 1693. 111

1693. made great haste, and brought his army much sooner together than the French expected: he encamped at Park, near Louvain; by which he broke all the French measures: for he lay equally well posted to relieve Brussels or Liege. It was grown the more necessary to take care of Liege; because, though the bishop was true to the allies, yet there was a faction formed among the capitulars, to offer themselves to the French; but the garrison adhered to the bishop; and now, when so great an army lay near them, they broke the measures which that faction had taken. The French king, seeing that the practices of treachery, on which he chiefly relied, succeeded so ill, resolved not to venture himself in any dangerous enterprise; so he and the ladies went back to Versailles.

Affairs in the empire.

The dauphin, with a great part of the army, was sent to make head against the Germans, who had brought an army together, commanded by the elector of Saxony, the landgrave of Hesse, and the prince of Baden: the Germans moved slowly, and were retarded by some disputes about the command: so that the French came on to Heidelberg before they were ready to cover it: the town could make no long resistance; but it was too soon abandoned by a timorous governor. The French were not able to hinder the conjunction of the Germans, though they endeavoured it; they advanced towards them. And though the dauphin was much superior in numbers, and studied to force them to action, yet they kept close; and he did not think fit to attack them in their camp. The French raised great contributions in the Wirtemberg; but no action happened on the Rhine all this campaign. The French had better

success and less opposition in Catalonia: they took Roses, and advanced to Barcelona, expecting their fleet, which was to have bombarded it from the sea, while their army attacked it by land: this put all Spain under a great consternation; the design of this invasion was to force them to treat of a separate peace; while they felt themselves so vigorously attacked, and saw that they were in no condition to resist. 1693.

Affairs in Piedmont gave them a seasonable relief: the duke of Savoy's motions were so slow, that it seemed both sides were resolved to lie upon the defensive. The French were very weak there, and they expected to be as weakly opposed. But in the end of July, the duke began to move: and he obliged Catinat to retire with his small army, having made him quit some of his posts. And then he formed the siege of St. Bridget, a fort that lay above Pignerol, and, as was believed, might command it. After twelve days' siege, the French abandoned it, and he was master of it. But he was not furnished for undertaking the siege of Pignerol: and so the campaign went off in marches and countermarches: but in the end of it, Catinat, having increased his army by some detachments, came up to the duke of Savoy. They engaged at Orbasson, where the honour of the action, but with that the greatest loss, fell to the French: for though they carried it by their numbers, their bodies being less spent and fuller, yet the resistance that was made was such, that the duke of Savoy gained more in his reputation than he suffered by the loss of the day. Affairs in Piedmont. 112

The two armies lay long in Flanders, watching one another's motions, without coming to action. In The battle of Landen.

1693. July, Luxemburgh went to besiege Huy, and carried it in two or three days. The king moved that way, on design either to raise the siege or to force a battle. Those in Huy did not give him time to come to their relief; and Luxemburgh made a feint towards Liege, which obliged the king to send some battalions to reinforce the garrison of that place. He had also sent another great detachment, commanded by the duke of Wirtemberg, to force the French lines, and to put their country under contribution; which he executed with great success, and raised above four millions. Luxemburgh thought this was an advantage not to be lost: so that, as soon as he had received orders from the king of France to attack the king in his camp, he came up to him near Landen, upon the river Gitte. He was about double the king's number, chiefly in horse. The king might have secured himself from all attacks, by passing the river: and his conduct in not doing it was much censured, considering his strength and the enemy's. He chose rather to stay for them; but sent away the baggage and heavy cannon to Mechlen; and spent the whole night in planting batteries, and casting up retrenchments. On the twenty-ninth of July, the French began their attack early in the morning, and came on with great resolution, though the king's cannon did great execution: they were beat off, with the loss of many officers, in several attacks: yet they came still on with fresh bodies; till at last, after an action of seven or eight hours' continuance, they broke through in a place where there was such a body of German and Spanish horse, that the army on no side was thought less in danger. These troops gave way; and so the French carried

the honour of the day, and were masters both of the king's camp and cannon: but the king passed the river and cut the bridges, and lay secure out of reach. He had supported the whole action with so much courage, and so true a judgment, that it was thought he got more honour that day, than even when he triumphed at the Boyne: he charged himself in several places. Many were shot round about him with the enemy's cannon: one musket-shot carried away part of his scarf, and another went through his hat, without doing him any harm. The French lost so many men, and suffered so much, in the several onsets they had made, that they were not able to pursue a victory which cost them so dear. We lost in all about 7000: and among these there was scarce an officer of note: only the count de Solms had his leg shot off by a cannon ball, of which he died in a few hours. By all the accounts that came from France it appeared, that the French had lost double the number, with a vastly greater proportion of officers [z]. The king's behaviour, during the bat- 1693. 113

[z] I was at Hanover at the time the battle of Landen was fought, where they seemed under some consternation: but was very graciously received by the princess Sophia, who told me she remembered my grandfather, and knew the affection he always had to her mother's family; and, in particular, for her brothers Rupert and Maurice. She sent a coach to bring me to dinner to Herenhousen every day, as long as I stayed. She was very free in her discourse, and said, she held a constant correspondence with king James, and his daughter our queen, with many particulars of a very extraordinary nature, that were great proofs of his being a very weak man, and her being a very good woman. She seemed peeked at the princess Ann, and spoke of her with little kindness. She told me the king and queen had both invited her to make them a visit into England, but she was grown old, and could not leave the elector and her family; otherwise, should be glad to see her own country (as she was pleased to call it) before she died, and should willingly have her bones

1693. tle and in the retreat, was much magnified by the enemy, as well as by his own side. The king of France was reported to have said upon it, that Luxemburgh's behaviour was like the prince of Condé's, but the king's like M. Turenne's. His army was in a few days as strong as ever, by recalling the duke of Wirtemberg, and the battalions he had sent to Liege, and some other bodies that he drew out of garrisons. And the rest of the campaign passed over without any other action; only, at the end of it, after the king had left the army, Charleroy was besieged by the French [a]: the country about it had been so eat up, that it was not possible to subsist an army that might have been brought to relieve it: the garrison made a brave resistance, and held out a month; but it was taken at last.

Charleroy taken by the French.

Attempts made for a peace.

Thus the French triumphed every where: but their successes were more than balanced by two bad harvests, that came successively one after another: they had also suffered much in their vintage; so that they had neither bread nor wine. Great diligence was used to bring in corn from all parts: and

laid by her mother's, in the abbey at Westminster, whom she always mentioned with great veneration. She took it unkindly, that the duke of Zell should have the garter before her husband, who, she thought, might have expected it upon her account; and told me, she was once like to have been married to king Charles the second, which would not have been worse for the nation, considering how many children she had brought: to which I most sincerely agreed. D.

[a] ("It is certain his majesty "did not leave the army till "the 5th of October; during "all which time, (Charleroy "had been invested on the "10th of September,) and for "some days afterwards, the "governor and garrison de- "fended the place with all the "bravery imaginable, having "made three successful sallies, "and behaved in all respects so "as to deserve relief, if it had "been possible to give it them." *Ralph's Hist. of England*, vol. ii. p. 446.)

strict orders were given by that court, for regulating the price of it, and for furnishing their markets: there was also a liberal distribution ordered by that king for the relief of the poor. But misery will be misery still, after all possible care to alleviate it; great multitudes perished for want, and the whole kingdom fell under an extreme poverty: so that all the pomp of their victories could not make them easy at home. They tried all possible methods for bringing about a general peace; or if that failed, for a separate peace with some of the confederates; but there was no disposition in any of them to hearken to it; nor could they engage the northern crowns to offer their mediation [b]. Some steps were indeed made; for they offered to acknowledge the present government of England: but in all other points, their demands were still so high, that there was no prospect of a just peace, till their affairs should have brought them to an humbler posture. 1693. 114

Our affairs at sea.

But while the campaign, in all its scenes, was thus unequal and various, the French, though much weaker at sea, were the most successful there: and though we had the superior strength, we were very unprosperous; and by our ill conduct we lost much, both in our honour and interest, on that element. The great difficulty that the French were under in their marine was by reason of their two great ports, Brest and Toulon; and from the bringing their

[b] (Ralph has inserted in his History a memorial from the king of Denmark on the subject of peace, in consequence of a communication from the French court, dated in December this year. Whence he collects, that either the secret was kept with the utmost caution, or that the bishop is one of the most inaccurate of historians. See pp. 482, 483, of his Hist.)

1693. fleets together, and sending them back again. The danger they ran in that, and the delays that it put them under, were the chief occasions of their losses last year: but these were, in a great measure, made up to them now. We were sending a very rich fleet of merchants' ships to the Mediterranean, which was valued at many millions; some of these had lain ready a year and a half, waiting for a convoy, but were still put off by new delays; nor could they obtain one after Russel's victory, though we were then masters at sea. They were promised a great one in winter. The number of the merchant ships did still increase; so that the convoy, which was at first designed, was not thought equal to the riches of the fleet, and to the danger they might run by ships that might be sent from Toulon to intercept them. The court of France was watching this carefully: a spy among the Jacobites gave advice, that certain persons sent from Scotland to France, to shew with how small a force they might make themselves masters of that kingdom, had hopes given them for some time; upon which several military men went to Lancashire and Northumberland, to see what could be expected from thence, if commotions should happen in Scotland: but in February the French said, they could not do what was expected; and the Scotch agents were told, that they were obliged to look after the Smirna fleet; which they reckoned might be of more consequence than even the carrying Scotland could be. The fleet was ready in February; but new excuses were again made; for it was said, the convoy must be increased to twenty men of war; Rook was to command it; a new delay was likewise put in, on

the pretence of staying for advice from Toulon, 1693.
whether the squadron that was laid up there, was
to lie in the Mediterranean this year, or to come
about to Brest. The merchants were very uneasy
under those delays; since the charge was like to eat
up the profit of the voyage; but no despatch could 115
be had; and very probable reasons were offered to
justify every new retardment. The French fleet
had gone early out of Toulon, on design to have de-
stroyed the Spanish fleet, which lay in the bay of
Puzzolo; but they lay so safe there, that the French
saw they could not succeed in any attempt upon
them; afterwards they stood off to the coast of Ca-
talonia, to assist their army, which was making
some conquests there. Yet these were only feints to
amuse and to cover their true design. The fleet at
Brest sailed away from thence so suddenly, that
they were neither completely manned nor victualled;
and they came to Lagos bay, in Algarve. Tenders
were sent after them, with the necessary comple-
ment of men and provisions: this sudden and un-
provided motion of the French fleet looked as if
some secret advice had been sent from England,
acquainting them with our designs. But at the se-
cretary's office, not only there was no intelligence
concerning their fleet, but when a ship came in, that
brought the news of their having sailed from Brest,
they were not believed. Our main fleet sailed out
into the sea for some leagues with Rook and the
merchant ships: and when they thought they were
out of danger, they came back. Rook was unhappy
in that, which, upon any other occasion, would have
been a great happiness; he had a fair and a strong
gale of wind; so that no advice sent after him could

1693. overtake him: nor did he meet with any ships at sea, that could give him notice of the danger that lay before him. He doubled the cape of St. Vincent, and had almost fallen in with the French fleet, before he was aware of it: he dreamed of no danger but from the Toulon squadron, till he took a fireship; the captain whereof endeavoured to deceive him by a false story, as if there had been only fifteen men of war lying at Lagos, that intended to join D'Estrees: the merchants were for going on, and believed the information; they were confirmed in this by the disorder the French seemed to be in; for they were cutting their cables, and drawing near the shore. The truth was, when they saw Rook's fleet, they apprehended, by their numbers, that the whole fleet of England was coming toward them: and indeed had they come so far with them, here was an occasion offered, which perhaps may not be found again in an age, of destroying their whole strength at sea. But as the French soon perceived their error, and were forming themselves into a line, Rook saw his error likewise, and stood out to sea, while the merchants fled, as their fears drove them; a great many of them sticking still close to him:

The Turkey fleet in great danger.

116 others sailed to Cadiz, and some got to Gibraltar: and instead of pursuing their voyage, put in there: some ships were burnt or sunk, and a very small number was taken by the French. They did not pursue Rook, but let him sail away to the Maderas; and from thence he came, first to Kinsale, and then into England. The French tried what they could do upon Cadiz; but found that it was not practicable. They came next to Gibraltar, where the merchants sunk their ships, to prevent their falling into

their hands: from thence they sailed along the coast of Spain, and burnt some English and Dutch ships that were laying at Malaga, Alicant, and in some other places. They hoped to have destroyed the Spanish fleet; but they put in at Port Mahone, where they were safe [c]: at length, after a very glorious campaign, the French came back to Toulon: it is certain, if Tourville had made use of all his advantages, and had executed the design as well as it was projected, he might have done us much mischief; few of our men of war, or merchantmen could have got out of his hands: the loss fell heaviest on the Dutch: the voyage was quite lost; and the disgrace of it was visible to the whole world, and very sensible to the trading part of the nation. 1693.

Great jealousies of the king's ministry.

The appearances were such, that it was generally surmised, our councils were betrayed. The secretary that attended on the admirals was much suspected, and charged with many thing: but the suspicions rose high, even as to the secretary of state's office. It was said, that our fleet was kept in port till the French were laid in their way, and was then ordered to sail, that it might fall into their hands: many particulars were laid together, which had such colours, that it was not to be wondered at, if they created jealousy, especially in minds sufficiently prepared for it. Upon inquiry it appeared, that several

[c] I have read many papers relative to this miscarriage, and do not think there was any *criminal management* in it on the part of the admirals, but undoubtedly, an *indecisive, unskilful* conduct, such as generally attends a divided command, and calling frequent councils of war. The admirals were defective in not sending more frequently to look into Brest; as knowing where the French lay would have been the best rule for their own conduct. H.

1693. of those, who, for the last two years, were put in the subaltern employments through the kingdom, did upon many occasions shew a disaffection to the government, and talked and acted like enemies. Our want of intelligence of the motions of the French, while they seemed to know every thing that we either did or designed to do, cast a heavy reproach upon our ministers, who were now broke so in pieces, that they acted without union or concert: every one studied to justify himself, and to throw the blame on others: a good share of this was cast on the earl of Nottingham; the marquis of Caermarthen was much suspected: the earl of Rochester began now to have great credit with the queen; and seemed to be so violently set against the whigs, that they looked for dreadful things from
117 him, if he came again to govern; for, being naturally warm, and apt to heat himself in company, he broke out into sallies, which were carried about, and began to create jealousies, even of the queen her self.

I was in some sort answerable for this[d]: for when the queen came into England, she was so possessed against him, that he tried all his friends and interest in the court, to be admitted to clear himself, and to recover her favour, but all in vain; for they found her so alienated from him, that no person would undertake it. Upon that, he addressed himself to me: I thought, that if he came into the service of the government, his relation to the queen would make him firm and zealous for it: and I served him so effectually, that the queen laid aside all her resent-

[d] See postea, p. 700. O.

ments, and admitted him, by degrees, into a high measure of favour and confidence [e]. I quickly saw my error: and he took pains to convince me effectually of it: for he was no sooner possessed of her favour, than he went into an interest very different from what I believed he would have pursued. He talked against all favour to dissenters, and for setting up the notions of persecution and violence, which he had so much promoted in king Charles's time, and professed himself an enemy to the present bishops, and to the methods they were taking, of preaching and visiting their dioceses, of obliging the clergy to attend more carefully to their functions, and of endeavouring to gain the dissenters by gentle and calm methods [f]. 1693.

The state of the clergy and church.

The king had left the matters of the church wholly in the queen's hands. He found he could not resist importunities, which were not only vexatious to him, but had drawn preferments from him, which he came soon to see were ill bestowed: so he devolved that care upon the queen, which she managed with strict and religious prudence: she declared openly against the preferring of those who put in

[e] There was a current report at this time, that lord Rochester was brought into favour only to mortify the princess Ann, who, it was said, had made it her request to the king and queen, that lord Godolphin should be in employment, and lord Rochester excluded; which, considering the jealousy lord Marlborough and Godolphin always had of him, and their influence upon the princess, added to the resentment she had for the little concern he shewed for her, when treasurer, was not unlikely to be true. This is certain, that queen Mary, before the quarrel with her sister, had very little regard to him. D. See note at p. 685. vol. i.

[f] Lord Rochester was always known to be a zealous churchman: therefore might reasonably declare his dislike of the present set of bishops: but it is highly improbable he should profess himself an enemy to the commendable methods the bishop says they were taking. D.

1693. for themselves; and took care to inform herself particularly of the merits of such of the clergy as were not so much as known at court, nor using any methods to get themselves recommended: so that we had reason to hope, that, if this course should be long continued, it would produce a great change in the church, and in the temper of the clergy. She consulted chiefly with the archbishop of Canterbury, whom she favoured and supported in a most particular manner. She saw what need there was of it: for a party was formed against him, who set themselves to censure every thing he did. It was a melancholy thing to consider, that, though we never saw an archbishop before him apply himself so entirely, without partiality or bias, to all the concerns
118 of the church and religion, as he did; and that the queen's heart was set on promoting them, yet such an evil spirit should seem to be let loose upon the clergy. They complained of every thing that was done, if it was not in their own way: and the archbishop bore the blame of all. He did not enter into any close correspondence, or the concerting measures with the ministry, but lived much abstracted from them: so they studied to depress him all they could. This made a great impression upon him. He grew very uneasy in his great post: we were all soon convinced, that there was a sort of clergymen among us, that would never be satisfied, as long as the toleration was continued: and they seemed resolved to give it out, that the church was in danger, till a prosecution of dissenters should be again set on foot: nor could they look at a man with patience, or speak of him with temper, who did not agree with them in these things. The bishops fell under the displea-

sure of the whigs, by the methods they took, not only of protecting, but of preferring some of these men, hoping, by that means, both to have softened them and their friends: but they took their preferments, as the rewards that they supposed were due to their merit; and they employed the credit and authority which their preferments brought them, wholly against those to whom they owed them. The whigs were much turned against the king; and were not pleased with those who had left them, when they were so violent in the beginning of this reign: and it was a hard thing, in such a divided time, to resolve to be of no party, since men of that temper are pushed at by many, and protected by no side[g]. Of this we had many instances at that time: and I myself had some very sensible ones: but they are too inconsiderable to be mentioned. In this bad state we were, when a session of parliament came on with great apprehensions, occasioned by our ill success, and by the king's temper, which he could no way constrain, or render more complaisant, but chiefly from the disposition of men's minds, which was practised on with great industry, by the enemies of the government, who were driving on jealousies daily. 1693.

A parliament had been summoned in Ireland by the lord Sidney; but they met full of discontent, and were disposed to find fault with every thing: and there was too much matter to work upon; for the lord lieutenant was apt to excuse or justify Affairs in Ireland.

[g] They have however the comfort of their own rectitude, far superior to any successful corruption in wealth or power or rank, from party zeal and violence, which is ever factious, and the bane of virtue. O.

1693. those who had the address to insinuate themselves into his favour: so that they were dismissed, before they brought their bills to perfection. The English in Ireland thought the government favoured the Irish too much; some said, this was the effect of bribery, whereas others thought it was necessary to
119 keep them safe from the prosecutions of the English, who hated them, and were much sharpened against them. The protecting the Irish was indeed in some sort necessary, to keep them from breaking out, or from running over to the French: but it was very plain, that the Irish were Irish still, enemies to the English nation, and to the present government: so that all kindness shewed them, beyond what was due in strict justice, was the cherishing an inveterate enemy. There were also great complaints of an ill administration, chiefly in the revenue, in the pay of the army, and in the embezzling of stores. Of these, much noise was made in England, which drew addresses from both houses of parliament to the king, which were very invidiously penned: every particular being severely aggravated. So the king called back the lord Sidney, and put the government of Ireland into three lords justices; lord Capel, brother to the earl of Essex, sir Cyril Wyche, and Mr. Duncomb. When they were sent from court, the queen did very earnestly recommend to their care, the reforming of many disorders that were prevailing in that kingdom: for neither had the late destructive war, out of which they were but beginning to recover themselves, nor their poverty, produced those effects that might have been well expected.

The queen's strictness and pious designs.

The state of Ireland leads me to insert here a very particular instance of the queen's pious care in

the disposing of bishoprics: lord Sidney was so far engaged in the interest of a great family of Ireland, that he was too easily wrought on to recommend a branch of it to a vacant see. The representation was made with an undue character of the person: so the queen granted it. But when she understood that he lay under a very bad character, she wrote a letter, in her own hand, to lord Sidney, letting him know what she had heard, and ordered him to call for six Irish bishops, whom she named to him, and to require them to certify to her their opinion of that person: they all agreed, that he laboured under an ill fame: and, till that was examined into, they did not think it proper to promote him; so that matter was let fall. I do not name the person; for I intend not to leave a blemish on him: but set this down as an example, fit to be imitated by Christian princes. 1693.

Another effect of the queen's pious care of the souls of her people was finished this year, after it had been much opposed, and long stopped. Mr. Blair, a very worthy man, came over from Virginia, with a proposition for erecting a college there. In order to which, he had set on foot a voluntary subscription, which arose to a great sum: and he found out some branches of the revenue there, that went all into private hands, without being brought into any public account, with which a free school and college might be well endowed. The English born there were, as he said, capable of every thing, if they were provided with the means of a good education; and a foundation of this kind in Virginia, that lay in the middle, between our southern and northern plantations, might be a common nursery to them

1693. all; and put the people born there in a way of further improvement. Those concerned in the management of the plantations, had made such advantages of those particulars, out of which the endowment was to be raised, that all possible objections were made to the project, as a design that would take our planters off from their mechanical employments, and make them grow too knowing to be obedient and submissive. The queen was so well pleased with the design, as apprehending the very good effects it might have, that no objection against it could move her: she hoped it might be a means of improving her own people, and of preparing some to propagate the gospel among the natives; and therefore, as she espoused the matter with a particular zeal, so the king did very readily concur with her in it. The endowment was fixed, and the patent was passed for the college, called from the founders, the William and Mary college.

Affairs in Scotland.

Affairs in Scotland grew more and more out of joint. Many whom the king had trusted in the ministry there, were thought enemies to him and his government; and some took so little care to conceal their inclinations, that, when an invasion was looked for, they seemed resolved to join in it. They were taken out of a plot, which was managed by persuading many to take oaths to the government, on design to betray it; and were now trusted with the most important posts. The presbyterians began to see their error, in driving matters so far, and in provoking the king so much; and they seemed desirous to recover his favour, and to manage their matters with more temper. The king came likewise to see that he had been a little too sudden in trust-

ing some, who did not deserve his confidence. Duke Hamilton had for some years withdrawn from business; but he was now prevailed with to return to council; many letters were intercepted between France and Scotland: in those from Scotland, the easiness of engaging that nation was often repeated, if no time were lost; it seemed therefore necessary to bring that kingdom into a better state. 1693.

A session of parliament was held there, to which duke Hamilton was sent as the king's commissioner; the supplies that were asked were granted; and now the whole presbyterian party was again entire in the king's interest; the matters of the church were brought to more temper than was expected: the episcopal clergy had more moderate terms offered them; they were only required to make an address to the general assembly, offering to subscribe to a [*the* O.] confession of faith, and to acknowledge presbytery to be the only government of that church, with a promise to submit to it; upon which, within a fortnight after they did that, if no matter of scandal was objected to them, the assembly was either to receive them into the government of the church, or, if they could not be brought to that, the king was to take them into his protection, and maintain them in their churches, without any dependance on the presbytery. This was a strain of moderation that the presbyterians were not easily brought to; a subscription that owned presbytery to be the only legal government of that church, without owning any divine right in it, was far below their usual pretensions. And this act vested the king with an authority, very like that which they were wont to condemn as Erastianism. Another act was also passed, A session of parliament there. 121

1693. requiring all in any office in church or state, to take, besides the oath of allegiance, a declaration called the *assurance*, owning the king and queen to be their rightful and lawful sovereigns, and promising fidelity to them against king James, and all his adherents. The council was also impowered to tender these, as they should see cause for it, and to fine and imprison such as should refuse them. When the session was near an end, Nevil Payne was brought before the parliament, to be examined, upon the many letters that had been intercepted. There was a full evidence against him in many of his own letters; but he sent word to several of the lords, in particular to duke Hamilton, that as long as his life was his own, he would accuse none: but he was resolved he would not die; and he could discover enough to deserve his pardon. This struck such terror into many of them, whose sons or near relations had been concerned with him, that he, moving for a delay, on a pretence of some witnesses that were not then at hand, a time was given him beyond the continuance of the session; so he escaped, and that inquiry was stifled: the session ended calmly. But the king seemed to have forgot Scotland so entirely, that he let three months go over, before he took notice of any of their petitions: and, though he had asked, and had supplies for an augmentation of forces; and many had been gained to consent to the tax, by the hope of commissions in the troops
122 that were to be levied; yet the king did not raise any new ones, but raised the supply, and applied it to other uses: this began again to raise an ill humour, that had been almost quite laid down in the whole course of this session, which was thought a

reconciling one. The clergy let the day prefixed for making their submission to the assembly, slip, and did not take the oaths; so they could claim no benefit by the act, that had been carried in their favour, not without some difficulty. And the law that was intended to save them did now expose them to ruin; since by it, they, not taking the oaths, had lost their legal rights to their benefices. Yet they were suffered to continue in them, and were put in hope, that the king would protect them, though it was now against law. They were also made to believe, that the king did not desire that they should take the oaths, or make any submission to presbytery: and it is certain, that no public signification of the king's mind was made to them; so they were easily imposed on by surmises and whispers; upon this the distractions grew up afresh. Many concluded there, as well as in England, that the king's heart led him still to court his enemies, even after all the manifest reasons he had to conclude, that the steps they made towards him were only feigned submissions, to gain such a confidence, as might put it in their power to deliver him up [h]. 1693.

The earl of Middletoun went to France.

The earl of Middletoun went over to France, in the beginning of this year: and it was believed, he was sent by a great body among us, with a proposition, which, had he had the assurance to have made,

[h] The earl of Portland once in discourse with the king, (I had it from one that was present,) said the English were the strangest people he had ever met with: for by their own accounts of one another, there was never an honest nor an able man in the three kingdoms, and he really believed it was true. The king told him he was very much mistaken, for there were as wise and honest men amongst them, as were in any part of the world, (and fetched a great sigh,) "but "they are not my friends." D.

1693. and they the wisdom to have accepted, might have much increased our factions and jealousies. It was, that king James should offer to resign his title in favour of his son, and likewise to send him to be bred in England, under the direction of a parliament, till he should be of age; but I could never hear that he ventured on this advice; in another he succeeded better. When king James thought the invasion from Normandy, the former year, was so well laid, that he seemed not to apprehend it could miscarry, he had prepared a declaration, of which some copies came over. He promised nothing in it, and pardoned nobody by it. But he spoke in the style of a conqueror, who thought he was master, and therefore would limit himself by no promises, but such as were conceived in general words, which might be afterwards expounded at pleasure. This was much blamed, even by his own party, who thought that they themselves were not enough secured by so loose a declaration: so the earl of Middletoun, upon his going over, procured one of an-
123 other strain, which, as far as words could go, gave all content: for he promised every thing, and pardoned all persons. His party got this into their hands; I saw a copy of it, and they waited for a fit occasion to publish it to the nation[i].

The duke of Anjou offered to the Spaniards.

We were also at this time alarmed with a negotiation, that the court of France was setting on foot at Madrid: they offered to restore to the crown of

[i] ("His lordship might also "have said, that by the care of "the said party it was printed, "and that it was still extant "in the State Tracts of this "reign. This piece was dated "April 17th, and was dispersed "by the Jacobite party in Lon-"don, about the middle of May "following." *Ralph's Hist. of England*, vol. ii. p. 418.)

Spain all that had been taken from it since the peace of Munster, on condition that the duke of Anjou should be declared the heir of that crown, in default of issue by the king: the grandees of Spain, who are bred up to a disregard and contempt of all the world besides themselves, were inclinable to entertain this proposition; though they saw that by so doing, they must lose the house of Austria, the elector of Bavaria, and many of their other allies. But the king himself, weak as he was, stood firm and intractable; and seemed to be as much set on watching their conduct, as a man of his low genius could possibly be. He resolved to adhere to the alliance, and to carry on the war; though he could do little more than barely resolve on it. The Spaniards thought of nothing but their intrigues at Madrid; and for the management of the war, and all their affairs, they left the care of that to their stars, and to their allies. 1693.

The king came over to England in November; he saw the necessity of changing both his measures and his ministers; he expressed his dislike of the whole conduct at sea; and named Russel for the command of the fleet next year: he dismissed the earl of Nottingham, and would immediately have brought the earl of Shrewsbury again into the ministry: but when that lord came to him, he thought the king's inclinations were still the same that they had been for some years, and that the turn which he was now making was not from choice, but force; so that went off; and the earl of Shrewsbury went into the country: yet the king soon after sent for him, and gave him such assurances, that he was again made secretary of state, to the general satis- The duke of Shrewsbury is again made secretary of state.

1693. faction of the whigs [k]. But the person that had the king's confidence to the highest degree was the earl of Sunderland, who, by his long experience, and his knowledge of men and things, had gained an ascendant over him, and had more credit with him than any Englishman ever had [l]: he had brought the king to this change of councils, by the prospect he gave him of the ill condition his affairs were in, if he did not entirely both trust and satisfy those, who, in the present conjuncture, were the only party that both could and would support him [m]. It was said,
124 that the true secret of this change of measures was, that the tories signified to the king plainly, that they could carry on the war no longer, and that therefore he must accept of such a peace as could be had: this was the most pernicious thing that could be thought on, and the most contrary to the king's

[k] (Another reason appears to have existed for the earl of Shrewsbury's return to office; the danger of refusing the post of secretary which was from king William's knowledge of his engagements with James, and after the king's actually charging him with them. See Macpherson's Original Papers, vol. i. p. 481. See also Dalrymple's Memoirs, vol. i. p. 291. and vol. iii. p. 40. In the Correspondence of lord Shrewsbury, lately published by Mr. Coxe, there is nothing subversive of the truth of the above statement. His extreme reluctance to resume the employment, from whatever cause it originated, is to be seen in p. 1. c. 2. p. 18—30.)

[l] See postea, page 207. See also page 756, in the former vol. O. Mr. Montague (who was the worst bred gentleman I ever saw) had reflected in a very rude manner upon lord Sunderland before the king, at the cabinet, who was highly incensed at his behaviour, and ordered him to wait upon lord Sunderland next day to ask his pardon; which he did, and with a very saucy air told him the king had commanded him to ask his pardon, and therefore he did it: the other replied, "I know very well the king "commanded you to ask my "pardon, but he did not com- "mand me to give it you, and "therefore I do not do it." But Montague was glad to ask it in a more respectful manner before he had it. D.

[m] See antea, p. 4. O.

notions and designs; but they being positive, he was forced to change hands, and to turn to the other party; so the whigs were now in favour again, and every thing was done that was like to put them in good humour. The commission of the lieutenancy for the city of London, on which they had set their hearts, much more perhaps than it deserved, was so altered, that the whigs were the superior number; and all other commissions over England were much changed. They were also brought into many places of trust and profit; so that the king put his affairs chiefly into their hands: yet so, that no tory, who had expressed zeal or affection for the government, was turned out. Upon this, the whigs expressed new zeal and confidence in the king. All the money that was asked, for the next year's expense, was granted very readily. 1693.

A bank erected.

Among other funds that were created, one was for constituting a bank, which occasioned great debates: some thought a bank would grow to be a monopoly. All the money of England would come into their hands; and they would in a few years become the masters of the stock and wealth of the nation. Others argued for it: that the credit it would have must increase trade and the circulation of money, at least in bank notes. It was visible, that all the enemies of the government set themselves against it with such a vehemence of zeal, that this alone convinced all people, that they saw the strength that our affairs would receive from it. I had heard the Dutch often reckon up the great advantages they had from their banks; and they concluded, that as long as England continued jealous of the go-

1693. vernment, a bank could never be settled among us, nor gain credit enough to support itself: and upon that, they judged that the superiority in trade must still lie on their side. This, with all the other remote funds that were created, had another good effect: it engaged all those who were concerned in them, to be, upon the account of their own interest, zealous for maintaining the government; since it was not to be doubted, but that a revolution would have swept all these away. The advantages that the king, and all concerned in tallies, had from the bank, were soon so sensibly felt, that all people saw into the secret reasons, that made the enemies of
125 the constitution set themselves with so much earnestness against it.

The conduct of the fleet examined.

The inquiry into the conduct at sea, particularly with relation to the Smirna fleet, took up much time, and held long: great exceptions were taken to the many delays; by which it seemed a train was laid, that they should not get out of our ports, till the French were ready to lie in their way and intercept them; our want of intelligence was much complained of: the instructions that the admirals who commanded the fleet had received from the cabinet council, were thought ill given, and yet worse executed; their orders seemed weakly drawn, ambiguous, and defective: nor had they shewed any zeal in doing more than strictly to obey such orders; they had very cautiously kept within them, and had been very careful never to exceed them in a tittle: they had used no diligence to get certain information concerning the French fleet, whether it was still in Brest or had sailed out; but in that important

matter, they had trusted general and uncertain reports too easily: nor had they sailed with Rook till he was past danger. To all this their answer was, that they had observed their orders; they had reason to think the French were still in Brest; that therefore it was not safe to sail too far from the coast of England, when they had (as they understood) ground to believe, that they had left behind them a great naval force, which might make an impression on our coast, when they were at too great a distance from it; the getting certain intelligence from Brest was represented as impracticable. They had many specious things to say in their own defence, and many friends to support them; for it was now the business of one party to accuse, and of another to justify that conduct. In conclusion, there was not ground sufficient to condemn the admirals; as they had followed their instructions: so a vote passed in their favour. The rest of the business of the session was managed both with dexterity and success: all ended well, though a little too late: for the session was not finished before the end of April. Prince Lewis of Baden came this winter to concert measures with the king: he stayed above two months in England, and was treated with very singular respects, and at a great expense. 1693.

The tories began in this session to obstruct the king's measures more openly than before; the earls of Rochester and Nottingham did it in the house of lords with a peculiar edge and violence: they saw how great a reputation the fair administration of justice by the judges, and more particularly that equity which appeared in the whole proceedings of 1694. The government misrepresented.

1694. the court of chancery, gave the government; therefore they took all occasions that gave them any handle to reflect on these. We had many sad declamations, setting forth the misery the nation was under, in so tragical a strain, that those who thought it was quite otherwise with us, and that under all our taxes and losses, there was a visible increase of the wealth of the nation, could not hear all this without some indignation.

The bishops are heavily charged.

The bishops had their share of ill humour vented against them; it was visible to the whole nation, that there was another face of strictness, of humility and charity among them, than had been ordinarily observed before; they visited their dioceses more; they confirmed and preached oftener than any who had in our memory gone before them; they took more care in examining those whom they ordained, and in looking into the behaviour of their clergy, than had been formerly practised; but they were faithful to the government, and zealous for it; they were gentle to the dissenters, and did not rail at them, nor seem uneasy at the toleration. This was thought such a heinous matter, that all their other diligence was despised; and they were represented as men who designed to undermine the church, and to betray it.

Debates concerning divorce.

Of this I will give one instance; the matter was of great importance; and it occasioned great and long debates in this and in the former session of parliament: it related to the duke of Norfolk, who had proved his wife guilty of adultery, and did move for an act of parliament, dissolving his marriage, and allowing him to marry again: in the later ages of popery, when marriage was reckoned

among the sacraments, an opinion grew to be received, that adultery did not break the bond, and that it could only entitle to a separation, but not such a dissolution of the marriage, as gave the party that was injured a right to marry again [n]: this became the rule of the spiritual courts; though there was no definition made about it before the council of Trent. At the time of the reformation, a suit of this nature was prosecuted by the marquis of Northampton [o]: the marriage was dissolved, and he married a second time; but he found it necessary to move for an act of parliament to confirm this subsequent marriage: in the reformation of the ecclesiastical laws, that was prepared by Cranmer and others, in king Edward's time, a rule was laid down allowing of a second marriage upon a divorce for adultery. This matter had lain asleep above an hundred years, till the present duke of Rutland, then lord Roos, moved for the like liberty. At that time a sceptical and libertine spirit prevailed, so 127 that some began to treat marriage only as a civil contract, in which the parliament was at full liberty to make what laws they pleased; and most of king Charles's courtiers applauded this, hoping by this doctrine that the king might be divorced from the queen. The greater part of the bishops, apprehending the consequence that lord Roos's act might have, opposed every step that was made in it; though many of them were persuaded, that in the case of adultery, when it was fully proved, a second 1694.

[n] (Such an opinion was entertained by some doctors of the church, as early as the fourth century.)

[o] In the reign of king Edward VIth. O.

1694. marriage might be allowed [p]. In the duke of Norfolk's case, as the lady was a papist, and a busy Jacobite, so a great party appeared for her. All that favoured the Jacobites, and those who were thought engaged in lewd practices, espoused her concern with a zeal that did themselves little honour [q]. Their number was such, that no progress could be made in the bill, though the proofs were but too full and too plain. But the main question was, whether, supposing the matter fully proved, the duke of Norfolk should be allowed a second marriage: the bishops were desired to deliver their opinions, with their reasons: all those, who had been made during the present reign, were of opinion, that a second marriage in that case was lawful and conformable, both to the words of the gospel, and to the doctrine of the primitive church; and that the contrary opinion was started in the late and dark ages: but

[p] (Cosin, the learned bishop of Durham, had given his reasons, in support of that persuasion in the lord Roos's case, and they were published at this time by the order of the duke of Norfolk.)

[q] The bishop lived in such constant apprehensions of a halter, that he finds a Jacobite influence predominant in all transactions: the truth was, the earl of Peterborough and all her relations opposed the bill with great zeal and warmth; and though nobody pretended to justify her conduct, there were many reasons for alleviating the rigour of her punishment. The duke being notoriously a very vicious man, and besides his own example, had been the original introducer of all the bad company she kept, to her acquaintance. After sir John Fenwick's trial, the earl of Peterborough promoted the bringing the bill in a second time, in revenge for her behaviour on that occasion; when it met with little opposition, her father, the old earl of Peterborough, being dead, who kept his nephew in some awe, and would not have suffered his daughter to have been insulted by one of his own family, and was known to be as great a blusterer, and thought to have more real courage, than his nephew. D.

all the bishops, that had been made by the two former kings, were of another opinion; though some of them could not well tell why they were so. Here was a colour for men, who looked at things superficially, to observe that there was a difference of opinion, between the last made bishops and those of an elder standing: from which they inferred, that we were departing from the received doctrine of our church; and upon that topic the earl of Rochester charged us very vehemently. The bill was let fall at this time; nor was the dispute kept up, for no books were writ on the subject of either side. 1694.

The king went beyond sea in May; and the campaign was opened soon after: the armies of both sides came very near one another: the king commanded that of the confederates, as the dauphin did the French: they lay between Brussels and Liege; and it was given out, that they intended to besiege Maestricht; the king moved toward Namur, that he might either cut off their provisions, or force them to fight; but they were resolved to avoid a battle: so they retired likewise, and the campaign passed over in the ordinary manner; both of them moving and watching one another. The king sent a great detachment to break into the French country at Pont Esperies: but though the body he sent had made a great advance, before the French knew any thing of their march, yet they sent away their cavalry with so much haste, and in so continued a march, that they were possessed of the pass before the body the king had sent could reach it; whereby they gained their point, though their cavalry suffered much. This design failing, the king sent another body towards Huy, who took it in a few days: The campaign in Flanders. 128

1694. it was become more necessary to do this for the covering of Liege, which was now much broken into faction; their bishop was dead, and there was a great division in the chapter: some were for the elector of Cologne, and others were for the elector palatine's brother: but that for the elector of Cologne was the stronger party, and the court of Rome judged in their favour. The differences between that court and that of Versailles were now so far made up, that the bulls for the bishops, whom the king had named to the vacant sees, were granted, upon the submission of all those who had been concerned in the articles of 1682. Yet after all that reconciliation, the real inclinations of the court of Rome lay still towards the confederates: the alliance that France was in with the Turk was a thing of an odious sound at Rome. The taking of Huy covered Liege; so that they were both safer and quieter. The confederates, especially the English and the Dutch, grew weary of keeping up vast armies, that did nothing else, but lay for some months advantageously posted, in view of the enemy, without any action.

On the Rhine.

On the Rhine, things went much in the usual manner; only at the end of the campaign, the prince of Baden passed the Rhine, and raised great contributions in Alsace, which the French suffered him to do, rather than hazard a battle. There was nothing of any importance done on either side in Piedmont; only there appeared to be some secret management between the court of France and that of Turin, in order to a peace: it was chiefly negotiated at Rome, but was all the while denied by the duke of Savoy.

In Catalonia, the Spaniards were beat off from some posts, and Gironne was taken; nor was Barcelona in any condition to have resisted, if the French had set down before it. The court of Madrid felt their weakness, and saw their danger so visibly, that they were forced to implore the protection of the English fleet: the French had carried the best part of their naval force into the Mediterranean, and had resolved to attack Barcelona both by sea and land at the same time: and, upon their success there, to have gone round Spain, destroying their coast every where. All this was intended to force them to accept the offers the French were willing to make them; but to prevent this, Russel was ordered to sail into the Mediterranean with a fleet of threescore great ships: he was so long stopped in his voyage by contrary winds, that the French, if they had pursued their advantages, might have finished the conquest of Catalonia; but they resolved not to hazard their fleet; so it was brought back to Toulon, long before Russel could get into the Mediterranean, which was now left entirely to him. But it was thought, that the French intended to make a second attempt, in the end of the year, as soon as he should sail back to England: so it was proposed, that he might lie at Cadiz all the winter. This was an affair of that importance, that it was long and much debated before it was resolved on. It was thought a dangerous thing to expose the best part of our fleet, so much as it must be, while it lay at so great a distance from us, that convoys of stores and provisions might easily be intercepted: and indeed, the ships were so low in their provisions, when they came back to Cadiz, (the vessels

1694. And in Catalonia.

129

Our fleet lay at Cadiz.

1694. that were ordered to carry them having been stopped four months in the channel by contrary winds,) that our fleet had not then above a fortnight's victuals on board: yet when the whole matter was thoroughly canvassed, it was agreed, that our ships might both lie safe and be well careened at Cadiz; nor was the difference in the expense, between their lying there and in our own ports, considerable. By our lying there, the French were shut within the Mediterranean; so that the ocean and their coasts were left open to us. They were in effect shut up within Toulon; for they, having no other port in those seas but that, resolved not to venture abroad; so that now we were masters of the seas every where. These considerations determined the king to send orders to Russel to lie all the winter at Cadiz; which produced very good effects; the Venetians and the great duke had not thought fit to own the king till then: a great fleet of stores and ammunition, with all other provisions for the next campaign, came safe to Cadiz: and some clean men of war were sent out, in exchange for others, which were ordered home.

A design on Camaret.

But while we were very fortunate in our main fleet, we had not the like good success in an attempt that was made on Camaret, a small neck of land that lies in the mouth of the river of Brest, and would have commanded that river, if we could have made ourselves masters of it. Talmash had formed the design of seizing on it; he had taken care to be well informed of every thing relating to it; six thousand men seemed to be more than were
130 necessary for taking and keeping it: the design, and the preparations for it, were kept so secret, that

there was not the least suspicion of the project, till the hiring transport ships discovered it. A proposition had been made of this two years before to the earl of Nottingham; who, among other things, charged Russel with it, that this had been laid before him, by men that came from thence, but that he had neglected it: whether the French apprehended the design from that motion, or whether it was now betrayed to them, by some of those who were in the secret, I know not: it is certain, that they had such timely knowledge of it, as put them on their guard. The preparations were not quite ready by the day that was settled: and, when all was ready, they were stopt by a westerly wind for some time: so that they came thither a month later than was intended. They found the place was well fortified by many batteries, that were raised in different lines upon the rocks, that lay over the place of descent: and great numbers were there ready to dispute their landing. When our fleet came so near as to see all this, the council of officers were all against making the attempt; but Talmash had set his heart so much upon it, that he could not be diverted from it. 1694.

He fancied, the men they saw were only a rabble brought together to make a show, though it appeared very evidently, that there were regular bodies among them, and that their numbers were double to his[r]. He began with a landing of six It miscarried.

[r] (" We are therefore to infer, that the commander in chief, whom the author soon after calls a good officer, was the only man who could derive no information from what his own eyes beheld; which is utterly inconceivable, as well as irreconcileable with all the accounts which are extant of this undertaking." *Ralph's History of England*,

1694. hundred men, and put himself at the head of them; the men followed him with great courage; but they were so exposed to the enemies fire, and could do them so little harm, that it quickly appeared, it was needlessly throwing away the lives of brave men, to persist longer in so desperate an undertaking. The greatest part of those who landed were killed or taken prisoners; and not above an hundred of them came back. Talmash himself was shot in the thigh, of which he died in a few days, and was much lamented; for he was a brave and generous man, and a good officer, very fit to animate and encourage inferior officers and soldiers; but he was much too apt to be discontented, and to turn mutinous; so that, upon the whole, he was one of those dangerous men, that are capable of doing as much mischief as good service[s]. Thus that design miscarried,

vol. ii. p. 501, where the assertion is also disproved, that the council of officers was against making the attempt. The miscarriage of the enterprise is attributed by Ralph to other causes. See p. 501—504. But an additional cause, unknown to this historian, has been brought to light in these days. For sir John Dalrymple in the third volume of his Memoirs of Great Britain &c. on the authority of state papers, relates, that the resolution to attack this place was betrayed to king James by lord Godolphin, first lord of the treasury, and afterwards by a letter from lord Marlborough, eldest lieutenant general in the service, dated the fourth of May; in the same way as a project against Toulon was betrayed two years afterwards by lord Sunderland. See p. 43. &c. and Macpherson's Original Papers, vol. i. pp. 480. 487. Ralph had before found reason for supposing that admiral Russel also was no well-wisher to the success of the enterprise. Yet Mr. Coxe, in his Correspondence of the duke of Shrewsbury lately published, is more inclined to assign the failure to the publicity of the design, and to other causes which he enumerates in p. i. chapter 3. p. 31.)

[s] It was commonly thought, that he was Oliver Cromwell's son, and he had a very particular sort of vanity, in desiring it should be so understood. This is certain, that for some time before he was born, Oliver had a very intimate correspondence

which, if it had been undertaken at any time before the French were so well prepared to receive us, might have succeeded; and must have had great effects. 1694.

Our fleet came back to Plymouth; and after they had set the land forces ashore, being well furnished with bomb-vessels and ammunition, they were ordered to try what could be done on the French coast; they lay first before Dieppe, and burnt it almost entirely to the ground; they went next to Havre de Grace, and destroyed a great part of that town: Dunkirk was the place of the greatest importance: so that attempt was long pursued in several ways; but none of them succeeded. These bombardings of the French towns soon spread a terror among all that lived near the coast; batteries were every where raised, and the people were brought out to defend their country; but they could do us no hurt, while our bombs at a mile's distance did great execution: the action seemed inhuman; but the French, who had bombarded Genoa without a previous declaration of war, and who had so often put whole countries under military execution, even after they had paid the contributions that had been laid on them, (for which they had protection given them,) had no reason to complain of this way of carrying on the war, which they themselves had first begun. 131 The French coast bombarded.

The campaign ended every where, to the ad- Affairs in Turky.

with his mother. He was extremely lewd, and bishop Burnet, who was very much his friend, took the freedom to tell him he was too lewd; which I heard him tell once himself, with a good deal of mirth, at dinner at my old lord Mainard's, supposing the bishop thought some might be very allowable. D.

1694. vantage of the confederates, though no signal successes had happened to their arms; and this new scene of action at sea raised the hearts of our people as much as it sunk our enemies. The war in Turky went on this year with various success: the Venetians made themselves masters of the isle of Scio, the richest and the best peopled of all the islands in the Archipelago: those of that island had a greater share of liberty left them than any subjects of the Ottoman empire; and they flourished accordingly: the great trade of Smirna, that lay so near them, made them the more considerable: the Venetians fortified the port, but used the natives worse than the Turks had done: and as the island had a greater number of people upon it, than could subsist by the productions within themselves, and the Turks prohibited all commerce with them from Asia, from whence they had their bread, the Venetians could not keep this possession, unless they had carried off the greatest part of the inhabitants to the Morea, or their other dominions that wanted people. The Turks brought their whole power at sea together, to make an attempt for recovering this island: two actions happened at sea, within ten days one of another; in the last of which the Venetians pretended they had got a great victory: but their abandoning Scio, in a few days after, shewed that they did not find it con-
132 venient to hold that island, which obliged them to keep a fleet at such a distance from their other dominions, and at a charge, which the keeping the island could not balance. The Turks sent, as they did every year, a great convoy to Caminieck, guarded by the Crim-Tartars: the Polish army routed the convoy, and became masters of all the provisions;

but a second convoy was more happy, and got into the place; otherwise it must have been abandoned. There was great distraction in the affairs of Poland: their queen's intrigues with the court of France gave much jealousy; their diets were broke up in confusion; and they could never agree so far in the preliminaries, as to be able by their forms to do any business. In Transilvania, the emperor had, after a long blockade, forced Giula to surrender; so that the Turks had now nothing in those parts, on the north of the Danube, but Temeswaer. The grand vizier came into Hungary with a great army, while the emperor had a very small one to oppose him. If the Turks had come on resolutely, and if the weather had continued good, it might have brought a fatal reverse on all the imperial affairs, and retrieved all that the Turks had lost. But the grand vizier lay still, while the emperor's army increased, and such rains fell, that nothing could be done. The affairs of Turky were thus in great disorder: the grand seignior died soon after: and his successor in that empire gave his subjects such hopes of peace, that they were calmed for the present. 1694.

Attempts for a peace.

At the end of the campaign, the court of France flattered their people with hopes of a speedy end of the war: and some men of great consideration were sent to try what terms they could bring the empire or the States to: but the French were yet far from offering conditions, upon which a just or a safe peace could be treated of: the States sent some as far as to Maestricht, to see what powers those sent from France had brought with them, before they would grant them the passports that they desired: and when they saw how limited these were, the

1694. negotiation was soon at an end; or rather, it never began. When the French saw this, they disowned their having sent any on such an errand; and pretended, that this was only an artifice of the confederates, to keep one another and their people in heart, by making them believe, that they had now only a small remnant of the war before them, since the French had instruments every where at work to solicit a peace.

A session of parliament.

The king came to England in the beginning of November; and the parliament was opened with a calmer face than had appeared in any session dur-
133 ing this reign: the supplies that were demanded, the total amounting to five millions, were all granted readily: an ill humour indeed appeared in some, who opposed the funds, that would most easily and most certainly raise the money that was given, upon this pretence, that such taxes would grow to be a general excise; and that the more easily money was raised, it would be the more easy to continue such duties to a longer period, if not for ever; the truth was, the secret enemies of the government proposed such funds, as would be the heaviest to the people, and would not fully answer what they were estimated at; that so the nation might be uneasy under that load, and that a constant deficiency might bring on such a debt, that the government could not discharge, but must sink under it.

An act for frequent parliaments.

With the supply bills, as the price or bargain for them, the bill for frequent parliaments went on; it enacted, that a new parliament should be called every third year, and that the present parliament should be dissolved before the first of January 1695-6; and to this the royal assent was given: it

was received with great joy, many fancying that all their other laws and liberties were now the more secure, since this was passed into a law. Time must tell what effects it will produce; whether it will put an end to the great corruption with which elections were formerly managed, and to all those other practices that accompanied them. Men that intended to sell their own votes within doors, spared no cost to buy the votes of others in elections: but now it was hoped we should see a golden age, wherein the character men were in, and reputation they had, would be the prevailing considerations in elections: and by this means it was hoped, that our constitution, in particular that part of it which related to the house of commons, would again recover both its strength and reputation; which was now very much sunk; for corruption was so generally spread, that it was believed every thing was carried by that method [t]. 1694.

The queen's administration.

But I am now coming towards the fatal period of this book. The queen continued still to set a great example to the whole nation, which shined in all the parts of it. She used all possible methods for reforming whatever was amiss: she took ladies off from that idleness, which not only wasted their time, but exposed them to many temptations; she engaged many both to read and to work; she wrought many hours a day her self, with her ladies and her maids of honour working about her, while one read to them all; the female part of the court had been in the former reigns subject to much cen-

[t] (It was not found that this alterative helped the disorder any more than the present practice, which for other reasons was afterwards adopted.)

1694. sure; and there was great cause for it; but she
134 freed her court so entirely from all suspicion, that there was not so much as a colour for discourses of that sort; she did divide her time so regularly, between her closet and business, her work and diversion, that every minute seemed to have its proper employment: she expressed so deep a sense of religion, with so true a regard to it; she had such right principles and just notions; and her deportment was so exact in every part of it, all being natural and unconstrained, and animated with due life and cheerfulness; she considered every thing that was laid before her so carefully, and gave such due encouragement to a freedom of speech: she remembered every thing so exactly, observing at the same time the closest reservedness, yet with an open air and frankness[u]: she was so candid in all she said, and cautious in every promise she made; and, notwithstanding her own great capacity, she expressed such a distrust of her own thoughts, and was so entirely resigned to the king's judgment, and so constantly determined by it, that when I laid all these things together, which I had large opportunities to observe, it gave a very pleasant prospect, to balance the melancholy view that rose from the ill posture of our affairs in all other respects. It gave us a very particular joy, when we saw that the person whose condition seemed to mark her out as the defender and perfecter of our reformation, was such in all respects in her public administration, as well as in her private deportment, that she seemed well fitted for accomplishing that work, for which we thought she

[u] i pensieri stretti, et il viso sciolto. See Sir H. Wotton's Letter to Milton, printed before the Mask. O.

was born: but we soon saw this hopeful view blasted, and our expectations disappointed in the loss of her [x]. 1694.

It was preceded by that of archbishop Tillotson; who was taken ill of a fit of a dead palsy, in November, while he was in the chapel at Whitehall, on a Sunday, in the worship of God: he felt it coming on him; but not thinking it decent to interrupt the divine service, he neglected it too long; till it fell so heavily on him, that all remedies were ineffectual: and he died the fifth day after he was taken ill. His distemper did so oppress him, and speaking was so uneasy to him, that though it appeared, by signs and other indications, that his understanding remained long clear, yet he was not able to express himself so as to edify others. He seemed still serene and calm; and in broken words he said, he thanked God, he was quiet within, and had nothing then to do, but to wait for the will of Heaven. I preached his funeral sermon, in which I gave a character of him which was so severely true, that I per- Archbishop Tillotson's death.

[x] The duke of Leeds told me, that king William, before he went abroad, told him, that he must be very cautious of saying any thing before the queen that looked like a disrespect to her father, which she never forgave anybody; and the marquis of Halifax, in particular, had lost all manner of credit with her, for some unseasonable jests he had made upon this subject: that he, the duke, might depend upon what she said to him to be strictly true, though she would not always tell the whole truth; and that he must not take it for granted, that she was of his opinion, every time she did not think fit to contradict him. The earl of Nottingham, who was much in her confidence, told me, he was very sure, if she had outlived her husband, she would have done her utmost to have restored her father, but under such restrictions, as should have prevented his ever making any attempts upon the religion or liberties of his country. D. (This note has been already published by sir John Dalrymple, in the third Appendix to his Memoirs, p. 169.)

1694. haps kept too much within bounds, and said less
135 than he deserved. But we had lived in such friendship together, that I thought it was more decent, as it always is more safe, to err on that hand: he was the man of the truest judgment and best temper I had ever known; he had a clear head, with a most tender and compassionate heart; he was a faithful and zealous friend, but a gentle and soon conquered enemy; he was truly and seriously religious, but without affectation, bigotry, or superstition; his notions of morality were fine and sublime; his thread of reasoning was easy, clear, and solid; he was not only the best preacher of the age, but seemed to have brought preaching to perfection; his sermons were so well heard and liked, and so much read, that all the nation proposed him as a pattern, and studied to copy after him; his parts remained with him clear and unclouded; but the perpetual slanders, and other ill usage he had been followed with, for many years, most particularly since his advancement to that great post, gave him too much trouble and too deep a concern: it could neither provoke him, nor fright him from his duty; but it affected his mind so much, that this was thought to have shortened his days.

Sancroft's death.

Sancroft had died a year before, in the same poor and despicable manner in which he had lived for some years; he died in a state of separation from the church; and yet he had not the courage to own it in any public declaration: for neither living nor dying did he publish any thing concerning it: his death ought to have put an end to the schism that some were endeavouring to raise; upon this pretence, that a parliamentary deprivation was never to

be allowed, as contrary to the intrinsic power of the church; and therefore they looked on Sancroft as the archbishop still, and reckoned Tillotson an usurper; and all that joined with him were counted schismatics; they were willing to forget, as some of them did plainly condemn, the deprivations made in the progress of the reformation, more particularly those in the first parliament of queen Elizabeth's reign, and the deprivations made by the act of uniformity in the year 1662: but from thence the controversy was carried up to the fourth century; and a great deal of angry reading was brought out on both sides, to justify or to condemn those proceedings. But arguments will never have the better of interest and humour; yet now, even according to their own pretensions, the schism ought to have ceased; since he, on whose account it was set up, did never assert his right; and therefore that might have been more justly construed a tacit yielding it: but those who have a mind to embroil church or state will never want a pretence, and no arguments will beat them from it. 1694. 136

Both king and queen were much affected with Tillotson's death: the queen for many days spoke of him in the tenderest manner, and not without tears; he died so poor, that if the king had not forgiven his first-fruits, his debts could not have been all paid: so generous and charitable was he in a post out of which Sancroft had raised a great estate, which he left to his family[y]: but Tillotson was rich in good works. His see was filled by Tenison, bi- Tenison succeeded.

[y] (The contrary of this is well known. It was but a small estate which he left behind him, and he bestowed the revenues of his see in hospitality and charity.)

1694. shop of Lincoln; many wished that Stillingfleet might have succeeded, he being not only so eminently learned, but judged a man in all respects fit for the post. The queen was inclined to him; she spoke with some earnestness, oftener than once, to the duke of Shrewsbury on that subject: she thought he would fill that post with great dignity: she also pressed the king earnestly for him: but as his ill health made him not capable of the fatigue that belonged to this province, so the whigs did generally apprehend, that both his notions and his temper were too high; and all concurred to desire Tenison, who had a firmer health, with a more active temper; and was universally well liked, for having served the cure of St. Martin's, in the worst time, with so much courage and discretion; so that at this time he had many friends and no enemies [z].

The small pox raged this winter about London; some thousands dying of them; which gave us great apprehensions with relation to the queen; for she had never had them.

The queen's sickness. In conclusion, she was taken ill, but the next day that seemed to go off: I had the honour to be half an hour with her that day: and she complained then of nothing. The day following she went abroad;

[z] Tenison was presented to St. Martin's by lord chancellor Nottingham, and recommended to him by Tillotson, as a strong bodied man, therefore fit to take care of so large a parish. He was exceeding dull and covetous, lived to a great age, and died very rich; was a zealous party man, and the only divine of the church of England over whom the Roman catholics had any advantage in king James's reign. Pulton, the Jesuit, refused to dispute with him any longer, because he found he had all the good qualities of a tailor's goose, which were, being very hot and heavy. His successor recovered a very great sum after his death for dilapidations. D.

but her illness returned so heavily on her, that she could disguise it no longer: she shut her self up long in her closet that night, and burnt many papers, and put the rest in order: after that, she used some slight remedies, thinking it was only a transient indisposition; but it increased upon her; and within two days after, the small pox appeared, and with very bad symptoms. I will not enter into another's province, nor speak of matters so much out of the way of my own profession: but the physician's part was universally condemned, and her death was imputed to the negligence or unskilfulness of Dr. Ratcliffe. He was called for; and it appeared but too evidently that his opinion was chiefly considered, and was most depended on[a]. Other physicians were afterwards called; but not till it was 1694.

[a] He was deemed the ablest man of his profession, not from learning in it, which he would be thought to despise, but from an extraordinary sagacity (which he certainly had, and is a great talent) in an early and quick discovery of a distemper: but he was vain and insolent, an humourist in his practice; proud of his fame in his profession, which fed his natural haughtiness, and made him think himself above, and refuse the attending of the highest personages, when he had taken any prejudice to them, which he was much given to, and as it actually happened even with regard to queen Anne, whom he would not come to in her last illness, though sent for, because of something he took amiss of her. The case of the duke of Gloucester's death, and this against the strong force of his party zeal, for he was a tory of the highest sort, and which made his friends of that kind severely reproach him, so much that sir John Packington, one of his constant companions, made a public complaint of him for it in the house of commons; and I have been told, that he was so affected with it in his own mind, as never to recover of it. This behaviour of his may by some of the profession be called the dignity of it; but the practice of it ought to be corrected by law, let the patient be of any sort. How often is that word *dignity* abused! He accumulated a vast fortune by his business, but left most of it to be disposed of in ostentatious and useless works. O.

1694. too late. The king was struck with this beyond ex-
137 pression: he came, on the second day of her illness, and passed the bill for frequent parliaments; which if he had not done that day, it is very probable he would never have passed it [b]. The day after, he called me into his closet, and gave a free vent to a most tender passion; he burst out into tears; and cried out, that there was no hope of the queen; and that from being the happiest, he was now going to be the miserablest creature upon earth. He said, during the whole course of their marriage, he had never known one single fault in her; there was a worth in her that nobody knew besides himself; though he added, that I might know as much of her as any other person did. Never was such a face of universal sorrow seen in a court or in a town as at this time: all people, men and women, young and old, could scarce refrain from tears: on Christmas-day, the small pox sunk so entirely, and the queen felt her self so well upon it, that it was for a while concluded she had the measles, and that the danger was over. This hope was ill grounded, and of a short continuance: for before night all was sadly changed. It appeared, that the small pox were now so sunk, that there was no hope of raising them. The new archbishop attended on her; he performed

[b] (According to sir John Dalrymple, in the third volume of his Memoirs, he assigned this reason for refusing the bill: "that as he found the English "constitution the best in the "world when he saved it, he "would not presume to make "it better." Book i. p. 42. Ralph observes, that bishop Burnet ought perhaps rather to have said, that if the queen's illness had not happened, his majesty would not have passed the bill, for upon her death he could scarce have avoided it, yet that the bishop forgets the bargain which he had spoken of before, at p. 133. *Ralph's Hist.* vol. ii. p. 535.)

all devotions, and had much private discourse with her: when the desperate condition she was in was evident beyond doubt, he told the king, he could not do his duty faithfully, unless he acquainted her with the danger she was in: the king approved of it, and said, whatever effect it might have, he would not have her deceived in so important a matter. And, as the archbishop was preparing the queen with some address, not to surprise her too much with such tidings, she presently apprehended his drift, but shewed no fear nor disorder upon it. She said, she thanked God she had always carried this in her mind, that nothing was to be left to the last hour; she had nothing then to do, but to look up to God, and submit to his will; it went further indeed than submission; for she seemed to desire death rather than life; and she continued to the last minute of her life in that calm and resigned state. She had formerly wrote her mind, in many particulars, to the king: and she gave order, to look carefully for a small scrutoir that she made use of, and to deliver it to the king: and, having despatched that, she avoided the giving her self or him the tenderness which a final parting might have raised in them both. She was almost perpetually in prayer: the day before she died, she received the sacrament, all 138
the bishops who were attending being admitted to receive it with her: we were, God knows, a sorrowful company; for we were losing her who was our chief hope and glory on earth; she followed the whole office, repeating it after the archbishop; she apprehended, not without some concern, that she should not be able to swallow the bread, yet it went down easily. When this was over, she composed 1694.

1694. her self solemnly to die; she slumbered sometimes, but said she was not refreshed by it; and said often, that nothing did her good but prayer; she tried once or twice to have said somewhat to the king, but was not able to go through with it. She ordered the archbishop to be reading to her such passages of scripture, as might fix her attention, and raise her devotion: several cordials were given, but all was ineffectual; she lay silent for some hours: and some words that came from her, shewed her thoughts
And death. began to break: in conclusion, she died on the 28th of December, about one in the morning, in the thirty-third year of her age, and in the sixth of her reign.

She was the most universally lamented princess, and deserved the best to be so, of any in our age or in our history. I will add no more concerning her, in the way of a character: I have said a great deal already in this work; and I wrote a book, as an essay on her character, in which I have said nothing, but that which I knew to be strictly true, without the enlargement of figure or rhetoric [c]. The king's

[c] Till her grace of Marlborough was pleased to publish her own very bad conduct, I can with great truth affirm, that I never heard an ill character given of her majesty by any body. She was generally thought to submit to the king's ill humours and temper more than she had reason to do, considering the insolent treatment she frequently received from him, which she was never known to complain of herself, but I have heard most of her servants speak of it with great indignation. D. (The duke of Shrewsbury, in a letter to admiral Russel, writes thus: "I know you will be as "much concerned to receive "the melancholy account as I "am to send it, that the queen "fell ill of the small pox the "20th of December (1694), "and died the 28th in the "morning. Certainly there was "never any one more really and "universally lamented; but the "king particularly has been "dejected by it, beyond what "could be imagined: but I "hope he begins to recover out

affliction for her death was as great as it was just; it was greater than those who knew him best thought his temper capable of: he went beyond all bounds in it: during her sickness, he was in an agony that amazed us all, fainting often, and breaking out into most violent lamentations: when she died, his spirits sunk so low, that there was great reason to apprehend that he was following her; for some weeks after, he was so little master of himself, that he was not capable of minding business or of seeing company [d]. He turned himself much to the meditations of religion, and to secret prayer; the archbishop was often and long with him; he entered upon solemn and serious resolutions of becoming, in all things, an exact and an exemplary Christian. And now I am come to the period of this book, with a very melancholy prospect: but God has ordered matters since, beyond all our expectations. 1694.

" of his great disorder, and " that a little time will restore " him to his former application " to business." *Coxe's Shrewsbury Correspondence*, p. 218. See also p. 219. where the continuance of the king's affliction is mentioned.)

[d] I have seen a letter of the queen's, containing a strong but decent admonition to the king, for some irregularity in his conduct. The expressions are so general, that one can neither make out the fact or person alluded to. This was thought improper to be published by sir J. D. (alrymple.) H.

HISTORY

OF

MY OWN TIMES.

BOOK VI.

Of the life and reign of king William III.

THE two houses of parliament set an example, 1695.
that was followed by the whole nation, of making The proceeding in parliament.
consolatory and dutiful addresses to the king. The queen was buried with the ordinary ceremony, and with one piece of magnificence that could never happen before; for both houses of parliament went in procession before the chariot that carried her body to Westminster abbey; where places were prepared for both houses, to sit in form, while the archbishop preached the funeral sermon. This could never happen before, since the sovereign's death had 140
always dissolved our parliaments: it is true, the earl of Rochester tried if he could have raised a doubt of the legality of this parliament's continuance, since it was summoned by king William and queen Mary; so upon her death, the writ, that ran in her name,

1695. seemed to die with her: this would have had fatal consequences, if in that season of the year all things must have stood still, till a new parliament could have been brought together: but the act, that put the administration entirely in the king, though the queen had a share in the dignity of sovereign, made this cavil appear to be so ill grounded, that nobody seconded so dangerous a suggestion.

The ill state of the coin.

The parliament went on with the business of the nation; in which the earl of Rochester and that party artfully studied, all that was possible, to embroil our affairs: the state of our coin gave them too great a handle for it. We had two sorts of coin, the one was milled, and could not be practised on: but the other was not so, and was subject to clipping; and in a course of some years, the old money was every year so much diminished, that it at last grew to be less than the half of the intrinsic value; those who drove this trade were as much enriched, as the nation suffered by it: when it came to be generally observed, the king was advised to issue out a proclamation, that no money should pass for the future, by the tale, but by the weight, which would put a present end to clipping. But Seimour, being then in the treasury, opposed this; he advised the king to look on, and let that matter have its course: the parliament would in due time take care of it; but in the mean while, the badness of money quickened the circulation, while every one studied to put out of his hands all the bad money; and this would make all people the readier to bring their cash into the exchequer; and so a loan was more easily made. The badness of the money began now to grow very visible; it was plain, that no remedy could be pro-

vided for it, but by recoining all the specie of England; and that could not be set about in the end of a session. The earls of Rochester and Nottingham represented this very tragically in the house of lords, where it was not possible to give the proper remedy; it produced only an act, with stricter clauses and severer penalties against clippers; this had no other effect, but that it alarmed the nation, and sunk the value of our money in the exchange; guineas, which were equal in value to twenty-one shillings and six-pence in silver, rose to thirty shillings, that is to say, thirty shillings sunk to twenty-one shillings and six-pence [a]. This public disgrace put on our coin, when the evil was not cured, was in effect a great point carried, by which there was an opportunity given to sink the credit of the government and of the public funds; and it brought a discount of above 40*l.* per cent. upon tallies. 1695. 141

A bill concerning trials for treason.

Another bill was set on foot, which was long pursued, and, in conclusion, carried by the tories: it was concerning trials for treason; and the design of it seemed to be, to make men as safe in all treasonable conspiracies and practices as was possible [b]. Two witnesses were to concur to prove the same fact, at the same time [c]: council in matters of fact,

[a] (Ralph, citing some MS. observations on this subject, states, that a great part of our base coin was minted in Holland, and from thence obtruded upon us: that after having beat down the value of guineas abroad to nineteen shillings sterling, the Dutch remitted them to England, where they were current for thirty. *Hist. of England*, vol. ii. p. 566.)

[b] (A charitable representation of the motives influencing persons, who, in a point of the utmost concern to the safety of the subject, proposed regulations, which were, in the bishop's own opinion, just and reasonable.)

[c] But see the act, and also the journals of both houses, relating to this matter, especially for the conferences, which are very well worth reading. See postea, 142, 161. O.

1695. and witnesses upon oath, were by it allowed to the prisoners; they were to have a copy of the indictment, and the pannel in due time: all these things were in themselves just and reasonable: and if they had been moved by other men, and at another time, they would have met with little opposition: they were chiefly set on by Finch, the earl of Nottingham's brother, who had been concerned in the hard prosecutions for treasons in the end of king Charles's reign, and had then carried all prerogative points very far; but was during this reign in a constant opposition to every thing that was proposed for the king's service: he had a copious way of speaking, with an appearance of beauty and eloquence to vulgar hearers: but there was a superficialness in most of his harangues, that made them seem tedious to better judges; his rhetoric was all vicious, and his reasoning was too subtle. The occasion given for this bill leads me to give an account of some trials for treason, during the last harvest, which, for the relation they have to this matter, I have reserved for this place.

Trials in Lancashire.

Lunt, an Irishman, who was bold and poor, and of a mean understanding, had been often employed to carry letters and messages between Ireland and England, when king James was there. He was once taken up on suspicion, but he was faithful to his party, and would discover nothing; so he continued after that to be trusted by them. But, being kept very poor, he grew weary of his low estate, and thought of gaining the rewards of a discovery. He fell into the hands of one Taaff, an Irish priest, who had not only changed his religion, but had married in king James's time. Taaff came into the service of

the present government, and had a small pension. 1695.
He was long in pursuit of a discovery of the imposture in the birth of the prince of Wales, and was engaged with more success in discovering the concealed estates of the priests, and the religious orders, in which some progress was made. These seemed to be sure evidences of the sincerity of the man, at least in his opposition to those whom he had for- 142
saken, and whom he was provoking in so sensible a manner. All this I mention, the more particularly, to shew how little that sort of men is to be depended on; he possessed those, to whom his other discoveries gave him access, of the importance of this Lunt, who was then come from St. Germains, and who could make great discoveries: so Lunt was examined by the ministers of state; and he gave them an account of some discourses and designs against the king, and of an insurrection that was to have broke out in the year 1692, when king James was designing to come over from Normandy; for, he said, he had carried at that time commissions to the chief men of the party, both in Lancashire and Cheshire. A carrier had been employed to carry down great quantities of arms to them: one of the chests, in which they were put up, had broke in the carriage, so the carrier saw what was in them; and he deposed he had carried many of the same weight and size; the persons concerned, finding the carrier was true and secret, continued to employ him in that sort of carriage for a great while. Lunt's story seemed probable and coherent in all its circumstances: so orders were sent to seize on some persons, and to search houses for arms. In one house they found arms for a troop of horse, built up within

1695. walls, very dexterously. Taaff was all this while very zealous in supporting Lunt's credit, and in assisting him in his discoveries; a solemn trial of the prisoners was ordered in Lancashire. When the set time drew near, Taaff sent them word, that, if he should be well paid for it, he would bring them all off; it may be easily imagined that they stuck at nothing for such a service; he had got out of Lunt all his depositions, which he disclosed to them; so they had the advantage of being well prepared to meet, and overthrow his evidence in many circumstances: and at the trial, Taaff turned against him, and witnessed many things against Lunt, that shook his credit. There was another witness that supported Lunt's evidence; but he was so profligate a man, that great and just objections lay against giving him any credit; but the carrier's evidence was not shaken. Lunt, in the trial, had named two gentlemen wrong, mistaking the one for the other: but he quickly corrected his mistake; he had seen them but once, and they were both together; so he might mistake their names: but he was sure these were the two persons with whom he had those treasonable negotiations. Taaff [d] had engaged him in company in London, to whom he had talked very idly, like a man who resolved to make a fortune by swearing: and it
143 seemed, by what he said, that he had many disco-

[d] This man was brought to me so late as since I was speaker; he was then very old and poor. I saw some of his papers, of which he had many, relating to the discoveries he had made of estates here given to superstitious uses. They seemed to be of importance, but what became of them afterwards I cannot say. He went to some of the then ministry, and I saw him no more. He had been a secretary to Dada, the pope's nuntio to king James. He told me he had continued a protestant from the time of his first change. O.

veries yet in reserve, which he intended to spread among many, till he should grow rich and considerable by it: this was sworn against him: by all these things, his evidence was so blasted, that no credit was given to him. Four of the judges were sent down to try the prisoners at Manchester and at Chester; where they managed matters with an impartial exactness: any leaning that appeared was in favour of the prisoners, according to a characteristic that judges had always pretended to, but had not of late deserved so well as upon this occasion, of being counsel for the prisoner. The evidence that was brought against Lunt was afterwards found to be false; but it looked then with so good an appearance, that both the king's council and the judges were satisfied with it; and so, without calling for the rest of the evidence, the matter was let fall: and when the judges gave the charge to the jury, it was in favour of the prisoners, so that they were acquitted. And the rest of those who were ordered to be tried after them were all discharged without trial. 1695.

The whole party triumphed upon this, as a victory; and complained both of the ministers of state and of the judges; the matter was examined into by both houses of parliament; and it evidently appeared, that the proceeding had been, not only exactly according to law, but that all reasonable favour had been shewed the prisoners: so that both houses were fully satisfied; only the earls of Rochester and Nottingham hung on the matter long, and with great eagerness; and in conclusion, protested against the vote, by which the lords justified these proceedings. This examination was brought on with much

1695. noise, to give the more strength to the bill of treasons: but the progress of the examination turned so much against them who had made this use of it, that it appeared there was no just occasion, given by that trial, to alter the law[e]. Yet the commons passed the bill: but the lords insisted on a clause, that all the peers should be summoned to the trial of a peer, that was charged with high treason; the commons would not agree to that; and so the bill was dropt for this time. By the late trial it had manifestly appeared, how little the crown gained by one thing, which yet was thought an advantage; that the witnesses for the prisoner were not upon oath: many things were upon this occasion witnessed in favour of the prisoners, which were afterwards found to be notoriously false; and it is certain, that the terror of an oath is a great restraint, and many, whom an oath might overawe, would more freely allow themselves the liberty of lying, in behalf of a prisoner, to save his life. 144

Complaints of the bank.

When this design failed, another was set up against the bank, which began to have a flourishing credit, and had supplied the king so regularly with money, and that upon such reasonable terms, that those who intended to make matters go heavily, tried what could be done to shake the credit of the bank. But this attempt was rejected in both houses with indignation; it was very evident, that public credit would signify little, if what was established in one

[e] (But see an account of this prosecution of the Lancashire and Cheshire gentlemen in Ralph's History of England, vol. ii. p. 523—528, 560, 561. Ralph had the statements of Boyer in his Life of king William, and of Tindal in his Continuation of Rapin's History, before him.)

session of parliament, might be fallen upon, and shaken in another. 1695.

Towards the end of the session, complaints were made of some military men, who did not pay their quarters, pretending their own pay was in arrear; but it appearing that they had been payed, and the matter being further examined into, it was found that the superior officers had cheated the subalterns, which excused their not paying their quarters. Upon this, the inquiry was carried further; and such discoveries were made, that some officers were broke upon it, while others prevented complaints, by satisfying those whom they had oppressed: it was found out, that the secretary of the treasury[f] had taken two hundred guineas, for procuring the arrears due to a regiment, to be payed; whereupon he was sent to the tower, and turned out of his place: many were the more sharpened against him, because it was believed that he, as well as Trevor the speaker, were deeply concerned in corrupting the members of the house of commons: he had held his place both in king Charles and king James's time: and the share he had in the secret distribution of money had made him a necessary man for those methods. Inquiries into corrupt practices.

But the house, being on this scent, carried the matter still further. In the former session of parliament an act had passed, creating a fund for the repayment of the debt owing to the orphans, by the chamber of London; and the chamber had made Trevor a present of a thousand guineas, for the service he did them in that matter; this was entered in their books; so that full proof was made of it. It

[f] Guy. O.

1695. was indeed believed, that a much greater present had been made him in behalf of the orphans: but no proof of that appeared; whereas, what had been taken in so public a manner could not be hid. This was objected to Trevor as corruption, and a breach of trust; and upon it he was expelled the house; and Mr. Paul Foley was chosen speaker in his room; who had got great credit by his integrity, and his constant complaining of the administration.

145 One discovery made way for another: it was found, that in the books of the East India company, there were entries made of great sums given, for secret service done the company, that amounted to 170,000 pounds; and it was generally believed, that the greatest part of it had gone among the members of the house of commons; for the two preceding winters there had been attempts, eagerly pursued by some, for breaking the company, and either opening a free trade to the Indies, or at least erecting a new company: but it was observed, that some of the hottest sticklers against the company did insensibly, not only fall off from that heat, but turned to serve the company, as much as they had at first endeavoured to destroy it. Seimour was among the chief of these: and it was said, that he had 12,000 pounds of their money, under the colour of a bargain for their salt-petre. Great pains and art was used to stifle this inquiry; but curiosity, envy, and ill-nature, as well as virtue, will on such occasions always prevail, to set on inquiries. Those who have had nothing, desire to know who have had something, while the guilty persons dare not shew too great a concern in opposing discoveries. Sir Thomas Cook, a rich merchant, who was governor of

And into the presents made by the East India company.

the company, was examined concerning that great sum given for secret service; but he refused to answer. So a severe bill was brought in against him, in case he should not, by a prefixed day, confess how all that money had been disposed of. When the bill was sent up to the lords, and was like to pass, he came in, and offered to make a full discovery, if he might be indemnified for all that he had done or that he might say in that matter: the enemies of the court hoped for great discoveries, that should disgrace both the ministers and the favourites: but it appeared, that, whereas both king Charles and king James had obliged the company to make them a yearly present of 10,000 pounds, that the king had received this but once; and that, though the company offered a present of 50,000 pounds, if the king would grant them a new charter, and consent to an act of parliament confirming it, the king had refused to hearken to it. There were indeed presumptions, that the marquis of Caermarthen had taken a present of 5000 guineas, which were sent back to sir Thomas Cook, the morning before he was to make his discovery. The lords appointed twelve of their body to meet with twenty-four of the house of commons, to examine into this matter; but they were so ill satisfied with the account that was given them by the four persons who had been entrusted with this secret, that by a particular act, that passed 146
both houses, they were committed to the tower of London, till the end of the next session of parliament, and restrained from disposing of their estates, real or personal. These were proceedings of an extraordinary nature, which could not be justified, but from the extraordinary occasion that was given for

1695.

1695. them. Some said, this looked like the setting up a court of inquisition, when new laws were made on purpose to discover secret transactions; and that no bounds could be set to such a method of proceeding. Others said, that when entries were made of such sums, secretly disposed of, it was as just for a parliament to force a confession, as it was common in the course of the law to *subpœna* a man, to declare all his knowledge of any matter, how secretly soever it might have been managed, and what person soever might have been concerned in it. The lord president felt that he was deeply wounded with this discovery; for while the act, against Cook, was passing in the house of lords, he took occasion to affirm, with solemn protestations, that he himself was not at all concerned in that matter; but now all had broke out: one Firebrace, a merchant, employed by the East India company, had treated with Bates, a friend of the marquis of Caermarthen's; and for the favour that lord was to do them, in procuring them a new charter, Bates was to have for his use five thousand guineas. But now a new turn was to be given to all this: Bates swore, that he indeed received the money, and that he offered it to that lord, who positively refused to take it: but, since it was already payed in, he advised Bates to keep it to himself; though by the examination, it appeared, that Bates was to have five hundred pounds for his own negotiating the affair: it did also appear, that the money was payed into one of that lord's servants; but he could not be come at: upon this discovery, the house of commons voted an impeachment for a misdemeanour against the lord president; he, to prevent that, desired to be heard

speak to that house in his own justification; when he was before them, he set out the services that he had done the nation, in terms that were not thought very decent [g]; he assumed the greatest share of the honour of the revolution to himself; he expressed a great uneasiness, to be brought under so black an imputation, from which he cleared himself as much as words could do; in the end, he desired a present trial. Articles were upon that brought against him; he, in answer to these, denied his having received the money. But his servant, whose testimony only could have cleared that point, disappearing, the suspicion stuck still on him. It was intended to hang up the matter to another session; but an act of grace came in the end of this, with an exception indeed as to corruption [h]; yet this whole discovery was let fall, and it was believed too many of all sides were concerned in it: for by a common consent, it was never revived; and thus the session ended. 1695. 147

The first consultation, after it was over, was concerning the coin, what methods should be taken to prevent further clipping, and for remedying so great an abuse. Some proposed the recoining the money, with such a raising of the value of the species as should balance the loss upon the old money, that was to be called in: this took with so many, that it was not easy to correct an error, that must have Consultations about the coin.

[g] ("He displeased the pride "of his audience by an arro- "gant expression on which he "laid arrogant emphases, 'that "if it had not been for *him*, "*they* had not *then* been sitting "*there*.'" *Dalrymple's Memoirs*, vol. iii. p. 55.)

[h] (Ralph observes, that this is too general an expression; for all the exceptions of that kind are confined to the affair of the East India company. *History*, vol. ii. p. 560.)

1695. had very bad effects in the conclusion: for the only fixed standard must be the intrinsic value of an ounce of silver; and it was a public robbery, that would very much prejudice our trade, not to keep the value of our species near an equality with its weight and fineness in silver. So that the difference between the old and new money, could only be set right by the house of commons, in a supply to be given for that end. The lord keeper Somers did indeed propose that which would have put an effectual stop to clipping for the future; it was, that a proclamation should be prepared with such secrecy, as to be published over all England on the same day, ordering money to pass only by weight; but that, at the same time, during three or four days after the proclamation, all persons in every county, that had money, should bring it in to be told and weighed; and the difference was to be registered, and the money to be sealed up, to the end of the time given, and then to be restored to the owners; and an assurance was to be given, that this deficiency in weight should be laid before the parliament, to be supplied another way, and to be allowed them in the following taxes. But though the king liked this proposition, yet all the rest of the council were against it. They said, this would stop the circulation of money, and might occasion tumults in the markets. Those, whose money was thus to be weighed, would not believe that the difference, between the tale and the weight, would be allowed them, and so might grow mutinous; therefore, they were for leaving this matter to the consideration of the next parliament. So this proposition was laid aside: which would have saved the nation above a

million of money. For now, as all people believed, 1695.
that the parliament would receive the clipt money in its tale, clipping went on, and became more visibly scandalous than ever it had been [i].

There was indeed reason to apprehend tumults; 148
for now, after the queen's death, the Jacobites began to think that the government had lost the half of its strength, and that things could not be kept quiet at home, when the king should be beyond sea. Some pretended, they were for putting the princess in her sister's place; but that was only a pretence, to which she gave no sort of encouragement: king James lay at bottom. They fancied, an invasion in the king's absence would be an easy attempt, which would meet with little resistance: so they sent some over to France, in particular one Charnock, a fellow of Magdalen college, who in king James's time had turned papist, and was a hot and active agent among them: they undertook to bring a body of 2000 horse, to meet such an army as should be sent over; but Charnock came back with a cold account, that nothing could be done at that time [k]; upon which it was thought necessary to send over a man of quality, who should press the matter with some more authority: so the earl of Ailesbury was prevailed on to go: he was admitted to a secret conversation with the French king: and this gave rise to a design, which was very near being executed the following winter.

Consultations among the Jacobites.

But if sir John Fenwick did not slander king James, they at this time proposed a shorter and more infallible way, by assassinating the king; for

A design to assassinate the king.

[i] (See afterwards, pp. 161, and 171.)

[k] (See more of this man afterwards at pp. 165. 171.)

1695. he said, that some came over from France about this time, who assured their party, and himself in particular, that a commission was coming over, signed by king James, which they affirmed they had seen, warranting them to attack the king's person. This, it is true, was not yet arrived; but some affirmed they had seen it, and that it was trusted to one who was on his way hither; therefore, since the king was so near going over to Holland, that he would probably be gone before the commission could be in England; it was debated among the Jacobites, whether they ought not to take the first opportunity to execute this commission, even though they had it not in their hands: it was resolved to do it; and a day was set for it; but, as Fenwick said, he broke the design; and sent them word, that he would discover it, if they would not promise to give over the thoughts of it: and upon this reason he believed, he was not let into the secret the following winter. This his lady told me from him, as an article of merit to obtain his pardon: but he had trusted their word very easily, it seems, since he gave the king no warning to be on his guard; and the two witnesses, whom he said he could produce to vouch this, were then under prose-
149 cution, and outlawed: so that the proof was not at hand, and the warning had not been given, as it ought to have been. But of all this, the government knew nothing, and suspected nothing at this time.

A government in the king's absence.

The king settled the government of England in seven lords justices, during his absence; and in this a great error was committed, which had some ill effects, and was like to have had worse: the queen,

when she was dying, had received a kind letter from, and had sent a reconciling message to, the princess; and so that breach was made up. It is true, the sisters did not meet; it was thought, that might throw the queen into too great a commotion; so it was put off till it was too late; yet the princess came soon after to see the king; and there was after that an appearance of a good correspondence between them: but it was little more than an appearance. They lived still in terms of civility, and in formal visits. But the king did not bring her into any share in business; nor did he order his ministers to wait on her, and give her any account of affairs. And now, that he was to go beyond sea, she was not set at the head of the councils, nor was there any care taken to oblige those who were about her. This looked either like a jealousy and distrust[l], or a coldness towards her, which gave all the secret enemies of the government a colour of complaint[m]. They pretended zeal for the princess, 1695.

[l] All princes have it, more or less, with regard to their successors. The princess was not only next to him in succession, but there was a party which might have made a claim for her against him. She was a very good woman, and not likely of herself to give into it. But she was not of the strongest understanding, and always influenced by others, who might have found their account in it; and power is a very tempting consideration. Successors are often desiring to govern before their time, which is generally to the distraction of the state; and therefore wise princes avoid giving the opportunity. O.

[m] The earl of Jersey told me, the king, besides hating of her most heartily, (for he often said, if he had married her, he should have been the miserablest man upon the earth,) after the queen died, was extremely jealous of her. He thought he was little beloved himself, and that it was generally understood that he reigned in her wrong, and having a son, made every body look upon the establishment to be in her, and supposed they would act accordingly. But after the duke of Gloster died, had very different notions, and thought it

1695. though they came little to her; and they made it very visible, on many occasions, that this was only a disguise for worse designs.

The death of some lords.

Two great men had died in Scotland the former winter, the dukes of Hamilton and Queensbury: they were brothers-in-law, and had been long great friends; but they became irreconcileable enemies. The first had more application, but the other had the greater genius; they were incompatible with each other, and indeed with all other persons; for both loved to be absolute, and to direct every thing. The marquis of Halifax died in April this year; he had gone into all the measures of the tories; only he took care to preserve himself from criminal engagements; he studied to oppose every thing, and to embroil matters all he could; his spirit was restless, and he could not bear to be out of business; his vivacity and judgment sunk much in his last years, as well as his reputation; he died of a gangrene, occasioned by a rupture that he had long neglected; when he saw death so near him, and was warned that there was no hope, he shewed a great firmness of mind, and a calm that had much of true philosophy at least; he professed himself a sincere
150 Christian, and lamented the former parts of his life, with solemn resolutions of becoming in all respects another man, if God should raise him up. And so, I hope, he died a better man than he lived.

The lords justices.

The seven lords justices were, the archbishop of Canterbury, the lord keeper, the lord privy seal, the lord steward, the lord chamberlain, the first secretary of state, and the first commissioner of the trea-

would be an easy matter to set her aside, and seemed very willing to come into any measures for that end. D.

sury: they had no character nor rank, except when four of them were together; and they avoided assembling to that number, except at the council board, where it was necessary; and when they were together, they had the regal authority vested in them. They were chosen by the posts they were in. So that no other person could think he was neglected by the preference: they were not envied for this titular greatness; since it was indeed only titular; for they had no real authority trusted with them[n]. They took care to keep within bounds, and to do nothing but in matters of course, till they had the king's orders, to which they adhered exactly: so that no complaints could be made of them, because they took nothing on them, and did only keep the peace of the kingdom, and transmit and execute the king's orders. The summer went over quietly at home; for though the Jacobites shewed their disposition on some occasions, but most signally on the prince of Wales's birthday, yet they were wiser than to break out into any disorder, when they had no hopes of assistance from France. 1695.

The campaign in Flanders.

About the end of May, the armies were brought together in Flanders: the king drew his main force towards the French lines; and the design was formed to break through, and to destroy the French Flanders: Luxembourg died this winter; so the command of the French armies was divided between Villeroy and Bouflers: but the former commanded the stronger army. An attempt was made on the fort of Knock, in order to forcing the lines;

[n] Would the princess or the people about her have liked these restrictions, or submitted to them? The case of the queen was very different almost in every respect. O.

1695. and there was some action about it; but all on the sudden, Namur was invested; and the king drew off the main part of his army to besiege that place, and left above 30,000 men, under the command of the prince of Vaudemont, who was the best general he had; for prince Waldeck died above a year before this. With that army he was to cover Flanders and Brabant, while the king carried on the siege.

The siege of Namur.

As soon as Namur was invested, Bouflers threw himself into it, with many good officers, and a great body of dragoons; the garrison was 12,000 strong: a place so happily situated, so well fortified, and so
151 well furnished and commanded, made the attempt seem bold and doubtful; the dry season put the king under another difficulty; the Maese was so low, that there was not water enough to bring up the barks, loaden with artillery and ammunition, from Liege and Maestricht; so that many days were lost in bringing these over land; and if Villeroy had followed the king close, it is thought he must have quitted the design: but the French presumed upon the strength of the place and garrison, and on our being so little practised in sieges: they thought that Villeroy might make some considerable conquest in Flanders, and when that was done, come in good time to raise the siege. Prince Vaudemont managed his army with such skill and conduct, that as he covered all the places on which he thought the French had an eye, so he marched with that caution, that though Villeroy had above double his strength, yet he could not force him to an engagement, nor gain any advantage over him. The military men, that served under him, magnified his conduct highly, and compared it to any thing that Tu-

renne, or the greatest generals of the age had done. 1695.
Once it was thought he could not get off; but he marched under the cannon of Ghent without any loss. In this, Villeroy's conduct was blamed, but without cause; for he had not overseen his advantage, but had ordered the duke of Mayne, the French king's beloved son, to make a motion with the horse which he commanded; and probably, if that had been speedily executed, it might have had ill effects on the prince of Vaudemont: but the duke de Mayne despised Villeroy, and made no haste to obey his orders, so the advantage was lost, and the king of France put him under a slight disgrace for it. Villeroy attacked Dixmuyde and Deinse; the garrisons were not indeed able to make a great resistance; but they were ill commanded: if their officers had been masters of a true judgment or presence of mind, they might at least have got a favourable composition, and have saved the garrisons, though the places were not tenable; yet they were basely delivered up, and about 7000 men were made prisoners of war. And hereupon, though by a cartel that had been settled between the two armies, all prisoners were to be redeemed at a set price, and within a limited time; yet the French, having now so many men in their hands, did, without either colour or shame, give a new essay of their perfidiousness; for they broke it upon this occasion, as they had often done at sea; indeed, as often as any advantages on their side tempted them to it: the governors of those places were at first believed to have betrayed their trust, and sold the garrisons as well as the places to the French; but they were 152

1695. tried afterwards; and it appeared that it flowed from cowardice and want of sense; for which one of them suffered, and the other was broke with disgrace.

Brussels was bombarded.

Villeroy marched toward Brussels, and was followed by prince Vaudemont, whose chief care was to order his motions so, that the French might not get between him and the king's camp at Namur. He apprehended, that Villeroy might bombard Brussels, and would have hindered it, if the town could have been wrought on to give him the assistance that he desired of them: townsmen, upon all such occasions, are more apt to consider a present, though a small expense, than a great, though an imminent danger: so prince Vaudemont could not pretend to cover them: the electoress of Bavaria was then in the town; and though Villeroy sent a compliment to her, yet he did not give her time to retire; but bombarded the place for two days with so much fury, that a great part of the lower town was burnt down: the damage was valued at some millions, and the electoress was so frighted, that she miscarried upon it of a boy. When this execution was done, Villeroy marched towards Namur; his army was now so much increased, by detachments brought from the Rhine, and troops drawn out of garrisons, that it was said to be 100,000 strong: both armies on the Rhine were so equal in strength, that they could only lie on a defensive; neither side being strong enough to undertake any thing: M. de L'Orge commanded the French, and the prince of Baden the imperialists: the former was sinking as much in his health as in his credit; so a great body

was ordered to march from him to Villeroy; and another body equal to that, commanded by the landgrave of Hesse, came and joined the king's army. 1695.

The siege was carried on with great vigour; the errors, to which our want of practice exposed us, were all corrected by the courage of our men; the fortifications, both in strength and in the extent of the outworks, were double to what they had been when the French took the place: our men did not only succeed in every attack, but went much further: in the first great sally, the French lost so many, both officers and soldiers, that after that they kept within their works, and gave us no disturbance: both the king and the elector of Bavaria went frequently into the trenches; the town held out one month, and the citadel another: upon Villeroy's approach, the king drew off all the troops that could be spared from the siege, and placed himself in his way, with an army of 60,000 men; 153 but he was so well posted, that after Villeroy had looked on him for some days, he found it was not advisable to attack him: our men wished for a battle, as that which would not only decide the fate of Namur but of the whole war; the French gave it out, that they would put all to hazard, rather than suffer such a diminution of their king's glory, as the retaking that place seemed to be; but the signal of the citadel's treating put an end to Villeroy's designs: upon which, he apprehending that the king might then attack him, drew off with so much precipitation, that it looked liker a flight than a retreat. Namur was taken.

The capitulation was soon ended and signed by Boufflers, who, as was said, was the first mareschal

1695. of France that had ever delivered up a place; he marched out with 5000 men, so it appeared he had lost 7000 during the siege: and we lost in it only about the same number. This was reckoned one of the greatest actions of the king's life, and indeed one of the greatest that is in the whole history of war. It raised his character much, both at home and abroad, and gave a great reputation to his troops: the king had the entire credit of the matter; his general officers having a very small share in it, being most of them men of low genius, and little practised in things of that nature. Cohorn, the chief engineer, signalized himself so eminently on this occasion, that he was looked on as the greatest man of the age: and outdid even Vauban, who had gone far beyond all those that went before him, in the conduct of sieges: but it was confessed by all, that Cohorn had carried that art to a much farther perfection during this siege. The subaltern officers and soldiers gave hopes of a better race, that was growing up, and supplied the errors and defects of their superior officers. As the garrison marched out, the king ordered Bouflers to be stopped, in reprisal for the garrisons of Dixmuyde and Deinse. Bouflers complained of this as a breach of articles, and the action seemed liable to censure. But many authorities and precedents were brought, both from law and history, to justify it: all obligations among princes, both in peace and war, must be judged to be reciprocal; so that he who breaks these first, sets the other at liberty. At length, the French consented to send back the garrisons, pursuant to the cartel; Bouflers was first set at liberty, and then these garrisons were released according to promise.

The officers were tried and proceeded against, by councils of war, according to martial law; they were raised in the army by ill methods, and maintained themselves by worse; corruption had broke into the army, and oppression and injustice were much complained of; the king did not approve of those practices; but he did not inquire after them, nor punish them with a due severity; nor did he make difference enough between those who served well, sold nothing, and used their subalterns kindly, and those who set every thing to sale, and oppressed all that were under them; and when things of that kind go unpunished, they will soon make a great progress. There was little more done during the campaign in Flanders; nor was there any action upon the Rhine. 1695. 154

In Italy, there was nothing done in the field by force of arms: but an affair of great consequence was transacted in a very mysterious manner: the duke of Savoy, after a very long blockade, undertook the siege of Casal; but he was so ill provided for it, that no good account of it could be expected: the king had so little hopes of success, that he was not easily prevailed on to consent to the besieging it; but either the French intended to gain the pope and the Venetians, and in conclusion, that duke himself, with this extraordinary concession; or, since our fleet was then before Toulon, they judged it more necessary to keep their troops for the defence of their coast and fleet, than to send them to relieve Casal; so orders were sent to the governor to capitulate, in such a number of days, after the trenches were opened: so that the place was surrendered, though it was not at all straitened: it was agreed, that it should be restored to the duke of Mantua, Casal was surrendered.

1695. but so dismantled, that it might give jealousy to no side; and the slighting the fortifications went on so slowly, that the whole season was spent in it, a truce being granted all that while. Thus did the French give up Casal, after they had been at a vast expense in fortifying it, and had made it one of the strongest places in Europe.

Affairs at sea.

Our fleet was all the summer master of the Mediterranean; the French were put under great disorder, and seemed to apprehend a descent; for Russel came before Marseilles and Toulon oftener than once; contrary winds forced him out to sea again, but with no loss; he himself told me, he believed nothing could be done there[o]; only the honour of commanding the sea, and of shutting the French within their ports, gave a great reputation to our affairs. In Catalonia, the French made no progress; they abandoned Palamos, and made Gironne their frontier. The Spaniards once pretended to besiege Palamos, but they only pretended to do it; they desired some men from Russel, for he had regiments of marines on board: they said, they had begun the siege, and were provided with every thing that was necessary to carry it on, only they wanted men; so he sent them some battalions; but when they came thither, they found not any one thing that was necessary to carry on a siege, not so much as spades, not to mention guns and ammunition: so Russel sent for his men back again. But the French of themselves quitted the place; for as they found the

[o] Admiral Russel never performed any remarkable service at sea, after La Hogue. He was very angry at being sent into the Mediterranean, and still more at being kept there, though a most wise and reasonable measure. And he made his fortune there by victualling the fleet. H.

charge of the war in Catalonia was great, and though they met with a feeble opposition from the Spaniards, yet since they saw they could not carry Barcelona so long as our fleet lay in those seas, they resolved to lay by, in expectation of a better occasion. We had another fleet in our own channel, that was ordered to bombard the French coast; they did some execution upon St. Malos, and destroyed Grandville, that lay not far from it: they also attempted Dunkirk, but failed in the execution; some bombs were thrown into Calais, but without any great effect; so that the French did not suffer so much by the bombardment as was expected: the country indeed was much alarmed by it; they had many troops dispersed all along their coast; so that it put their affairs in great disorder, and we were every where masters at sea. Another squadron, commanded by the marquis of Caermarthen, (whose father was created duke of Leeds, to colour the dismissing him from business, with an increase of title,) lay off from the isles of Scilly, to secure our trade, and convoy our merchants; he was an extravagant man, both in his pleasures and humours; he was slow in going to sea; and, when he was out, he fancied the French fleet was coming up to him, which proved to be only a fleet of merchant ships: so he left his station, and retired into Milford Haven: by which means that squadron became useless. 1695.

The losses of our merchants.

This proved fatal to our trade; many of our Barbadoes ships were taken by French cruisers and privateers: two rich ships, coming from the East Indies, were also taken, 150 leagues to the westward, by a very fatal accident, or by some treacherous advertisement; for cruizers seldom go so far into the

1695. ocean: and to complete the misfortunes of the East India company, three other ships, that were come near Galway, on the west of Ireland, fell into the hands of some French privateers: those five ships were valued at a million, so here was great occasion of discontent in the city of London. They complained, that neither the admiralty nor the government took the care that was necessary for preserving the wealth of the nation. A French man of 156 war, at the same time, fell upon our factory on the coast of Guinea; he took the small fort we had there, and destroyed it: these misfortunes were very sensible to the nation, and did much abate the joy which so glorious a campaign would otherwise have raised; and much matter was laid in for ill humour to work upon.

Affairs in Hungary. The war went on in Hungary; the new grand signior came late into the field; but as late as it was, the imperialists were not ready to receive him: he tried to force his way into Transilvania, and took some weak and ill defended forts, which he soon after abandoned; Veterani, who was the most beloved of all the emperor's generals, lay with a small army to defend the entrance into Transilvania; the Turks fell upon him, and overpowered him with numbers; his army was destroyed, and himself killed; but they sold their lives dear; the Turks lost double their number, and their best troops in the action; so that they had only the name and honour of a victory; they were not able to prosecute it, nor to draw any advantage from it. The stragglers of the defeated army drew together, towards the passes. But none pursued them, and the Turks marched back to Adrianople, with the triumph of having

made a glorious campaign. There were some slight engagements at sea, between the Venetians and the Turks, in which the former pretended they had the advantage; but nothing followed upon them. Thus affairs went on abroad during this summer. 1695.

There was a parliament held in Scotland, where the marquis of Tweedale was the king's commissioner: every thing that was asked for the king's supply, and for the subsistence of his troops, was granted; the massacre in Glencoe made still a great noise; and the king seemed too remiss in inquiring into it. But when it was represented to him, that a session of parliament could not be managed without high motions and complaints of so crying a matter, and that his ministers could not oppose these, without seeming to bring the guilt of that blood, that was so perfidiously shed, both on the king and on themselves: to prevent that, he ordered a commission to be passed under the great seal, for a precognition in that matter, which is a practice in the law of Scotland, of examining into crimes before the persons concerned are brought upon their trial. This was looked on as an artifice to cover that transaction by a private inquiry [p]; yet, when it was complained of in parliament, not without reflections on the slackness in examining into it, the king's commissioner assured them, that by the king's order the matter was then under examination, and that it should be reported to the parliament: the inquiry 157

A parliament in Scotland.

[p] ("And an artifice it certainly was, both to soften the report, and defeat the punishment; consequently it was not calculated to prevent bringing, but rather to fasten, the guilt of that blood which had been so perfidiously shed, upon those whose duty it was to punish it." *Ralph's Hist. of England*, vol. ii. p. 569.)

1695. went on; and, in the progress of it, a new practice of the earl of Braidalbin's was discovered; for the Highlanders deposed, that, while he was treating with them in order to their submitting to the king, he had assured them, that he still adhered to king James's interest, and that he pressed them to come into that pacification, only to preserve them for his service, till a more favourable opportunity. This, with several other treasonable discourses of his, being reported to the parliament, he covered himself with his pardon; but these discourses happened to be subsequent to it; so he was sent a prisoner to the castle of Edinburgh: he pretended, he had secret orders from the king, to say any thing that would give him credit with them; which the king owned so far, that he ordered a new pardon to be passed for him. A great party came to be formed in this session, of a very odd mixture; the high presbyterians and the Jacobites joined together to oppose every thing; yet it was not so strong as to carry the majority; but great heats arose among them.

The business of Glencoe examined.

The report of the massacre of Glencoe was made in full parliament: by that it appeared, that a black design was laid, not only to cut off the men of Glencoe, but a great many more clans, reckoned to be in all above six thousand persons: the whole was pursued in many letters, that were writ with great earnestness; and though the king's orders carried nothing in them that was in any sort blameable [q],

[q] (How is this assertion consistent with the author's previous account, p. 89. where it is said, that the order was for military execution on the men of Glencoe, provided they could be separated from the rest of the Highlanders? Un-

yet the secretary [r] of state's letters went much further. So the parliament justified the king's instructions, but voted the execution in Glencoe to have been a barbarous massacre, and that it was pushed on by the secretary of state's letters beyond the king's orders: upon that, they voted an address to be made to the king, that he, and others concerned in that matter, might be proceeded against according to law: this was carried by a great majority. 1695.

In this session, an act passed in favour of such of the episcopal clergy as should enter into those engagements to the king, that were by law required; that they should continue in their benefices under the king's protection, without being subject to the power of presbytery. This was carried with some address, before the presbyterians were aware of the consequences of it; for it was plainly that which they call Erastianism. A day was limited to the clergy for taking the oaths: and by a very zealous and dexterous management, about seventy [s] of the best of them were brought to take the oaths to the king; and so they came within the protection promised them by the act. 158

Another act passed, that has already produced very fatal consequences to that kingdom, and may yet draw worse after it: the interlopers in the East India trade, finding that the company was like to be favoured by the parliament, as well as by the court, were resolved to try other methods to break in upon that trade: they entered into a treaty with

An act for a new company.

less an order to extirpate, instead of bringing men to justice, was not in any sort blameable.)

[r] Dalrymple. O.

[s] ("Above one hundred, according to the London gazette, No. 3122." *Ralph's History*, vol. i. p. 580.)

1695. some merchants in Scotland; and they had, in the former session, procured an act, that promised letters patents to all such as should offer to set up new manufactures, or drive any new trade, not yet practised by that kingdom, with an exemption for twenty one years from all taxes and customs, and with all such other privileges, as should be found necessary for establishing or encouraging such projects. But here was a necessity of procuring letters patents, which they knew the credit that the East India company had at court would certainly render ineffectual. So they were now in treaty for a new act, which should free them from that difficulty. There was one Paterson, a man of no education, but of great notions; which, as was generally said, he had learned from the Buccaneers, with whom he had consorted for some time. He had considered a place in Darien, where he thought a good settlement might be made, with another over against it, in the South Sea; and by two settlements there, he fancied a great trade might be opened both for the East and West Indies; and that the Spaniards in the neighbourhood might be kept in great subjection to them; so he made the merchants believe, that he had a great secret, which he did not think fit yet to discover, and reserved to a fitter opportunity; only he desired, that the West Indies might be named in any new act that should be offered to the parliament: he made them in general understand, that he knew of a country, not possessed by Spaniards, where there were rich mines, and gold in abundance. While these matters were in treaty, the time of the king's giving the instructions to his commissioner for the parliament came on; and it

had been a thing of course, to give a general instruction, to pass all bills for the encouragement of trade. Johnstoun[t] told the king, that he heard there was a secret management among the merchants for an act in Scotland, under which the East India trade might be set up; so he proposed, and drew an instruction, impowering the commissioner to pass any bill, promising letters patents for encouraging of trade, yet limited, so that it should not interfere with the trade of England: when they went down to Scotland, the king's commissioner either did not consider this, or had no regard to it; for he gave the royal assent to an act, that gave the undertakers, either of the East India or West India trade, all possible privileges, with exemption of twenty-one years from all impositions: and the act directed letters patents to be passed under the great seal, without any further warrant for them: when this was printed, it gave a great alarm in England, more particularly to the East India company; for many of the merchants of London resolved to join stock with the Scotch company; and the exemption from all duties gave a great prospect of gain. Such was the posture of affairs in Scotland. 1695. 159

Affairs in Ireland.

In Ireland, the three lords justices did not agree long together: the lord Capel studied to render himself popular, and espoused the interests of the English against the Irish, without any nice regard to justice or equity: he was too easily set on, by those who had their own end in it, to do every thing that gained him applause: the other two[u] were

[t] The aforementioned, p. 87. O.

[u] Sir Cyril Wyche and Mr. Duncombe. O. (Ralph praises bishop Burnet for his account of these affairs; he seems, he

1695. men of severe tempers, and studied to protect the Irish, when they were opprest; nor did they try to make themselves otherwise popular, than by a wise and just administration: so lord Capel was highly magnified, and they were as much complained of, by all the English in Ireland. Lord Capel did undertake to manage a parliament so, as to carry all things, if he was made lord deputy, and had power given him to place and displace such as he should name. This was agreed to, and a parliament was held there, after he had made several removes: in the beginning of the session things went smoothly; the supply that was asked, for the support of that government, was granted; all the proceedings in king James's parliament were annulled, and the great act of settlement was confirmed and explained, as they desired: but this good temper was quickly lost, by the heat of some, who had great credit with lord Capel. Complaints were made of sir Charles Porter, the lord chancellor, who was beginning to set on foot a tory humour in Ireland, whereas it was certainly the interest of that government, to have no other division among them, but that of English and Irish, and of protestant and papist [x]: lord Ca-

says, to be influenced by that spirit of truth and plainness, which ought to actuate an historian. *History*, vol. i. p. 581.)

[x] Lord Capel was a very weak, formal, conceited man; had no other merit than being a violent party man, which he knew so well, that he had no thought but for promoting what he called the whig interest, in a country where there was no distinction but that of protestant and papist, which sir Charles, who well understood the dangerous consequence of dividing the protestants, opposed to the utmost of his power; and not from a tory humour, as the partial and malicious bishop would insinuate. I arrived at Dublin the night he died: if lord Capel ever aimed at being popular, he succeeded very ill, for the whole town seemed mad with joy.

pel's party moved in the house of commons, that Porter should be impeached; but the grounds, upon which this motion was made, appeared to be so frivolous, after the chancellor was heard by the house of commons, in his own justification, that he was voted clear from all imputation, by a majority of two to one; this set the lord deputy and the lord chancellor, with all the friends of both, at so great a distance from each other, that it put a full stop, for some time, to all business. 1695. 160

Thus factions were formed in all the king's dominions; and he being for so much of the year at a great distance from the scene, there was no pains taken to quiet these, and to check the animosities which arose out of them. The king studied only to balance them, and to keep up among the parties a jealousy of one another, that so he might oblige them all to depend more entirely on himself[y].

He made a very ridiculous disposition for the government of Ireland, a little before his death; which the parliament that was then assembled would not submit to, but ordered the lord chancellor to take the administration, till the king's pleasure was known. D. (The duke of Shrewsbury, who acted with the whig party, speaks in different terms of lord Capel, in a letter to the earl of Portland. "My lord Capel is liked and "beloved by all parties. The "same, I doubt, cannot be said "of the other two," (Wyche and Duncombe.) *Coxe's Shrewsbury Correspondence.* I. 4. p. 62. And of sir Charles Porter, lord Somers appears to have had the same sentiments as bishop Burnet, for the like reasons of party. "This post," he writes to the duke of Shrewsbury, "having brought the "news of sir Charles Porter's "death, I cannot but look upon "it a great good fortune to the "king's affairs in Ireland to be "rid of a man, who had formed "so troublesome a party in "that kingdom, which may "now easily be set right again, "if the government be put in "good hands, and his employment filled with an honest "and prudent person." III. 8. p. 451.)

[y] A politic the king's temper and principles did not seem to incline him to, but his peculiar circumstances made it necessary throughout his whole reign. A

1695. As soon as the campaign was over in Flanders, the king intended to come over directly into England; but he was kept long on the other side by contrary winds: the first point, that was under debate upon his arrival, was, whether a new parliament should be summoned, or the old one be brought

A new parliament called.

difficult and disagreeable measure of government, but he held his crown and power by it. Either party in its extremes would have ruined him. He has been much misrepresented in this matter, whatever particular errors he might have run into, in the course of it. As his parliaments were constituted, he could have done nothing there, without this temper towards the tories, who were also the majority of the nation. The present family must have done the same, but that they have had the felicity of their parliaments having always a great majority of whigs generally, if not constantly, complying with the measures and inclination of the government. If king William could have had this, he would have had the like steadiness. He had no fickleness in his nature. But the condition of the kingdom then was such, and his own also, that his firmness to the whigs, let it have been ever so much, and they ever so complying, could not have obtained for him a thorough course of whig parliaments: he was therefore obliged to soften the tories, and the rather to restrain by that the impetuosity of revenge, or of impracticable schemes of government, in many of the whigs, (who however in the main loved him;) and by this, and this only, he preserved his crown. Most of the malcontent whigs fell into the tories, and became part of their body, and were the least manageable of them all. It must however be confessed, that whatever was the motive to it, the opposition to the government in these parliaments afforded precedents of many useful checks upon courts and ministers, to the confirming of the rights and privileges and powers of parliament, especially in the house of commons. To what I have here said, let me add, that whatever strength the court in the present times may have acquired, and (which is always wrong) towards the choice of a parliament, which king William had not, and of securing it afterwards, (which is still worse,) more than he could do, yet a court has less power (in fact) than ever it had to pursue measures, or preserve ministers, against the sense and inclination of parliament, or of the house of commons alone. And instances of this, the present times have afforded. A good use of this, and annual meetings of parliament, are the great palladium of the constitution of Britain. See pp. 4. 662. in this vol. O.

together again, which, by the law that was lately passed, might sit till Lady-day: the happy state the nation was in put all men, except the merchants, in a good temper; none could be sure we should be in so good a state next year; so that now probably elections would fall on men who were well affected to the government; a parliament, that saw itself in its last session, might affect to be froward, the members, by such a behaviour, hoping to recommend themselves to the next election; besides, if the same parliament had been continued, probably the inquiries into corruption would have been carried on, which might divert them from more pressing affairs, and kindle greater heats; all which might be more decently dropt by a new parliament, than suffered to lie asleep by the old one. These considerations prevailed, though it was still believed that the king's own inclinations led him to have continued the parliament yet one session longer; for he reckoned, he was sure of the major vote in it. Thus this parliament was brought to a conclusion, and a new one was summoned. 1695.

The king made a progress to the north; and stayed some days at the earl of Sunderland's, which was the first public mark of the high favour he was in: the king studied to constrain himself to a little more openness and affability than was natural to him; but his cold and dry way had too deep a root, not to return too oft upon him: the Jacobites were so decried, that few of them were elected; but many of the sourer sort of whigs, who were much alienated from the king, were chosen: generally, they were men of estates, but many were young, hot, and without experience. Foley was again chosen

1695. speaker; the demand of the supply was still very
161 high, and there was a great arrear of deficiencies; all was readily granted, and lodged on funds that seemed to be very probable.

The state of the coin rectified.

The state of the coin was considered, and there were great and long debates about the proper remedies[z]: the motion of raising the money above its in-

[z] This was the scheme of Mr. Lowndes, secretary of the treasury. (See postea, p. 176.) He wrote the best book upon it, with much learning in that way, which was published on that side of the question. But he was fully answered and confuted by the famous Mr. Lock, whose arguments prevailed for the contrary method. I have often wondered, that upon this public occasion, the author should not have mentioned Mr. Lock. It was a fair opportunity for it, and to have enlarged upon his character in general. Mr. Lock died the year before this volume was begun, and his works, that have recommended him so much and so deservedly to the world, must have been well known to the writer of this history; some of which (as his tract upon toleration, and his two treatises of government, being written on purpose to establish the great principles of the revolution) have a close relation to the subject of this work. Besides, the bishop himself, in this vol. p. 539. mentions Filmer's book of government, against which Mr. Lock had professedly written one of the above-named treatises; and commends Hoadley (now bishop of Winchester) for writings of his against Filmer's notions, and in defence of the same doctrines, relating to government, which Mr. Lock has so well maintained, and says, that Hoadley had done this in vindication of the revolution. I therefore have sometimes thought, that Burnet had a dislike to Mr. Lock, either from the free notions of Mr. Lock in some points of religion; or from having been an admirer and confident of the first earl of Shaftesbury, whom our author abhorred; or from some differences they might have had when they were in Holland, and when they both were exiles at the same time, and both of them engaged in the affairs of their own country. But be it as it will, I do believe the bishop would not have omitted to speak of so eminent a person as Mr. Lock, when there were several public occasions for it, and who was also in high esteem with king William, unless he had contracted some prejudices against him. O. (The conduct of this important business, the reformation of the coin, was left to Montague, chancellor of the exchequer, afterwards earl of

trinsic value was still much pressed; many apprehended this matter could not be cured without casting us into great disorders: our money, they thought, would not pass, and so the markets would not be furnished; and it is certain, that if there had been ill humours then stirring in the nation, this might have cast us into great convulsions. But none happened, to the disappointment of our enemies, who had their eyes and hopes long fixed on the effects this might produce. All came in the end to a wise and happy resolution of recoining all the specie of England in milled money; all the old money was ordered to be brought in, in public payments or loans to the exchequer, and that by degrees; first the half-crown pieces, and the rest of the money by a longer day: money of a bad allay, as well as clipped money, was to be received; though this was thought an ill precedent, and that it gave too much encouragement to false coining; yet it was judged necessary upon this occasion: and it gave a present calm to a ferment that was then working all England over. Twelve hundred thousand pounds was given, to supply the deficiency of the bad and clipped money. So this matter was happily settled, and was put in a way to be effectually remedied; and it was executed with an order and a justice, with a quiet and an exactness, beyond all men's expectation. So that we were freed from a great and threatening mischief, without any of those effects that were generally apprehended from it. 1695.

The bill of trials in cases of treason was again An act of trials in cases of treason.

Halifax, who called to his aid sir Isaac Newton, made master of the mint, and Mr. Locke. See Dalrymple's Memoirs, vol. iii. book 4. p. 62.)

1695. brought into the house of commons, and passed there; when it came up to the lords, they added the clause for summoning all the peers to the trial of a peer, which was not easily carried; for those who wished well to the bill looked on this as a device to lose it, as no doubt it was; and therefore they opposed it: but, contrary to the hopes of the court, the commons were so desirous of the bill, that, when it came down to them, they agreed to the clause; and so the bill passed, and had the royal assent [a].

Acts concerning elections to parliament.

A severe bill was brought in, for voiding all the elections of parliament men, where the elected had been at any expense in meat, drink, or money, to procure votes: it was very strictly penned; but time must shew whether any evasions can be found 162 out to avoid it: certainly, if it has the desired effect, it would prove one of the best laws that ever was made in England; for abuses in elections were grown to most intolerable excesses, which threatened even the ruin of the nation. Another act passed against unlawful and double returns; for persons had been often returned plainly contrary to the vote of the majority; and in boroughs, where there was a contest between the select number of the corporation and the whole populace, both sides had obtained favourable decisions, as that side prevailed on

[a] Which this most reverend bishop opposed with all his impotent might; having never been in reality for any liberty, but that of his own being impertinent, which, by his being no peer, could have no benefit by this bill. Before this, it was in the power of the crown to have created as many new peers, or corrupted as many old ones, as should have condemned whoever they pleased. D. (See note at p. 464. vol. i. concerning the peerage of the bishops.)

which the person elected happened to be; so both elections were returned, and the house judged the matter. But by this act, all returns were ordered to be made according to the last determination of the house of commons: these were thought good securities for future parliaments; it had been happy for the nation, if the first of these had proved as effectual as the last was [b]. 1695.

[b] The last was defective in not binding the house of commons; who too often varied their determinations, (for party reasons,) to prefer one man to another. But this is now in great measure prevented too, by a provision in an act of 2 George II. called the bribery act, and the resolution of the house of commons, that it extends to their proceedings. I earnestly contended for this resolution, against very strong opposition to it by men of different sides. The use of it is this: when a bad cause was to be established, and the number of votes below could not do it, then the right of election was altered by the house, to be suited to the minority of the electors; which was a short and easy method. But now the members must be accommodated to a former determined (by the house) right of election; which is often a long and difficult thing to do; and so a good cause has a better chance for success; and it has had its effect in many instances. I am sorry to say all this, and to use the language I do upon it, but it is too true, and has been a vice of all parties, to their shame and reproach; and the more so, as it has been avowed, justified, and boasted of, under the scandalous pretence of serving their party friends against justice! I have many times reflected upon it with some grief, in a farther light than of the thing itself. I think I have seen it derive itself to much iniquity in other determinations, and to have been almost habitual, when public or private friendships and attachments have been concerned, and even to have corrupted in it some persons, otherwise very worthy and respectable men. Good God! what would be thought, and said, and done, if such judgments should be given in Westminster hall? And is not justice the same in every judicature? One would think it was not. But beware, my son, and fly from the contagion, if it should ever prevail again. Remember, and often think of, and carry with you in parliament, the great and noble saying of Mr. Chillingworth: "I "will never do that for preferment, which I would not do "but for preferment. I will "never say that, living and in "health, which I would not "say were I dying." See postea, 410. O. (By an act passed in the late king's time, called the Grenville act, the mem-

1695. Great complaints were made in both houses of the act for the Scotch East India company, and addresses were made to the king, setting forth the inconveniencies that were like to arise from thence to England: the king answered, that he had been ill served in Scotland: but he hoped remedies should be found, to prevent the ill consequences that they apprehended from the act: and soon after this, he turned out both the secretaries of state and the marquis of Tweedale: and great changes were made in the whole ministry of that kingdom, both high and low. No inquiry was made, nor proceedings ordered, concerning the business of Glencoe: so that furnished the libellers with some colours in aspersing the king, as if he must have been willing to suffer it to be executed, since he seemed so unwilling to let it be punished.

Complaints of the Scotch act.

But when it was understood in Scotland that the king had disowned the act for the East India company, from which it was expected that great riches should flow into that kingdom, it is not easy to conceive how great and how general an indignation was spread over the whole kingdom: the Jacobites saw what a game it was like to prove in their hands; they played it with great skill, and to the advantage of their cause, in a course of many years; and continue to manage it to this day: there was a great deal of noise made of the Scotch act in both houses of parliament in England, by some who seemed to have no other design in that, but to heighten our distractions by the apprehensions that they expressed. The Scotch nation fancied nothing but

Scotland much set on supporting it.

bers of election committees are chosen by ballot, and take an oath, well and truly to try every petition.)

mountains of gold; and the credit of the design rose so high, that subscriptions were made, and advances of money were offered, beyond what any believed the wealth of that kingdom could have furnished. Paterson came to have such credit among them, that the design of the East India trade, how promising soever, was wholly laid aside: and they resolved to employ all their wealth in the settling a colony, with a port and fortifications, in Darien; which was long kept a secret, and was only trusted to a select number, empowered by this new company, who assumed to themselves the name of the African company, though they never meddled with any concern in that part of the world: the unhappy progress of this affair will appear in its proper time. 1695. 163

A motion for a council of trade.

The losses of the merchants gave great advantages to those who complained of the administration; the conduct, with relation to our trade, was represented as at best a neglect of the nation and of its prosperity: some, with a more spiteful malice, said, it was designed that we should suffer in our trade, that the Dutch might carry it from us: and how extravagant soever this might seem, it was often repeated by some men of virulent tempers. And in the end, when all the errors, with relation to the protection of our trade, were set out, and much aggravated, a motion was made to create, by act of parliament, a council of trade.

This was opposed by those who looked on it as a change of our constitution in a very essential point: the executive part of the government was wholly in the king: so that the appointing any council by act of parliament, began a precedent of their breaking in upon the execution of the law, in which it could

1695. not be easy to see how far they might be carried; it was indeed offered, that this council should be much limited as to its powers; yet many apprehended, that if the parliament named the persons, how low soever their powers might be at first, they would be enlarged every session; and from being a council to look into matters of trade, they would be next empowered to appoint convoys and cruizers; this in time might draw in the whole admiralty, and that part of the revenue or supply that was appropriated to the navy; so that a king would soon grow to be a duke of Venice; and indeed those who set this on most zealously, did not deny that they designed to graft many things upon it.

The king was so sensible of the ill effects this would have, that he ordered his ministers to oppose it as much as possibly they could: the earl of Sunderland, to the wonder of many, declared for it, as all that depended on him promoted it: he was afraid of the violence of the republican party, and would not venture on provoking them[c]; the ministers were
164 much offended with him, for taking this method to recommend himself at their cost; the king himself took it ill, and he told me, if he went on, driving it as he did, that he must break with him; he imputed it to his fear; for the unhappy steps he had made in king James's time gave his enemies so many handles and colours for attacking him, that he would venture on nothing that might provoke them. Here was a debate plainly in a point of prerogative, how

[c] (Ralph supposes the number of the adherents to republicanism to be scarcely numerous enough to deserve the name of a party. See his Hist. vol. ii. p. 625. Perhaps the bishop comprehended in the term most of those whigs who were anti-courtiers.)

far the government should continue on its ancient bottom of monarchy, as to the executive part; or how far it should turn to a commonwealth; and yet by an odd reverse, the whigs, who were now most employed, argued for the prerogative, while the tories seemed zealous for public liberty: so powerfully does interest bias men of all forms. 1695.

This was going on, and probably would have passed in both houses, when the discovery of a conspiracy turned men's thoughts quite another way: so that all angry motions were let fall, and the session came to a very happy conclusion, with greater advantages to the king than could have been otherwise expected. We were all this winter alarmed, from many different quarters, with the insolent discourses of the Jacobites, who seemed so well assured of a sudden revolution, which was to be both quick and entire, that at Christmas, they said, it would be brought about within six weeks. The French fleet, which we had so long shut up within Toulon, was now fitting out, and was ordered to come round to Brest; our fleet that lay at Cadiz was not strong enough to fight them, when they should pass the straits: Russel had come home, with many of the great ships, and had left only a squadron there; but a great fleet was ordered to go thither: it was ready to have sailed in December, but was kept in our ports by contrary winds till February; this was then thought a great unhappiness; but we found afterwards, that our preservation was chiefly owing to it; and it was so extraordinary a thing, to see the wind fixed at south-west during the whole winter, that few could resist the observing a signal providence of God in it. We were

A conspiracy discovered.

1695. all this while in great pain for Rook, who commanded the squadron that lay at Cadiz; and was like to suffer for want of the provisions and stores which this fleet was to carry him, besides the addition of strength this would bring him, in case the Toulon squadron should come about: we were only apprehensive of danger from that squadron; for we thought that we could be in none at home, till that fleet was brought about: the advertisements came from many places, that some very important thing was ready to break out: it is true, the Jacobites fed their party with such stories every year; but they both talked and wrote now with more than ordinary assurance. The king had been so accustomed to alarms and reports of this kind, that he had now so little regard to them, as scarce to be willing to hearken to those who brought him such advertisements. He was so much set on preparing for the next campaign, that all other things were little considered by him.

Of assassinating the king.

But in the beginning of February, one captain Fisher came to the earl of Portland, and in general told him, there was a design to assassinate the king; but he would not or could not then name any of the persons who were concerned in it; he never appeared more, for he had assurances given him, that he should not be made use of as a witness: few days after that, one Pendergrass, an Irish officer, came to the earl of Portland, and discovered all that he knew of the matter; he freely told him his own name; but would not name any of the conspirators; La Rue, a Frenchman, came also to brigadier Levison, and discovered to him all that he knew; these two (Pendergrass and La Rue) were brought to the

king apart, not knowing of one another's discovery: they gave an account of two plots then on foot, the one for assassinating the king, and the other for invading the kingdom. The king was not easily brought to give credit to this, till a variety of circumstances, in which the discoveries did agree, convinced him of the truth of the whole design. 1695.

It has been already told, in how many projects king James was engaged for assassinating the king; but all these had failed [r]; so now one was laid, that gave better hopes, and looked liker a military action than a foul murder: sir George Berkeley, a Scotchman [s], received a commission from king James, to go and attack the prince of Orange in his winter quarters [t]: Charnock [u], sir William Perkins, captain

[r] (But see above at page 96. "All the prisoners," observes Dalrymple, "with their last "breath acquitted the late king "of any knowledge of the in- "tended assassination," *Memoirs*, vol. iii. book 4. p. 76. It may be added, that those persons at the same time confessed, and many of them justified, their own conduct in the affair. Compare what follows, at pp. 171, 172.)

[s] (The name of this man, who was a disgrace, as an assassin, to any name, was *Barclay*, not *Berkeley*.)

[t] ("Before I parted from St. "Germains, the king gave me "a commission to authorize "me, and all those who should "join me in his majesty's cause, "to rise in arms and make war "upon the prince of Orange "and all his adherents. Which "commission was exactly as "follows:

"JAMES R.

"Our will and pleasure is, and "we do hereby fully authorize, "strictly require, and expressly "command our loving subjects "to rise in arms and make war "upon the prince of Orange, "the usurper of our throne, "and all his adherents, and to "seize for our use all such "forts, towns, strong holds, "within our dominion of Eng- "land, as may serve to further "our interest, and to do from "time to time such other acts "of hostility against the prince "of Orange and his adherents, "as may conduce most to our "service, we judging this the "properest, justest, and most "effectual means of procuring "our restoration and their de- "liverance; and we do here- "by indemnify them for what "they shall act in pursuance

1695. Porter, and La Rue, were the men to whose conduct the matter was trusted; the duke of Berwick came over, and had some discourse with them about the method of executing it: forty persons were thought necessary for the attempt; they intended to watch the king, as he should go out to hunt, or come back from it in his coach; some of them were to engage the guards, while others should attack the king, and either carry him off a prisoner, or, in

" of this our royal command. " Given at our court of St. Germains en Laye, 27th of December, 1695.

" Which day I posted from " St. Germains, having none " with me but major Holmes; " and about the 27th, old stile, " I arrived at London. Soon " after my arrival there, I came " acquainted with Mr. Charnock, who at our first meeting " complained to me, that he and " some others had a design on " foot, which would have undoubtedly facilitated the king's " return, but that his majesty " would never permit them to " put it in execution. A few " days after that, Mr. Charnock made me acquainted " with sir William Perkins, " who was concerned with him " in all their proposals, who " then opened the design to " me, and assured me they " wanted nothing for perfecting of it, but his majesty's " leave; it was to form a party to fall upon the prince of " Orange, which I did much " approve of, if it could be carried on with that secrecy " and conduct as a thing of " that consequence ought to be. " ——— Presuming therefore upon the commission I " had from his majesty, to make " war upon the prince of Orange and all his adherents, " I thought myself sufficiently " authorized to engage with " them to attack that prince " when his guards were about " him; upon which I shewed " them my commission, which " they were much pleased with." *Sir George Barclay's Relation of the Attempt against the Prince of Orange, inserted in the Life of King James II. lately edited by Dr. Clarke*, vol. ii. tom. 4. p. 547.)

[u] (" The officers were about " ten in number, the highest of " whom in rank was lieutenant " colonel Lowick; but the most " remarkable was captain Charnock, formerly fellow of Magdalen college, who had been " one of the instruments to " serve king James in invading " the rights of that college, and " who now shewed that the " distance is small between a " dependant, a criminal, and a " cowardly spirit." *Dalrymple's Memoirs*, vol. iii. book 4. p. 74.)

case of any resistance, kill him. This soft manner was proposed, to draw military men to act in it, as a warlike exploit: Porter and Knightly went and viewed the grounds, and the way through which the king passed, as he went between Kensington and Richmond park, where he used to hunt commonly on Saturdays; and they pitched on two places, where they thought they might well execute the design. King James sent over some of his guards to assist in it; he spoke himself to one Harris to go over, and to obey such orders as he should receive from Berkeley; he ordered money to be given him, and told him, that, if he was forced to stay long at Calais, the president there would have orders to furnish him. 1695. 166

When the duke of Berwick had laid the matter so well here, that he thought it could not miscarry, he went back to France, and met king James at St. Denis, who was come so far on his way from Paris [x]: he stopped there, and after a long conference with the duke of Berwick, he sent him first to his queen at St. Germains, and then to the king of France, 1696. And to invade the kingdom.

[x] ("The duke of Berwick "was so much convinced, from "near observation, of the weak- "ness of his father's friends, "and their incapacity to ren- "der him any effectual service, "that no attempt was made by "him to excite an insurrec- "tion." *Somerville's Hist. of Political Transactions*, vol. i. chap. 16. p. 422. referring to the Memoirs of the Duke of Berwick, under the year 1696. The duke there says, that "having received information dur- "ing his stay in London, that "a conspiracy was carrying on "against the person of the "prince of Orange, he thought, "his principal commission be- "ing at an end, he ought to "lose no time to return to "France, that he might not be "confounded with the conspi- "rators, whose design appeared "to him difficult to execute." *Duke of Berwick's Memoirs*, vol. i. p. 132.)

1696. and he himself called for a notary, and passed some act: but it was not known to what effect. When that was done, he pursued his journey to Calais, to set himself at the head of an army of about 20,000 men, that were drawn out of the garrisons which lay near that frontier. These being full in that season, an army was in a very few days brought together, without any previous warning or noise. There came every winter a coasting fleet, from all the seaports of France to Dunkirk, with all the provisions for a campaign; and it was given out, that the French intended an early one this year. So that this coasting fleet was ordered to be there by the end of January; thus here were transport ships, as well as an army, brought together in a very silent manner; there was also a small fleet of cruizers, and some men of war ready to convoy them over; many regiments were embarked, and king James was waiting at Calais, for some tidings of that on which he chiefly depended; for upon the first notice of the success of the assassination, he was resolved to have set sail: so near was the matter brought to a crisis, when it broke out by the discovery made by the persons above named. La Rue told all particulars with the greatest frankness, and named all the persons that they had intended to engage in the execution of it; for several lists were among them, and those who concerted the matter had those lists given them; and took it for granted, that every man named in those lists was engaged; since they were persons on whom they depended, as knowing their inclinations, and believing that they would readily enter into the project: though it had not been, at that time, proposed to many of them, as it

appeared afterwards. The design was laid, to strike the blow on the 15th of February, in a lane that turns down from Turnham Green to Brentford; and the conspirators were to be scattered about the Green, in taverns and alehouses, and to be brought together upon a signal given. They were cast into several parties, and an aide de camp was assigned to every one of them, both to bring them together, and to give the whole the air of a military action: Pendergrass owned very freely to the king, that he was engaged in interest against him, as he was of a religion contrary to his; he said, he would have no reward for his discovery; but he hated a base action; and the point of honour was the only motive that prevailed on him: he owned, that he was desired to assist in the seizing on him, and he named the person that was fixed on to shoot him; he abhorred the whole thing, and immediately came to reveal it: his story did in all particulars agree with La Rue's: for some time he stood on it as a point of honour, to name no person; but upon assurance given him, that he should not be brought as a witness against them, he named all he knew: the king ordered the coaches and guards to be made ready next morning, being the 15th of February, and on Saturday, his usual day of hunting: but some accident was pretended to cover his not going abroad that day; the conspirators continued to meet together, not doubting but that they should have occasion to execute their design the next Saturday; they had some always about Kensington, who came and went continually, and brought them an account of every thing that passed there: on Saturday the 22d of February, they put themselves in a readiness; and 1696. 167

1696. were going out to take the posts assigned them; but were surprised when they had notice that the king's hunting was put off a second time; they apprehended they might be discovered: yet, as none were seized, they soon quieted themselves.

Many of the conspirators seized on.

Next night, a great many of them were taken in their beds: and the day following, the whole discovery was laid before the privy council: at the same time, advices were sent to the king from Flanders, that the French army was marching to Dunkirk, on design to invade England: and now, by a very happy providence, though hitherto a very unacceptable one, we had a great fleet at Spithead ready to sail: and we had another fleet, designed for the summer's service in our own seas, quite ready, though not yet manned. Many brave seamen, seeing the nation was in such visible danger, came out of their lurking holes, in which they were hiding themselves from the press, and offered their service;

168 and all people shewed so much zeal, that in three days Russel, who was sent to command, stood over to the coast of France, with a fleet of above fifty men of war. The French were amazed at this; and upon it their ships drew so near their coasts, that he durst not follow them in such shallow water, but was contented with breaking their design, and driving them into their harbours. King James stayed for some weeks there. But, as the French said, his malignant star still blasted every project that was formed for his service.

The design of the invasion broken.

The court of France was much out of countenance with this disappointment; for that king had ordered his design of invading England to be communicated to all the courts in which he had minis-

ters: and they spoke of it with such an air of assurance, as gave violent presumptions that the king of France knew of the conspiracy against the king's person, and depended upon it; for indeed, without that, the design was impracticable, considering how great a fleet we had at Spithead; nor could any men of common sense have entertained a thought of it, but with a view of the confusion into which the intended assassination must have cast us. They went on in England seizing the conspirators; and a proclamation was issued out for apprehending those that absconded, with a promise of a thousand pound reward, to such as should seize on any of them, and the offer of a pardon to every conspirator that should seize on any of the rest: this set all people at work, and in a few weeks most of them were apprehended; only Berkeley was not found, who had brought the commission from king James, though great search was made for him. For, though the reality of such a commission was fully proved afterwards, in the trials of the conspirators, by the evidence of those who had seen and read it, all written in king James's own hand, (such a paper being too important to be trusted to any to copy,) yet much pains was taken to have found the very person who was entrusted with it: the commission itself would have been a valuable piece, and such an original as was not to be found any where. 1696.

The military men would not engage on other terms; they thought, by the laws of war, they were bound to obey all orders that run in a military style, and no other; and so they imagined, that their part in it was as innocent as the going on any desperate design during a campaign: many of them repined at

1696. the service, and wished that it had not been put on them; but, being commanded, they fancied that they were liable to no blame nor infamy, but ought to be treated as prisoners of war.

Porter discovered all.

169 Among those who were taken, Porter and Pendergrass were brought in. Porter had been a vicious man, engaged in many ill things; and was very forward and furious in all their consultations: the lord Cutts, who, as captain of the guards, was present, when the king examined Pendergrass, but did not know his name, when he saw him brought in, pressed him to own himself, and the service that he had already done; but he claimed the promise of not being forced to be a witness, and would say nothing: Porter was a man of pleasure, who loved not the hardships of a prison, and much less the solemnities of an execution; so he confessed all: and then Pendergrass, who had his dependance on him, freely confessed likewise: he said, Porter was the man who had trusted him; he could not be an instrument to destroy him; yet he lay under no obligations to any others among them. Porter had been in the management of the whole matter: so he gave a very copious account of it all, from the first beginning. And now it appeared, that Pendergrass had been but a very few days among them, and had seen very few of them; and that he came and discovered the conspiracy the next day after it was opened to him.

Both houses of parliament enter into a voluntary association.

When by these examinations the matter was clear and undeniable, the king communicated it, in a speech to both houses of parliament: they immediately made addresses of congratulation, with assurances of adhering to him against all his enemies,

and in particular, against king James; and after 1696.
that, motions were made in both houses for an association, wherein they should own him as their rightful and lawful king, and promise faithfully to adhere to him against king James, and the pretended prince of Wales; engaging at the same time to maintain the act of succession, and to revenge his death on all who should be concerned in it. This was much opposed in both houses, chiefly by Seimour and Finch in the house of commons, and the earl of Nottingham in the house of lords: they went chiefly upon this, that *rightful* and *lawful* were words that had been laid aside in the beginning of this reign; that they imported one that was king by descent, and so could not belong to the present king. They said, the crown and the prerogatives of it were vested in him, and therefore they would obey him, and be faithful to him, though they could not acknowledge him their rightful and lawful king. Great exceptions were also taken to the word *revenge*, as not of an evangelical sound; but that word was so explained, that these were soon cleared; *revenge* was to be meant in a legal sense, either in the prosecution of justice at home, or of war abroad; and 170
the same word had been used in that association into which the nation entered, when it was apprehended that queen Elizabeth's life was in danger, by the practices of the queen of Scots. After a warm debate, it was carried in both houses, that an association should be laid on the table, and that it might be signed by all such as were willing of their own accord to sign it; only with this difference, that instead of the words *rightful* and *lawful* king, the lords put these words; that king William hath the

1696. right by law to the crown of these realms, and that neither king James, nor the pretended prince of Wales, nor any other person, has any right whatsoever to the same. This was done to satisfy those, who said, they could not come up to the words *rightful* and *lawful;* and the earl of Rochester offering these words, they were thought to answer the ends of the association, and so were agreed to. This was signed by both houses, excepting only fourscore in the house of commons[y], and fifteen in the house of lords: the association was carried from the houses of parliament over all England, and was signed by all sorts of people, a very few only excepted: the bishops also drew a form for the clergy, according to that signed by the house of lords, with some small variation, which was so universally signed, that not above an hundred all England over refused it.

Soon after this, a bill was brought into the house of commons, declaring all men incapable of public trust, or to serve in parliament, who did not sign the association; this passed with no considerable opposition; for those who had signed it of their own accord, were not unwilling to have it made general; and such as had refused it when it was voluntary, were resolved to sign it as soon as the law should be made for it. And at the same time, an order passed in council, for reviewing all the commissions in England, and for turning out of them all those who had not signed the association while it was voluntary; since this seemed to be such a declaration of their principles and affections, that it was not thought reasonable, that such persons should be any

[y] (Ralph says ninety-two commoners. *Hist. of England*, vol. ii. p. 654.)

longer either justices of peace or deputy lieute- 1696.
nants.

A fund upon a land bank.

The session of parliament was soon brought to a conclusion. They created one fund, upon which two millions and an half were to be raised, which the best judges did apprehend was neither just nor prudent. A new bank was proposed, called the land bank, because the securities were to be upon land: this was the main difference between it and the bank of England: and by reason of this it was pre- 171
tended, that it was not contrary to a clause in the act for that bank, that no other bank should be set up in opposition to it. There was a set of undertakers, who engaged that it should prove effectual for the money for which it was given: this was chiefly managed by Foley, Harley, and the tories; it was much laboured by the earl of Sunderland; and the king was prevailed on to consent to it, or rather to desire it, though he was then told by many, of what ill consequence it would prove to his affairs: the earl of Sunderland's excuse for himself, when the error appeared afterwards but too evidently, was, that he thought it would engage the tories in interest to support the government.

Charnock and others tried and executed.

After most of the conspirators were taken, and all examinations were over, some of them were brought to their trials. Charnock, King, and Keys, were begun with: the design was fully proved against them. Charnock shewed great presence of mind, with temper and good judgment, and made as good a defence as the matter could bear: but the proof was so full, that they were all found guilty. Endeavours were used to persuade Charnock to confess all he knew; for he had been in all their plots from the beginning:

1696. his brother was employed to deal with him, and he seemed to be once in suspense: but the next time that his brother came to him, he told him, he could not save his own life without doing that which would take away the lives of so many, that he did not think his own life worth it. This shewed a greatness of mind, that had been very valuable, if it had been better directed. Thus this matter was understood at the time. But many years after this, the lord Somers gave me a different account of it[z]. Charnock, as he told me, sent an offer to the king, of a full discovery of all their consultations and designs; and desired no pardon, but only that he might live in some easy prison; and if he was found to prevaricate, in any part of his discovery, he would look for the execution of the sentence: but the king apprehended, that so many persons would be found concerned, and thereby be rendered desperate, that he was afraid to have such a scene opened, and would not accept of this offer[a]. At his death, Charnock delivered a paper, in which he confessed he was engaged in a design to attack the prince of Orange's guards; but he thought himself bound to

[z] I do not recollect any thing amongst lord Somers's papers relative to this plot. Sir R. Blackmore's narrative is the best general account of it, and it seems surprising that lord Shrewsbury would not let it be published at the time. Soon after the discovery, his grace retired, on account (as he gave out) of health, into the country, and never returned to the exercise of his office, for any length of time, though he kept the seals in his hands. King William always declined taking them, not being prepared with a secretary to his mind, and choosing the appearance of retaining the duke in his service. H.

[a] Like the story of Pompey in Spain. O. ("The king ge-"nerously answered, He wished "not to know them." *Dalrymple's Memoirs,* vol. iii. book 4. p. 75.)

clear king James from having given any commission to assassinate him. King's paper, who suffered with him, was to the same purpose; and they both took pains to clear all those of their religion from any accession to it. King expressed a sense of the unlawfulness of the undertaking; but Charnock seemed fully satisfied with the lawfulness of it. Keys was a poor ignorant trumpeter, who had his dependance on Porter, and now suffered chiefly upon his evidence, for which he was much reflected on: it was said, that servants had often been witnesses against their masters, but that a master's witnessing against his servant was somewhat new and extraordinary. 1696. 172

King James was not acquitted by them.

The way that Charnock and King took to vindicate king James did rather fasten the imputation more upon him; they did not deny, that he had sent over a commission to attack the prince of Orange, which, as Porter deposed, Charnock told him he had seen; if this had been denied by a dying man, his last words would have been of some weight: but instead of denying that which was sworn, he only denied, that king James had given a commission for assassination: and it seems great weight was laid on this word; for all the conspirators agreed in it, and denied that king James had given a commission to assassinate the prince of Orange. This was an odious word, and perhaps no person was ever so wicked, as to order such a thing, in so crude a manner: but the sending a commission to attack the king's person was the same thing upon the matter; and was all that the witnesses had deposed. Therefore their not denying this, in the terms in which the witnesses swore it, did plainly imply a confession that it was true. But some, who had a mind to de-

1696. ceive themselves or others, laid hold on this, and made great use of it, that dying men had acquitted king James of the assassination. Such slight colours will serve, when people are engaged beforehand to believe as their affections lead them [b].

Friend and Perkins tried and suffered.

Sir John Friend and sir William Perkins were tried next. The first of these had risen from mean beginnings to great credit and much wealth; he was employed by king James, and had all this while stuck firm to his interests: his purse was more considered than his head, and was open on all occasions, as the party applied to him: while Parker was formerly in the tower, upon information of an assassination of the king designed by him, he furnished the money that corrupted his keepers, and helped him to make his escape out of the tower: he knew of the assassination, though he was not to be an actor in it: but he had a commission for raising a regiment for king James, and he had entertained and paid the officers who were to serve under him: he had also joined with those who had sent over Char-

173 nock, in May 1695, with the message to king James, mentioned in the account of the former year: it appearing now, that they had then desired an invasion with 8000 foot, and 1000 horse, and had promised to join these with 2000 horse, upon their landing. In this, the earl of Ailesbury, the lord Montgomery, son to the marquis of Powis, and sir John Fenwick,

[b] (Read the commission itself above at p. 165, and a vindication of king James from any knowledge of or participation in the horrible design to assassinate William, in king James's Life, vol. ii. p. 544—557. Somerville, in his Political Transactions, vol. i. p. 423, observes, that the authors who accuse James, fall into inaccuracy by connecting the commands he gave to promote a general insurrection, with the intention of those who conspired to assassinate William.)

were also concerned: upon all this evidence, Friend was condemned, and the earl of Ailesbury was committed prisoner to the tower. Perkins was a gentleman of estate, who had gone violently into the passions and interests of the court in king Charles's time: he was one of the six clerks in chancery, and took all oaths to the government, rather than lose his place: he did not only consent to the design of assassination, but undertook to bring five men who should assist in it; and he had brought up horses for that service, from the country; but had not named the persons; so this lay yet in his own breast: he himself was not to have acted in it, for he likewise had a commission for a regiment; and therefore was to reserve himself for that service: he had also provided a stock of arms, which were hid under ground, and were now discovered: upon this evidence he was condemned. Great endeavours were used, both with Friend and him, to confess all they knew: Friend was more sullen, as he knew less; for he was only applied to and trusted when they needed his money: Perkins fluctuated more; he confessed the whole thing for which he was condemned; but would not name the five persons whom he was to have sent in to assist in the assassination; he said, he had engaged them in it, so he could not think of saving his own life by destroying theirs: he confessed he had seen king James's commission; the words differed a little from those which Porter had told; but Porter did not swear that he saw it himself; he only related what Charnock had told him concerning it; yet Perkins said, they were to the same effect: he believed, it was all writ with king James's own hand; he had seen his writing often, 1696.

1696. and was confident it was writ by him: he owned, that he had raised and maintained a regiment; but he thought he could not swear against his officers, since he himself had drawn them into the service; and he affirmed that he knew nothing of the other regiments: he sent for the bishop of Ely, to whom he repeated all these particulars, as the bishop himself told me; he seemed much troubled with a sense of his former life, which had been very irregular: the house of commons sent some to examine him: but he gave them so little satisfaction, that they left
174 him to the course of the law: his tenderness, in not accusing those whom he had drawn in, was so generous, that this alone served to create some regard for a man who had been long under a very bad character. In the beginning of April, Friend and he were executed together.

A very unusual instance of the boldness of the Jacobites appeared upon that occasion; these two had not changed their religion, but still called themselves protestants; so three of the nonjuring clergymen waited on them to Tyburn, two of them had been oft with Friend, and one of them with Perkins; and all the three, at the place of execution, joined to give them public absolution, with an imposition of hands, in the view of all the people[c]; a strain of impudence, that was as new as it was wicked; since these persons died, owning the ill designs they had been engaged in, and expressing no sort of repentance for them. So these clergymen, in this solemn absolution, made an open declaration of their allowing and justifying these persons,

They had a public absolution given them.

[c] See Kennett's History, 718, 719. O.

in all they had been concerned in: two of these were taken, and censured for this in the king's bench, the third made his escape. 1696.

Three other conspirators, Rookwood, Lowick, and Cranborn, were tried next. By this time, the new act for trials in such cases began to take place, so these held long; for their council stuck upon every thing. But the evidence was now more copious: for three other witnesses came in; the government being so gentle as to pardon even the conspirators who confessed their guilt, and were willing to be witnesses against others. The two first were papists, they expressed their dislike of the design; but insisted on this, that as military men they were bound to obey all military orders; and they thought that the king, who knew the laws of war, ought to have a regard to this, and to forgive them. Cranborn called himself a protestant, but was more sullen than the other two; to such a degree of fury and perverseness had the Jacobites wrought up their party. Knightly was tried next; he confessed all, and upon that, though he was condemned, he had a reprieve, and was afterwards pardoned. These were all the trials and executions that even this black conspiracy drew from the government; for the king's inclinations were so merciful, that he seemed uneasy even under these acts of necessary justice. Other conspirators tried and executed.

Cook was brought next upon his trial, on account of the intended invasion; for he was not charged with the assassination; his trial was considered as introductory to the earl of Ailesbury's; for the evidence was the same as to both. Porter and Goodman were two witnesses against him; they had been with him at a meeting, in a tavern in Leaden- Cook tried for the invasion. 175

1696. hall street, where Charnock received instructions to go to France, with the message formerly mentioned; all that was brought against this was, that the master of the tavern and two of his servants swore, that they remembered well when that company was at the tavern, for they were often coming into the room where they sat, both at dinner time and after it; and that they saw not Goodman there, nay, they were positive that he was not there. On the other hand, Porter deposed, that Goodman was not with them at dinner; but that he came to that house after dinner, and sent him in a note; upon which he, with the consent of the company, went out and brought him in: and then it was certain, that the servants of the house were not in that constant attendance; nor could they be believed in a negative, against positive evidence to the contrary. Their credit was not such, but that it might be well supposed, that, for the interest of their house, they might be induced to make stretches: the evidence was believed, and Cook was found guilty, and condemned; he obtained many short reprieves, upon assurances that he would tell all he knew: but it was visible he did not deal sincerely: his punishment ended in a banishment. Sir John Fenwick was taken not long after, going over to France, and was ordered to prepare for his trial: upon which he seemed willing to discover all he knew: and in this, he went off and on, for he had no mind to die, and hoped to save himself by some practice or other: several days were set for his trial, and he procured new delays, by making some new discoveries: at last, when he saw that slight and general ones would not serve his turn, he sent for the duke of Devon-

shire, and wrote a paper as a discovery, which he gave him to be sent to the king; and that duke affirming to the lords justices, that it was not fit that paper should be seen by any, before the king saw it, the matter was suffered to rest for this time. 1696.

The summer went over, both in Flanders and on the Rhine, without any action: all the funds given for this year's service proved defective, but that of the land bank failed totally: and the credit of the bank of England was much shaken. About five millions of clipped money was brought into the exchequer; and the loss that the nation suffered, by the recoining of the money, amounted to two millions and two hundred thousand pounds. The coinage was carried on with all possible haste; about eighty thousand pounds was coined every week: yet still this was slow, and the new money was generally kept up; so that, for several months, little of it appeared. This stop in the free circulation of money put the nation into great disorder: those who, according to the act of parliament, were to have the first payments in milled money, for the loans they had made, kept their specie up, and would not let it go but at an unreasonable advantage. The king had no money to pay his army, so they were in great distress, which they bore with wonderful patience: by this means, the king could undertake nothing, and was forced to lie on the defensive: nor were the French strong enough to make an impression in any place; the king had a mighty army, and was much superior to the enemy; yet he could do nothing; and it passed for a happy campaign, because the French were not able to take any advantage from those ill accidents that our

The campaign beyond sea feebly carried on.

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1696. want of specie brought us under; which indeed were such, that nothing but the sense all had of the late conspiracy kept us quiet and free from tumults. It now appeared, what a strange error the king was led into, when he accepted of so great a sum, to be raised by a land bank: it was scarce honourable, and not very safe at any time; but it might have proved fatal at a time in which money was like to be much wanted, which want would have been less felt, if paper credit had been kept up: but one bank working against another, and the goldsmiths against both, put us to great straits: yet the bank supplied the king in this extremity, and thereby convinced him, that they were his friends in affection as well as interest [d].

[d] They had deputies in Flanders and Holland, for managing the remittances of money to pay the army. I have seen some of their letters in the bank, in one of which it is said, Mr. Lowndes's book (see antea, 161.) had frightened and astonished all persons on that side the water, that the exchange there fell upon it, that one of the deputies was forced to go to the Hague to possess the people in Holland that this scheme was the notion only of one man, and would not take effect; and that without the coin was made good, we should be in a miserable condition, and that it would be impossible to carry on the war. The letter is dated Antwerp, 19th of December, 1695. The then deputies were sir Henry Funess and sir Theodore Janssen. In these letters, mention is made of Mr. Hill with good respect for his assistance to the deputies in their service of the army. He was then abroad, a deputy paymaster of the troops then, and was afterwards, I think, one of our ministers at the treaty of Ryswick. He was very able in business, and much esteemed by king William, whom he almost adored, and often reflected with some severity on his own party, (he was a tory,) for their false notions of foreign affairs, with regard to England, and for their not better supporting the king in the war. I have read many of his letters, and they prove him to have been a very considerable person, and made for higher stations than he arrived to. He was some time in the admiralty, and every where in general estimation with people of all denominations for his

The secret practices in Italy were now ready to break out; the pope and the Venetians had a mind to send the Germans out of Italy, and to take the duke of Savoy out of the necessity of depending on those they called heretics. The management in the 1696. A peace in Piedmont.

abilities and his virtue. He had an academical education, was a scholar, and had taken deacon's orders, which he laid aside while employed in civil affairs. But upon his withdrawing from them, he resumed his clerical character, took priest's orders, and became a fellow of Eton college. He lived, the latter part of his life, in no high fashion at Richmond in Surrey; where however he was much resorted to by the most eminent persons of that time. The royal family shewed him very particular regards, and he was strongly pressed to accept of a bishopric; but it being one of the smallest, and he desirous to have had that of Ely, which he could not have, he declined the other: some who wished him very well, thought, as he was unmarried, and had no children, he should rather have chosen a small bishopric, to have enriched and adorned it out of his great fortune, for an establishment of his fame, and for some retribution of gratitude to the public. But his thoughts lay entirely towards raising his family, to which, in three branches of it, he left the whole of his estate. It was very large, and sufficient to satisfy every public and private claim upon his generosity. It was all acquired by himself, from his employments and his own improvements of it, and without any reproach as to the manner of it, that I ever heard of. He was however too rich, or died at least too much so. He continued a tory to the last, but of that sort who were earnest for the succession in the house of Hanover, when that was a very small party. See postea, 488. O. (Ralph, in his Hist. of England, vol. ii. pp. 667, 668, observes, that although the inefficiency of the campaign is ascribed, by Burnet, to the land bank, at the expense of his being guilty of great inconsistency in the above statement, yet the same was in reality not so much owing to the want of specie, or the failure of any particular fund, as to the precaution used on both sides not to expose themselves unnecessarily, when a peace was expected, as also to the negotiation then pending between the courts of France and Savoy. But after all, with Ralph's good leave, the truth perhaps was, that the peace itself, which might have been concluded before on nearly as good terms, through the mediation of the northern courts, was owing to the exhausted finances of the belligerent powers; and if so, their inactivity also might originate, at least in part, from the same cause.)

1696. business of Casal looked so dark, that the lord Galway, who was the king's general and envoy there, did apprehend there was somewhat mysterious under it. One step more remained, to settle the peace there; for the duke of Savoy would not own that he was in any negotiation, till he should have received the advances of money that were promised him from England and Holland; for he was much set on the heaping of treasure, even during the war; to which end he had debased his coin so, that it was not above a sixth part in intrinsic value of what it passed for. He was always beset with his priests, who were perpetually complaining of the progress that heresy was like to make in his dominions; he had indeed granted a very full edict in
177 favour of the Vaudois, restoring their former liberties and privileges to them, which the lord Galway took care to have put in the most emphatical words, and passed with all the formalities of law, to make it as effectual as laws and promises can be: yet every step that was made in that affair went against the grain, and was extorted from him by the intercession of the king and the States, and by the lord Galway's zeal.

In conclusion, the French were grown so weary of that war, and found the charge of it so heavy, that they offered, not only to restore all that had been taken, but to demolish Pignerol, and to pay the duke some millions of crowns; and to complete the whole, that the duke of Burgundy should marry his daughter: to this he consented; but to cover this defection from his allies, it was further agreed, that Catinat should draw his army together, before the duke could bring his to make head against him; and

that he should be ordered to attempt the bombard- 1696.
ment of Turin, that so the duke might seem to be forced, by the extremity of his affairs, to take such conditions as were offered him. He had a mind to have cast the blame on his allies; but they had assisted him more effectually at this time than on other occasions: a truce was first made, and that, after a few months, was turned into an entire peace; one article whereof was, that the Milaneze should have a neutrality granted them, in case the German forces were sent out of Italy; all the Italian princes and states concurred in this, to get rid of the Germans as soon as was possible; so the duke of Savoy promised to join with the French to drive them out. Valence was the first place that the duke of Savoy attacked; there was a good garrison in it, and it was better provided than the places of the Spaniards generally were: it was not much pressed, and the siege held some weeks, many dying in it. At last, the courts of Vienna and Madrid accepted of the neutrality, and engaged to draw the Germans out of these parts, upon an advance of money, which the princes of Italy were glad to pay, to be delivered from such troublesome guests.

Thus ended the war in Piedmont, after it had lasted six years: Pignerol was demolished; but the French, by the treaty, might build another fort at Fenestrella, which is in the middle of the hills: and so it will not be so important as Pignerol was, though it may prove an uneasy neighbour to the duke of Savoy. His daughter was received in France as duchess of Burgundy, though not yet of the age of consent: for she was but ten years old.

Nothing of consequence passed in Catalonia; the 178

1696. French went no further than Gironne, and the Spaniards gave them no disturbance; both the king and queen of Spain were at this time so ill, that, as is usual upon such occasions, it was suspected they were both poisoned: the king of Spain relapsed often, and at last remained in that low state of health, in which he seemed to be always rather dying than living. The court of France were glad of his recovery; for they were not then in a condition to undertake such a war, as the dauphin's pretensions must have engaged them in.

Affairs in Hungary.

In Hungary, the Turks advanced again towards Transilvania, where the duke of Saxony commanded the imperial army: the Turks did attack them, and they defended themselves so well, that, though they were beat, yet it cost the Turks so dear, that the grand signior could undertake nothing afterwards. The imperialists lost about 5000 men; but the Turks lost above twice that number; and the grand signior went back with an empty triumph, as he did the former year: but another action happened, in a very remote place, which may come to be of a very great consequence to him. The Muscovites, after they had been for some years under the divided monarchy of two brothers, or rather of a sister, who governed all in their name, by the death of one of these, came now under one czar: he entered into an alliance with the emperor against the Turks; and Azuph, which was reckoned a strong place, that commanded the mouth of the Tanais or Donn, where it falls into the Meotis-palus, after a long siege, was taken by his army. This opened the Euxine sea to him; so that, if he be furnished with men, skilled in the building and in the sailing of

ships, this may have consequences that may very much distress Constantinople, and be in the end fatal to that empire. The king of Denmark's health was now on a decline; upon which the duke of Holstein was taking advantage, and new disputes were like to arise there. 1696.

Affairs at sea.

Our affairs at sea went well with relation to trade: all our merchant fleets came happily home; we made no considerable losses; on the contrary, we took many of the French privateers; they now gained little in that way of war, which in some of the former years had been very advantageous to them. Upon the breaking out of the conspiracy, orders were sent to Cadiz for bringing home our fleet; the Spaniards murmured at this, though it was reasonable for us to take care of our selves in the first place. Upon that, the French fleet was also ordered to come about; they met with rough weather, and were long in the passage: so that if we 179
had sent a squadron before Brest, we had probably made some considerable advantage; but the fleet was so divided, that faction appeared in every order and in every motion; nor did the king study enough to remedy this, but rather kept it up, and seemed to think that was the way to please both parties[e]; but he found afterwards, that by all his management with the tories, he disgusted those who were affectionate and zealous for him; and that the tories had too deep an alienation from him to be overcome with good usage: their submissions however to him gained their end, which was to provoke the whigs to be peevish and uneasy. Our fleet sailed towards the isle of Rhee, with some bomb vessels: some

[e] See antea, p. 160. O.

1696. small islands were burnt and plundered, as St. Martin's was bombarded: the loss the French made was not considerable in itself, but it put their affairs in great distraction: and the charge they were at in defending their coast was much greater than ours in attacking it. This was the state of affairs in England and abroad, during this summer.

Affairs in Scotland.

Scotland was falling under great misery by reason of two successive bad harvests, which exhausted that nation, and drove away many of their people; the greatest number went over to Ireland: a parliament was held at Edinburgh, and, in a very thin house, every thing that was asked was granted: they were in a miserable condition, for two such bad years lay extremely heavy on them.

A treaty of peace set on foot by the French.

This summer, the French were making steps towards a peace; the court was very uneasy under so long and so destructive a war; the country was exhausted; they had neither men nor money: their trade was sunk to nothing, and public credit was lost: the creation of new offices, which always was considered as a resource never to be exhausted, did not work as formerly; few buyers or undertakers appeared: that king's health was thought declining; he affected secrecy and retirement, so that both the temper of his mind and the state of his affairs disposed him to desire a peace. One Callieres was sent to make propositions to the States, as D'Avaux was pressing the king of Sweden to offer his mediation: the States would hearken to no proposition, till two preliminaries were agreed to; the first was, that all things should be brought back to the state in which they were put by the treaties of Munster and Nimeguen. This imported, not only the restoring

Mons and Charleroy, but likewise Strasburg and Luxembourg, and that in the state which they were in at present; the other preliminary was, that France should own the king, whensoever the peace should be concluded. The emperor, who designed to keep off any negotiation as much as possible, moved that this should be done before the treaty was opened: but the king thought the other was sufficient, and would not suffer the peace to be obstructed by a thing that might seem personal to himself. To all this the court of France, after some delays, consented; but that spirit of chicane and injustice, that had reigned so long in that court, did still appear in every step that was made: for they made use of equivocal terms in every paper that was offered in their name: the States had felt the effects of these in former treaties too sensibly not to be now on their guard against them: the French still returned to them, and when some points seemed to be quite settled, new difficulties were still thrown in. It was proposed by the French, that the popish religion must continue still at Strasburg, that the king of France could not in conscience yield that point: it was also pretended, that Luxembourg was to be restored in the same state in which it was when the French took it: these variations did almost break off the negotiation; but the French would not let it fall, and yielded them up again: so it was visible all this was only an amusement, and an artifice, by this shew of peace, to get the parliament of England to declare for it: since as a trading nation must grow weary of war, so the party they had among us would join in with the inclination that was now become general to promote the peace: for though our affairs were 1696. 180

1696. in all respects, except that of the coin, in so good a condition, that we felt our selves grow richer by the war, yet during each campaign we ran a greater risk than our enemies did: for all our preservation hung on the single thread of the king's life, and on that prospect the party that wrought against the government had great hopes, and acted with much spirit during the war, which we had reason to think must sink with a peace.

A session of parliament in England.

The parliament met in November; and at the opening of the session, the king, in his speech to the two houses, acquainted them with the overtures that were made towards a peace: but added, that the best way to obtain a good one was to be in a posture for carrying on the war[f]. The great difficulty was to find a way to restore credit: there was a great arrear due; all funds had proved deficient; and the total failing of the land bank had brought a great confusion on all payments; the arrears were put upon the funds of the revenue, which had been
181 granted for a term of but five years, and that was now ending; so a new continuance of those revenues was granted; and they were put under the management of the bank of England, which, upon that security, undertook the payment of them all. It was long before all this was fully settled: the bank was not willing to engage in it; yet at last it was agreed:

[f] During all this and the next year, the duke of Shrewsbury lived retired in the country, and could not be brought to town upon any persuasions of his friends, pretending ill health, and spitting of blood. He was always pressing the king, who had a great personal regard for him, to let him resign the seals of his office, but he could not prevail till the year 1699, when the earl of Jersey was appointed to succeed him. The whigs wanted to bring in the lord Wharton, but the king could not endure him. H.

and the bank quickly recovered its credit so entirely, 1696.
that there was no discount upon the notes. The arrear amounted to ten millions: and five millions more were to be raised for the charge of the following year. So that one session was to secure fifteen millions, a sum never before thought possible to be provided for in any one session. There was not specie enough for giving that quick circulation which is necessary for trade; so to remedy that, the treasury was empowered to give out notes, to the value of almost three millions, which were to circulate as a species of money, and to be received in taxes, and were to sink gradually, as the money should arise out of the fund that was created to answer them; by these methods all the demands, both for arrears and for the following year, were answered. The commons sent a bill to the lords, limiting elections to future parliaments, that none should be chosen but those who had such a proportion of estate or money; the lords rejected it: they thought it reasonable to leave the nation to their freedom, in choosing their representatives in parliament: it seemed both unjust and cruel, that if a poor man had so fair a reputation as to be chosen, notwithstanding his poverty, by those who were willing to pay him wages, that he should be branded with an incapacity because of his small estate. Corruption in elections was to be apprehended from the rich rather than from the poor. Another bill was sent up by the commons, but rejected by the lords, prohibiting the importation of all East India silks and Bengales: this was proposed, to encourage the silk manufacture at home; and petitions were brought

1696. for it by great multitudes, in a very tumultuary way; but the lords had no regard to that.

Fenwick's business.

The great business of this session, that held longest in both houses, was a bill relating to sir John Fenwick: the thing was of so particular a nature, that it deserves to be related in a special manner; and the great share that I bore in the debate, when it was in the house of lords, makes it more necessary for me copiously to enlarge upon it: for it may at first view seem very liable to exception, that a man of my profession should enter so far into a debate of that nature [g]. Fenwick, when he was first taken,
182 writ a letter to his lady, setting forth his misfortune, and giving himself for dead, unless powerful applications could be made for him, or that some of the jury could be hired to starve out the rest; and to that he added, *this or nothing can save my life:* this letter was taken from the person to whom he had given it: at his first examination, before the lords justices, he denied every thing, till he was shewed this letter; and then he was confounded. In his private treaty with the duke of Devonshire, he desired an assurance of life, upon his promise to tell all he knew; but the king refused that, and would have it left to himself, to judge of the truth and the importance of the discoveries he should make. So he, resolving to cast himself on the king's

[g] The bishops of Winchester and Durham were both very old, and the king had a personal peek to sir John, that appeared throughout the whole transaction; which, it was generally thought, induced the bishop to shew so much indecent zeal, in a matter so little becoming his profession. To my own knowledge, rewards and punishments were very liberally promised and threatened upon that occasion. D. (See below at pp. 190. 219.)

mercy, sent him a paper, in which, after a bare account of the consultations among the Jacobites, (in which he took care to charge none of his own party,) he said, that king James, and those who were employed by him, had assured them, that both the earls of Shrewsbury and Marlborough, the lord Godolphin, and admiral Russel, were reconciled to him, and were now in his interests, and acting for him. This was a discovery that could signify nothing, but to give the king a jealousy of those persons; for he did not offer the least shadow or circumstance, either of proof or of presumption, to support this accusation. The king, not being satisfied herewith, sent an order for bringing him to a trial, unless he made fuller discoveries: he desired to be further examined by the lords justices, to whom he, being upon oath, told some more particulars; but he took care to name none of his own side, but those against whom evidence was already brought, or who were safe and beyond sea; some few others he named, who were in matters of less consequence, that did not amount to high treason; he owned a thread of negotiations, that had passed between them and king James, or the court of France; he said, the earl of Ailesbury had gone over to France, and had been admitted to a private audience of the French king, where he had proposed the sending over an army of 30,000 men, and had undertaken that a great body of gentlemen and horses should be brought to join them[h]: it appeared by his discoveries, that 1696.

[h] There is too much reason to think, from late discoveries, that the greatest part of sir J. Fenwick's informations were true. My father was told by the duke of Newcastle, that his father, the first lord Pelham, then a lord of the treasury, and a staunch whig, voted against the bill, because he thought it hard

1696. the Jacobites in England were much divided: some were called compounders, and others noncompounders. The first sort desired securities from king James, for the preservation of the religion and liberties of England; whereas the second sort were for trusting him upon discretion, without asking any terms, putting all in his power, and relying entirely on his honour and generosity. These seemed indeed to act more suitably to the great principle upon
183 which they all insisted, that kings have their power from God, and are accountable only to him for the exercise of it. Dr. Lloyd, the deprived bishop of Norwich, was the only eminent clergyman that went into this: and therefore, all that party had, upon Sancroft's death, recommended him to king James, to have his nomination for Canterbury [i].

Many delays.

Fenwick put all this in writing, upon assurance that he should not be forced to witness any part of it. When that was sent to the king, all appearing to be so trifling, and no other proof being offered for any part of it, except his own word, which he had stipulated should not be made use of, his majesty sent an order to bring him to his trial. But as the king was slow in sending this order, so the duke of Devonshire, who had been in the secret management of the matter, was for some time in the country: the lords justices delayed the matter till

to put a man to death, who on compulsion, *i. e.* to save his life, had told disagreeable truths; and the management of party was such, that sir J. Fenwick was prevented from speaking out, lest he should exasperate the great men on both sides, who knew he could tell tales. The consequence was, that he was afraid to affirm his own tale, and lost his life. H.

[i] Dean Prideaux speaks very highly of the worthiness of this bishop. See the life of the dean. O.

he came to town: and then the king's coming was so near, that it was respited till he came over. By these delays, Fenwick gained his main design in them, which was to practise upon the witnesses [k]. 1696.

His lady began with Porter; he was offered, that if he would go beyond sea, he should have a good sum in hand, and an annuity secured to him for his life: he hearkened so far to the proposition, that he drew those who were in treaty with him, together with the lady herself, who carried the sum that he was to receive, to a meeting, where he had provided witnesses, who should overhear all that passed, and should, upon a signal, come in, and seize them with the money; which was done, and a prosecution upon it was ordered. The practice was fully proved, and the persons concerned in it were censured, and punished: so Porter was no more to be dealt with. Goodman was the other witness: first they gathered matter to defame him, in which his wicked course of life furnished them very copiously; but they trusted not to this method, and betook themselves to another, in which they prevailed more effectually; they persuaded him to go out of England: and by this means, when the last orders were given for Fenwick's trial, there were not two witnesses against him; so by the course of law, he must have been acquitted: the whole was upon this kept entire for Practices upon witnesses.

[k] The king before the session had sir J. Fenwick brought to the cabinet council, where he was present himself. But sir John would not explain his paper; the original of it was amongst lord Somers's manuscripts, which were burnt in the fire in Lincoln's Inn, 1752. The papers were transmitted to the king in Flanders, through the duke of Devonshire, lord steward, and that noble person voted against the attainder. The papers are printed in the Journals of the lords and commons. H.

1696. the session of parliament. The king sent to the house of commons the two papers that Fenwick had sent him[1]; Fenwick was brought before the house: but he refused to give any farther account of the matter contained in them; so they rejected them as false and scandalous, made only to create jealousies:
184 and they ordered a bill of attainder to be brought against Fenwick; which met with great opposition in both houses, in every step that was made[m]. The debates were the hottest, and held the longest, of any that ever I knew. The lords took a very extraordinary method to force all their absent members to come up; they sent messengers for them to bring them up, which seemed to be a great breach on their dignity; for the privilege of making a proxy was an undoubted right belonging to their peerage; but those who intended to throw out the bill resolved to have a full house. The bill set forth the artifices Fenwick had used to gain delays; and the

A bill of attainder against Fenwick.

[1] Sir John had little reason to depend upon his majesty's mercy. He had served in Holland in king James's reign; where the prince of Orange reflected very severely upon his courage, which occasioned his making some returns that provoked the prince to say, that if he had been a private person, he must have cut sir John's throat. D. (See also the Life of K. James II. vol. ii. p. 557.)

[m] This affair was well conducted in parliament on the part of the whigs, but neither the man nor the occasion deserved so extraordinary a stretch; and had he been imprisoned for life, or banished, every rational end of government would have been answered with much less clamour. It is probable that the resentment of the whigs against sir J. Fenwick, for levelling his discoveries *almost entirely against their party*, was the true cause of this extraordinary proceeding by bill of attainder. Some of these he named (as *lord Marlborough* and *lord Shrewsbury*) had been tampering with king James during this reign. He named also *admiral Russel* and *lord Godolphin*; of the latter there was no doubt, and of Russel's treachery too strong proofs have since appeared. H.

practice upon Porter, and Goodman's escape; the last having sworn treason against him at Cook's trial, and likewise to the grand jury, who had found the bill against him upon that evidence. So now Porter appearing, and giving his evidence against him, and the evidence that Goodman had given being proved, it was inferred, that he was guilty of high treason, and that therefore he ought to be attainted. 1696.

The substance of the arguments brought against this way of proceeding was, that the law was all men's security, as well as it ought to be their rule: if this was once broke through, no man was safe: men would be presumed guilty without legal proofs, and be run down, and destroyed by a torrent: two witnesses seemed necessary, by an indisputable law of justice, to prove a man guilty: the law of God given to Moses, as well as the law of England, made this necessary: and, besides all former ones, the law lately made for trials in cases of treason was such a sacred one, that it was to be hoped, that even a parliament would not make a breach upon it. A written deposition was no evidence, because the person accused could not have the benefit of cross interrogating the witness, by which much false swearing was often detected: nor could the evidence given in one trial be brought against a man who was not a party in that trial: the evidence that was offered to a grand jury was to be examined all over again at the trial; till that was done, it was not evidence. It did not appear, that Fenwick himself was concerned in the practice upon Porter; what his lady did, could not be charged on him: no evidence was brought that Goodman was practised on; so his withdrawing himself could not be charged on Fen- Reasons against it.

1696. wick. Some very black things were proved against Goodman, which would be strong to set aside his testimony, though he were present; and that proof, which had been brought in Cook's trial, against Porter's evidence, was again made use of, to prove, that as he was the single witness, so he was a doubtful
185 and suspected one: nor was it proper, that a bill of this nature should begin in the house of commons, which could not take examinations upon oath. This was the substance of the arguments that were urged against the bill [n].

1697. Reasons for the bill. On the other hand, it was said, in behalf of the bill, that the nature of government required, that the legislature should be recurred to in extraordinary cases, for which effectual provision could not be made by fixed and standing laws: our common law grew up out of the proceedings of the courts of law: afterwards, this in cases of treason was thought too loose, so the law in this point was limited, first by the famous statute in king Edward the third's time, and then by the statute in king Edward the sixth's time; the two witnesses were to be brought face to face with the person accused: and that the law, lately made, had brought the method of trials

[n] The bishop most ingeniously has left out the chief argument on one side, and stuffed up the other with a vast deal of matter that is nothing to the purpose; there was nobody denied but a bill of attainder might be justifiable in some cases, but the dispute was, whether sir John Fenwick, a man of no fortune, (besides an annuity,) with a very indifferent reputation, and actually in custody, was a subject proper for the legislature to exert its utmost authority upon, which ought never to be exercised but when there is eminent danger to the public; which could not be pretended in this case. But the protest signed by two and fifty lords had sufficiently answered the bishop's elaborate harangue. D. (See it at p. 193.)

to a yet further certainty; yet in that, as well as in the statute of Edward III. parliamentary proceedings were still excepted [o]; and indeed, though no such provision had been expressly made in the acts themselves, the nature of government puts always an exception in favour of the legislative authority. The legislature was indeed bound to observe justice and equity, as much, if not more, than the inferior courts; because the supreme court ought to set an example to all others: but they might see cause to pass over forms, as occasion should require; this was the more reasonable among us, because there was no nation in the world besides England, that had not recourse to torture, when the evidence was probable, but defective: that was a mighty restraint, and struck a terror into all people; and the freest governments, both ancient and modern, thought they could not subsist without it. At present, the Venetians have their civil inquisitors, and the Grisons have their high courts of justice, which act without the forms of law, by the absolute trust that is reposed in them, such as the Romans reposed in dictators, in the time of their liberty. England had neither torture, nor any unlimited magistrate in its constitution; and therefore, upon great emergencies, recourse must be had to the supreme legislature. Forms are necessary in subordinate courts; but there is no reason to tie up the supreme one by them: this method of attainder had been practised among us at all times; it is true, what was done in this way at one time was often reversed at another; but that was the effect of the violence of the times; 1697.

[o] See my printed copy of the trials of the earl of Kilmarnock, &c. O.

1697. and was occasioned often, by the injustice of those attainders: the judgments of the inferior courts
186 were upon the like account often reversed; but when parliamentary attainders went upon good grounds, though without observing the forms of law, they were never blamed, not to say condemned. When poisoning was first practised in England, and put in a pot of porridge in the bishop of Rochester's house, this, which was only felony, was by a special law made to be high treason: and a new punishment was appointed by act of parliament: the poisoner was boiled alive. When the nun of Kent pretended to visions, to oppose king Henry the eighth's divorce, and his second marriage; and said, if he married again, he should not live long after it, but should die a villain's death; this was judged in parliament to be high treason; and she and her accomplices suffered accordingly. After that, there passed many attainders in that reign, only upon depositions, that were read in both houses of parliament: it is true, these were much blamed, and there was great cause for it; there were too many of them; for this extreme way of proceeding is to be put in practice but seldom, and upon great occasions; whereas, many of these went upon slight grounds, such as the uttering some passionate and indecent words, or the using some embroidery in garments and coats of arms, with an ill intent. But that, which was indeed execrable, was, that persons in prison were attainted, without being heard in their own defence; this was so contrary to natural justice, that it could not be enough condemned. In king Edward the sixth's time, the Lord Seimour was attainted in the same manner, only with this diffe-

rence, that the witnesses were brought to the bar, 1697.
and there examined; whereas, formerly, they proceeded upon some depositions that were read to them: at the duke of Somerset's trial, which was both for high treason and for felony, in which he was acquitted of the former, but found guilty of the latter, depositions were only read against him; but the witnesses were not brought face to face, as he pressed they might be: upon which it was, that the following parliament enacted, that the accusers (that is the witnesses) should be examined face to face, if they were alive: in queen Elizabeth's time, the parliament went out of the method of law, in all the steps of their proceedings against the queen of Scots; it is true, there were no parliamentary attainders in England, during that long and glorious reign, upon which those who opposed the bill insisted much; yet that was only, because there then was no occasion here in England for any such bill: but in Ireland, where some things were notoriously true, which yet could not be legally proved, that government was forced to have, on many different 187
occasions, recourse to this method. In king James the first's time, those who were concerned in the gunpowder plot, and chose to be killed rather than taken, were by act of parliament attainted after their death; which the courts of law could not do, since by our law a man's crimes die with himself; for this reason, because he cannot make his own defence, nor can his children do it for him. The famous attainder of the earl of Strafford, in king Charles the first's time, has been much and justly censured; not so much, because it passed by bill, as because of the injustice of it: he was accused, for

1697. having said, upon the house of commons refusing to grant the subsidies the king had asked, *That the king was absolved from all the rules of government, and might make use of force to subdue this kingdom.* These words were proved only by one witness, all the rest of the council, who were present, deposing, that they remembered no such words, and were positive, that the debate ran only upon the war with Scotland; so that though *this kingdom*, singly taken, must be meant of England, yet it might well be meant of *that kingdom*, which was the subject then of the debate; since then the words were capable of that favourable sense, and that both he who spoke them and they who heard them affirmed that they were meant and understood in that sense [p], it was a most pernicious precedent, first to take them in the most odious sense possible, and then to destroy him who said them, upon the testimony of one single exceptionable witness; whereas, if, upon the commons refusing to grant the king's demand, he had plainly advised the king to subdue his people by force, it is hard to tell what the parliament might not justly have done, or would not do again in the like case. In king Charles the second's time, some of the most eminent of the regicides were attainted after they were dead; and in king James's time, the duke of Monmouth was attainted by bill: these last attainders had their first beginning in the house of commons. Thus it appeared, that these last two hundred years, not to

[p] In his speech at his death, he does not deny the charge, although it was very incumbent upon him to have done it, if it had been false. O. (The earl in his speech enters on no particulars.)

mention much ancienter precedents, the nation had upon extraordinary occasions proceeded in this parliamentary way by bill. There were already many precedents of this method; and whereas it was said, that an ill parliament might carry these too far; it is certain, the nation, and every person in it, must be safe, when they are in their own hands, or in those of a representative chosen by themselves: as on the other hand, if that be ill chosen, there is no help for it; the nation must perish, for it is by their own fault; they have already too many precedents for this way of proceeding, if they intend to make an ill use of them: but a precedent is only a ground or warrant for the like proceeding upon the like occasion[q]. 1697. 188

Two rules were laid down for all bills of this nature: first, that the matter be of a very extraordinary nature: lesser crimes had better be passed over than punished by the legislature. Of all the crimes that can be contrived against the nation, certainly the most heinous one is, that of bringing in a foreign force to conquer us: this ruins both us and our posterity for ever: distractions at home, how fatal soever, even though they should end ever so tragically, as ours once did in the murder of the king, and in a military usurpation, yet were capable of a crisis and a cure. In the year 1660, we came again to our wits, and all was set right again; whereas there is no prospect, after a foreign conquest, but of slavery and misery: and how black

The grounds upon which such a bill was necessary and just.

[q] I never could understand, why a precedent, unless in ceremonial matters, should ever be thought a warrant for the like proceedings. If the thing in itself be right, it ought to be done, though it were never done before: if it be wrong, its having been done a thousand times can never justify its being done any more. D.

1697. soever the assassinating the king must needs appear, yet a foreign conquest was worse, it was assassinating the kingdom: and therefore the inviting and contriving that, must be the blackest of crimes. But, as the importance of the matter ought to be equal to such an unusual way of proceeding, so the certainty of the facts ought to be such, that if the defects in legal proof are to be supplied, yet this ought to be done upon such grounds, as make the fact charged appear so evidently true, that though a court of law could not proceed upon it, yet no man could raise in himself a doubt concerning it. Anciently, treason was judged, as felony still is, upon such presumptions as satisfied the jury: the law has now limited this to two witnesses brought face to face; but the parliament may still take that liberty which is denied to inferior courts, of judging this matter as an ordinary jury does in a case of felony. In the present case, there was one witness, *viva voce*, upon whose testimony several persons had been condemned, and had suffered; and these neither at their trial nor at their death disproved or denied any circumstance of his depositions. If he had been too much a libertine in the course of his life, that did not destroy his credit as a witness: in the first trial, this might have made him a doubtful witness; but what had happened since, had destroyed the possibility even of suspecting his evidence; a party had been in interest concerned to inquire into his whole life, and in the present case had full time for it; and every circumstance of his deposition had been examined; and yet nothing was discovered that could so much as create a doubt; all was still untouched, sound and true. The only

circumstance in which the dying speeches of those who suffered on his evidence seemed to contradict him, was concerning king James's commission: yet none of them denied really what Porter had deposed, which was, that Charnock told him, that there was a commission come from king James, for attacking the prince of Orange's guards: they only denied, that there was a commission for assassinating him. Sir John Friend and sir William Perkins were condemned, for the consultation now given in evidence against Fenwick: they died, not denying it; on the contrary, they justified all they had done: it could not be supposed, that, if there had been a tittle in the evidence that was false, they should both have been so far wanting to themselves and to their friends, who were to be tried upon the same evidence, as not to have declared it in the solemnest manner: these things were more undeniably certain than the evidence of ten witnesses could possibly be. Witnesses might conspire to swear a falsehood; but in this case, the circumstances took away the possibility of a doubt. And therefore, the parliament, without taking any notice of Goodman's evidence, might well judge Fenwick guilty, for no man could doubt of it in his own mind. 1697. 189

The ancient Romans were very jealous of their liberty; but how exact soever they might be in ordinary cases, yet when any of their citizens seemed to have a design of making himself king, they either created a dictator to suppress or destroy him, or else the people proceeded against him in a summary way. By the Portian law, no citizen could be put to death for any crime whatsoever; yet such regard did the Romans pay to justice, even above

1697. law, that, when the Campanian legion had perfidiously broke in upon Rhegium, and pillaged it, they put them all to death for it. In the famous case of Catiline's conspiracy, as the evidence was clear, and the danger extreme; the accomplices in it were executed, notwithstanding the Portian law: and this was done by the order of the senate, without either hearing them make their own defence, or admitting them to claim the right which the Valerian law gave them, of an appeal to the people. Yet that whole proceeding was chiefly directed by the two greatest assertors of public liberty that ever lived, Cato and Cicero; and Cæsar, who opposed it on pretence of its being against the Portian law, was for that reason suspected of being in the conspiracy; it appeared afterwards, how little regard he had, either to law or liberty, though, upon this occasion, he made use of the one to protect those who were
190 in a plot against the other. This expression was much resented by those who were against this bill, as carrying a bitter reflection upon them, for opposing it.

The bill passed.

In conclusion, the bill passed, by a small majority of only seven in the house of lords[r]; the royal as-

[r] Several of the principal ministers of state were against the bill, and some of the whig bishops. Trevor, the attorney general, had divided against it in the house of commons. But he had been leaving his party for some time before, as he told me himself. He was the only man almost that I ever knew who changed his party as he had done, (for he returned to the whigs at the latter end of his life,) that preserved so general an esteem with all parties as he did. When he came back to the whigs, he was made privy seal, and afterwards president of the council, and had much joy in both. He liked being at court, and was much there after he had these offices, but was very awkward in it, as you may well imagine, by having been the most reserved, grave, and austere judge I ever saw in

sent was soon given to it; Fenwick then made all possible applications to the king for a reprieve; and as a main ground for that, and as an article of merit, related how he had saved the king's life, two years before, as was already told in the beginning of the year 1695. But as this fact could not be proved, so it could confer no obligation on the king, since he had given him no warning of his danger; and, according to his own story, had trusted the conspirators' words very easily, when they promised to pursue their design no farther, which he had no reason to do[s]. So that this pretension was not much considered; but he was pressed to make a full discovery[t]; and for some days he seemed to be in 1697.

Westminster Hall. He was a very able and upright judge; but Holt affected to disparage his law. After I was speaker, and of the council, I had frequent conversations with him; and he was then very communicative. O.

[s] (There is the following paragraph in sir John's speech on the scaffold: "I might have "expected mercy from that "prince (prince of Orange,) "because I was instrumental "in saving his life; for when "about April 95, an attempt "formed against him came to "my knowledge, I did, partly "by dissuasions, and partly by "delays, prevent; which, I "suppose, was the reason that "the last villainous project was "concealed from me.")

[t] Vernon, afterwards secretary of state, says, in a letter to the duke of Shrewsbury, which I have seen, that the king was a great while very averse to the bringing of this matter before the parliament. This letter is in a large collection of letters from Mr. Vernon to that duke, now in the hands of the earl of Cardigan. (These letters have been printed.) O. He said he had discovered too much already, for having endeavoured to create jealousies between the king and some of his best subjects, was part of his charge in the preamble to the bill, and he did not know how far any thing he could say might be taken in that sense, therefore hoped their lordships would not press him to proceed in what had turned so much to his prejudice. But had that, which the bishop thinks scarce deserves to be mentioned, broke out before the bill passed, as it did immediately after, it would certainly have prevented its passing; it being visible to every body, that sir John had been intrigued and tricked out of his life. But

1697. some suspense what course to take. He desired to be secured, that nothing which he confessed should turn to his own prejudice; the house of lords sent an address to the king, entreating, that they might be at liberty to make him this promise; and that was readily granted. He then farther desired, that, upon his making a full confession, he might be assured of a pardon, without being obliged to become a witness against any other person: to this the lords answered, that he had to do with men of honour, and that he must trust to their discretion; that they would mediate for him with the king, in proportion as they should find his discoveries sincere and important: his behaviour to the king hitherto had not been such as to induce the lords to trust to his candour, it was much more reasonable that he should trust to them. Upon this, all hopes of any discoveries from him were laid aside. But a matter of another nature broke out, which, but for its singular circumstances, scarce deserves to be mentioned.

Practices against the duke of Shrewsbury.

There was one Smith, a nephew of sir William Perkins, who had for some time been in treaty at the duke of Shrewsbury's office, pretending that he could make great discoveries, and that he knew all the motions and designs of the Jacobites: he sent many dark and ambiguous letters to that duke's under secretary [u], which were more properly to be

the earl of Carlisle timed it so ill, that it could be of no service to him. D.

[u] Vernon. O. (Vernon, in a letter to the duke of Shrewsbury, says, "that the "bill of attainder was carried "only by a majority of seven, "and that one would wonder it "passed at all, when one con- "siders who they were that "voted against it, particularly "all the lords justices who had "voices, except the archbishop "of Canterbury, (Tenison,) "who spoke for the bill to ad- "miration." *Coxe's Shrewsbury Correspondence*, III. 3. p. 452.

called amusements than discoveries; for he only gave hints and scraps of stories; but he had got a promise not to be made a witness, and yet he never offered any other witness, nor told where any of those he informed against were lodged, or how they might be taken. He was always asking more money, and bragging what he could do if he were well supplied, and he seemed to think he never had enough. Indeed, before the conspiracy broke out, he had given such hints, that when it was discovered, it appeared, he must have known much more of it than he thought fit to tell[x]. One letter he wrote, two days before it was intended to have been put in execution, shewed, he must have been let into the secret very far, (if this was not an artifice to lay the court more asleep,) for he said, that as things ripened and came near execution, he should certainly know them better: it was not improbable, that he himself was one of the five, whom Perkins undertook to furnish, for assisting in the assassination; and that he hoped to have saved himself by this pretended discovery, in case the plot miscarried. The duke of Shrewsbury acquainted the king with his discoveries, but nothing could then be made either of them or of him. When the whole plot was unravelled, it then was manifest from his letters, that he must have known more of it than he would own: but he still claimed the promise before made him, that he should not be a witness. Upon the whole, therefore, he rather deserved a severe punishment, than any of those rewards which he pretended to. He was accordingly dismissed by the duke of Shrews- 1697. 191

[x] It was so said: but Mr. Vernon was of another opinion, as he says in one of the letters before mentioned. O.

1697. bury, who thought that even this suspicious behaviour of his did not release him from keeping the promises he had made him. Smith, thereupon, went to the earl of *** [y], and possessed him with bad impressions of the duke of Shrewsbury, and found him much inclined to entertain them: he told him, that he had made great discoveries, of which that duke would take no notice; and because the duke's ill health had obliged him to go into the country two days before the assassination was intended [z], he put this construction upon it, that he was willing to be out of the way, when the king was to be murdered. To fix this imputation, he shewed him the copies of all his letters, all of which, but the last more especially, had the face of a great discovery. The lord *** [y] carried this to court, and it made such an impression there, that the earl of Portland sent Smith money, and entertained him as a spy, but never could by his means learn any one real piece of intelligence. When this happened, the king was just going beyond sea; so Smith's letters were taken, and sealed up by the king's order, and left in the hands of sir William Trumball, who was the other secretary of state. This matter lay quiet till Fenwick began to make discoveries; and when lord *** understood that he had not named himself, (about which he expressed too vehement a concern,) but
192 that he had named lord Shrewsbury, it was said, that he entered into a negotiation with the duchess

[y] Monmouth, afterwards earl of Peterborough. O.

[z] Mr. Vernon fully clears the duke with regard to his going out of town two days before the assassination was to have been, and after he had received this letter. But it was unfortunate that he did so. O.

of Norfolk [b], that she should, by Fenwick's lady, encourage him to persist in his discoveries: and that he dictated some papers to the duchess, that should be offered to him, as an additional one; in which many little stories were related, which had been told the king, and might be believed by him; and by these, the king might have been disposed to believe the rest of Fenwick's paper: and the whole ended in some discoveries concerning Smith, which would naturally occasion his letters to be called for, and then they would probably have had great effect. The duchess of Norfolk declared, that he had dictated all these schemes of his to her, who copied them, and handed them to Fenwick; and that he had left one paper with her; it was short, but contained an abstract of the whole design, and referred to a larger one, which he had only dictated to her. The duchess said, she had placed a gentlewoman, who carried her messages to Fenwick's lady, to overhear all that passed; so that she both had another witness, to support the truth of what she related, and a paper left by him with her. She said, that Fenwick would not be guided by him; and said, he would not meddle with contrived discoveries: that thereupon this lord was highly provoked: he said, if Fenwick would follow his advice, he would certainly save him; but if he would not, he would get the bill to pass. And, indeed, when that matter was depending, he spoke two full hours in the house of lords, in favour of the bill, with a peculiar vehemence. Fenwick's lady, being much provoked at this, got her nephew, the earl of Carlisle, to move the lords, that Fenwick might be examined, concerning 1697.

[b] She was niece to the earl of Monmouth. O.

1697. any advices that had been sent him with relation to his discoveries: and upon this, Fenwick told what his lady had brought him, and thereupon the duchess of Norfolk and her confident were likewise interrogated, and gave the account which I have here related: in conclusion, Smith's letters were read, and he himself was examined. This held the lords several days; for the earl of Portland, by the king's orders, produced all Smith's papers: by them it appeared, that he was a very insignificant spy, who was always insisting in his old strain of asking money, and taking no care to deserve it. The earl of *** was [c], upon the accusation and evidence above mentioned, sent to the tower [d], and turned out of all his employments. But the court had no mind to have the matter farther examined into; for the king spoke to my self to do all I could to soften his censure, which
193 he afterwards acknowledged I had done. I did not know what new scheme of confusion might have been opened by him in his own excuse. The house of lords was much set against him, and seemed resolved to go great lengths. To allay that heat, I put them in mind, that he set the revolution first on foot, and was a great promoter of it, coming twice over to Holland to that end: I then moved, that he should be sent to the tower: this was agreed to, and he lay there till the end of the session, and was removed from all his places: but that loss, as was believed, was secretly made up to him, for the court was resolved not to lose him quite [e].

[c] Monmouth, afterwards Peterborough, who well deserved this censure, and was a thorough bad man. H.

[d] In this resolution of the lords, mention is made of his having spoken undutiful words of the king. It was done in his discourse upon this matter with the duchess of Norfolk. O.

[e] Very bad this in all parts of it. He deserved almost any

Fenwick, seeing no hope was left, prepared himself to die[f]: he desired the assistance of one of the deprived bishops, which was not easily granted; but in that, and in several other matters, I did him such service, that he wrote me a letter of thanks upon it. He was beheaded on Tower-hill, and died very composed, in a much better temper than was to be expected; for his life had been very irregular. At the place of his execution, he delivered a paper in writing, wherein he did not deny the facts that had 1697. Fenwick's execution.

punishment. I wonder any man of honour could keep him company after such an attempt. He was of the worst principles of any man of that or perhaps any age. Yet from some glittering in his character, he had some admirers. He was Pope's hero. O. (See the bishop's account of Smith's disclosures, and of the earl of Monmouth's transactions with him and sir John Fenwick, examined by Ralph, in his Hist. vol. ii. p. 709—714. Little additional light is thrown on this business in the Shrewsbury Correspondence, lately published by Mr. Coxe. See p. 3. c. 2. 3. p. 431—468.)

[f] And petitioned the house of lords to intercede with the king for a reprieve for two days, which the house came readily into, (notwithstanding a strange confused story the archbishop of Canterbury told of a paper found upon Kensington road, though he could neither tell where it was, nor what was in it,) and ordered the bishops of London and Salisbury to wait upon the king with their address; which the last positively refused, and said, their lordships might send him to the tower, but they had no right to send him to Kensington. I never saw so universal an indignation as this raised in the house. The earl of Rochester said, he thought the bishop had moved very well, therefore he seconded him that he should be sent immediately to the tower, for refusing to obey the orders of the house; but the earl of Scarborow, who was the lord of the bedchamber in waiting, said, he hoped they would not insist upon doing a hardship to the only man in the house that would think it one: therefore desired he might have the honour to attend the bishop of London with an address, that he was sure would be very graciously received: which was agreed to, though with the utmost contempt for the reverend prelate. If he received a letter of thanks afterwards, it is a great proof that sir John died a much better Christian than he had lived. D. King James's Memoirs confirm the facts mentioned by Fenwick, and add many more of a similar kind. H.

1697. been sworn against him [g], but complained of the injustice of the procedure, and left his thanks to those who had voted against the bill. He owned his loyalty to king James, and to the prince of Wales after him; but mentioned the design of assassinating king William in terms full of horror. The paper was supposed to have been drawn by bishop White [h], and the Jacobites were much provoked with the paragraph last mentioned [i]. This was the conclusion of that unacceptable affair, in which I had a much

[g] (As a direct contradiction to the truth of this assertion, Ralph, in his Hist. of England, vol. ii. p. 715, produces the following parts of sir John Fenwick's last speech: "As for "what I am now to die, I call "God to witness, I went not "to that meeting in Leaden-"hall-street with any such in-"tention as to invite king "James *by force* to invade this "nation; nor was I myself pro-"vided with either horse or "arms, or engaged for any "number of men, or gave par-"ticular consent for any such "invasion, as is most falsely "sworn against me. . . . . I do "also declare in the presence "of God, that I knew nothing "of king James's coming to "Calais, nor of any invasion "intended from thence, till it "was publicly known. And "the only notion I had that "something might be attempt-"ed, was from the Toulon fleet "coming to Brest." He begs also God to pardon those who with great zeal have sought his life, and brought the guilt of his innocent blood upon this nation, no treason being proved upon him. In a note inserted in the 8vo edition of bishop Burnet's History, it is replied, that "whether sir John Fen-"wick went to the above-men-"tioned meeting with an in-"tention to invite king James "or not, or to invite him to "invade this nation by force, "or only by a few from abroad, "who might trust to a greater "strength at home, yet here is "no denial that he was at the "meeting where it was agreed "to invite king James to invade "this nation." It is added, that his words imply, "that he "did give a general consent to "an invasion by force.")

[h] The deprived bishop of Peterborough. O.

[i] (It is to be hoped, not all, if any of them. From Porter's information given in sir Richard Blackmore's History of this Conspiracy, p. 85, it appears, that Bevill Higgons, so often cited in the preceding notes, and his elder brother, Mr. Thomas Higgons, who were both deeply engaged in king James's interests, refused to be concerned in any attempt upon king William's person.)

larger share than might seem to become a man of my profession [k]. But the house of Lords, by severe votes, obliged all the peers to be present, and to give their votes in the matter. Since I was therefore convinced, that he was guilty of the crime laid to his charge, and that such a method of proceeding was not only lawful, but in some cases necessary; and since, by the search I made into attainders and parliamentary proceedings, when I wrote the History of the Reformation, I had seen further into those matters, than otherwise I should ever have done; I thought it was incumbent on me, when my opinion determined me to the severer side, to offer what reasons occurred to me, in justification of my vote. But this did not exempt me from falling under a great load of censure upon this occasion [l]. 1697.

[k] Archbishop Tenison engaged also very largely in the debate for the bill. O. Dukes of Somerset, Devonshire, Leeds, voted against the bill. H.

[l] The bishop having thought it necessary, (and indeed there was occasion enough for it,) in justification of his scandalous behaviour in sir John Fenwick's trial, to expatiate upon that subject with more words than truth, I have inserted the protest entered in the books of the house of lords; by which the falsehood of most of his assertions will appear under the hands of those that could not be contradicted, (for whenever the facts are disputed, the protest is always expunged in that house,) and it is there to be found at this day in form following. &c. &c. D. (Ralph, in his Hist. of England, vol. ii. p. 709, after remarking, that out of one hundred and twenty-nine lords spiritual and temporal, a majority only of seven could be obtained for the bill, has inserted the protest against it of forty-one peers, of whom eight were bishops.

"We whose names are underwritten, do dissent for the "reasons following:

"Because bills of attainder "against persons in prison, and "who are therefore liable to be "tried by law, are of dangerous "consequence to the lives of "the subjects; and, as we con-"ceive, may tend to the sub-"version of the laws of this "kingdom.

"Because the evidence of "grand-jurymen, of what was "sworn against sir John Fen-"wick, as also the evidence "of petty-jurymen, of what

1697. " was sworn at the trial of other " men, were admitted here, both " which are against the rules of " law; besides that they dis- " agreed in their testimony.

" Because the information of " Goodman, in writing, was re- " ceived, which is not by law " to be admitted; and the pri- " soner, for want of his appear- " ing face to face, as is required " by law, could not have the " advantage of cross examining " him.

" And it did not appear by " any evidence, that sir John " Fenwick, or any other person " employed by him, had any " way persuaded Goodman to " withdraw himself, and it " would be of very dangerous " consequence, that any person " so accused, should be con- " demned: for by this means " a witness, who should be " found insufficient to convict " a man, shall have more power " to hurt him by his absence, " than he could have had, if he " were produced *viva voce* a- " gainst him.

" And if Goodman had ap- " peared against him, yet he " was so infamous in the whole " course of his life, and parti- " cularly for the most horrid " blasphemy which was proved " against him, that no evidence " from him could or ought to " have any credit, especially in " the case of blood.

" So that in this case there " was but one witness, *viz.* Por- " ter; and he, as we conceive, " a very doubtful one.

" Lastly, because sir John " Fenwick is so inconsiderable " a man, as to the endangering " the peace of the government, " that there needs no necessity " of proceeding against him in " this extraordinary manner.

" Huntingdon, Thanet, N. " Dunelm, R. Bath and Wells, " Craven, Carlisle, Nottingham, " H. London, Gil. Hereford, " Willoughby, Kent, R. Fer- " rers, Granville, Fitzwalter, " Halifax, Lindsey, P. Winton, " Arundell, Lempster, Here- " ford, Carnarvon, Jonat. Ex- " on. Jeffreys, Northumberland, " Abingdon, Hunsdon, Chan- " dos, Scarsdale, Normanby, " Weymouth, Tho. Menev. " Dartmouth, Sussex, North- " ampton, Bathe, Tho. Roffen. " Bristol, Leeds, Rochester, " Leigh, Willoughby de Broke."

Seven at least of the eight bishops who signed this protest, were of the tory party; Mr. Onslow remarks, at p. 190, that some of the whig bishops were against the bill. But who were they? Lord Dartmouth, in his copy of Burnet's History, subjoins the names of fifty-two lords to the above protest, instead of forty-one; but eleven of the number, to whom might have been added Herbert earl of Torrington, are recorded in the Journals as dissentient only, whilst forty-one appear as protesters. His lordship adds, that the dukes of Somerset, Ormond, and Devonshire, and the earls of Pembroke and Dorset, voted against the bill, but did not sign the protest. The state of the case appears to be this. Eight peers, besides the twelve dissentients and forty-one protesters, voted on the same side of the question; five of them are here mentioned by lord Dartmouth. They make toge-

As soon as the business of the session of parliament was at an end, the king went beyond sea; the summer passed over very quietly in England, for the Jacobites were now humble and silent. The French were resolved to have peace at any rate, by the end of the year; they therefore studied to push matters as far as possible, during this campaign, that they might obtain the better terms, and that their king might still, to outward appearance, maintain a superiority in the field, as if nothing could stand before him, and from thence might indulge his vanity in boasting, that, notwithstanding all his successes, he was willing to sacrifice his own advantages to the quiet of Europe. The campaign was opened with the siege of Aeth; the place was ill furnished, and the bad state both of our coin and credit, set the king's preparations so far back, that he could not come in time to relieve it[m]. From thence the French were advancing towards Brussels, on design either

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ther sixty-one, opposed to sixty-eight consentients, a majority only of seven in favour of the bill, the whole number of voters being one hundred and twenty-nine. Chandler, in his Debates of the House of Lords, says, "that the bill "received long and violent de- "bates, the house appearing to "be equally divided in their "opinions, and even some of "the best friends to the present "government remained stiff "against the extraordinary pro- "ceeding: but a court prelate," (either Burnet, or Tenison archbishop of Canterbury,) "not "without occasioning a severe "reflection on his character, "having made a long speech "to shew the necessity of pass- "ing this bill, he drew the cast- "ing votes on his side; and so "the bill was carried by a ma- "jority of seven voices only, "there being sixty-eight for it, "and sixty-one against it.")

[m] ("The joint army of the "confederates having continued "long enough at Iseringhe to "be convinced, that nothing "feasible could be done for "the relief of the place, (Aeth,) "on the 31st of May broke "up and separated; king Wil- "liam directing his course to "Braine-le-Chateau, and the "elector of Bavaria returning "to his former post at Deinse." *Ralph's Hist. of England,* vol. i. p. 734.)

1697. to take or bombard it. But the king, by a very happy diligence preventing them, possessed himself of an advantageous camp, about three hours before the French could reach it; by which they were wholly incapacitated to execute their design. After this there was no more action in Flanders all the summer; the rest of the time was spent in negotiation.

Barcelona taken by the French.

The French were more successful in Catalonia: they sent an army against Barcelona, commanded by the duke of Vendome, and their fleet came to his assistance: the garrison was under the command of a prince of Hesse, who had served in the king's army, and, upon changing his religion, was now at the head of the German troops that were sent into Spain. The viceroy (whether by a fate common to all the Spaniards, or from a jealousy that the whole honour would accrue to a stranger, if the place should hold out) so entirely neglected to do his part, that he was surprised, and his small army was routed. The town was large and ill fortified, yet it held out two months after the trenches were opened: so that time was given to the Spaniards, sufficient to have brought relief from the furthest corner of Spain. Nothing had happened, during the whole course of the war, that did more evidently demonstrate the feebleness into which that monarchy was fallen; for no relief was sent to Barcelona, so that they were forced to capitulate. By this the French gained a great point; hitherto the Spaniards, who contributed the least towards carrying on the war, were the most backward to all overtures of peace: they had felt little of the miseries of war, and thought themselves out of its reach: but now, France being

master of so important a place, which cut off all their communication with Italy; they became as earnest for peace, as they had hitherto been averse from it. 1697. 195

Nor was this all their danger: a squadron had been sent, at the same time, to seize on the plate fleet in the West Indies: the king ordered a squadron, which he had lying at Cadiz, to sail after them, and assist the Spaniards. The French, finding that the galleons were already got to the Havana, where they could not attack them, sailed to Carthagena, which was in no condition to resist them. The plate had all been sent away before they came thither; but they landed and pillaged the place, and then gave it out that they had found many millions there, which at first seemed incredible, and was afterwards known to be false: yet it was confidently asserted at that time, to cover the reproach of having miscarried in the attempt, on which they had raised great expectations, and to which many undertakers had been drawn in. Our squadron was much superior to theirs, yet never engaged them: once indeed they came up to the French, and had some advantage over them; but did not pursue it. The French sailed to the north, towards Newfoundland, where we had another squadron lying, which was sent with some land forces to recover Hudson's bay: these ships might have fallen upon the French, and would probably have mastered them: but as they had no certain account of their strength, so being sent out upon another service, they did not think it proper to hazard the attacking them: so the French got safe home, and the conduct of our affairs at sea was much censured: yet our admiralty declared

A French squadron in the West Indies.

1697. themselves satisfied with the account the commanders gave of their proceedings. But that board was accused of much partiality: on all such occasions, the unfortunate must expect to be blamed, and, to outward appearance, there was much room given, either to censure the orders, or the execution of them. The king owned he did not understand those matters: and Russel, now made earl of Orford, had both the admiralty and the navy board in a great dependance on himself; so that he was considered almost as much as if he had been lord high admiral. He was too much in the power of those in whom he confided, and trusted them too far: and it was generally believed, that there was much corruption, as it was certain there was much faction, if not treachery, in the conduct of our marine. Our miscarriages made all people cry, that we must have a peace, for we could not manage the war to any good purpose; since, notwithstanding our great superiority at sea, the French conducted their matters so much
196 better than us, that we were losers, even in that element where we used to triumph most. Our squadron, in the bay of Mexico, did very little service; they only robbed and destroyed some of the French colonies; and that sent to Hudson's bay found it quite abandoned by the French; so that both returned home inglorious.

The king of Poland's death. A great change of affairs happened this year in Poland: their king, John Sobieski, after he had long outlived the fame he had got by raising the siege of Vienna, died at last under a general contempt. He was going backwards and forwards, as his queen's negotiations in the court of France were entertained or rejected: his government was so feeble and dis-

jointed at home, that all their diets broke up upon preliminaries, before they could, according to their forms, enter upon business: he was set on heaping up wealth, which seemed necessary to give his son an interest in the succeeding election. And upon his death, a great party appeared for him, notwithstanding the general aversion to the mother: but the Polish nobility resolved to make no haste with their election; they plainly set the crown to sale, and encouraged all candidates that would bid for it: one party declared for the prince of Conti, of which their primate, then a cardinal, was the head: the emperor did all he could to support the late king's son; but when he saw the French party were too strong for him, he was willing to join with any other pretender. 1697.

The elector of Saxony chosen king of Poland.

The duke of Lorrain, the prince of Baden, and don Livio Odeschalchi, pope Innocent's nephew, were all named; but these not being likely to succeed, a negotiation was secretly managed with the elector of Saxony, which succeeded so well, that he was prevailed on to change his religion, to advance his troops towards the frontier of Poland, to distribute eight millions of florins among the Poles, and to promise to confirm all their privileges, and in particular, to undertake the siege of Caminieck. He consented to all this, and declared himself a candidate, a very few days before the election; and so he was set up by the imperialists, in opposition to the French party: his party became quickly so strong, that though, upon the first appearance at the election, while every one of the competitors was trying his strength, the French party was the strongest, and was so declared by the cardinal; yet when the

1697. other pretenders saw that they could not carry the election for themselves, they united in opposition to the French interest, and gave over all their voices to the elector of Saxony, by which his party became
197 much the strongest, so he was proclaimed the elected king. The cardinal gave notice to the court of France, of what had been done in favour of the prince of Conti; and desired that he might be sent quickly thither, well furnished with arms and ammunition, but chiefly with money. But the party for Saxony made more despatch; that elector lay nearer, and had both his money and troops ready; so he took the oaths that were required, and got the change of his religion to be attested by the imperial court: he made all the haste he could with his army to Cracow, and he was soon after crowned, to the great joy of the imperial party, but the unexpressible trouble of all his subjects in Saxony.

The secular men there saw, that the supporting this elective crown, would ruin his hereditary dominions: and those, who laid the concerns of the protestant religion to heart, were much more troubled, when they saw that house, under whose protection their religion grew up at first, now fall off to popery. It is true, the present family, ever since Maurice's time, had shewed very little zeal in that cause: the elected king had so small a share of religion in himself, that little was to be expected from him: nor was it much apprehended that he would become a bigot, or turn a persecutor: but such was the eagerness of the popish clergy toward the suppressing what they call heresy, and the perpetual jealousies, with which therefore they would possess the Poles, were like to be such, in case he used no violence to-

wards his Saxon subjects, as possibly might have great effects on him; so that it is no wonder, if they were struck with a general consternation upon his revolt. His electoress, though a very young person, descended of the house of Brandenbourg, expressed so extraordinary a measure of zeal and piety upon this occasion, that it contributed much to the present quieting of their fears. The new king sent a popish statholder to Dresden, but so weak a man, that there was no reason to apprehend much from any conduct of his. He also sent them all the assurances that could be given in words, that he would make no change among them, nor has he hitherto made any steps towards it. 1697.

A very unusual accident happened at this time, that served not a little to his quiet establishment on the throne of Poland. The Czar was so sensible of the defects of his education, that, in order to the correcting these, he resolved to go a little into the world for better information: he was forming great designs; he intended to make a navigable canal between the Volga and the Tanais, by which he might carry both materials and provisions for a fleet to Azuph; and when that communication was opened, he apprehended great things might be done afterwards: he therefore intended to see the fleets of Holland and England, and to make himself as much master of that matter, as his genius could rise up to. He sent an embassy to Holland, to regulate some matters of commerce, and to see if they would assist him in the war he was designing against the Turks: when the ambassadors were set out, he settled his affairs in such hands, as he trusted most to, and with a small retinue of two or three servants, The Czar travelled to Holland and England. 198

1697. he secretly followed his ambassadors, and quickly overtook them. He discovered himself first to the elector of Brandenbourg, who was then in Prussia, looking on the dispute that was like to arise in Poland, in which, if a war should follow, he might be forced to have a share. The Czar concerned himself much in the matter, not only by reason of the neighbourhood, but because he feared, that if the French party should prevail, France being in an alliance with the Turk, a king sent from thence would probably not only make a peace with the Turk, but turn his arms against himself, which would hinder all his designs for a great fleet. The French party was strongest in Lithuania: therefore the Czar sent orders to his generals, to bring a great army to the frontier of that dutchy, to be ready to break into it, if a war should begin in Poland: and we were told, that the terror of this had a great effect. From Prussia, the Czar went into Holland, and thence came over to England; therefore I will refer all that I shall say concerning him, to the time of his leaving England.

The prince of Conti sailed to Dantzick.

A fleet was ordered at Dunkirk, to carry the prince of Conti to Poland: a squadron of ours, that lay before that port, kept him in for some time: at last he got out, and sailed to Dantzick; but that city had declared for the new king, so they would not suffer him to land, with all those that had come with him: they only consented to suffer himself to land, with a small retinue: this he thought would not become him; so he landed at Marienbourg, where he was met by some of the chief of his party: they pressed him to distribute the money, that he had brought from France, among them; and pro-

mised to return quickly to him with a great force: 1697.
but he was limited by his instructions, and would see a good force, before he would part with his treasure. The new king sent some troops to disperse those who were coming together to serve him, and these had once almost seized on the prince himself; but he acted after that with great caution, and would not trust the Poles. He saw no appearance of any force, like to be brought to him, equal 199
to the undertaking, and fearing lest, if he stayed too long, he should be frozen up in the Baltick, he came back to Dunkirk. The cardinal stood out still: the court of Rome rejoiced at the pretended conversion of the new king, and owned him; but he quickly saw such a scene of difficulties, that he had reason to repent his embarking himself in such a dangerous undertaking. This may prove of such importance, both to the political and religious concerns of Europe, that I thought it deserved that a particular mention should be made of it, though it lies at a great distance from us: it had some influence in disposing the French now to be more earnest for a peace; for if they had got a king of Poland in their dependance, that would have given them a great interest in the northern parts, with an easier access, both to assist the Turk and the malecontents in Hungary.

The negotiation for a peace was held at Ryswick, a house of the king's, between the Hague and Delft. The chief of our plenipotentiaries was the earl of Pembroke, a man of eminent virtue, and of great and profound learning, particularly in the mathematics: this made him a little too speculative and abstracted in his notions: he had great application, The treaty at Ryswick.

1697. but he lived a little too much out of the world, though in a public station; a little more practice among men would give him the last finishing: there was somewhat in his person and manner that created him an universal respect; for we had no man among us whom all sides loved and honoured so much as they did him[m]. There were two others joined with him in that embassy [n].

[m] The forms of the negotiation were chiefly managed by sir J. Williamson; the secret intrusted to the earl of Portland, though no plenipotentiary. The article whereby France engages not to disturb king William, was communicated by Mr. Boufflers at a conference with the earl of Portland, who would willingly have obtained a promise from the French court, not to suffer king James to remain at St. Germains, but it could not be admitted. It was also one of the points of his embassy; but the French ministers would never talk upon the subject. Madam Maintenon would never see lord Portland; which was looked upon as a bad sign of the French intention towards king William and his government. She was a bigot, having been a coquette. H.

[n] Except as to his virtue and learning, he did not keep up a great character afterwards, and even at this time, and in this transaction, they who were near him did not think very highly of him; he had such strange particularities, and which grew so much upon him, that he became long a subject of jest and laughter: yet with some degree of respect always paid to him: he had no enemies. He made and left behind him the largest collection of medals, coins, statues, busts, pictures, &c. that has been made in this country by any one person; since that of the famous earl of Arundel, whom he seems to have emulated in this respect, and was not very unlike him in some others. He was at a vast expense in his collecting these curiosities, and notwithstanding that, died very rich, becoming so by management, and the profits of the several employments he had been in. He had gone through most of the great offices of the kingdom, but never as a minister, and some of them he had only, till they could otherwise be disposed of, which produced a jest from the duke of Bucks, then much spoken of, but not quite so decent to tell here. The truth is, his character for probity was so high, and the esteem of him, on other accounts also in these times, so general, that his acceptance of employments was a credit to the government; and his own indifference as to them made him the more easily

The king of Sweden was received as mediator, but he died before any progress was made in the treaty: his son, who succeeded him in his throne, was also received to succeed him in the mediation. The father was a rough and boisterous man; he loved fatigue, and was free from vice; he reduced his kingdom to a military state, and was ever going round it, to see how his troops were ordered, and his discipline observed: he looked narrowly into the whole administration; he had quite altered the constitution of his kingdom; it was formerly changed from being an elective, to be a hereditary kingdom; yet till his time it had continued to be rather an aristocracy than a monarchy; but he got the power of the senators to be quite taken away, so that it was left free to him, to make use of such counsellors as he should choose: the senators had enriched themselves, and oppressed the people; they had devoured the revenues of the crown, and in two reigns, in which the sovereign was long in a state of infancy, both in queen Christina's and in this king's time, the senators had taken care of themselves, and had stripped the crown. So the king moved for a general resumption; and this he obtained easily of the states: who, as they envied the wealth of the senators, so they hoped that, by making the king rich, the people would be less charged with taxes. This was not all; he got likewise an act of revision, by which those who had grants were to account for

1697.

The king of Sweden's death. His son is mediator at the treaty of Ryswick.

to be removed from them. He was very firm to the government and constitution, but had no particular attachment to ministers or parties; and in that he preserved the dignity of his rank. O.

1697. the mean profits, and this was applied even to those who had grants upon valuable considerations; for when it appeared that the valuable consideration was satisfied, they were to account for all they had received over and above that, and to repay this, with the interest of the money, at twelve per cent. for all the years they had enjoyed it. This brought a great debt on all the senators and other families of the kingdom; it did utterly ruin them, and left them at mercy: and when the king took from them all they had, he kept them still in a dependance upon him, giving them employments in the army or militia that he set up.

After that, he procured of the states of his kingdom an absolute authority to govern them as he thought fit, and according to law; but even this limitation seemed uneasy, and their slavery was finished by another act, which he obtained, that he should not be obliged to govern by law, but by his mere will and pleasure: so successful was he, in the space of five years, to ruin all the families in his kingdom, and to destroy their laws and liberties, and that by their own consent. He died when his son was but fifteen years old, and (who) gave great hopes of being an active, warlike, and indefatigable prince, which his reign ever since has demonstrated to the world.

The first act of his reign was the mediation at Ryswick, where the treaty went on but slowly, till Harlay, the first of the French plenipotentiaries, came to the Hague, who, as was believed, had the secret. He shewed a fairer inclination than had appeared in the others, to treat frankly and honour-

ably; and to clear all the difficulties that had been started before: but while they were negotiating, by exchanging papers, which was a slow method, subject to much delay, and too many exceptions and evasions, the marshal Bouflers desired a conference with the earl of Portland [o], and by the order of their masters, they met four times, and were long alone: that lord told me himself, that the subject of those conferences was concerning king James: the king desired to know, how the king of France intended 201
to dispose of him, and how he could own him, and yet support the other: the king of France would not renounce the protecting him, by any article of the treaty: but it was agreed between them, that the king of France should give him no assistance, nor give the king any disturbance on his account: and that he should retire from the court of France, either to Avignon or to Italy: on the other hand, his queen should have fifty thousand pounds a year, which was her jointure, settled after his death, and that it should now be paid her, he being reckoned as dead to the nation; and in this, the king very readily acquiesced: these meetings made the treaty go on with more despatch, this tender point being once settled [p]. 1697.

[o] (Ralph gives good reasons for believing, that the earl of Portland proposed the conference; and states, that they had five meetings instead of four, mentioning the days on which they took place. See his Hist. of England, vol. ii. p. 735.)

[p] (On the authority of Macpherson's extracts from the Life of king James II. which work having been since published may be consulted, at p. 574. vol. ii. it has been maintained, that William consented at this time, on condition of the recognition by France of his title to the crown of England, to have the young son of James succeed him; and that the proposal was rejected by his father. But the truth of

1697. A new difficulty arose with relation to the empire: the French offered Brizack and Fribourg, as an equivalent for Strasbourg; the court of Vienna consented to this, but the empire refused it: these places belonged to the emperor's hereditary dominions, whereas Strasbourg was a free city, as well as a protestant town; so the emperor was soon brought to accept of the exchange. All other matters were concerted: Spain was now as impatient of delays as France: England and the States had no other concern in the treaty, but to secure their allies, and to settle a barrier in the Netherlands; so in September the treaty was signed by all, except the German princes: but a set time was prefixed for them to come into it. The duke of Savoy was comprehended within it; and the princes of the empire, finding they could struggle no longer, did at last consent to it. A new piece of treachery, against the protestant religion, broke out in the conclusion of all: the French declared, that that part of the Palatinate which was stipulated to be restored in the state in which it was, by virtue of that article, was to continue in the same state, with relation to religion, in which it was at that time: by this, several churches were to be condemned, that otherwise, according to the laws of the empire, and in particular of those dominions, were to be restored to the protestants: the elector palatine accepted of the condition very willingly, being bigoted to a high degree: but some of the princes, the king of Sweden in particular, as

The peace was made and the treaty signed.

this account is opposed with at least plausible arguments by Somerville in his History of Political Transactions. c. 17. p. 442—452.)

duke of Deuxponts, refused to submit to it: but this had been secretly concerted, among the whole popish party, who are always firm to the interests of their religion, and zealous for them; whereas the protestant courts are too ready to sacrifice the common interest of their religion to their own private advantage. The king was troubled at this treacherous motion, but he saw no inclination in any of the allies to oppose it with the zeal with which it was pressed on the other hand: the importance of the thing, sixteen churches being only condemned by it, as the earl of Pembroke told me, was not such as to deserve he should venture a rupture upon it: and it was thought, the elector palatine might, on other accounts, be so obnoxious to the protestants, and might need their assistance and protection so much, that he would be obliged afterwards to restore these churches, thus wrested from them: so the king contented himself with ordering his plenipotentiaries to protest against this, which they did in a formal act that they passed. 1697. 202

Reflections on the peace.

The king by this peace concluded the great design, of putting a stop to the progress of the French arms, which he had constantly pursued from his first appearance on the stage in the year 1672. There was not one of the allies who complained that he had been forgot by him, or wronged in the treaty: nor had the desire of having his title universally acknowledged, raised any impatience in him, or made him run into this peace with any indecent haste. The terms of it were still too much to the advantage of France; but the length and charge of the war had so exhausted the allies, that the king saw the necessity of accepting the best conditions that could

1697. be got: it is true, France was more harassed by the war, yet the arbitrary frame of that government made their king the master of the whole wealth of his people; and the war was managed on both sides, between them and us, with this visible difference, that every man who dealt with the French king was ruined by it; whereas, among us, every man grew rich by his dealings with the king: and it was not easy to see how this could be either prevented or punished. The regard that is shewn to the members of parliament among us, makes that few abuses can be inquired into or discovered; and the king found his reign grow so unacceptable to his people, by the continuance of the war, that he saw the necessity of coming to a peace. The States were under the same pressure; they were heavier charged, and suffered more by the war than the English. The French got indeed nothing by a war which they had most perfidiously begun; they were forced to return to the peace of Nimeguen; Pignerol and Brizack, which cardinal Richlieu had considered as the keys of Italy and Germany, were now parted with; and all that base practice, of claiming so much, under the head of reunions and dependencies, was abandoned: the duchy of Lorrain was also entirely
203 restored [q]: it was generally thought that the king of

[q] ("Lorrain was not entirely "restored: France, on the con- "trary, could never be induced "to part with the reserves she "had established by the peace "of Nimeguen: it was also "restored in a defenceless "state: it was to remain for "ever invested with the domi- "nions of France, and conse- "quently could no more be "considered as a member of "the Germanic body: Pigne- "rol, the key of Italy, was not "restored to Savoy in virtue "of this treaty, as the bishop "has unfairly insinuated: Stras- "burgh opened as wide an en- "trance into the empire as Bri- "sac; and an author, who was "a perpetual advocate for king "William, declares, 'that to

France intended to live out the rest of his days in quiet; for his parting with Barcelona made all people conclude that he did not intend to prosecute the Dauphin's pretensions upon the crown of Spain, after that king's death, by a new war; and that he would only try how to manage it by negotiation. 1697.

The most melancholy part of this treaty was, that no advantages were got by it in favour of the protestants in France; the French refugees made all possible applications to the king, and to the other protestant allies; but as they were no part of the cause of the war, so it did not appear that the allies could do more for them, than to recommend them, in the warmest manner, to the king of France [r]; but he was so far engaged in a course of superstition and cruelty, that their condition became worse by the peace; the court was more at leisure to look after them, and to persecute them, than they thought fit to do during the war. The military men in France did generally complain of the peace, as dishonourable and base; the Jacobites among us were the more confounded at the news of it, because the

" leave Strasburgh in the hands " of France, was tacitly to yield " her all that belongs to the " empire beyond the Rhine, " from Sundgaw to the Palati- " nate.' The ten cities in Al- " sace, together with their de- " pendencies, were never held in " sovereignty by France before: " that all that base practice on " the head of reunions was " not abandoned, appears by " the reserve made by the most " Christian king in Flanders, " of eighty-two towns and vil- " lages, to say no more." *Ralph's Hist. of England*, vol. ii. p. 762.)

[r] (Ralph relates, that a remonstrance in their favour was delivered by the earl of Pembroke in the name of the protestant allies in general, on the 19th of September, which was but the day before the peace was signed; that consequently, as it is reasonable to think, it was delivered only to amuse the parties concerned in it, without any serious purpose in their favour. *Ralph's Hist. of England*, vol. ii. p. 752.)

1697. court of France did, to the last minute, assure king James, that they would never abandon his interests: and his queen sent over assurances to their party here, that England would be left out of the treaty, and put to maintain the war alone: of which they were so confident, that they entered into deep wagers upon it; a practice little known among us before the war, but it was carried on, in the progress of it, to a very extravagant degree; so that they were ruined in their fortunes, as well as sunk in their expectations, by the peace; upon which, it was said, king James's queen made a bold repartee to the French king, when he told her the peace was signed: she said, she wished it might be such as should raise his glory, as much as it might settle his repose[s].

But while the peace was concluded in these parts, the war between the emperor and the Turk went on in Hungary: the imperial army was commanded by prince Eugene, a brother of the count of Soissons, who, apprehending that he was not like to be so much considered, as he thought he might deserve in France, went and served the emperor, and grew up, in a few years, to be one of the greatest generals of the age.

The Turk's army in Hungary routed.

The grand signior came to command his armies in person, and lay encamped on both sides of the Theisse, having laid a bridge over the river: prince Eugene marched up to him, and attacked his camp

[s] The worst part of the treaty was, that no measures were taken by it, either by *private agreement* amongst the allies, or in concert with Lewis the XIVth, for settling the succession to the Spanish monarchy, agreeably to the original plan of the first grand alliance. Through this defect the treaty of Ryswick rather deserves the name of a truce than a peace. H.

on the west side of the river, and after a short dispute, he broke in, and was master of the camp, and forced all who lay on that side over the river: in this action many were killed and drowned; he followed them cross the Theisse, and gave them a total defeat: most of their janizaries were cut off, and the prince became master of all their artillery and magazines: the grand signior himself narrowly escaped, with a body of horse, to Belgrade; this was a complete victory, and was the greatest blow the Turks had received in the whole war. At the same time, the czar was very successful on his side against the Tartarians. The Venetians did little on their part, and the confusions in Poland made that republic but a feeble ally: so that the weight of the war lay wholly on the emperor. But though he, being now delivered from the war with France, was more at leisure to prosecute this, yet his revenue was so exhausted, that he was willing to suffer a treaty to be carried on, by the mediation of England and Holland; and the French, being now no longer concerned to engage the port to carry on the war, the grand signior, fearing a revolution upon his ill success, was very glad to hearken to a treaty, which was carried on all this winter, and was finished the next year at Carlowitz, from which place it takes its name. 1697. 204

The peace of Carlowitz.

By it, both parties were to keep that of which they were then possessed; and so this long war of Hungary, which had brought both sides by turns very near the last extremities, was concluded by the direction and mediation of the king of England: upon which I will add a curious observation, that though it may seem to be out of the laws of history,

1697. yet considering my profession, will, I hope, be forgiven.

The duration of the Turkish wars.

Dr. Lloyd, the present most learned bishop of Worcester, who has now, for above twenty years, been studying the revelations with an amazing diligence and exactness, had long before this year said, the peace, between the Turks and the papal Christians, was certainly to be made in the year 1698, which he made out thus: the four angels, mentioned in the fourteenth chapter of the Revelations, that were bound in the river Euphrates, which he expounds to be the captains of the Turkish forces, that till then were subject to the sultan at Babylon, were to be loosed, or freed from that yoke, and to set up for themselves: and these were prepared to slay the third part of men, for an hour, a day, a month, and a year: he reckons the year, in St. John, is the Julian year of 365 days, that is, in the prophetic style, each day a year; a month is 30 of these days; and
205 a day makes one; which added to the former number makes 396. Now he proves from historians, that Ottoman came, and began his conquests at Prousse, in the year 1302, to which the former number, in which they were to slay the third part of men, being added, it must end in the year 1698: and though the historians do not mark the hour, or the twelfth part of the day or year, which is a month, that is, the beginning of the destruction the Turks were to make; yet he is confident, if that is ever known, that the prophecy will be found, even in that, to be punctually accomplished. After this, he thinks their time of hurting the papal Christians is at an end; they may indeed still do mischief to the Muscovites, or persecute their own Christian

subjects, but they can do no hurt to the papalins; and he is so positive in this, that he consents that all his scheme should be laid aside, if the Turk engages in a new war with them [t]; and I must confess, that their refusing now, in a course of three years, to take any advantage from the troubles in Hungary, to begin the war again, though we know they have been much solicited to it, gives for the present a confirmation to this learned prelate's exposition of that part of the prophecy. 1697.

The king came over to England about the middle of November; and was received by the city of London, in a sort of triumph, with all the magnificence that he would admit [u]; some progress was made in preparing triumphal arches, but he put a stop to it; he seemed, by a natural modesty, to have contracted an antipathy to all vain shows; which was much increased in him, by what he had heard of the gross excesses of flattery, to which the French have run, beyond the examples of former ages, in honour of their king; who having shewed too great a pleasure in these, they have been so far pursued, that the wit of that nation has been for some years chiefly employed on these; for they saw that men's fortunes were more certainly advanced by a new and lively invention in that way, than by any service or merit whatsoever. This, in which that king has seemed to be too much pleased, rendering him contemptible to better judges, gave the king such an aversion to every thing that looked that way, that he scarce

The king came back to England.

[t] (Whoever recollects the victories gained by the imperial general prince Eugene over the Turks so late as the year 1717, will be inclined to accept the bishop's offer.)

[u] I remember it very well, being carried to see it. O.

1697. A session of parliament. At the opening the session of parliament, the king told them, that in his opinion a standing land force was necessary; the house of commons carried the jealousy of a standing army so high, that they would 207 not bear the motion, nor did they like the way the king took of offering them his opinion in the point: this seemed a prescription to them, and might bias some in the counsels they were to offer the king, and be a bar to the freedom of debate: the managers for the court had no orders to name any number; so the house came to a resolution of paying off and disbanding all the forces that had been raised since the year 1680; this vote brought the army to be less than 8000: the court was struck with this; and then they tried, by an after-game, to raise the number to 15,000 horse and foot. If this had been proposed in time, it would probably have been carried without any difficulty; but the king was so long upon the reserve, that now, when he thought fit to speak out his mind, he found it was too late: so a force not exceeding 10,000 horse and foot was all that the house could be brought to. This gave the king the greatest distaste of any thing that had befallen him in his whole reign; he thought it would derogate much from him, and render his alliance so inconsiderable, that he doubted whether he could carry on the government, after it should be reduced to so weak and so contemptible a state. He said, that if he could have imagined, that after all the service he should have done the nation, he should

A small force kept up.

last degree neither to keep up army or fleet, nor to establish a militia: the nation was literally for three years at the mercy of France and king James. Lord Bolingbroke admits this most strongly in his Letters on History, and reasons very justly on the subject. H.

have met with such returns, he would never have meddled in our affairs; and that he was weary of governing a nation that was so jealous, as to lay itself open to an enemy, rather than trust him, who had acted so faithfully during his whole life, that he had never once deceived those who trusted him. He said this, with a great deal more to the same purpose, to my self; but he saw the necessity of submitting to that which could not be helped. 1697.

During these debates, the earl of Sunderland had argued with many upon the necessity of keeping up a greater force; this was in so many hands, that he was charged as the author of the counsel, of keeping on foot a standing army: so he was often named in the house of commons, with many severe reflections, for which there had been but too much occasion given during the two former reigns[z]. The tories pressed hard upon him, and the whigs were so jea- 1698. The earl of Sunderland retired from business.

[z] The king had given ten thousand pounds to the earl of Dorset, to quit the chamberlain's staff; and gave it to the earl of Sunderland; upon which lord Norris fell very violently upon him in the house of commons, as a man whose actions had been so scandalous during his whole life, that he never had any way to excuse one crime, but by accusing himself of another: therefore hoped they would address to his majesty, to remove him from his presence and councils, which, though not seconded, was universally well received. D. I have always been persuaded, from the signal confidence which king William reposed in this lord, through the whole course of his reign, that he had received some particular services from him at the time of the revolution, which no one else could have performed; and perhaps this reserved and cautious prince liked him the better for being only his man; both parties (and no wonder) were much embittered against him. Further discoveries about him, from incontestible authority, have appeared since this note, 1775. H. (To be seen in Macpherson's Original Papers, published in that year.)

1698. lous of him [b], that he, apprehending that, while the former would attack him, the others would defend him faintly, resolved to prevent a public affront [c], and to retire from the court and from business; not only against the entreaties of his friends, but even the king's earnest desire that he would continue about him [d]; indeed, upon this occasion, his majesty expressed such a concern and value for him, that
208 the jealousies were increased by the confidence the

[b] Chiefly owing to Smith, afterwards speaker, who detested him. Vernon's letters. O.

[c] Some of his friends told him, they had computed how the numbers would run in the house of commons upon any address that should be moved for there against him: and that they did not think there could be more than 160 for it. "160 "(said he) for it! that is more "than any man can stand "against long; I am sure I "wont;" and so resigned his staff and key the next day: but the king continued to advise with him in private upon all his affairs. To confirm this anecdote, and to shew the haste he was in to put himself out of this danger, my lord chancellor Hardwick told me, that in a conversation he had with the old duke of Somerset, about this earl of Sunderland, the duke said, that upon the apprehension of this attack in the house of commons, the earl desired the duke and lord chief justice Holt, both of them his most particular friends, to give him a meeting, to consult with them what he should do upon the occasion, either to retire or to stand it. The appointment was for the evening before the day, as he was told, (after the appointment,) the attempt was to be made, and the address to be moved for, and they came accordingly, but found the earl was gone to the king at Kensington. He left word however, that he begged them to stay, for he would be back very soon, and was so. When they met, the earl fell into other discourse with them; and whilst he was talking, Holt observed he had not the key upon his coat, and interrupting him, said, "My "lord, where is your key?" At Kensington, said the earl. "Why so quick, my lord? (re-"plied the chief justice,) you "might have stayed till to-mor-"row." "To-morrow, my lord, "(said the earl,) to-morrow "would have ruined me; to-"night has saved me:" and so told them what he had heard was the design, and that he knew the king must have submitted to it. See antea 123, 163. O.

[d] Surely there must have been the timidity of a bad conscience in this. H.

court saw the king had in him. During the time of his credit, things had been carried on with more spirit and better success than before: he had gained such an ascendant over the king, that he brought him to agree to some things that few expected he would have yielded to: he managed the public affairs, in both houses, with so much steadiness and so good a conduct, that he had procured to himself a greater measure of esteem, than he had in any of the former parts of his life; and the feebleness and disjointed state we fell into, after he withdrew, contributed not a little to establish the character which his administration had gained him. 1698.

The civil list settled on the king for life.

The parliament went on slowly in fixing the fund for the supplies they had voted: they settled a revenue on the king for life, for the ordinary expense of the government, which was called the civil list: this they carried to seven hundred thousand pounds a year, which was much more than the former kings of England could apply to those occasions; six hundred thousand pounds was all that was designed, but it had been promised at the treaty of Ryswick, that king James, being now as dead to England, his queen should enjoy her jointure, that was fifty thousand pound a year; and it was intended to settle a court about the duke of Glocester, who was then nine years old; so to enable the king to bear that expense, this large provision was made for the civil list[a]: but by some great error in the management,

[a] (The duchess of Marlborough, in the Account of her Conduct, p. 116, relates, as she is cited by Ralph, that "when "the duke of Gloucester was "arrived at the age to be put "into men's hands, the king "insinuated to such members "of the parliament as he knew "were desirous to have the "duke handsomely settled, that "it would require near 50,000*l.*

1698. though the court never had so much, and never spent so little [e], yet payments were ill made, and by some strange consumption all was wasted.

A new East India company.

While the house of commons was seeking a fund for paying the arrears of the army, and for the expense at sea and land for the next year; a proposition was made for constituting a new East India company, who should trade with a joint stock, others being admitted in a determinate proportion to a separate trade: the old East India company opposed this, and offered to advance a sum (but far short of what the public occasions required) for an act of parliament, that should confirm their charters. The projectors of the new company offered two millions, upon the security of a good fund, to pay the interest of their money at eight per cent. Great opposition

" a year. And at the same " time he promised other per- " sons, whom he knew it would " please, that he would pay " queen Mary in France her " settlement, which was also " 50,000*l.* a year. And these " steps he took, in order to ob- " tain an addition of 100,000*l.* " a year to his civil list. The " addition was granted, yet he " never paid one shilling to the " queen; and as to the duke, " the king not only kept him in " women's hands a good while " after the new revenue was " granted, but, when his high- " ness's family was settled, " would give him no more than " 15,000*l.* a year. Nay, of this " small allowance he refused to " advance one quarter, though " it was absolutely wanted to " buy plate and furniture: so " that the princess was forced " to be at that expense her- " self." Burnet says below, in p. 276, that the queen would not take her jointure.)

[e] (" It appears by the most " authentic accounts that can be " obtained, that the expenditure " of king Charles the second's " household, and all the arti- " cles belonging to it, did not " exceed 588,493*l.* 1*s.* 1*d.* out " of which the duke of York " alone had about 80,000*l.*: and " that the expenditure of king " James for the same articles, " was but 576,105*l.* 14*s.* ½. " Whereas that of king William " amounted to 675,270*l.* 19*s.* " 9*d.* which was 86,778*l.* 18*s.* " and 8*d.* more than that of " king Charles, and 99,165*l.* 5*s.* " 9½*d.* more than that of king " James." *Ralph's Hist.* vol. ii. p. 777. See also Carte's Answers to a Bystander.)

was made to this: for the king, upon an address 1698.
that was made to him by the house of commons, had granted the old company a new charter, they being obliged to take in a new subscription of seven hundred thousand pounds, to increase their stock and trade. Those impowered by this new charter were 209
not charged with any maleversation: they had been trading under great disadvantages, and with great losses, by reason of the war: it is true, the king had reserved a power to himself, by a clause in the charter, to dissolve them upon warning given, three years before such dissolution: so it was said, that no injustice was done them, if public notice should be given of such an intended dissolution. To this it was answered, that the clause reserving that power was put in many charters, but that it was considered only as a threatening, obliging them to a good conduct; but that it was not ordinary to dissolve a company, by virtue of such a clause, when no error or maleversation was objected: the old company came at last to offer the whole sum that was wanted; but the party was now formed, so they came too late, and this had no other effect but to raise a clamour against this proceeding, as extremely rigorous, if not unjust. This threw the old company, and all concerned in it, into the hands of the tories, and made a great breach and disjointing in the city of London: and it is certain, that this act, together with the inclinations which those of the whigs who were in good posts, had expressed for keeping up a greater land force, did contribute to the blasting the reputation they had hitherto maintained, of being good patriots, and was made use of over England by the tories, to disgrace both the king and them. To

The whigs lose their credit in the nation.

1698. this, another charge of a high nature was added, that they robbed the public, and applied much of the money that was given for the service of the nation, both to the supporting a vast expence, and to the raising great estates to themselves. This was sensible to the people, who were uneasy under heavy taxes, and were too ready to believe, that, according to the practice in king Charles's time, a great deal of the money that was given in parliament was divided among those who gave it. These clamours were raised and managed with great dexterity, by those who intended to render the king, and all who were best affected to him, so odious to the nation, that by this means they might carry such an election of a new house of commons, as that by it all might be overturned. It was said, that the bank of England and the new East India company, being in the hands of whigs, they would have the command of all the money, and by consequence, of all the trade of England; so a great party was raised against the new company, in both houses: but the act for it was carried: the king was very indifferent in the matter at first, but the greatness of the sum that was wanted, which could not probably be raised by any other project, prevailed on him; the interests of princes carrying them often to act against their private opinions and inclinations.

The king of Spain's ill state of health.

Before the king went into Holland, which was in July, news came from Spain that their king was dying; this alarm was often given before, but it came much quicker now; the French upon this sent a fleet to lie before Cadiz, which came thither at the time that the galleons were expected home from the West Indies; and it was apprehended, that, if the king

had died, they would have seized on all that treasure[f]. We sent a fleet thither to secure them, but it came too late to have done any service, if it had been needed; this was much censured, but the admiralty excused themselves, by saying, that the parliament was so late in fixing the funds for the fleet, that it was not possible to be ready sooner than they were: the king of Spain recovered for that time, but it was so far from any entire recovery, that a relapse was still apprehended. When the king went to Holland, he left some sealed orders behind him, of which some of his ministers told me, they knew not the contents till they were opened: by these the king ordered 16,000 men to be kept up. For excusing this, it was said, that though the parliament had in their votes mentioned only 10,000 land men, to whom they had afterwards added 3,000 marines, and had raised only the money necessary for that number, yet no determined number was mentioned in the act itself; so, since the apprehension of the king of Spain's death made it advisable to have a greater force ready for such an accident, the king resolved to keep up a force somewhat beyond that which the house of commons had consented to. The leaving these orders sealed made the whole blame to be cast singly on the king, as it skreened the ministers from a share in this counsel: and we have more than once known ministers put 1698.

[f] (Ralph, in opposition to this statement, observes, that nine of the thirteen galleons expected, on board of which were above thirty millions of dollars, arrived at Cadiz on the 4th of June, and the rest soon after; but that the French squadron did not come into the bay of Cadiz till the 11th of August, nor the king of Spain relapse before the 29th of that month. See vol. ii. p. 786.)

1698. the advices that they themselves gave in such a manner on their masters, that, in executing them, our kings have taken more care to shelter their ministers than to preserve themselves.

The duke of Glocester put in a method of education.

The king, before his leaving England, settled a household about the duke of Glocester; the earl of Marlborough, who was restored to favour, was made his governor, and I was named by the king to be his preceptor. I used all possible endeavours to excuse my self; I had hitherto no share in the princess's favour or confidence; I was also become uneasy at some things in the king's conduct; I considered him as a glorious instrument raised up by God, who had done great things by him; I had also such obliga-
211 tions to him, that I had resolved, on public as well as on private accounts, never to engage in any opposition to him, and yet I could not help thinking he might have carried matters further than he did; and that he was giving his enemies handles to weaken his government. I had tried, but with little success, to use all due freedom with him; he did not love to be found fault with; and though he bore every thing that I said very gently, yet he either discouraged me with silence, or answered in such general expressions, that they signified little or nothing[g]. These considerations disposed me, rather

[g] King William always complained of Burnet's breaking in upon him, whether he would or no, and asking such questions as he did not know how to answer, without trusting him more than he was willing to do, having a very bad opinion of his retentive faculty. But the bishop was very much out of humour at this time, having found out, that the king had promised Mr. Hill, of the treasury, the reversion of Winchester, which he had set his heart upon; and was made preceptor to the duke of Glocester, in hopes it would appease him: though much to the princess's dissatisfaction, who always

to retire from the court and town, than to engage deeper in such a constant attendance, for so many years as this employment might run out to; the king made it indeed easy in one respect; for as the young prince was to be all the summer at Windsor, which was in my diocese, so he allowed me ten weeks in the year, for the other parts of my diocese. All my endeavours to decline this were without effect; the king would trust that care only to me, and the princess gave me such encouragement, that I resolved not only to submit to this, which seemed to come from a direction of Providence, but to give my self wholly up to it. I took to my own province, the reading and explaining the Scriptures to him, the instructing him in the principles of religion and the rules of virtue, and the giving him a view of history, geography, politics, and government. I resolved also to look very exactly to all the masters that were appointed to teach him other things; but now I turn, to give an account of some things that more immediately belong to my own profession. 1698.

The progress of Socinianism.

This year, Thomas Firmin, a famous citizen of London, died; he was in great esteem, for promoting many charitable designs, for looking after the poor of the city, and setting them to work; for raising great sums for schools and hospitals, and indeed for charities of all sorts, private and public; he had such credit with the richest citizens, that he had the command of great wealth, as oft as there was occasion for it; and he laid out his own time chiefly in advancing all such designs: these things gained him

thought it one of the greatest hardships put upon her by the king, who knew how disagreeable he was to her, and believed it was done for that reason. D. See antea, p. 160. O.

1698. a great reputation; he was called a Socinian, but was really an Arian, which he very freely owned, before the revolution; but he gave no public vent to it, as he did afterwards. He studied to promote his opinions, after the revolution, with much heat; many books were printed against the Trinity, which he dispersed over the nation, distributing them freely to all who would accept of them; profane wits were much delighted with this; it became a common topic of discourse, to treat all mysteries in religion
212 as the contrivances of priests to bring the world into a blind submission to them; *priestcraft* grew to be another word in fashion, and the enemies of religion vented all their impieties under the cover of these words. But while these pretended much zeal for the government, those who were at work to undermine it made great use of all this; they raised a great outcry against Socinianism, and gave it out, that it was like to overrun all; for archbishop Tillotson and some of the bishops had lived in great friendship with Mr. Firmin, whose charitable temper they thought it became them to encourage. Many undertook to write in this controversy; some of these were not fitted for handling such a nice subject: a learned deist made a severe remark on the progress of this dispute; he said, he was sure the divines would be too hard for the Socinians, in proving their doctrines out of scripture; but if the doctrine could be once laughed at and rejected as absurd, then its being proved, how well soever, out of scripture, would turn to be an argument against the scriptures themselves, as containing such incredible doctrines.

Different explanations of the Trinity.

The divines did not go all in the same method,

nor upon the same principles: Dr. Sherlock engaged in the controversy; he was a clear, a polite, and a strong writer, and had got great credit in the former reign, by his writings against those of the church of Rome; but he was apt to assume too much to himself, and to treat his adversaries with contempt; this created him many enemies, and made him pass for an insolent, haughty man; he was at first a Jacobite, and while, for not taking the oaths, he was under suspension [h], he wrote against the Socinians, in which he took a new method of explaining the Trinity; he thought there were three eternal minds; two of these issuing from the Father, but that these were one, by reason of a mutual consciousness in the three, to every of their thoughts: this was looked on as plain tritheism; but all the party applauded him and his book; soon after that, an accident of an odd nature happened. 1698.

Dr. Sherlock left the Jacobites.

There was a book drawn up by bishop Overall, fourscore years ago, concerning government; in which its being of a divine institution was very positively asserted; it was read in convocation, and passed by that body, in order to the publishing it, in opposition to the principles laid down in that famous book of Parson's the Jesuit, published under the name of Dollman. King James the first did not like a convocation entering into such a theory of politics; so he wrote a long letter to Abbot, who was

[h] This is not true. His Case of Allegiance, in which he disowned the principles of Jacobitism, was published October 17, 1690; but his Vindication of the Doctrine of the Trinity was not published till the January following: so that Burnet's reflections upon the party for their inconsistency are without foundation. *Note by Mr. Godwyn, fellow of Balliol college.*

1698. afterwards archbishop of Canterbury, but was then
213 in the lower house; I had the original, writ all in his own hand, in my possession; by it he desired, that no further progress should be made in that matter, and that this book might not be offered to him for his assent: thus that matter slept, but Sancroft had got Overall's own book into his hands; so, in the beginning of this reign, he resolved to publish it, as an authentic declaration that the church of England had made in this matter; and it was published, as well as licensed by him, a very few days before he came under suspension for not taking the oaths: but there was a paragraph or two in it that they had not considered, which was plainly calculated to justify the owning the United Provinces to be a lawful government: for it was there laid down, that when a change of government was brought to a thorough settlement, it was then to be owned and submitted to, as a work of the providence of God; and a part of king James's letter to Abbot related to this. When Sherlock observed this, he had some conferences with the party, in order to convince them by that which he said had convinced himself; soon after that he took the oaths, and was made dean of St. Paul's; he published an account of the grounds he went on, which drew out many virulent books against him; after that they pursued him with the clamour of tritheism, which was done with much malice, by the very same persons who had highly magnified the performance while he was of their party: so powerful is the bias of interest and passion, in the most speculative and the most important doctrines.

Dr. South [i], a learned but an ill-natured divine, who had taken the oaths, but with the reserve of an equivocal sense, which he put on them, attacked Dr. Sherlock's book of the Trinity, not without wit and learning, but without any measure of Christian charity, and without any regard, either to the dignity of the subject, or the decencies of his profession. He explained the Trinity in the common method, that the Deity was one essence in three subsistencies; Sherlock replied, and charged this as Sabellianism; and some others went into the dispute, with some learning, but with more heat: one preached Sherlock's notion before the university of Oxford, for which he was censured; but Sherlock wrote against that censure, with the highest strains of contempt: the Socinians triumphed not a little upon all this: and, in several of their books, they divided their adversaries into real and nominal Trinitarians; Sherlock was put in the first class; as for the second class, they pretended it had been the doctrine of the western church, ever since the time that the fourth council in the Lateran sat; some, who took advantage from these debates to publish their impieties without fear or shame, rejoiced to see the divines engaged in such subtle questions; and they reckoned, that, which side soever might have the better, in the turn of this controversy, yet in conclusion they alone must be the gainers, by every dispute that brought such important matters to a doubtfulness, which might end in infidelity at last. 1698. Dr. South wrote against him. 214

The ill effects that were like to follow, on those The king's injunctions

[i] See something of this man in pages 211, 348, 352, 444, 445, of Dr. Birch's Life of Archbishop Tillotson. O.

1698. different explanations, made the bishops move the king to set out injunctions, requiring them to see to the repressing of error and heresy, with all possible zeal, more particularly in the fundamental articles of the Christian faith: and to watch against and hinder the use of new terms or new explanations in those matters: this put a stop to those debates, as Mr. Firmin's death put a stop to the printing and spreading of Socinian books. Upon all this, some angry clergymen, who had not that share of preferment that they thought they deserved, begun to complain, that no convocation was suffered to sit, to whom the judging in such points seemed most properly to belong: books were writ on this head; it was said, that the law made in king Henry the eighth's time, that limited the power of that body, so that no new canons could be attempted or put in use, without the king's licence and consent, did not disable them from sitting: on the contrary, a convocation was held to be a part of the parliament, so that it ought always to attend upon it, and to be ready, when advised with, to give their opinions chiefly in matters of religion. They had also, as these men pretended, a right to prepare articles and canons, and to lay them before the king, who might indeed deny his assent to them, as he did to bills, that were offered him by both houses of parliament. This led them to strike at the king's supremacy, and to assert the intrinsic power of the church, which had been disowned by this church ever since the time of the reformation: and indeed, the king's supremacy was thought to be carried formerly too high, and that, by the same sort of men, who were now studying to lay it as low. It seemed,

silence those disputes.

that some men were for maintaining it, as long as it was in their management, and that it made for them: but resolved to weaken it, all they could, as soon as it went out of their hands, and was no more at their discretion: such a turn do men's interests and partialities give to their opinions. 1698.

All this while it was manifest, that there were two different parties among the clergy; one was firm and faithful to the present government, and served it with zeal; these did not envy the dissenters the ease that the toleration gave them; they wished for a favourable opportunity of making such alterations, in some few rites and ceremonies, as might bring into the church those, who were not at too great a distance from it; and I do freely own that I was of this number. Others took the oaths indeed, and concurred in every act of compliance with the government, but they were not only cold in serving it, but were always blaming the administration, and aggravating misfortunes; they expressed a great esteem for Jacobites, and in all elections, gave their votes to those who leaned that way: at the same time, they shewed great resentments against the dissenters, and were enemies to the toleration, and seemed resolved never to consent to any alteration in their favour. The bulk of the clergy ran this way, so that the moderate party was far outnumbered. Profane minds had too great advantages from this, in reflecting severely on a body of men, that took oaths, and performed public devotions, when the rest of their lives was too public and too visible a contradiction to such oaths and prayers. 215 Divisions among the clergy.

But while we are thus unhappily disjointed in Divisions among the Papists.

1698. matters of religion, our neighbours are not so entirely united as they pretend to be; the quietists are said to increase not only in Italy, but in France; the persecution there began at first upon a few Jansenists, but it turned soon to the protestants, on whom it has been long very heavy and bloody; this had put an end to all disputes in those matters; a new controversy has since been managed, with great heat, between Bossuet, the famous bishop, first of Condom, and now of Meaux; and La Motte Fenelon, who was once in high favour with madam Maintenon, and was, by her means, made preceptor to the Dauphin's children, and afterwards advanced to be archbishop of Cambray. He wrote a treatise of spiritual maxims, according to the subtilty, as well as the sublimity of the writers, called the mystics; in it, he distinguished between that which was falsely charged upon them, and that which was truly their doctrine: he put the perfection of a spiritual life, in the loving of God purely for himself, without any regard to ourselves, even to our own salvation: and in our being brought to such a state of indifference, as to have no will nor desire of our own, but to be so perfectly united to the will of God, as to rejoice in the hope of heaven, only be-
216 cause it is the will of God to bring us thither, without any regard to our own happiness. Bossuet wrote so sharply against him, that one is tempted to think, a rivalry for favour and preferment had as great a share in it, as zeal for the truth. The matter was sent to Rome; Fenelon had so many authorized and canonized writers of his side, that many distinctions must be made use of to separate them from him; but the king was much set against

him; he put him from his attendance on the young princes, and sent him to his diocese: his disgrace served to raise his character. Madam Maintenon's violent aversion to a man she so lately raised, was imputed to his not being so tractable as she expected, in persuading the king to own his marriage with her: but that I leave to conjecture. There is a breach running through the Lutheran churches; it appeared at first openly at Hamborough, where many were going into stricter methods of piety, who from thence were called pietists: there is no difference of opinion between them and the rest, who are most rigid to old forms, and are jealous of all new things, especially of a stricter course of devotion, beyond what they themselves are inclined to practise: there is likewise a spirit of zeal and devotion, and of public charities, sprung at home, beyond what was known among us in former times; of which I may have a good occasion to make mention hereafter. 1698.

The Scotch settle at Darien.

But to return from this digression: the company in Scotland, this year, set out a fleet, with a colony, on design to settle in America: the secret was better kept than could have been well expected, considering the many hands in which it was lodged; it appeared at last, that the true design had been guessed, from the first motion of it: they landed at Darien, which, by the report that they sent over, was capable of being made a strong place, with a good port. It was no wonder that the Spaniards complained loudly of this; it lay so near Porto Bello and Panama on the one side, and Carthagena on the other, that they could not think they were safe, when such a neighbour came so near the centre

1698. of their empire in America: the king of France complained also of this, as an invasion of the Spanish dominions, and offered the court of Madrid a fleet to dislodge them. The Spaniards pressed the king hard upon this: they said, they were once possessed of that place; and though they found it too unhealthy to settle there, yet the right to it belonged still to them: so this was a breach of treaties, and a violent possession of their country. In answer to this, the Scotch pretended, that the natives of Darien were never conquered by the Spaniards, and
217 were by consequence a free people; they said, they had purchased of them leave to possess themselves of that place, and that the Spaniards abandoned the country, because they could not reduce the natives: so the pretension of the first discovery was made void, when they went off from it, not being able to hold it; and then the natives being left to themselves, it was lawful for the Scots to treat with them: it was given out, that there was much gold in the country. Certainly, the nation was so full of hopes from this project, that they raised a fund for carrying it on, greater than, as was thought, that kingdom could stretch to; four hundred thousand pounds sterling was subscribed, and a fourth part was paid down, and afterwards, seventy thousand pounds more was brought in, and a national fury seemed to have transported the whole kingdom, upon this project.

Great disputes about it.

The Jacobites went into the management with a particular heat: they saw the king would be much pressed from Spain: the English nation apprehending that this would be set up as a breach of treaties, and that upon a rupture their effects in Spain

might be seized, grew also very uneasy at it; upon which it was thought, that the king would in time be forced to disown this invasion, and to declare against it, and in that case they hoped to have inflamed the kingdom with this, that the king denied them his protection, while they were only acting according to law; and this, they would have said, was contrary to the coronation oath, and so they would have thought they were freed from their allegiance to him. The Jacobites, having this prospect, did all that was possible to raise the hopes of the nation to the highest degree; our English plantations grew also very jealous of this new colony; they feared, that the double prospect of finding gold and of robbing the Spaniards, would draw many planters from them into this new settlement; and that the buccaneers might run into them: for by the Scotch act, this place was to be made a free port; and if it was not ruined before it was well formed, they reckoned it would become a seat of piracy and another Algiers in those parts. Upon these grounds, the English nation inclined to declare against this, and the king seemed convinced, that it was an infraction of his treaties with Spain: so orders were sent, but very secretly, to the English plantations, particularly to Jamaica and the Leeward islands, to forbid all commerce with the Scots at Darien. The Spaniards made some faint attempts on them, but without success. This was a very great difficulty on the king; he saw how much he was like to be pressed on both hands, and he apprehended what ill consequences were like to follow, on his declaring himself either way. 1698.

The parliament of England had now sat its pe- 218

1698. riod of three years, in which great things had been done; the whole money of England was recoined, the king was secured in his government, an honourable peace was made, public credit was restored, and the payment of public debts was put on sure and good funds. The chief conduct lay now in a few hands: the lord Somers was made a baron of England: and as he was one of the ablest and the most incorrupt judges that ever sat in chancery, so his great capacity for all affairs made the king consider him beyond all his ministers, and he well deserved the confidence that the king expressed for him on all occasions. In the house of commons, Mr. Mountague had gained such a visible ascendant over all that were zealous for the king's service, that he gave the law to the rest, which he did always with great spirit, but sometimes with too assuming an air [k]. The fleet was in the earl of Orford's management, who was both treasurer of the

The present ministry's good conduct.

[k] Which did him infinite hurt, and lowered at last his credit very much in the house of commons. O. Mr. Montague (for what reason I know not) did not exert himself for two sessions together in the house of commons; and suffered Mr. Harley and his friends to take the lead, even whilst he (Mr. Montague) continued in the king's service. During the session, when the Irish grants were resumed, he lost much credit, by acquainting the house with a piece of confidence which Mr. Methuen (the chancellor of Ireland) had made him in private, relative to what passed at reporting king William's grant to lady Orkney. Methuen denied the charge; and Montague was thought to have behaved very meanly. King William had been much too lavish of these grants. H. See note at pages 238. 240. (Ralph, at page 785 of the second vol. of his History, which was published in 1746, says of Montague, "If he "was not the father of corrup-"tion, he fostered it, as if all "his hopes were built upon it: "and as to his bargains with "the money-jobbers, (to say "nothing of the usurious con-"ditions on which they were "made,) they lie heavy on the "nation to this day, and pro-"bably will so continue to the "day of judgment.")

navy, and was at the head of the admiralty; he had brought in many into the service, who were very zealous for the government, but a spirit of impiety and dissolution ran through too many of them, so that those who intended to cast a load upon the government, had too great advantages given by some of these. The administration at home was otherwise without exception, and no grievances were complained of. 1698.

There was a new parliament called, and the elections fell generally on men who were in the interest of the government: many of them had indeed some popular notions, which they had drank in under a bad government, and thought they ought to keep them under a good one[1]; so that those who wished well to the public, did apprehend great difficulties in managing them. The king himself did not seem to lay this to heart so much as was fitting; he stayed long beyond sea; he had made a visit to the duke of Zell, where he was treated in a most magnificent manner. Cross winds hindered his coming to England so soon as he had intended; upon which A new parliament.

[1] They might happen to think a good one might become a bad one, or a bad one might succeed to a good one. They were the best men of the age; and were for maintaining the revolution government by its own principles, and not by those of a government it had superseded. My uncle (sir Richard, afterwards lord Onslow) was among the chief of them, generally united in it with sir Thomas (afterwards lord) Pelham, and afterwards with the then marquis of Hartington, who were his great and constant friends; names that will always do him honour, and refute the base treatment of him by Vernon, in his letters to his master the duke of Shrewsbury, whose answers are of a great man gently checking the impertinence of a little one. But of this I have spoken to you elsewhere. His letters, however, are the best *detail* I have seen of the proceedings of the house of commons in those times. O.

1698. the parliament was prorogued for some weeks after the members were come up: even this soured their spirits, and had too great a share in the ill humour that appeared among them.

The forces much diminished.

The king's keeping up an army beyond the votes of the former parliament was much resented, nor was the occasion for doing it enough considered; all this was increased by his own management after he came over. The ministers represented to him, that they could carry the keeping up a land force of ten
219 or twelve thousand, but that they could not carry it further: he said, so small a number was as good as none at all; therefore he would not authorize them to propose it: on the other hand, they thought they should lose their credit with their best friends, if they ventured to speak of a greater number. So, when the house of commons took up the debate, the ministry were silent, and proposed no number; upon which those who were in the contrary interest named seven thousand men, and to this they added, that they should be all the king's natural born subjects. Both the parts of this vote gave the king great uneasiness: he seemed not only to lay it much to heart, but to sink under it: he tried all that was possible to struggle against it, when it was too late; it not being so easy to recover things in an after-game, as it was to have prevented this misunderstanding, that was like to arise between him and his parliament. It was surmised, that he was resolved not to pass the bill, but that he would abandon the government, rather than hold it with a force that was too small to preserve and protect it; yet this was considered only as a threatening, so that little

regard was had to it[m]: the act passed with some opposition in the house of commons; a feeble attempt was made in the house of lords against it, but it was rather a reproach than a service to the government, it being faintly made, and ill supported. The royal assent was given, and when it was hoped that the passing the act had softened people's minds, a new attempt was made for keeping the Dutch guards in England; but that was rejected, though the king sent a message desiring it[n]. 1698.

[m] (Ralph says, that very probably it was only a threat, for it was a threat which he had used twice before. Vol. ii. p. 807. But hear how lord Somers, in his letter to the duke of Shrewsbury, of which mention is made below, expresses himself on this subject: "I "have not acquainted you with "his (the king's) resolution "sooner, because I thought it "could not be taken up in "good earnest. But I have "had this morning such a sort "of confirmation of it, that I "cannot think it possible to "have it carried on so far, if "it be meant but as an appear-"ance only, and to provoke us "to exert ourselves.

"His resolution is, when the "next Wednesday's business is "over, to come to the parlia-"ment, and tell them, that he "came over to rescue the na-"tion from the ruin impending "over them, in which he suc-"ceeded, and had brought them "to the end of a dangerous "war, without any great mis-"fortune; that now they had "peace, and might provide for "their own safety; that he saw "they were entertaining dis-"trusts and jealousies of him, "so as not to do what was ne-"cessary for themselves; that "he was therefore determined "to leave England, but, before "he went, would consent to "any law they should offer, for "appointing commissioners of "both houses, to administer the "government, and then they "would not be jealous of them-"selves.")

[n] The king should not have desired it, or at least not have brought it to a question: it was the meanest act of his reign. Whatever malice there might be in some towards him in it, yet the public reasons for it had so national an appearance, that it was unhappy for the king, that he had kept them here at all after he had the crown. It looked like a distrust, which could not avoid giving a distaste, and therefore lessened the security of it to him, if there was really any in it. If he had any particular affection for them, because they had always been about him, as it was said, it was below his greatness to let that prevail

1698. In the carrying these points, many hard things were said against the court, and against the king himself; it was suggested, that he loved not the nation; that he was on the reserve with all Englishmen, and shewed no confidence in them; but that as soon as the session of parliament was over, he went immediately to Holland; and they said, this was not to look after the affairs of the States, which had been more excusable, but that he went thither to enjoy a lazy privacy at Loo; where, with a few favourites, he hunted and passed away the summer,

The party opposed the king with great bitterness.

against the contrary prejudice. He was often enough in Holland to give them the countenance of his favour. The person of the king of England guarded by a troop of foreigners, was not a pleasing sight to Englishmen, who had so far trusted him, as to make him their king. Nor did he want it, as it appeared afterwards: for he was in truth more really beloved by the body of the people than he thought himself to be, or than his enemies seemed to believe he was. And I have this from those who very well knew the state of this country at that time. I have said the more upon this affair of the Dutch guards, because it is a matter which was then and since much agitated, and I think misrepresented by many writers, though this author's manner of touching it shews he did not concur in the warm sense of those who have called it an affront and a piece of ingratitude to king William. See the Journal of the House of Commons. O. ("A well vouched tradition relates, that when "the account of the refusal of "the commons to pay respect "to his last message (requesting that out of consideration "to him, which he would take "very kindly, they would suffer the guards to continue "longer in his service) was "brought to him, he walked "some time through the room, "with his eyes fixed on the "ground, then stopped, threw "them around with wildness, "and said, 'If I had a son, by "God, these guards should not "quit me.' In a letter to lord "Galway he says, 'I am afraid "the good God will punish the "ingratitude of this nation.'" *Dalrymple's Memoirs*, vol. iii. p. 129. See also in *Coxe's Shrewsbury Correspondence*, lately published, the interesting letter just mentioned from lord Somers, giving an account of the king's resolution to withdraw from England, in consequence of the reduction of the army, and the dismission of the Dutch guards. P. iii. c. 8. p. 571.)

in a way that did not raise his character much. It is certain, the usage he had met with of late put his spirits too much on the fret; and he neither took care to disguise that, nor to overcome the ill humour, which the manner of his deportment, rather than any just occasion given by him, had raised in many against him[o]. Some, in the house of commons, began to carry things much further, and to say, that they were not bound to maintain the votes, and to keep up the credit of the former parliament; and they tried to shake the act made in favour of the new East India company: this was so contrary to the fundamental maxims of our constitution, that it gave cause of jealousy, since this could be intended for nothing but to ruin the government: money raised by parliament, upon bargains and conditions that were performed by those who advanced it, gave them such a purchase of those acts, and this 1698. 220

[o] The implacable revengeful temper he had shewn in the violent and irregular prosecution of so insignificant (and, in truth, despicable) a gentleman as sir John Fenwick, made him universally feared and hated. His passion had so far got the better of him, that when he saw the lords' protest, he said, he did not doubt, but all those that had signed it, would have done as much as sir John if they durst; from whence we concluded, he would hang all of us, if he could: and the dukes of Somerset, Ormond, and Devonshire, with the earls of Pembroke and Dorset, who had spoke and voted against the bill, though not signed the protest, understood themselves to be included in his majesty's most gracious declaration: which had a very surprising effect in the house of lords for a long time after; the court not daring to propose any thing without consulting the minority first, and, in reality, asking their leave; but he could never recover the confidence or affections of any of them during the rest of his reign, which proved very prejudicial to his affairs ever after. D. Vid. pag. 307. H. L. (Henry Legge.) (The earl of Dartmouth had there added the protest against the bill of attainder of sir John Fenwick; which has been inserted above, at p. 195, folio edit.)

1698. was so sacred, that to overturn it must destroy all credit for the future, and no government could be maintained that did not preserve this religiously.

1699. A debate concerning grants of Irish estates.

Among other complaints, one made against the court was, that the king had given grants of the confiscated estates in Ireland: it was told before, that a bill being sent up by the commons, attainting the Irish that had been in arms, and applying their estates to the paying the public debts, leaving only a power to the king to dispose of the third part of them, was like to lie long before the lords; many petitions being offered against it; upon which the king, to bring the session to a speedy conclusion, had promised, that this matter should be kept entire till their next meeting: but the next session going over without any proceeding in it, the king granted away all those confiscations: it being an undoubted branch of the royal prerogative, that all confiscations accrued to the crown, and might be granted away at the pleasure of the king: it was pretended, that those estates came to a million and a half in value. Great objections were made to the merits of some, who had the largest share in those grants; attempts had been made, in the parliament of Ireland, to obtain a confirmation of them, but that which Ginkle, who was created earl of Athlone, had, was only confirmed: now it was become a popular subject of declamation, to arraign both the grants and those who had them: motions had been often made, for a general resumption of all the grants made in this reign; but in answer to this, it was said, that since no such motion was made for a resumption of the grants made in king Charles the second's reign, not-

withstanding the extravagant profusion of them, and the ill grounds upon which they were made, it shewed both a disrespect and a black ingratitude, if, while no other grants were resumed, this king only should be called in question. The court party said often, let the retrospect go back to the year 1660, and they would consent to it, and that which might be got by it would be worth the while. It was answered, this could not be done after so long a time, that so many sales, mortgages, and settlements had been made, pursuant to those grants; so all these attempts came to nothing. But now they fell on a more effectual method. A commission was given, by act of parliament, to seven persons named by the house of commons, to inquire into the value of the confiscated estates in Ireland so granted away, and into the considerations upon which those grants were made [p]. This passed in this session, and in the debates a great alienation discovered itself in many from the king and his government, which had a very ill effect upon all affairs, both at home and abroad. When the time prefixed for the disbanding the army came, it was reduced to seven thousand men: of these, four thousand were horse and dragoons, the foot were three thousand; the bodies were also re- 1699. 221

[p] It was about this time, that on a vacancy of the auditor's place, Mr. Montague, with the approbation or advice of his friends, declared his resolution of taking to himself that lucrative office, and put in his relation, Kit Montague, to keep it for him, as the holding the auditorship was incompatible with being chancellor of the exchequer. Mr. Smith was soon after appointed to that employment. It appears by a letter to the king from lord S——, (perhaps Somers,) that he did not approve of this step of Mr. Montague. But the other was much disheartened by the growing opposition to him in the house of commons. H.

1699. duced to so small a number of soldiers, that it was said we had now an army of officers: the new model was much approved of by proper judges, as the best into which so small a number could have been brought. There was at the same time a very large provision made for the sea, greater than was thought necessary in a time of peace. Fifteen thousand seamen, with a fleet proportioned to that number, was thought a necessary security, since we were made so weak by land.

The czar of Moscovy in England.

I mentioned, in the relation of the former year, the czar's coming out of his own country; on which I will now enlarge: he came this winter over to England, and stayed some months among us [q]; I waited often on him, and was ordered, both by the king and the archbishop and bishops, to attend upon him, and to offer him such informations of our religion and constitution, as he was willing to receive: I had good interpreters, so I had much free discourse with him; he is a man of a very hot temper, soon inflamed, and very brutal in his passion; he raises his natural heat, by drinking much brandy, which he rectifies himself with great application: he is subject to convulsive motions all over his body,

[q] The king made the czar a visit, in which an odd incident happened. The czar had a favourite monkey, which sat upon the back of his chair; as soon as the king was sat down, the monkey jumped upon him in some wrath, which discomposed the whole ceremonial; and most of the time was afterwards spent in apologies for the monkey's misbehaviour. He had a great dislike to being looked at, but had a mind to see the king in parliament; in order to which, he was placed in a gutter upon the house-top, to peep in at the window; where he made so ridiculous a figure, that neither king nor people could forbear laughing; which obliged him to retire sooner than he intended. D.

and his head seems to be affected with these; he wants not capacity, and has a larger measure of knowledge, than might be expected from his education, which was very indifferent; a want of judgment, with an instability of temper, appear in him too often and too evidently; he is mechanically turned, and seems designed by nature rather to be a ship-carpenter, than a great prince. This was his chief study and exercise, while he stayed here: he wrought much with his own hands, and made all about him work at the models of ships: he told me, he designed a great fleet at Azuph, and with it to attack the Turkish empire; but he did not seem capable of conducting so great a design, though his conduct in his wars since this, has discovered a greater genius in him than appeared at that time. He was desirous to understand our doctrine, but he did not seem disposed to mend matters in Moscovy; he was indeed resolved to encourage learning, and to polish his people, by sending some of them to travel in other countries, and to draw strangers to come and live among them. He seemed apprehensive still of his sister's intrigues. There was a mixture both of passion and severity in his temper. He is resolute, but understands little of war[r], and seemed not at all inquisitive that way. After I had seen him often, and had conversed much with him, I could not but adore the depth of the providence of God, that had raised up such a furious man to so absolute an authority over so great a part of the world. 1699. 222

David, considering the great things God had made

[r] Bishop Burnet makes a very wrong judgment of the czar. H.

1699. for the use of man, broke out into the meditation, *What is man, that thou art so mindful of him?* But here there is an occasion for reversing these words, since man seems a very contemptible thing in the sight of God, while such a person as the czar has such multitudes put as it were under his feet, exposed to his restless jealousy and savage temper. He went from hence to the court of Vienna, where he purposed to have stayed some time, but he was called home sooner than he had intended, upon a discovery or a suspicion of intrigues managed by his sister: the strangers to whom he trusted most, were so true to him, that those designs were crushed before he came back; but on this occasion he let loose his fury on all whom he suspected; some hundreds of them were hanged all round Moscow, and it was said that he cut off many heads with his own hand, and so far was he from relenting, or shewing any sort of tenderness, that he seemed delighted with it. How long he is to be the scourge of that nation, or of his neighbours, God only knows: so extraordinary an incident will, I hope, justify such a digression.

The affairs of Poland.

The king of Poland was not much better thought of by the Poles, though somewhat deeper in his designs: he had given that republic great cause of suspecting, that he intended to turn that free and elective state into an hereditary and absolute dominion. Under the pretence of a civil war, like to arise at home, on the prince of Conti's account, and of the war with the Turks, he had brought in an army of Saxons, of whom the Poles were now become so jealous, that if he does not send them home again, probably that kingdom will fall into new wars.

The young king of Sweden seemed to inherit the roughness of his father's temper, with the piety and the virtues of his mother; his coronation was performed in a particular manner; he took up the crown himself, and set it on his head; the design of this innovation in the ceremonial seems to be, that he will not have his subjects think, that he holds his crown in any respect by their grant or consent, but that it was his own by descent: therefore no other person was to set it on his head: whereas, even absolute princes are willing to leave this poor remnant and shadow of a popular election, among the ceremonies of their coronation; since they are crowned upon the desires and shoutings of their people. Thus the two northern crowns, Denmark and Sweden, that were long under great restraints by their constitution, have in our own time emancipated themselves so entirely [s], that in their government they have little regard, either to the rules of law or the decencies of custom. A little time will shew, whether Poland can be brought to submit to the same absoluteness of government; they who set their crown to sale in so barefaced a manner, may be supposed ready likewise to sell their liberties, if they can find a merchant that will come to their price. 1699. 223 The affairs of Sweden.

The frequent relapses, and the feeble state of the king of Spain's health, gave the world great alarms. The court of Vienna trusted to their interest in the court of Spain, and in that king himself; the French court was resolved not to let go their pretensions to that succession, without great advantages [t]; the king A treaty for the succession to the crown of Spain.

[s] As princes call it. O.

[t] There was a thought at this time of sending an ambassador to Spain; lord Wharton

1699. and the States were not now strong enough to be the umpires in that matter; this made them more easily hearken to propositions, that were set on foot by the court of France; the electoral prince of Bavaria was proposed, he being the only issue of the king of Spain's second sister, who was married to the emperor. Into this, the king, the States, and the elector of Bavaria entered; the court of Spain agreed to this; and that king, by his will, confirmed his father's will, by which the succession of the crown was settled on the issue of the second daughter, and it was resolved to engage all the grandees and cities of Spain, to maintain the succession, according to this settlement. The house of Austria complained of this, and pretended that, by a long tract of reciprocal settlements, several mutual entails had passed between those two branches of the house of Austria; the court of France seemed also to complain of it, but they were secretly in it, upon engagements, that the dominions in Italy should fall to their share; but while these engagements, in fa-
224 vour of the prince electoral, were raising great apprehensions every where, that young prince, who seemed marked out for great things, and who had all the promising beginnings that could be expected in a child of seven years old, fell sick, and was carried off the third or fourth day of his illness; so uncertain are all the prospects and all the hopes

was proposed, but excused himself from going, and the king was too much chagrined with all parties to propose any body himself. Undoubtedly the partition treaty should have been earlier broken to the Spanish court, or at least excused after it was concluded, by a solemn embassy, and an able ambassador. H.

that this world can give[u]. Now the dauphin and the emperor were to dispute, or to divide this succession between them; so a new treaty was set on foot: it was generally given out, and too easily believed, that the king of France was grown weary of war, and was resolved to pass the rest of his days in peace and quiet; but that he could not consent to the exaltation of the house of Austria; yet if that house were set aside, he would yield up the dauphin's pretensions; and so the duke of Savoy was much talked of, but it was with the prospect of having his hereditary dominions yielded up to the crown of France: but this great matter came to another digestion a few months after. 1699.

The earl of Albemarle's favour.

About this time, the king set up a new favourite: Keppel, a gentleman of Guelder, was raised, from being a page, into the highest degree of favour, that any person had ever attained, about the king: he was now made earl of Albemarle, and soon after knight of the garter, and, by a quick and unaccountable progress, he seemed to have engrossed the royal favour so entirely, that he disposed of every thing, that was in the king's power. He was a cheerful young man, that had the art to please, but was so much given up to his own pleasures, that he could scarce submit to the attendance and drudgery that was necessary to maintain his post. He never had yet distinguished himself in any thing, though the king did it in every thing. He was not cold nor

[u] The elector of Bavaria, in the memorial he published at the beginning of the second war, gave broad hints, that his son had suffered, from a certain fatality, that always attended those that stood in the way of aggrandizing the house of Austria. D.

1699. dry, as the earl of Portland was thought to be; who seemed to have the art of creating many enemies to himself, and not one friend[x]: but the earl of Albemarle had all the arts of a court, was civil to all, and procured many favours. The earl of Portland observed the progress of this favour with great uneasiness; they grew to be not only incompatible, as all rivals for favour must needs be, but to hate and oppose one another in every thing; by which the king's affairs suffered much; the one had more of the confidence, and the other much more of the favour; the king had heaped many grants on the earl of Portland, and had sent him ambassador to France, upon the peace; where he appeared with great magnificence, and at a vast expense, and had many very unusual respects put upon him by that king and all that court; but upon his return, he
225 could not bear the visible superiority in favour, that the other was grown up to; so he took occasion, from a small preference that was given him, in prejudice of his own post, as groom of the stole, and upon it withdrew from the court, and laid down all his employments. The king used all possible means to divert him from this resolution, but without prevailing on him; he consented to serve the king still in his affairs, but he would not return to any post in the household; and not long after that, he was

[x] The earl of Sunderland had a very mean opinion of the earl of Portland; and said upon Keppel's being sent to him by the king upon some business, "This young man brings and "carries a message well; but "Portland is so dull an animal, "that he can neither fetch nor "carry." I mention this particular as a specimen of the earl of Sunderland's style, which he was much given to, and which did much increase enmities to him. He wanted not this farther quality to make him universally odious. O.

employed in the new negotiation, set on foot for the succession to the crown of Spain. 1699.

This year died the marquis of Winchester, whom the king had created duke of Bolton; he was a man of a strange mixture; he had the spleen to a high degree, and affected an extravagant behaviour; for many weeks he would take a conceit not to speak one word; and at other times, he would not open his mouth, till such an hour of the day, when he thought the air was pure; he changed the day into night, and often hunted by torch light, and took all sorts of liberties to himself, many of which were very disagreeable to those about him. In the end of king Charles's time, and during king James's reign, he affected an appearance of folly, which afterwards he compared to Junius Brutus's behaviour under the Tarquins [y]. With all this, he was a very knowing, and a very crafty politic man; and was an artful flatterer, when that was necessary to compass his end, in which generally he was successful: he was a man of a profuse expense, and of a most ravenous avarice to support that; and though he was much hated, yet he carried matters before him with such authority and success, that he was in all respects the great riddle of the age. The death of the duke of Bolton.

This summer, sir Josiah Child died; he was a man of great notions as to merchandise [z], which was And of sir Josiah Child.

[y] (Sir John Reresby, in his Memoirs, p. 140, confirms the notion, that this strange mode of life, in turning night into day, was the result of policy in this nobleman, wishing people to think him mad, in order to avoid harsher censure in king James's reign. He certainly entered into engagements with the prince of Orange before his arrival in England. After all, perhaps insanity was at the bottom of the whole.)

[z] Manifested in the best book we have upon that subject, and which in the principal parts of it, and in general, is still our standard. O.

1699. his education, and in which he succeeded beyond any man of his time: he applied himself chiefly to the East India trade, which by his management was raised so high, that it drew much envy and jealousy both upon himself and upon the company; he had a compass of knowledge and apprehension beyond any merchant I ever knew; he was vain and covetous, and thought too cunning, though to me he seemed always sincere.

The archbishop of Cambray's book condemned.

The complaints that the court of France sent to Rome, against the archbishop of Cambray's book, procured a censure from thence; but he gave such a ready and entire submission to it, that how much soever that may have lessened him in some men's opinions, yet it quite defeated the designs of his enemies against him: upon this occasion it appeared
226 how much both the clergy of France, and the courts of parliament there, were sunk from that firmness, which they had so long maintained against the incroachment of the court of Rome; not so much as one person of those bodies has set himself to assert those liberties, upon which they had so long valued themselves; the whole clergy submitted to the bull, the king himself received it, and the parliament registered it: we do not yet know, by what methods and practices this was obtained at the court of Rome, nor what are the distinctions, by which they save the doctrine of so many of their saints, while they condemn this archbishop's book; for it is not easy to perceive a difference between them: from the conclusion of this process at Rome, I turn to another, against a bishop of our own church, that was brought to a sentence and conclusion this summer.

Dr. Watson was promoted by king James to the bishopric of St. David's; it was believed that he gave money for his advancement, and that, in order to the reimbursing himself, he sold most of the spiritual preferments in his gift: by the law and custom of this church, the archbishop is the only judge of a bishop, but, upon such occasions, he calls for the assistance of some of the bishops; he called for six in this cause; I was one of them; it was proved, that the bishop had collated a nephew of his to a great many of the best preferments in his gift, and that, for many years, he had taken the whole profits of these to himself, keeping his nephew very poor, and obliging him to perform no part of his duty: it was also proved, that the bishop obtained leave to keep a benefice, which he held before his promotion, by a commendam (one of the abuses which the popes brought in among us, from which we have not been able hitherto to free our church) he had sold both the cure and the profits to a clergyman, for a sum of money, and had obliged himself to resign it upon demand; that is, as soon as the clergyman could, by another sum, purchase the next presentation of the patron: these things were fully proved. To these was added a charge of many oppressive fees, which, being taken for benefices that were in his gift, were not only extortion, but a presumptive simony: all these he had taken himself, without making use of a register or actuary; for as he would not trust those secrets to any other, so he swallowed up the fees, both of his chancellor and register: he had also ordained many persons, without tendering them the oaths enjoined by law; and yet, in their letters of orders, he had certified under

1699. The bishop of St. David's deprived for simony.

1699. his hand and seal, that they had taken those oaths;
227 this was what the law calls *crimen falsi*, the certifying that which he knew to be false: no exceptions lay to the witnesses, by whom these things were made out, nor did the bishop bring any proofs, on his side, to contradict their evidence: some affirmed, that he was a sober and regular man, and that he spoke often of simony with such detestation, that they could not think him capable of committing it. The bishop of Rochester withdrew from the court, on the day in which sentence was to be given; he consented to a suspension, but he did not think that a bishop could be deprived by the archbishop. When the court sat to give judgment, the bishop resumed his privilege of peerage, and pleaded it; but he, having waved it in the house of lords, and having gone on still submitting to the court, no regard was had to this, since a plea to the jurisdiction of the court was to be offered in the first instance, but could not be kept up to the last, and then be made use of. The bishops, that were present, agreed to a sentence of deprivation: I went further, and thought that he ought to be excommunicated. He was one of the worst men, in all respects, that ever I knew in holy orders: passionate, covetous, and false in the blackest instances; without any one virtue or good quality, to balance his many bad ones. But, as he was advanced by king James, so he stuck firm to that interest; and the party, though ashamed of him, yet were resolved to support him with great zeal: he appealed to a court of delegates; and they, about the end of the year, confirmed the archbishop's sentence. Another prosecution followed for simony, against Jones bishop

of St. Asaph, in which, though the presumptions were very great, yet the evidence was not so clear as in the former case[a]. The bishops in Wales give almost all the benefices in their diocese; so this primitive constitution, that is still preserved among them, was scandalously abused by some wicked men, who set holy things to sale, and thereby increased the prejudices, that are but too easily received, both against religion and the church. 1699.

I published this year an Exposition of the Thirty-nine Articles of Religion: it seemed a work much wanted, and it was justly to be wondered at, that none of our divines had attempted any such performance, in a way suitable to the dignity of the subject: for some slight analyses of them are not worth either mentioning or reading. It was a work that required study and labour, and laid a man open to many malicious attacks; this made some of my friends advise me against publishing it; in compliance with them, I kept it five years by me, after I had finished it: but I was now prevailed on by the archbishop, and many of my own order, besides a great many others, to delay the publishing it no 228

I published an Exposition of the Thirty-nine Articles.

[a] The chief difference between their cases was, that Watson took the money himself, (being a bachelor,) and Jones's wife received it for him. I asked bishop Burnet myself, how they distinguished the crime: he told me, they looked upon one as direct simony, and the other as a simoniacal practice. Knowing the exceeding partiality of the man, I told him, I always understood before, that simony had been composed of simoniacal practices; which he seemed to take a little unkindly, but gave me no answer. D. Alluding to these two cases, Shippen in his famous party-poem called "Fac-"tion Displayed," says of the archbishop, "Here spared a "friend, there triumphed o'er "a foe." O.

1699. longer. It seemed a proper addition to the History of the Reformation, to explain and prove the doctrine which was then established. I was moved first by the late queen, and pressed by the late archbishop to write it; I can appeal to the searcher of all hearts, that I wrote it with great sincerity and a good intention, and with all the application and care I was capable of. I did then expect, what I have since met with, that malicious men would employ both their industry and ill-nature, to find matter for censure and cavils; but though there have been some books writ on purpose against it, and many in sermons and other treatises have occasionally reflected, with great severity, upon several passages in it, yet this has been done with so little justice or reason, that I am not yet convinced, that there is one single period or expression, that is justly remarked on, or that can give me any occasion, either to retract, or so much as to explain any one part of that whole work; which I was very ready to have done, if I had seen cause for it. There was another reason, that seemed to determine me to the publishing it at this time.

The growth of popery.

Upon the peace of Ryswick, a great swarm of priests came over to England, not only those whom the revolution had frighted away, but many more new men, who appeared in many places with great insolence; and it was said, that they boasted of the favour and protection of which they were assured. Some enemies of the government began to give it out, that the favouring that religion was a secret article of the peace; and so absurd is malice and calumny, that the Jacobites began to say, that the

king was either of that religion, or at least a favourer of it[c]: complaints of the avowed practices and insolence of the priests were brought from several places, during the last session of parliament, and those were maliciously aggravated by some, who cast the blame of all on the king. 1699.

Upon this, some proposed a bill, that obliged all persons educated in that religion, or suspected to be of it, who should succeed to any estate before they were of the age of eighteen, to take the oaths of allegiance and supremacy, and the test, as soon as they came to that age; and till they did it, the estate was to devolve to the next of kin, that was a protestant; but was to return back to them upon their taking the oaths. All popish priests were also banished by the bill, and were adjudged to perpetual imprisonment, if they should again return into England; and the reward of an hundred pound was offered to every one who should discover a popish priest, so as to convict him. Those, who brought this into the house of commons, hoped, that the An act against papists.

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[d] He does the Jacobites a great deal of wrong; for it was the whigs gave out that the king was turned Jacobite, upon a jealousy they conceived at the conferences between lord Portland and marshal Bouflers, that the king had agreed that the pretender should succeed him, which was carried so far, that the earl of Oxford (Orford) came in the name of them all, to ask if there was any thing in that report, and said, with some emotion, that it was hard if the king had entered into any such engagements, without taking care to secure the interest and safety of his friends. Lord Jersey told me afterwards, that such a proposal had been once made, with an offer that the pretender should be sent over, and educated as the king thought fit, who shewed no sort of dislike to it, but said it would be a contradiction to all the other actions of his life. That he favoured the Roman catholics as far as he could, and that he was frequently called upon by the emperor so to do, is most certain. D. (See note before at p. 201.)

1699. court would have opposed it; but the court promoted the bill; so when the party saw their mistake, they seemed willing to let the bill fall; and when that could not be done, they clogged it with many severe and some unreasonable clauses, hoping that the lords would not pass the act; and it was said, that if the lords should make the least alteration in it, they, in the house of commons, who had set it on, were resolved to let it lie on their table, when it should be sent back to them. Many lords, who secretly favoured papists, on the Jacobite account, did for this very reason move for several alterations; some of these importing a greater severity; but the zeal against popery was such in that house, that the bill passed without any amendment, and it had the royal assent. I was for this bill, notwithstanding my principles for toleration, and against all persecution for conscience sake; I had always thought, that if a government found any sect in religion incompatible with its quiet and safety, it might, and sometimes ought, to send away all of that sect, with as little hardship as possible: it is certain, that as all papists must, at all times, be ill subjects to a protestant prince, so this is much more to be apprehended, when there is a pretended popish heir in the case: this act hurt no man that was in the present possession of an estate, it only incapacitated his next heir to succeed to that estate, if he continued a papist; so the danger of this, in case the act should be well looked to, would put those of that religion, who are men of conscience, on the selling their estates; and in the course of a few years, might deliver us from having any papists left among us. But this act wanted several necessary

clauses to enforce the due execution of it; the word *next of kin*, was very indefinite, and the *next of kin* was not obliged to claim the benefit of this act, nor did the right descend to the remoter heirs, if the more immediate ones should not take the benefit of it; the test, relating to matters of doctrine and worship, did not seem a proper ground for so great a severity; so this act was not followed nor executed in any sort [d]; but here is a scheme laid, though not fully digested, which on some great provocation, given by those of that religion, may dispose a parliament to put such clauses in a new act, as may make this effectual [e]. 1699.

The king of Denmark was in a visible decline all this year; and died about the end of summer. 230 Affairs in Holstein.

[d] It has since, in the instance of one Roper, when it received a construction that contributes very much to the enforcing of the act. This construction was a point in which the chancellor, (lord Harcourt,) before whom the cause came, had a difference of opinion with the chief justice, (Parker,) whom the chancellor called to his assistance. The last was for a construction which would in effect have made the act useless, by an easy evasion of it, and Parker's opinion was calculated to prevent that. The chancellor's opinion was the decree, but there was an appeal from it to the house of lords, where the decree was reversed, upon Parker's reasons, whom the lords called upon for his opinion. He got great credit by it, with some reflection upon the chancellor. So that all the papists now have their land estates in England upon a very precarious holding. O. (See below, p. 440.)

[e] (The passing this act, and the arguments in its favour, are a good specimen of consistency in the professed patrons of moderation. What would they have said, if the government in Charles the second's reign had proposed banishing from their country the protestant nonconformists, under pretence of their incompatibility with its quiet and safety? It certainly behoved king William, in conformity with the assurances he is said to have given the confederate princes, of protecting his Roman catholic subjects, to have prevented, if it had been in his power, such a scandalous and persecuting measure. But the kings of England were become, instead of constitutional kings, only puppets.)

1699. While he was languishing, the duke of Holstein began to build some new forts in that duchy; this, the Danes said, was contrary to the treaties, and to the *condominium*, which that king and the duke have in that duchy; the duke of Holstein had married the king of Sweden's sister, and depended on the assurances he had, of being supported by that crown; the young king of Denmark, upon his coming to the crown, as he complained of these infractions, so he entered into an alliance with the king of Poland and the elector of Brandenburgh, and, as was said, with the landgrave of Hesse and the duke of Wolfembuttel, to attack Sweden and Holstein at once, on all hands. The king of Poland was to invade Livonia; the elector of Brandenburgh was to fall into the regal Pomerania, and the other princes were to keep the dukes of Zell and Hanover from assisting Holstein; the king of Denmark himself was to attack Holstein; but his father's chief minister and treasurer, the baron Plesse, did not like the concert, and apprehended it would not end well; so he withdrew from his post, which he had maintained long, with a high reputation, both for his capacity and integrity; which appeared in this, that, though that king's power is now carried to be absolute, yet he never stretched it to new or oppressive taxes; and therefore seeing things were like to take another ply in a new reign, he resigned his employment. He was the ablest and the worthiest man, that I ever knew belonging to those parts; he was much trusted and employed by prince George; so that I had great opportunities to know him.

The king of Sweden, seeing such a storm coming

upon him from so many hands, claimed the effects of his alliance with England and Holland, who were guarantees of the several treaties made in the north, particularly of the last, made at Altena but ten years before. The house of Lunenburgh was also engaged in interest to preserve Holstein, as a barrier between them and Denmark: the king of Poland thought the invasion of Livonia, which was to be begun with the siege of Riga, would prove both easy and of great advantage to him. Livonia was anciently a fief of the crown of Poland, and delivered itself, for protection, to the crown of Sweden, by a capitulation: by that, they were still to enjoy their ancient liberties; afterwards, the pretension of the crown of Poland was yielded up, about threescore years ago: so that Livonia was an absolute but legal government: yet the late king of Sweden had treated that principality in the same rough manner in which he had oppressed his other dominions; so it was thought, that the Livonians were disposed (as soon as they saw a power ready to protect them, and to restore them to their former liberties) to shake off the Swedish yoke; especially, if they saw the king attacked in so many different places at once. 1699. A war raised against the king of Sweden. 231

The king of Poland had a farther design in this invasion: he had an army of Saxons in Poland, to whom he chiefly trusted in carrying on his designs there; the Poles were become so jealous, both of him and of his Saxons, that in a general diet they had come to very severe resolutions, in case the Saxons were not sent out of the kingdom by a prefixed day: that king therefore reckoned, that as the reduction of Livonia had the fair appearance of recovering the ancient inheritance of the crown, so by this means The king of Poland's designs.

1699. he would carry the Saxons out of Poland, as was decreed, and yet have them within call: he likewise studied to engage those of Lithuania to join with him in the attempt. His chief dependance was on the czar, who had assured him, that if he could make peace with the Turk, and keep Azuph, he would assist him powerfully against the Swedes; his design being to recover Narva, which is capable of being made a good port. By this means he hoped to get into the Baltic, where if he could once settle, he would soon become an uneasy neighbour to all the northern princes: the king of Poland went into Saxony, to mortgage and sell his lands there, and to raise as much money as was possible, for carrying on this war; and he brought the electorate to so low a state, that if his designs in Poland miscarry, and if he is driven back into Saxony, he, who was the richest prince of the empire, will become one of the poorest. But the amusements of balls and operas consumed so much both of his time and treasure, that whereas the design was laid to surprise Riga in the middle of the winter, he did not begin his attempt upon it before the end of February, and these designs went no farther this year.

The partition treaty.

While the king was at Loo this summer, a new treaty was set on foot, concerning the succession to the crown of Spain; the king and the states of the United Provinces saw the danger to which they would be exposed, if they should engage in a new war, while we were yet under the vast debts that the former had brought upon us; the king's ministers in the house of commons assured him, that it would be a very difficult thing to bring them to

232 enter into a new war, for maintaining the rights of

the house of Austria. During the debates concern- 1699.
ing the army, when some mentioned the danger of that monarchy falling into the hands of a prince of the house of Bourbon, it was set up for a maxim, that it would be of no consequence to the affairs of Europe who was king of Spain, whether a Frenchman or a German; and that as soon as the successor should come within Spain, he would become a true Spaniard, and be governed by the maxims and interests of that crown: so that there was no prospect of being able to infuse into the nation an apprehension of the consequence of that succession[f]. The emperor had a very good claim; but as he had little strength to support it by land, so he had none at all by sea; and his treasure was quite exhausted by his long war with the Turk: the French drew a great force towards the frontiers of Spain, and they were resolved to march into it, upon that king's death: there was no strength ready to oppose them, yet they seemed willing to compound the matter; but they said, the consideration must be very valuable, that could make them desist from so great a pretension; and both the king and the States thought it was a good bargain, if, by yielding up some of the less important branches of that monarchy, they could save those in which they were most concerned, which were Spain itself, the West Indies, and the Netherlands. The French seemed willing to accept of the dominions in and about Italy, with a part of the kingdom of Navarre, and to yield up the rest to the emperor's second son, the archduke Charles; the

[f] Lord Bolingbroke, in his Letters, censures this indolence in the nation, with regard to foreign affairs, very strongly. H.

1699. emperor entered into the treaty, for he saw he could not hope to carry the whole succession entire; but he pressed to have the duchy of Milan added to his hereditary dominions in Germany: the expedient that the king proposed was, that the duke of Lorrain should have the duchy of Milan, and that France should accept of Lorrain instead of it; he was the emperor's nephew, and would be entirely in his interests: the emperor did not agree to this, but yet he pressed the king not to give over the treaty, and to try if he could make a better bargain for him: above all things, he recommended secrecy; for he well knew how much the Spaniards would be offended, if any treaty should be owned, that might bring on a dismembering of their monarchy; for though they were taking no care to preserve it, in whole or in part, yet they could not bear the having any branch torn from it. The king reckoned, that the emperor, with the other princes of Italy, might have so much interest in Rome, as to stop the pope's giving the investiture of the kingdom of Naples;
233 and which way soever that matter might end, it would oblige the pope to shew great partiality, either to the house of Austria or the house of Bourbon; which might occasion a breach among them, with other consequences that might be very happy to the whole protestant interest: any war that might follow in Italy would be at great distance from us, and in a country that we had no reason to regard much; besides, that the fleets of England and Holland must come, in conclusion, to be the arbiters of the matter.

These were the king's secret motives; for I had

most of them from his own mouth[g]. The French consented to this scheme, and if the emperor would have agreed to it, his son the archduke was immediately to go to Spain, to be considered as the heir of that crown. By these articles, signed both by the king of France and the dauphin, they bound themselves not to accept of any will, testament, or donation, contrary to this treaty, which came to be called the *partition treaty*. I had the original in my hands, which the dauphin signed. The French and the emperor tried their strength in the court of Spain; it is plain, the emperor trusted too much to his interest in that court, and in that king himself; and he refused to accept of the partition, merely to ingratiate 1699.

[g] There was a minute among lord Somers's papers, of a meeting of some of the king's servants. When lord Portland communicated the treaty to them, several objections were made to parts of it; but lord Portland's constant answer was, "that nothing could be altered;" upon which, one of the company (whose name is not mentioned) said, that if that was the case, he saw no reason why they were troubled with it. It is remarkable, that the impeached lords rather excused than defended the ministerial or subordinate share which they had in the treaty; and lord Orford (I think) pleaded ignorance of the whole affair. H. ("The terms *will, testament*, and *donation*, it must be owned, are very emphatical: but if no such terms are to be found in the act of renunciation, which was prepared by the contracting parties, for the signature of the emperor, on his accession thereto, (as it is certain there are not,) it may be fairly inferred, that the bishop trusted to his memory in composing this paragraph, instead of laying the said original before his eyes, as he ought to have done. Then as to the archduke's immediate going to Spain, in case the emperor agreed to the partition, the secret article above inserted shews, that no one circumstance was more cautiously or expressly provided against than that; and if the French court did afterwards seem to relent a little on that head, it was by way of voluntary concession, and the merit of it, if any, as we shall see in its place, belonged only to themselves." *Ralph's Hist. of England*, vol. ii. p. 859.)

1699. himself with them; otherwise it was not doubted, but that, seeing the impossibility of mending matters, he would have yielded to the necessity of his affairs. The French did, in a most perfidious manner, study to alienate the Spaniards from their allies, by shewing them to how great a diminution of their monarchy they had consented; so that no way possible was left for them to keep those dominions still united to their crown, but by accepting the duke of Anjou to be their king, with whom all should be again restored. The Spaniards complained in the courts of their allies, in ours in particular, of this partition, as a detestable project; which was to rob them of those dominions that belonged to their crown, and ought not to be torn from it. No mention was made of this during the session of parliament, for though the thing was generally believed, yet it not being publicly owned, no notice could be taken of bare reports; and nothing was to be done, in pursuance of this treaty, during the king of Spain's life.

The affairs of Scotland.

In Scotland all men were full of hopes, that their new colony should bring them home mountains of gold; the proclamations sent to Jamaica and to the other English plantations were much complained of, as acts of hostility, and a violation of the common
234 rights of humanity; these had a great effect on them, though without these, that colony was too weak and too ill supplied, as well as too much divided within itself, to have subsisted long; those, who had first possessed themselves of it, were forced to abandon it: soon after they had gone from it, a second recruit of men and provisions was sent thither from Scotland; but one of their ships unhap-

pily took fire, in which they had the greatest stock of provisions; and so these likewise went off: and though the third reinforcement, that soon followed this, was both stronger and better furnished, yet they fell into such factions among themselves, that they were too weak to resist the Spaniards, who, feeble as they were, yet saw the necessity of attacking them: and they finding themselves unable to resist the force which was brought against them, capitulated; and with that the whole design fell to the ground, partly for want of stock and skill in those who managed it, and partly by the baseness and treachery of those whom they employed [h]. 1699.

Great discontent upon the loss of Darien.

The conduct of the king's ministers in Scotland was much censured in the whole progress of this affair; for they had connived at it, if not encouraged it, in hopes that the design would fall of itself; but now it was not so easy to cure the universal discontent, which the miscarriage of this design, to the impoverishing the whole kingdom, had raised, and which now began to spread, like a contagion, among all sorts of people. A petition for a present session of parliament was immediately sent about the kingdom, and was signed by many thousands: this was sent up by some of the chief of their nobility, whom the king received very coldly: yet a session of parliament was granted them, to which the duke of Queensbury was sent down commissioner. Great pains were taken, by all sorts of practices, to be sure of a majority; great offers were made them in order

[h] The Scotch were hardly used in the affair of Darien, and it had bad consequences with regard to their zeal for the king and his government, as the lords and commons of Scotland were then desirous of getting into trade. H.

1699. to lay the discontents, which ran then very high; a law for a *habeas corpus*, with a great freedom for trade, and every thing that they could demand, was offered, to persuade them to desist from pursuing the design upon Darien. The court had tried to get the parliament of England to interpose in that matter, and to declare themselves against that undertaking. The house of lords was prevailed on to make an address to the king, representing the ill effects that they apprehended from that settlement; but this did not signify much, for as it was carried in that house by a small majority of seven or eight, so it was laid aside by the house of commons. Some were not ill pleased to see the king's affairs run into an embroilment; and others did apprehend, that
235 there was a design to involve the two kingdoms in a national quarrel, that by such an artifice a greater army might be raised, and kept up on both sides; so they let that matter fall, nor would they give any entertainment to a bill that was sent them by the lords, in order to a treaty for the union of both kingdoms[i]. The managers in the house of commons, who opposed the court, resolved to do nothing that should provoke Scotland, or that should take any part of the blame and general discontent, that soured that nation, off from the king: it was further given out, to raise the national disgust yet higher, that the opposition the king gave to the Scotch colony, flowed neither from a regard to the interests of England, nor to the treaties with Spain, but from a care of the Dutch, who from Curasoe drove a coast-

[i] (It had been introduced at the recommendation of the king. See his answer to the lords' address in Ralph's Hist. of England, vol. ii. p. 849.)

ing trade, among the Spanish plantations, with great advantage; which, they said, the Scotch colony, if once well settled, would draw wholly from them. These things were set about that nation with great industry; the management was chiefly in the hands of Jacobites; neither the king nor his ministers were treated with the decencies that are sometimes observed, even after subjects have run to arms: the keenest of their rage was plainly pointed at the king himself; next him, the earl of Portland, who had still the direction of their affairs, had a large share of it. In the session of parliament it was carried by a vote, to make the affair of Darien a national concern: upon that, the session was for some time discontinued. When the news of the total abandoning of Darien was brought over, it cannot be well expressed into how bad a temper this cast the body of that people: they had now lost almost two hundred thousand pounds sterling upon this project, besides all the imaginary treasure they had promised themselves from it: so the nation was raised into a sort of a fury upon it, and in the first heat of that, a remonstrance was sent about the kingdom for hands, representing to the king, the necessity of a present sitting of the parliament, which was drawn in so high a strain, as if they had resolved to pursue the effects of it by an armed force. It was signed by a great majority of the members of parliament; and the ferment in men's spirits was raised so high, that few thought it could have been long curbed, without breaking forth into great extremities. 1699.

A session of parliament.

The king stayed beyond sea till November: many expected to see a new parliament; for the king's speech at the end of the former session looked like

1699. a complaint, and an appeal to the nation against
236 them; he seemed inclined to it, but his ministers would not venture on it: the dissolving a parliament in anger has always cast such a load on those who were thought to have advised it, that few have been able to bear it; besides, the disbanding the army had rendered the members, who promoted it, very popular to the nation: so that they would have sent up the same men, and it was thought that there was little occasion for heat in another session: but those who opposed the king, resolved to force a change of the ministry upon him; they were seeking colours for this, and thought they had found one, with which they had made much noise: it was this.

A complaint made of some pirates.

Some pirates had got together in the Indian seas, and robbed some of the mogul's ships, in particular one that he was sending with presents to Mecca; most of them were English: the East India company, having represented the danger of the mogul's taking reprisals of them for these losses, it appeared that there was a necessity of destroying those pirates, who were harbouring themselves in some creeks in Madagascar. So a man of war was to be set out to destroy them, and one Kid was pitched upon, who knew their haunts, and was thought a proper man for the service: but there was not a fund, to bear the charge of this; for the parliament had so appropriated the money given for the sea, that no part of it could be applied to this expedition. The king proposed the managing it by a private undertaking, and said he would lay down three thousand pounds himself, and recommended it to his ministers to find out the rest: in compliance

with this, the Lord Somers, the earls of Orford, 1699.
Rumney, Bellamount, and some others, contributed the whole expense; for the king excused himself by reason of other accidents, and did not advance the sum that he had promised: lord Somers understood nothing of the matter, and left it wholly to the management of others, so that he never saw Kid, only he thought it became the post he was in, to concur in such a public service. A grant was made to the undertakers, of all that should be taken from those pirates by their ship. Here was a handle for complaint; for as it was against law, to take a grant of the goods of any offenders before conviction, so a parity between that and this case was urged; but without any reason; the provisions of law being very different in the case of pirates and that of other criminals. The former cannot be attacked, but in the way of war; and therefore since those who undertook this must run a great risk in executing it, it was reasonable, and according to the law of war, that they should have a right to all that they found in the enemies' hands; whereas those who seize common offenders, have such a strength 237
by the law, to assist them, and incur so little danger in doing it, that no just inference can be drawn from the one case to the other. When this Kid was thus set out, he turned pirate himself; so a heavy load was cast on the ministry, chiefly on him who was at the head of the justice of the nation. It was said, he ought not to have engaged in such a project; and it was maliciously insinuated, that the privateer turned pirate, in confidence of the protection of those who employed him, if he had not secret orders from them for what he did. Such black

1699. constructions are men, who are engaged in parties, apt to make of the actions of those whom they intend to disgrace, even against their own consciences: so that an undertaking, that was not only innocent, but meritorious, was traduced as a design for robbery and piracy. This was urged in the house of commons as highly criminal, for which, all who were concerned in it ought to be turned out of their employments; and a question was put upon it, but it was rejected by a great majority [k]. The next attempt was to turn me out from the trust of educating the duke of Glocester: some objected my being a Scotchman, others remembered the book that was ordered to be burnt; so they pressed an address to the king, for removing me from that post; but this was likewise lost by the same majority that had carried the former vote [l]. The pay for the small army, and the expense of the fleet, were settled: and a fund was given for it; yet those who had reduced the army, thought it needless to have so great a force at sea; they provided only for eight thousand men. This was moved by the tories, and

[k] (See an account of this transaction in Ralph's History of England, vol. ii. pp. 831, 832, where, although the original scheme is blamed, yet the charge of connivance with Kidd's piracy is properly reprobated.)

[l] (Ralph mentions in the bishop's praise, that "whereas the "profits accruing to him from "this new employment amounted to about 1500*l.* per ann. "his private charities from that "time amounted annually to "the like sum: which seemed "to indicate, that he looked on "this new promotion as a deodand; and that he made it a "point of conscience to distribute the product of it accordingly: a circumstance which "would have greatly raised his "character, if he had not used "all possible caution to conceal it; that the purity of "his intentions might not be "debased by any mixture of "vainglory." *Hist.* vol. ii. p. 833. Compare Life of Burnet, by his son, p. 723.)

the whigs readily gave way to this reduction, because the fleet was now in another management; Russel (now earl of Orford) with his friends being laid aside, and a set of tories being brought into their places [m]. 1699.

The great business of this session was the report brought from Ireland, by four of the seven commissioners, that were sent by parliament to examine into the confiscations, and the grants made of them. Three of the seven refused to sign it, because they thought it false, and ill grounded in many particulars, of which they sent over an account to both houses; but no regard was had to that, nor was any inquiry made into their objections to the report. These three were looked on as men gained by the court; and the rest were magnified as men that could not be wrought on, nor frighted from their duty. They had proceeded like inquisitors, and did readily believe every thing that was offered to them, 238 that tended to inflame the report; as they suppressed all that was laid before them, that contradicted their design, of representing the value of the grants as very high, and of shewing how undeserving those were who had obtained them: there was so much truth in the main of this, that no complaints against their proceedings could be hearkened to [n]; and indeed, all the methods that were taken, 1700. Debates concerning estates in Ireland.

[m] Good God! what are parties in practice? are they not all alike? all factions? O.

[n] Never was such profusion heard of before. The earl of Portland had a grant of all the earl of Clancarty's great estate, besides English grants in present and reversion, to the value of fifty thousand pounds a year: lady Orkney had what was called the duke of York's private estate, valued at eight and twenty: lord Rumney above seventeen: lord Rochford to a vast value; besides a grant of the

1700. to disgrace the report, had the quite contrary effect: they represented the confiscated estates to be such, that out of the sale of them, a million and a half might be raised; so this specious proposition for discharging so great a part of the public debt, took with the house; the hatred into which the favourites were fallen, among whom and their creatures the grants were chiefly distributed, made the motion go the quicker. All the opposition that was made in the whole progress of this matter, was looked on as a courting the men in favour; nor was any regard paid to the reserve of a third part, to be disposed of by the king, which had been in the bill that was sent up eight years before to the lords. When this was mentioned, it was answered, that the grantees had enjoyed those estates so many years, that the mean profits did arise to more than a third part of their value: little regard also was shewn to the purchases made under those grants, and to the great improvements made by the purchasers or tenants, which were said to have doubled the value of those estates. All that was said on that head made no impression, and was scarce heard with patience: yet, that some justice might be done both to purchasers and creditors, a number of trustees were named, in whom all the confiscated estates were vested, and they had a very great and uncontrollable authority lodged with them, of hearing and deter-

An act vesting them in trustees.

marquis of Powis's whole estate, which was above twelve; (but the earl of Pembroke put a stop to that, as being entailed upon him, though not till the other had done at least forty thousand pounds damage to it:) with a vast many more in like proportion to persons of equal merit; that the king seemed not to know or care how lavishly they were bestowed, though he was tenacious, even to a meanness, of any thing he looked upon to be his own. D.

mining all just claims relating to those estates, and of selling them to the best purchasers; and the money to be raised by this sale was appropriated to pay the arrears of the army. When all this was digested into a bill, the party apprehended that many petitions would be offered to the house, which the court would probably encourage, on design at least to retard their proceedings: so, to prevent this, and that they might not lose too much time, nor clog the bill with too many clauses and provisos, they passed a vote of a very extraordinary nature; that they would receive no petitions relating to the matter of this bill. The case of the earl of Athlone's grant was very singular; the house of commons had been so sensible of his good service in reducing Ireland, that they had made an address to the king, to 239 give him a recompence suitable to his services: and the parliament of Ireland was so sensible of their obligations to him, that they, as was formerly told, confirmed his grant, of between two and three thousand pounds a year. He had sold it to those who thought they purchased under an unquestionable title, yet all that was now set aside, no regard being had to it; so that this estate was thrown into the heap. Some exceptions were made in the bill in favour of some grants, and provision was made for rewarding others, whom the king, as they thought, had not enough considered. Great opposition was made to this by some, who thought that all favours and grants ought to be given by the king, and not originally by a house of parliament; and this was managed with great heat, even by some of those who concurred in carrying on the bill: in conclusion it was, by a new term as well as a new invention, 1700.

1700. consolidated with the money-bill, that was to go for the pay of the fleet and army, and so it came up to the house of lords; which by consequence they must either pass or reject. The method that the court took in that house to oppose it was, to offer some alterations, that were indeed very just and reasonable; but since the house of commons would not suffer the lords to alter money-bills, this was in effect to lose it. The court, upon some previous votes, found they had a majority among the lords; so, for some days, it seemed to be designed to lose the bill, and to venture on a prorogation or a dissolution rather than pass it [o]. Upon the apprehensions of this, the commons were beginning to fly out into high votes, both against the ministers and the favourites; the lord Somers was attacked a second time, but was brought off by a greater majority than had ap-

[o] Whilst the bill was in suspense, the whole city of London was in an uproar: Westminster was so thronged, that it was with great difficulty any body got into either house. The lords had insisted and adhered; so there could be no more conferences; and all seemed under the greatest distraction. I heard the king was come to the Cockpit, and had sent for the crown, with a resolution to dissolve us immediately, which I communicated to the earl of Shaftsbury, who ran full speed with it to the house of commons; upon which they adjourned in great haste. Next morning the earls of Jersey and Albemarle told me, the king was convinced of the danger in rejecting the bill: but their present difficulty was, that they could not prevail with their people either to join with us or keep away; and they understood the duke of Leeds (which was true) was trying to make use of the false step the king had made, to force him to a dissolution; which, in the ferment the nation was in, must throw us into the utmost confusion; therefore desired I would persuade our side to stay, till they could make us a majority, which they brought about at last, though they could prevail with nobody to come over to us besides themselves. But the archbishop beckoning out his brethren, and the other lords dropping off by degrees, was full as comical a scene, as that the night before had been tragical. D.

peared for him at the beginning of the session. 1700.
During the debates about the bill, he was ill; and the worst construction possible was put on that; it was said, he advised all the opposition that was made to it in the house of lords, but that, to keep himself out of it, he feigned that he was ill: though his great attendance in the court of chancery, the house of lords, and at the council table, had so impaired his health, that every year, about that time, he used to be brought very low, and disabled from business. The king seemed resolved to venture on all the ill consequences that might follow the losing this bill; though those would probably have been fatal. As far as we could judge, either another session of that parliament, or a new one, would have banished the favourites, and begun the bill anew, with the addition of obliging the grantees to refund 240
all the mean profits: many in the house of lords, that in all other things were very firm to the king, were for passing this bill, notwithstanding the king's earnestness against it [p], since they apprehended the ill

[p] So was lord Sunderland. Lord Portland was active in stirring up opposition to the bill. There was not the appearance of a ministry at this time. Lord Somers was confined by illness, and took little or no share in the debates about this bill, for which it is said the king was angry with him, and made easy to part with so wise a servant soon after. H. ("We are assured by "others, that the compliance of "the lords was owing to the "request of the king, signified "in a private message, by lord "Albemarle." *Ralph's Hist. of England*, vol. ii. p. 853. That the king was prevailed on by lord Jersey to interfere in this business, and to request his friends in the house of lords to desist from their opposition, is mentioned by archdeacon Coxe, in the *Shrewsbury Correspondence*, iii. iv. p. 609. where he cites the letters of Secretary Vernon. See also lord Dartmouth above. Yet notwithstanding these accounts, the bishop may be accurate in what he says, because it was late before the king waved his opposition to the bill.)

1700. consequences that were like to follow if it was lost. I was one of these, and the king was much displeased with me for it: I said, I would venture his displeasure, rather than please him in that, which I feared would be the ruin of his government: I confess, I did not at that time apprehend what injustice lay under many of the clauses in the bill, which appeared afterwards so evidently, that the very same persons who drove on the bill were convinced of them, and redressed some of them in acts that passed in subsequent sessions: if I had understood that matter aright, and in time, I had never given my vote for so unjust a bill [q]. I only considered it as a hardship put on the king, many of his grants being thus made void; some of which had not been made on good and reasonable considerations, so that they could hardly be excused, much less justified [r]: I thought the thing was a sort of force, to which it seemed reasonable to give way at that time, since we were not furnished with an equal strength to withstand it: but when I saw afterwards, what the consequences of this act proved to be, I did firmly resolve, never to consent again to

[q] ("The point on which the "party (against the court) had "laid the greatest stress, and "which the community seemed "to be most concerned in, was "the result of the inquiry made "by the parliament commissioners into the Irish forfeitures, and into the distribution "which the court had made of "them, in order to a resumption: but as that distribution "had been made wantonly and "corruptly, so the inquiry, and "the proceedings grafted upon "it, were altogether as factious "and malevolent." *Ralph's Hist. of England*, vol. ii. p. 833.)

[r] One of these, and a very large one, had been made to my lady Orkney, a favourite of the king's not without some scandal, of which not a word is said any where by this author. I take it for granted, he had never heard of it, or did not believe it, if otherwise, what? O.

any tack to a money-bill, as long as I lived[s]. The king became sullen upon all this, and upon the many incidents that are apt to fall in upon debates of this nature: he either did not apprehend in what such things might end, or he was not much concerned at it: his resentment, which was much provoked, broke out into some instances, which gave such handles to his enemies as they wished for; and they improved those advantages, which his ill conduct gave them, with much spite and industry, so as to alienate the nation from him. It was once in agitation among the party, to make an address to him, against going beyond sea, but even that was diverted with a malicious design. Hitherto the body of the nation retained a great measure of affection to him; this was beginning to diminish, by his going so constantly beyond sea, as soon as the session of parliament was ended; though the war was now over. Upon this, it grew to be publicly said, that he loved no Englishman's face, nor his company: so his enemies reckoned it was fit for their ends, to let that prejudice go on, and increase in the minds of the people; till they might find a proper occasion to graft some bad designs upon it. The session ended in April; men of all sides being put into a very ill humour by the proceedings in it[t]. 1700.

The leaders of the tories began to insinuate to the favourites, the necessity of the king's changing 241 A change in the ministry.

[s] The whole of this business relating to these forfeitures, as carried on by all parties, was a great reproach to the times. There was neither justice nor public spirit in it, of either side. O.

[t] The king made no speech when he prorogued the parliament. Lord Jersey (says secretary Vernon, in a letter to the duke of Shrewsbury) had been with lord Somers about preparing one, but he would not meddle in it. H.

1700. his ministry, in particular of removing the lord Somers[u], who, as he was now considered as the head of the whigs, so his wise counsels, and his modest way of laying them before the king, had gained him a great share of his esteem and confidence; and it was reckoned, that the chief strength of the party lay in his credit with the king, and in the prudent methods he took to govern the party, and to moderate that heat and those jealousies with which the king had been so long disgusted, in the first years of his reign[x]. In the house of commons he had been particularly charged, for turning many gentlemen out of the commission of the peace: this was much aggravated, and raised a very high complaint against him; but there was no just cause for it: when the design of the assassination and invasion, in the year 1695 and 1696 was discovered, a voluntary association was entered into, by both houses of parliament, and that was set round the nation: in such a time of danger, it was thought, that those who did not enter voluntarily into it, were so ill affected, or at least so little zealous for the king, that it was not

[u] An impeachment proposed by sir John Levison, turned into an address to remove him from the king's presence and councils. This moved by sir Charles Musgrave, rejected by 167 against 106. Several of the whigs who had voted for resuming the king's Irish grants, and lessening the army, took part with lord Somers. H.

[x] The bishop takes no notice of the decree he made in the bankers' case, upon political reasons, without any regard to law or equity. In justification of himself in the house of lords, he allowed they had a right, but said they had no remedy: to which Holt answered very resolutely, That was nonsense, for if they had lost one, they had lost the other; but no Englishman could lose either, but by his own default, which was not their case. Upon that, after a very warm debate, the decree was set aside, and lord Somers fell ill, and never appeared upon the woolsack more. D.

fit they should continue justices of peace: so an order passed in council, that all those who had so refused should be turned out of the commission: he had obeyed this order, upon the representations made to him by the lords lieutenants and the *custodes rotulorum* of the several counties, who were not all equally discreet: yet he laid those representations before the council, and had a special order for every person that was so turned out. All this was now magnified, and it was charged on him, that he had advised and procured these orders; yet this could not be made so much as a colour to proceed against him, a clamour and murmuring was all that could be raised from it[y]. But now the tories studied to get it infused into the king, that all the hard things that had been of late put on him by the parliament, were occasioned by the hatred that was borne to his ministers; and that if he would change hands, and employ others, matters might be softened and mended in another parliament: with this the earl of Jersey studied to possess the earl of Albemarle; and the uneasiness the king was in disposed him to think, that if he should bring in a set of tories into his business, they would serve him with the same zeal, and with better success than the whigs had done; and he hoped to throw all upon the ministers that were now to be dismissed[z]. 1700.

The first time that the lord Somers had recovered so much health as to come to court, the king told him, it seemed necessary for his service, that he 242 The lord Somers is turned out.

[y] The great number of justices was turned out in Suffolk, on the representation of lord Cornwallis, the lord lieutenant. H.

[z] Can this be true? If it be, how much of some kings, how little of king William in general, but how little in him in this particular! O.

1700. should part with the seals, and he wished that he would make the delivering them up his own act: he excused himself in this; all his friends had pressed him not to offer them, since that seemed to shew fear or guilt; so he begged the king's pardon, if in this he followed their advice; but he told the king, that whensoever he should send a warrant under his hand, commanding him to deliver them up, he would immediately obey it: the order was brought by lord Jersey, and upon it the seals were sent to the king [a]. Thus the lord Somers was discharged from this great office, which he had held seven years, with a high reputation for capacity, integrity, and diligence: he was in all respects the greatest man I had ever known in that post; his being thus removed was much censured by all but those who had procured it. Our princes used not to dismiss ministers who served them well, unless they were pressed to it by a house of commons, that refused to give money till they were laid aside. But here a minister (who was always vindicated by a great majority in the house of commons, when he was charged there, and who had served both with fidelity and success, and was indeed censured for nothing so much as for his being too compliant with the king's humour and notions, or at least for being too soft or too feeble in representing his errors to him) was removed without a shadow of complaint against him.

[a] The king repented it immediately after, probably worked up to it by some of his favourites, who were angry with lord Somers for not opposing the bill about the Irish forfeitures. Lord Sunderland pretended to have a scheme for bringing lord Somers back in a few months. It is supposed Keppel and Jersey were the principal instruments for bringing the tories and Mr. Harley (for opposing the whigs) into the king's service. H.

This was done with so much haste, that those who had prevailed with the king to do it, had not yet concerted who should succeed him: they thought that all the great men of the law were aspiring to that high post, so that any one to whom it should be offered would certainly accept of it: but they soon found they were mistaken; for what, by reason of the instability of the court, what by reason of the just apprehensions men might have of succeeding so great a man, both Holt and Trevor, to whom the seals were offered, excused themselves. It was term-time, so a vacancy in that post put things in some confusion. A temporary commission was granted to the three chief judges, to judge in the court of chancery; and after a few days, the seals were given to sir Nathan Wright, in whom there was nothing equal to the post, much less to him who had lately filled it. The king's inclinations seemed now turned to the tories, and to a new parliament: it was for some time in the dark, who had the confidence, and gave directions to affairs: we who looked on were often disposed to think, that there was no direction at all, but that every thing was left to take its course, and that all was given up to hazard. 1700. 243

The king, that he might give some content to the nation, stayed at Hampton-court till July, and then went to Holland; but before he went, the minister of Sweden pressed him to make good his engagements with that crown: Riga was now besieged by the king of Poland: the first attempt, of carrying the place by surprise, miscarried; those of Riga were either overawed by the Swedish garrison, that commanded there, or they apprehended that the change of masters would not change their condition, unless A fleet sent to the Sound.

1700. it were for the worse: so they made a greater stand than was expected; and in a siege of above eight months, very little progress was made: the firmness of that place made the rest of Livonia continue fixed to the Swedes: the Saxons made great waste in the country, and ruined the trade of Riga: the king of Sweden, being obliged to employ his main force elsewhere, was not able to send them any considerable assistance: the elector of Brandenburgh lay quiet, without making any attempt: so did the princes of Hesse and Wolfembuttle. The two scenes of action were in Holstein and before Copenhagen. The king of Denmark found the taking the forts, that had been raised by the duke of Holstein, an easy work; they were soon carried and demolished: he besieged Toninghen next, which held him longer. Upon the Swedes' demand of the auxiliary fleets, that were stipulated both by the king and the States, orders were given for equipping them here, and likewise in Holland: the king was not willing to communicate this design to the two houses, and try if the house of commons would take upon themselves the expense of the fleet: they were in so bad a humour, that the king apprehended that some of them might endeavour to put an affront upon him, and oppose the sending a fleet into the Sound: though others advised the venturing on this, for no nation can subsist without alliances sacredly observed: and this was an ancient one, lately renewed by the king; so that an opposition in such a point must have turned to the prejudice of those who should move it. Soon after the session, a fleet of thirty ships, English and Dutch, was sent to the Baltic, commanded by Rook: the Danes had a good fleet at sea, much su-

perior to the Swedes, and almost equal to the fleet sent from hence: but it was their whole strength, so they would not run the hazard of losing it: they kept at sea for some time, having got between the Swedes and the fleet of their allies, and studied to hinder their conjunction: when they saw that could not be done, they retired, and secured themselves within the port of Copenhagen, which is a very strong one: the Swedes, with their allies, came before that town, and bombarded it for some days, but with little damage to the place, and none to the fleet. The dukes of Lunenburgh, together with the forces that the Swedes had at Bremen, passed the Elbe, and marched to the assistance of the duke of Holstein: this obliged the Danes to raise the siege of Toninghen, and the two armies lay in view of one another, for some weeks, without coming to any action: another design of the Danes did also miscarry. A body of Saxons broke into the territories of the duke of Brunswick, in hopes to force their army to come back to the defence of their own country: but the duke of Zell had left things in so good order, that the Saxons were beat back, and all the booty that they had taken was recovered. 1700. 244

In the mean time, the king offered his mediation, and a treaty was set on foot: the two young kings were so much sharpened against one another, that it was not easy to bring them to hearken to terms of peace. The king of Denmark proposed that the king of Poland might be included in the treaty, but the Swedes refused it: and the king was not guarantee of the treaties between Sweden and Poland, so he was not obliged to take care of the king of Poland: the treaty went on but slowly; this made Peace between Denmark and Sweden.

1700. the king of Sweden apprehend that he should lose the season, and be forced to abandon Riga, which began to be straitened: so to quicken the treaty, he resolved on a descent in Zealand. This was executed without any opposition, the king of Sweden conducting it in person, and being the first that landed: he shewed such spirit and courage in his whole conduct, as raised his character very high: it struck a terror through all Denmark: for now the Swedes resolved to besiege Copenhagen. This did so quicken the treaty, that by the middle of August it was brought to a full end: old treaties were renewed, and a liberty of fortifying was reserved for Holstein, under some limitations: and the king of Denmark paid the duke of Holstein two hundred and sixty thousand rix dollars for the charge of the war. The peace being thus made, the Swedes retired back to Schonen: and the fleets of England and Holland returned home. The king's conduct, in this whole matter, was highly applauded; he effectually protected the Swedes, and yet obliged them to accept of reasonable terms of peace: the king of Denmark suffered most in honour and interest: it was a great happiness that this war was so soon at
245 an end; for if it had continued, all the north must have engaged in it, and there the chief strength of the protestant religion lay: so that interest must have suffered much, which side soever had come by the worst, in the progress of the war: and it is already so weak, that it needed not a new diminution.

Censures passed on the partition treaty.

The secret of the partition treaty was now published; and the project was to be offered jointly, by the ministers of France, England, and the States, to all the princes of Europe, but particularly to those

who were most concerned in it: and an answer was to be demanded by a day limited for it. The emperor refused to declare himself, till he knew the king of Spain's mind concerning it: the duke of Savoy, and the princes of Italy, were very apprehensive of the neighbourhood of France: the pope was extreme old, and declined very fast. The treaty was variously censured: some thought it would deliver up the Mediterranean sea, and all our trade there, into the hands of France: others thought, that the treaties of princes were (according to the pattern that the court of France had set now for almost half an age) only artifices to bring matters to a present quiet, and that they would be afterwards observed, as princes found their account in them. The present good understanding that was between our court and the court of France, made, that the party of our malecontents at home, having no support from thence, sunk much in their heat, and they had now no prospect; for it seemed as if the king of France had set his heart on the partition treaty, and it was necessary for him, in order to the obtaining his ends in it, to live in a good correspondence with England and the States: all our hopes were, that the king of Spain might yet live a few years longer, till the great mortgages that were on the revenue might be cleared, and then it would be more easy for us to engage in a new war, and to be the arbiters of Europe. 1700.

The death of the duke of Glocester.

But while we were under the apprehension of his death, we were surprised by an unlooked for and sudden death of our young prince at home, which brought a great change on the face of affairs. I had been trusted with his education now for two years;

1700. and he had made an amazing progress. I had read over the Psalms, Proverbs, and Gospels with him, and had explained things that fell in my way, very copiously; and was often surprised with the questions that he put me, and the reflections that he made. He came to understand things relating to religion, beyond imagination. I went through geography so often with him, that he knew all the maps very particularly. I explained to him the
246 forms of government in every country, with the interests and trade of that country, and what was both good and bad in it: I acquainted him with all the great revolutions that had been in the world, and gave him a copious account of the Greek and Roman histories, and of Plutarch's lives; the last thing I explained to him was the Gothic constitution, and the beneficiary and feudal laws: I talked of these things at different times, near three hours a day: this was both easy and delighting to him. The king ordered five of his chief ministers to come once a quarter, and examine the progress he made: they seemed amazed both at his knowledge and the good understanding that appeared in him: he had a wonderful memory, and a very good judgment. He had gone through much weakness, and some years of ill health: the princess was with child of him, during all the disorder we were in at the revolution, though she did not know it herself at the time when she left the court: this probably had given him so weak a constitution; but we hoped the dangerous time was over: his birthday was the 24th of July, and he was then eleven years old: he complained a little the next day, but we imputed that to the fatigues of a birthday: so that he was too much neglected.

The day after, he grew much worse, and it proved to be a malignant fever. He died the fourth day of his illness, to the great grief of all who were concerned in him. He was the only remaining child of seventeen that the princess had borne, some to the full time, and the rest before it. She attended on him, during his sickness, with great tenderness, but with a grave composedness, that amazed all who saw it: she bore his death with a resignation and piety that were indeed very singular [b]. His death gave a great alarm to the whole nation: the Jacobites grew insolent upon it, and said, now the chief difficulty was removed out of the way of the prince of Wales's succession. Soon after this, the house of Brunswick returned the visit that the king had made them last year, and the eyes of all the protestants in the nation turned towards the electoress of Brunswick, who was daughter to the queen of Bohemia, and was the next protestant heir, all papists being already excluded from the succession. Thus, of the four lives that we had in view, as our chief security, the two that we depended most on, the queen and the duke of Glocester, were carried off on the sudden, before we were aware of it; and of the two that remained, (the king and the princess,) as there was no issue, and little hopes of any by either of them, so the king, who at best was a man of a feeble constitution, was now falling under an ill habit of body: his legs were much swelled, which some thought was the beginning of a dropsy, while others thought it was only a scorbutic distemper [c]. 1700. 247

[b] (The earl of Seafield says, that on waiting on her after the death of the duke, she appeared mightily afflicted. *Carstare's State Papers*, p. 611.)

[c] During this summer, the

1700. Thus God was giving us great alarms, as well as many mercies: he bears long with us, but we are become very corrupt in all respects: so that the state of things among us gives a melancholy prospect. The nation was falling under a general discontent, and a dislike of the king's person and government: and the king, on his part, seemed to grow weary of us and of our affairs; and partly by the fret, from the opposition he had of late met with, partly from his ill health, he was falling as it were into a lethargy of mind: we were, upon the matter, become already more than half a commonwealth [d];

The temper of the nation.

duke of Shrewsbury, foreseeing a storm, went abroad, and continued in foreign parts for some years. It is very remarkable, that amongst a large number of letters from secretary Vernon to his grace, I could meet with no traces of the partition treaty, and yet it is scarce probable that king William concluded it without consulting him. H. (Archdeacon Coxe, in his recent edition of the *Correspondence of the Duke of Shrewsbury*, has favoured us in p. ii. c. 9. p. 381. with the following observations: "So far was the king from recurring to the advice of his "English ministers, that it was "conducted through Pensionary Heinsius and the earl of "Portland, and imparted only "to the principal members of "the cabinet, when it became "necessary to pass a commission under the great seal for "its conclusion. Even then "the sole communication was "through lord Portland and "secretary Vernon to the lord "chancellor, who was impowered to open the matter only "to such as he thought proper. "We shall enter no farther in"to the details of this negotiation, than as the duke of "Shrewsbury was concerned. "It appears that he received "from the lord chancellor a "communication on the subject, and that Mr. Montague "and lord Orford were likewise "consulted. But Shrewsbury "seems to have prudently abstained from giving any specific opinion on so delicate a "point; or, at least, no trace "of his sentiments can be "found in the papers still extant.")

[d] The reverie and outcry here of the good bishop, with regard to a commonwealth, arose, I believe, from this. The administration were now so much sunk in their credit, that the ministers in the house of commons were not able to manage the common business of the government there. Even the

since the government was plainly in the hands of the house of commons, who must sit once a year[e], 1700.

supplies were proposed and carried on by the leaders of the opposition, (particularly by Harley,) while the king's servants sat silent and sullen. This, the author might have seen, tended more to a change of ministry, which every body expected, than to a democracy, which I dare say nobody thought of. It was court power and favour only that were sought after. This parliament would have been no bad one, either for the king or the public, had his measures and ministers been in better esteem. O. (That is, if one party had obtained, by whatever means, a decided ascendancy over the other, and at the same time the wheels of government had been kept well oiled; without which the most skilful director of the state machine could not have proceeded in his journey, or been in much credit or esteem. Observe also, that lord Somers, and some of the best of his party, were the ministers, during almost the whole of this parliament. But in the minds of the parliamentary leaders, tories as well as whigs, the bishop's *reverie* was οὐκ ὄναρ ἀλλ' ὕπαρ ἐσθλόν. Even the money appropriated to the civil list, whether more or less than what it had been, was chiefly intended for the prevailing party. So much for the speaker's *court power* and *court favour*. On the contrary, the bishop's statement seems to be a true picture of things at that time; and as for his saying that we were become more than half a commonwealth, the great whig leader in our own times, Mr. Fox, pronounced the English constitution, in his view of it, to be a disguised republic. Nay what then followed on the protracted contest between the late king George III. and the house of commons, concerning the appointment of the administration, was rather the triumph of one party over the other, than a restoration to the crown of the power of nominating ministers; rather a defeat of measures avowedly republican, than an establishment of the constitutional right of the king. See before, at p. 137, king William's sentiments on this important subject.)

[e] The great security of our liberties. Let parliaments be what they will, they are still parliaments, and there are always some persons in parliament who will speak their minds freely; and even that keeps power and office in some awe. I have seen good effects from the bare apprehension of being complained of in the house of commons, and men of all sorts have some dread of it. It is only annual meetings of parliament can preserve this great check upon all delinquency to prevent its being attempted, or to stop its course before it goes too far, or is too much encouraged, yet this does not always do. See postea 460. O. (No doubt but the annual meeting of parliament is

1700. and as long as they thought fit, while the king had only the civil list for life, so that the whole administration of the government was under their inspection: the act for triennial parliaments kept up a standing faction in every county and town of England: but though we were falling insensibly into a democracy, we had not learned the virtues that are necessary for that sort of government; luxury, vanity, and ambition increased daily, and our animosities were come to a great height, and gave us dismal apprehensions. Few among us seemed to have a right notion of the love of their country, and of a zeal for the good of the public: the house of commons, how much soever its power was advanced, yet was much sunk in its credit; very little of gravity, order, or common decency appeared among them: the balance lay chiefly in the house of lords, who had no natural strength to resist the commons: the toleration of all the sects among us had made us live more quietly together of late, than could be expected when severe laws were rigorously executed against dissenters. No tumults or disorders had been heard of in any part of the kingdom, these eleven years, since that act passed: and yet the much greater part of the clergy studied to blow up this fire again, which seemed to be now, as it were, covered over with ashes.

Divisions among the dissenters.

The dissenters behaved themselves more quietly, with relation to the church, they having quarrels and disputes among themselves: the independents

a considerable check on the abuses of office, from the fear of their being brought forward by the opposite party, and objected to the majority, who have taken from their competitors the patronage of the kingdom. It is also a great security for the value and importance of a seat in parliament.)

were raising the old antinomian tenets, as if men, 1700.
by believing in Christ, were so united to him, that
his righteousness became theirs, without any other
condition, besides that of their faith: so that, though
they acknowledged the obedience of his laws to be
necessary, they did not call it a condition, but only 248
a consequence of justification. In this they were
opposed by most of the presbyterians, who seemed
to be sensible, that this struck at the root of all reli-
gion, as it weakened the obligation to a holy life:
this year had produced a new extravagance in that
matter. One Asgil, a member of parliament, had
published a book, grounded on their notions, on
which he had grafted a new and wild inference of
his own, that since true believers recovered in Christ
all that they lost in Adam, and our natural death
was the effect of Adam's sin, he inferred that believ-
ers were rendered immortal by Christ, and not liable
to death: and that those who believed with a true
and firm faith could not die. This was a strain be-
yond all that ever went before it, and since we see
that all men die, the natural consequence that re-
sulted from this was, that there neither are nor ever
were any true believers. The presbyterians had
been also engaged in disputes with the anabaptists.
They complained, that they saw too great a giddi-
ness in their people, and seemed so sensible of this,
and so desirous to be brought into the church, that
a few inconsiderable concessions would very pro-
bably have brought the bulk of them into our com-
munion: but the greater part of the clergy were so
far from any disposition this way, that they seem to
be more prejudiced against them than ever.

The quakers have had a great breach made among And among the quakers.

1700. them, by one George Keith, a Scotchman, with whom I had my first education at Aberdeen: he had been thirty-six years among them; he was esteemed the most learned man that ever was in that sect; he was well versed both in the oriental tongues, in philosophy, and mathematics: after he had been above thirty years in high esteem among them, he was sent to Pensilvania, (a colony set up by Pen, where they are very numerous,) to have the chief direction of the education of their youth. In those parts, he said, he first discovered that, which had been always either denied to him, or so disguised that he did not suspect it: but being far out of reach, and in a place where they were masters, they spoke out their mind plainer; and it appeared to him, that they were deists, and that they turned the whole doctrine of the Christian religion into allegories; chiefly those which relate to the death and resurrection of Christ, and the reconciliation of sinners to God, by virtue of his cross: he being a true Christian, set himself with great zeal against this, upon which they grew weary of him, and sent him back to England. At his return, he set himself to read many of their books, and then he discovered the mystery which was formerly so hid from him, that he had not observed it.

249 Upon this, he opened a new meeting, and by a printed summons he called the whole party to come and see the proof that he had to offer, to convince them of these errors: few quakers came to his meetings, but great multitudes of other people flocked about him: he brought the quakers' books with him, and read such passages out of them, as convinced his hearers, that he had not charged them falsely: he continued these meetings, being still in outward

appearance a quaker, for some years; till having prevailed, as far as he saw any probability of success, he laid aside their exterior, and was reconciled to the church, and is now in holy orders among us, and likely to do good service, in undeceiving and reclaiming some of those misled enthusiasts. 1700.

The clergy continued to be much divided: all moderate divines were looked upon by some hot men with an ill eye, as persons who were cold and indifferent in the matters of the church: that which flowed from a gentleness, both of temper and principle, was represented as an inclination to favour dissenters, which passed among many for a more heinous thing than leaning to popery itself. Those men, who began now to be called the high church party, had all along expressed a coldness, if not an opposition, to the present settlement: soon after the revolution, some great preferments had been given among them, to try if it was possible to bring them to be hearty for the government; but it appearing that they were soured with a leaven that had gone too deep to be wrought out, a stop was put to the courting them any more; when they saw preferments went in another channel, they set up a complaint over England of the want of convocations, that they were not allowed to sit nor act with a free liberty, to consider of the grievances of the clergy, and of the danger the church was in. This was a new pretension, never thought of since the reformation: some books were writ to justify it, with great acrimony of style, and a strain of insolence, that was peculiar to one Atterbury, who had indeed very good parts, great learning, and was an excellent preacher, and had many extraordinary things in him; but was

A division in the church.

1700. both ambitious and virulent out of measure; and had a singular talent in asserting paradoxes with a great air of assurance, shewing no shame when he was detected in them, though this was done in many instances: but he let all these pass, without either confessing his errors, or pretending to justify himself: he went on still venting new falsehoods in so barefaced a manner, that he seemed to have outdone
250 the Jesuits themselves. He thought the government had so little strength or credit, that any claim against it would be well received; he attacked the supremacy of the crown, with relation to ecclesiastical matters, which had been hitherto maintained by all our divines with great zeal; but now the hot men of the clergy did so readily entertain his notions, that in them it appeared, that those who are the most earnest in the defence of certain points, when these seem to be for them, can very nimbly change their minds upon a change of circumstances.

Debates concerning the bishop of St. David's.

An eminent instance of this had appeared in the house of lords, in the former session; where the deprived bishop of St. David's complained of the archbishop of Canterbury: first, for breach of privilege, since sentence was passed upon him, though he had in court claimed privilege of parliament, to which no regard had been paid; but, as he had waved his privilege, in the house of lords, it was carried, after a long debate, and by no great majority, that in that case he could not resume his privilege. He excepted next to the archbishop's jurisdiction, and pretended that he could not judge a bishop, but in a synod of the bishops of the province, according to the rules of the primitive times: in opposition to this it was shewn, that from the ninth and tenth century down-

ward, both popes and kings had concurred to bring this power singly into the hands of the metropolitans; that this was the constant practice in England before the reformation; that by the provisional clause in the act passed in the twenty-fifth of Henry the eighth, that empowered thirty-two persons to draw a new body of church laws, all former laws or customs were to continue in force till that new body was prepared: so that the power the metropolitan then was possessed of, stood confirmed by that clause: it is true, during the high commission all proceedings against bishops were brought before that court, which proceeded in a summary way, and against whose sentence no appeal lay; but after that court was taken away, a full declaration was made, by an act of parliament, for continuing the power that was lodged with the metropolitan. It was also urged, that if the bishop had any exception to the archbishop's jurisdiction, that ought to have been pleaded in the first instance, and not reserved to the conclusion of all: nor could the archbishop erect a new court, or proceed in the trial of a bishop in any other way, than in that which was warranted by law or precedent. To all this no answer was made, but the business was kept up, and put off by many delays. It was said, the thing was new, and the house was not yet well apprised of it; and the last time 251
in which the debate was taken up in the house, it ended in an intimation, that it was hoped the king would not fill that see, till the house should be better satisfied in the point of the archbishop's authority[f]: so the bishopric was not disposed of for 1700.

[f] The bishop represents the debate in the house of lords with his usual sincerity; the great dispute was, whether the

1700. some years: and this uncertainty put a great delay to the process against the other Welsh bishop accused of the same crime[g].

The death of the king of Spain.

In October the pope died; and, at the same time, all Europe was alarmed with the desperate state of the king of Spain's health. When the news came to the court of France, that he was in the last agony, the earl of Manchester, who was then our ambassador in that court, told me, that Mr. Torcy, the French secretary of state, was sent to him by the king of France, desiring him to let the king his master know the news, and to signify to him, that the French king hoped that he would put things in a readiness to execute the treaty, in case any opposition should be made to it: and in his whole discourse he expressed a fixed resolution in the French councils to adhere to it. A few days after that, the news came of his death and of his will, declaring the duke of Anjou the universal heir of the whole Spanish monarchy[h]: it is not yet certainly known by what means this

archbishop, by the act that repealed the high commission, could exercise the legatine power vested in him before, by which he could deprive as many as he pleased of the bishops' bench of their seats in that house. And the great partiality he had shewn upon this occasion, (as well as his assistants, of which bishop Burnet was one,) made every body very apprehensive of so great a power's being lodged in the hands of such a tool. D.

[g] The bishop knew a better reason for delay in Jones's case; which was, that he always voted with the court, and Watson never: but in truth there never were two worse men (even of their profession) in England, and nothing could have protected either, but the use they were of to parties. D. See antea, p. 227. O. (A narrative of the proceedings against bishop Jones was printed in 1702.)

[h] The true reasons were, the Spanish pride, which could not bear the division of the monarchy; the unpopularity of the Germans, from the behaviour of the queen, and the rapaciousness of her favourites; and the weak state of the king both in mind and body. H.

was brought about, nor how the king of Spain was drawn to consent to it, or whether it was a mere forgery made by cardinal Portocarrero and some of the grandees, who, partly by practice and corruption, and partly for safety, and that their monarchy might be kept entire, (they imagining that the power of France was far superior to all that the house of Austria would be able to engage in its interests,) had been prevailed on to prepare and publish this will; and, to make it more acceptable to the Spaniards, among other forfeitures of the crown, not only the successor's departing from what they call the catholic faith, but even his not maintaining the immaculate conception of the virgin was one [i]. 1700.

Clement the eleventh chosen pope.

As soon as the news came to Rome, it quickened the intrigues of the conclave, so they set up Albano, a man of fifty-two years of age, who beyond all men's expectation was chosen pope, and took the name of Clement the eleventh: he had little practice in affairs, but was very learned; and in so cri-

[i] I have perused a volume of the marquis of Harcourt's Letters to Mr. Torcy, by which it does not appear that the French spent any money to procure a will. That ambassador was at Paris when the will was made. Mr. Blecour was resident. H. (Sir John Dalrymple, in answer to the assertion of some persons, that William, in the treaties of partition, was the dupe of Louis, who only made use of them to provoke the king of Spain against his former allies, observes, that they should rather have provoked him against the king of France, who had more than once engaged in similar measures for the partition of his dominions. He goes on to say, that "the refinement imputed to Louis is most solidly disproved; for the memoirs of monsieur de Torci, who was his secretary of state at the time, and conducted the negociations, and of mareschal Villars, who was his ambassador at Vienna, prove, that the last will of the king of Spain was as great a surprise upon the French court, as it was upon those of London or Vienna." *Memoirs of Great Britain and Ireland*, P. iii. b. 8. p. 146.)

1700. tical a time, it seems, a pope of courage and spirit, not sunk with age into covetousness or peevishness, was thought the fittest person for that see. France had sent no exclusion to bar him, not imagining that he could be thought on: at first they did not seem pleased with the choice, but it was too late to oppose it: so they resolved to gain him to their in-
252 terests, in which they have succeeded beyond what they then hoped for. When the court of France had notice sent them of the late king of Spain's will, real or pretended, they seemed to be at a stand for some days; and the letters wrote from the secretary's office gave it out for certain, that the king would stick to the partition treaty: madam de Maintenon had an unspeakable fondness for the duke of Anjou; so she prevailed with the dauphin to accept of the will, and set aside the treaty; she also engaged Pontchartrain to second this.

The king of Spain's will is accepted.

They being thus prepared, when the news of the king of Spain's death came to Fontainebleau, where the court was at that time, Mr. Spanheim, who was then there as ambassador of Prussia, told me, that a cabinet council was called within two hours after the news came; it met in madam de Maintenon's lodgings, and sat about four hours: Pontchartrain was for accepting the will, and the rest of the ministry were for adhering to the treaty. But the dauphin joined for accepting the will, with an air of positiveness that he had never assumed before: so it was believed to be done by concert with the king, who was reserved, and seemed more inclined to the treaty[k]: in conclusion, madam Maintenon said, what

[k] It is now the general belief in France that he was really so. This I have had from Frenchmen of good authority. O.

had the duke of Anjou done, to provoke the king to bar him of his right to that succession? And upon this, all submitted to the dauphin's opinion, and the king seemed overcome with their reasons[1]. 1700.

This was on Monday; but though the matter was resolved on, yet it was not published till Thursday: for then, at the king's levee, he declared, that he accepted of the will, and the duke of Anjou was now treated as king of Spain. Notice of this being sent to Spain, an ambassador came in form, to signify the will, and to desire that their king might go and live among them. Upon which he was sent thither, accompanied by his two brothers, who went with him to the frontiers of Spain. When the court of France published this resolution, and sent it to all the courts of Europe, they added a most infamous excuse for this notorious breach of faith: they said, the king of France considered chiefly what was the main design of the treaty, which was to maintain the peace of Europe; and therefore to pursue this, he departed from the words of the treaty, but he adhered to the spirit and the chief intent of it. This seemed to be an equivocation of so gross a nature, that it looked like the invention of a Jesuit confessor, adding impudence to perjury. The king and the States were struck with this: the king was full of indignation, to find himself so much abused; so

The duke of Anjou declared king of Spain.

[1] Monsieur Torcy writ, by the king's order, to Monsieur Briont, ambassador in Holland, that they would adhere to the treaty. The letter is in print in a small volume of letters to that ambassador. The king's own family, the dauphin, &c. carried the point in the French councils. The treaty was so disliked in England at that time, that king William made no representation to the French court upon their breach of faith. H.

1700. he came over to England, to see what was to be
253 done upon so great an emergency. The Spaniards, seeing themselves threatened with a war from the emperor, and apprehending that the empire, together with England and the United Provinces, might be engaged to join in the war, and being unable to defend themselves, delivered all into the hands of France: and upon that, both the Spanish Netherlands and the duchy of Milan received French garrisons: the French fleet came to Cadiz: a squadron was also sent to the West Indies: so that the whole Spanish empire fell now, without a stroke of the sword, into the French power. All this was the more formidable, because the duke of Burgundy had then no children, and by this means the king of Spain was in time likely to succeed to the crown of France; and thus the world saw the appearance of a new universal monarchy like to arise out of this conjunction.

A new parliament summoned.

It might have been expected that, when such a new unlooked-for scene was opened, the king should have lost no time in bringing his parliament together as soon as possible: it was prorogued to the 20th of November, and the king had sent orders from Holland, to signify his resolution for their meeting on that day: but the ministers, whom he was then bringing into his business, had other views: they thought they were not sure of a majority in parliament for their purposes, so they prevailed with the king to dissolve the parliament, and after a set of sheriffs were pricked, fit for the turn, a new parliament was summoned, to meet on the sixth day of February, but it was not opened till the tenth.

And now I am come to the end of this century, in which there was a black appearance of a new and dismal scene; France was now in possession of a great empire, for a small part of which they had been in wars (broke off indeed in some intervals) for above two hundred years; while we in England, who were to protect and defend the rest, were, by wretched factions and violent animosities, running into a feeble and disjointed state: the king's cold and reserved manner, upon so high a provocation, made some conclude that he was in secret engagements with France; that he was resolved to own the new king of Spain, and not to engage in a new war: this seemed so different from his own inclinations, and from all the former parts of his life, that it made many conclude, that he found himself in an ill state of health, the swelling of his legs being much increased, and that this might have such effects on his mind, as to make him less warm and active, less disposed to involve himself in new troubles; and that he might think it too inconsiderate a thing to 254 enter on a new war, that was not like to end soon, when he felt himself in a declining state of health: but the true secret of this unaccountable behaviour in the king was soon discovered. 1700. The end of the century.

The earl of Rochester was now set at the head of his business, and was to bring the tories into his service: they had continued, from his first accession to the throne, in a constant opposition to his interests: many of them were believed to be Jacobites in their hearts, and they were generally much against the toleration, and violent enemies to the dissenters: they had been backward in every thing that was necessary for carrying on the former war; A new ministry.

1700. they had opposed taxes as much as they could, and were against all such as were easily levied and less sensibly felt by the people[m]; and were always for those that were most grievous to the nation, hoping that by those heavy burdens the people would grow weary of the war and of the government. On the contrary the whigs, by supporting both, were become less acceptable to the nation: in elections their interest was much sunk; every new parliament was a new discovery that they were become less popular, and the others, who were always opposing and complaining, were now cried up as the patriots. In the three last sessions, the whigs had shewed such a readiness to give the king more force, together with a management to preserve the grants of Ireland, that they were publicly charged as betrayers of their country, and as men that were for trusting the king with an army; in a word, they were accused of too ready a compliance with the humours and interests of courts and favourites; so they were generally censured and decried: and now since they had not succeeded to the king's mind, some about him possessed him with this, that either they would not or could not serve him. In some of them indeed, their principles lay against those things, whereas the tories' principles did naturally lead them to make the crown great and powerful: it was also said, that the great opposition made to every thing the king desired,

[m] Some very good men, not tories, nor governed by party reasons, have been of this opinion. But will not difference of times and difference of men in power make a distinction in this matter? When money is easily to be had, or ready at hand, bad ministers may be tempted by that to bad measures. O. (Perpetual taxes were certainly less felt by the people, the burden being thus chiefly thrown on posterity.)

and the difficulties that had been of late put upon him, flowed chiefly from the hatred borne to those who were employed by him, and who had brought in their friends and creatures into the best posts; and they were now studying to recover their lost popularity; which would make them cold, if not backward in complying with what the king might desire for the future: the whigs did also begin to complain of the king's conduct, of his minding affairs so little, of his being so much out of the kingdom, and of his ill choice of favourites; and they imputed the late miscarriages to errors in conduct, 255 which they could neither prevent nor redress: the favourites, who thought of nothing but to continue in favour, and to be still safe and secure in their credit, concurred to press the king to take other measures, and to turn to another set of men, who would be no longer his enemies, if they had some of the best places shared among them: and though this method had been almost fatal, when the king had followed it soon after his first accession to the crown, yet there seemed to be less danger in trying it now, than was formerly. We were in full peace: and it was commonly said, that nobody thought any more of king James, and therefore it was fit for the king's service, to encourage all his people to come into his interests, by letting them see how soon he could forget all that was past. These considerations had so far prevailed with him, that before he went out of England, he had engaged himself secretly to them: it is true, the death, first, of the duke of Glocester, and now of the king of Spain, had very much changed the face of affairs, 1700.

1700. both at home and abroad; yet the king would not break off from his engagements [n].

Soon after his return to England, the earl of Rochester was declared lord lieutenant of Ireland, and he had the chief direction of affairs. And, that the most eminent man of the whigs might not oppose them in the new parliament, they got Mr. Mountague to be made a baron, who took the title of Halifax, which was sunk by the death of that marquis without issue male. The man, on whose management of the house of commons this new set depended, was Mr. Harley, the heir of a family which had been hitherto the most eminent of the presbyterian party; his education was in that way: but he, not being considered at the revolution, as he thought he deserved, had set himself to oppose the court in every thing, and to find fault with the whole administration. He had the chief hand, both in the reduction of the army, and in the matter of the Irish grants: the high party trusted him, though he still kept up an interest among the presbyterians: and he had so particular a dexterity, that he made both the high church party and the dissenters depend upon him; so it was agreed that he should be speaker. All this while, the new ministers talked of nothing but negotiations, and gave it out, that the king of France was ready to give all the se-

[n] (Ralph remarks, "that the "king at this crisis proceeded "on the same maxim in regard "to the whigs, which he had "set out with in regard to the "tories, of giving one party the "lead, without breaking entirely with the other." *Hist. of England*, vol. ii. p. 890. But this was satisfactory to neither party at the time which the bishop mentions, and occasioned the malecontents thinking again of their old master.)

curity that could be desired, for maintaining the peace of Europe. At this time, the emperor sent over to England a minister, to set forth his title to the Spanish monarchy, settled on his house by ancient entails, often repeated, and now devolving on him by an undoubted right, since by the renunciation made by the late queen of France (as was stipulated by the treaty of the Pyrenees, and then made by her in due form) this could not be called in question. Our new ministers were scarce civil to the emperor's envoy; and would not enter into any consultations with him: but the Dutch, who were about the king, and all the foreign ministers, spoke in another style; they said, that nothing but a general union of all the powers in Europe could hinder the conjunction of the two monarchies[o]: so, by what those, who talked often with the king, gave out, it came to be soon known, that the king saw the necessity of a new war, but that he kept himself in a great reserve, that he might manage his new ministers and their party, and see if he could engage them to concur with him. 1700. 256

The king of Sweden's glorious campaign.

But before I conclude the relation of this year, at which the century ends, I must close it with an account of the king of Sweden's glorious campaign: he made all the haste he could to relieve Livonia,

[o] (Ralph says, that a survey of the distracted state of Europe at this conjuncture, would shew not only a general union to have been impossible, but that it would also have deterred any one from taking measures to precipitate a rupture, who had any regard to consequences, vol. ii. p. 901. At this period the States General professed a willingness to live in good correspondence with the Spanish crown, in case the Dutch garrisons were continued in the barrier towns on the same footing, but subject to the orders of the Spanish governors, as heretofore. See p. 902.)

1700. where not only Riga was for some months besieged by the king of Poland, but Narva was also attacked by the czar, who hoped, by taking it, to get an entrance into the Baltick: the czar came in person against it, with an army of one hundred thousand men: Narva was not provided for a siege: it had a small garrison, and had very poor magazines, yet the Muscovites attacked it so feebly, that it held out, beyond all expectation, till the end of the year. Upon the king of Sweden's landing at Revel, the Saxons drew off from Riga, after a long siege at a vast charge: this being done, and Riga both opened and supplied, that king marched next to Narva. The czar, upon his march towards him, left his army in such a manner, as made all people conclude, he had no mind to hazard his person: the king marched through ways that were thought so impracticable, that little care had been taken to secure them: so he surprised the Muscovites, and broke into their camp before they apprehended he was near them; he totally routed their army, took many prisoners, with all their artillery and baggage, and so made a glorious entry into Narva. This is the noblest campaign that we find in any history; in which a king about eighteen years of age, led an army himself against three kings, who had confederated against him, and was successful in every one of his attempts, giving great marks both of personal courage and good conduct in them all; and, which is more extraordinary, an eminent measure both of virtue and piety ap-
257 peared in his whole behaviour. In him the world hoped to see another Gustavus Adolphus, who conquered, or rather possessed himself of Livonia, in the same year of his age in which this king did now so

gloriously recover it, when almost lost by the invasion of two powerful neighbours. There were great disorders at this time in Lithuania, occasioned by the factions there, which were set on and fomented by the king, who seemed to aspire to be the hereditary king of Poland. But as these things are at a great distance from us, so since we have no public minister in those parts, I cannot give an account of them, nor form a true judgment thereupon. The eighteenth century began with a great scene, that opened with it. 1700.

The new king of Spain wrote to all the courts of Europe, giving notice of his accession to that crown, only he forgot England: and it was publicly given out, that he had promised the pretended prince of Wales, that in due time he would take care of his interests: the king and the States were much alarmed, when they beheld the French possessed of the Spanish Netherlands: a great part of the Dutch army lay scattered up and down in those garrisons, more particularly in Luxemburgh, Namur, and Mons, and these were now made prisoners of war: neither officers nor soldiers could own the king of Spain, for their masters had not yet done it: at this time, the French pressed the States very hard to declare themselves: a great party in the States were for owning him, at least in form, till they could get their troops again into their own hands, according to capitulation: nor were they then in a condition to resist the impression, that might have been made upon them, from the garrisons in the Spanish Guelder, who could have attacked them before they were able to make head: so the States consented to own 1701. Great apprehensions of the danger Europe was now in.

1701. the king of Spain. That being done, their battalions were sent back, but they were ill used, contrary to capitulation, and the soldiers were tempted to desert their service, yet very few could be prevailed on to do it.

A party for France in the parliament.

As soon as our parliament was opened, it appeared that the French had a great party in it: it is certain, great sums came over this winter from France, the packet-boat came seldom without 10,000 louis d'ors, it brought often more: the nation was filled with them, and in six months' time, a million of guineas were coined out of them: the merchants indeed said, that the balance of trade was then so much turned to our side, that, whereas we were wont to
258 carry over a million of our money in specie, we then sent no money to France; and had at least half that sum sent over to balance the trade: yet this did not account for that vast flood of French gold that was visible amongst us: and, upon the French ambassador's going away, a very sensible alteration was found in the bills of exchange: so it was concluded, that great remittances were made to him, and that these were distributed among those who resolved to merit a share in that wealth, which came over now so copiously, beyond the example of former times. The king, in his speech to the parliament, in the most effectual manner possible, recommended the settling the succession of the crown in the protestant line; and with relation to foreign affairs, he laid them before the two houses, that they might offer him such advices, as the state of the nation and her alliances required; but he did not so much as intimate to them his own thoughts concerning them. A design was laid in the house of commons, to open

the session with an address to the king, that he would own the king of Spain: the matter was so far concerted, that they had agreed on the words of the vote, and seemed not to doubt of the concurrence of the house; but Mr. Monkton opposed it with great heat, and among other things said, if that vote was carried [P], he should expect that the next vote to be put, would be for owning the pretended prince of Wales: upon this occasion it appeared how much popular assemblies are apt to be turned, by a thing boldly said, though the consequence is ever so remote; since the connection of these two points lay at some distance, yet the issue of the debate was quite contrary to that which was designed: it ended in an address to the king, to enter into new alliances with the States, for our mutual defence, and for preserving the liberty and peace of Europe: these last words were not carried without much difficulty: 1701.

[P] ("As to any design formed "to open the session with such "an address, facts and dates demonstrate, to say nothing of "the contents of Burnet's own "legend, that the session was "not opened with any such debate: nor indeed, is any trace "of any such motion, in relation to the king of Spain, to "be found in the journals. Let "us also confront the bishop's "whole account with the words "of Mr. Vernon, in his letter "to lord Manchester, of February 20: 'I do not doubt "but you have our parliament "news from many hands. However, I must not omit sending you the vote that passed "this day both in the committee and in the house, "upon considering the Dutch "envoy's memorial. You will "see it has fully answered all "his majesty's desires; and I "must needs say, that I never "saw so great a spirit in the "house of commons, and such "a resolution to preserve Holland as well as England: I "hope it will have that good "effect on your side, as to produce a fair disposition to "treat upon reasonable terms, "that a war may be prevented; "which I see we shall not decline, if we are forced into it "by necessity; but if France "has any inclination for peace, "we may still hope for it.'" *Ralph's Hist. of England*, vol. ii. p. 914. See also p. 940.)

1701. they were considered, as they were indeed, an insinuation towards a war.

Partiality in judging elections.

Upon the view of the house, it appeared very evidently, that the tories were a great majority; yet they, to make the matter sure, resolved to clear the house of a great many that were engaged in another interest: reports were brought to them of elections, that had been scandalously purchased, by some who were concerned in the new East India company. Instead of drinking and entertainments, by which elections were formerly managed, now a most scandalous practice was brought in of buying votes, with so little decency, that the electors engaged themselves by subscription, to choose a blank person, before they
259 were trusted with the name of their candidate. The old East India company had driven a course of corruption within doors with so little shame, that the new company intended to follow their example, but with this difference, that, whereas the former had bought the persons who were elected, they resolved to buy elections. Sir Edward Seimour, who had dealt in this corruption his whole lifetime, and whom the old company was said to have bought before, at a very high price, brought before the house of commons the discovery of some of the practices of the new company [q]: the examining into these took up many days. In conclusion, the matter was so well proved, that several elections were declared void; and some of the persons so chosen, were for some time kept in prison; after that, they were expelled the house. In these proceedings, great partiality

[q] (For which he had the solemn thanks of the house of commons given him. See Ralph's Hist. of England, vol. ii. p. 926.)

appeared; for when, in some cases, corruption was proved clearly against some of the tory party, and but doubtfully against some of the contrary side, that which was voted corruption in the latter, was called the giving alms in those of the former sort. Thus for some weeks the house seemed to have forgot all the concerns of Europe, and was wholly employed in the weakening of one side, and in fortifying the other: to make some shew of zeal for the public safety, they voted thirty thousand men for the fleet; but they would allow no marines, though they were told that a fleet without these was only a good security for our own defence, but could have no influence on the affairs of Europe, either to frighten or to encourage those abroad: such a fleet, as it could not offend, so it was much too strong, if it was intended only for a defence, and it looked like a needless wasting the treasure of the nation, to employ so much of it to so little purpose, and only to make a shew. 1701.

The partition treaty charged in the house of lords.

While the house of commons was going on, minding only party matters, a design was laid in the house of lords, to attack the partition treaty, and some of those who were concerned in it. They begun with an address to the king, that he would order all the treaties made since the peace of Ryswick to be laid before them. This was complied with so slowly, that they were not brought to the house till the 26th of February, and no notice was taken of them till the 10th of March. It soon appeared that this was done by a French direction. The court of France (perceiving that the Dutch were alarmed at their neighbourhood, and were increasing their force both by sea and land, and were calling upon their allies

1701. to furnish their quota's, which they were bound by treaties to send to their defence) entered upon a ne-
260 gotiation with them at the Hague, to try what would lay these fears. Upon this, in the beginning of March, the States, in conjunction with Mr. Stanhope[r], the English envoy at the Hague, gave in memorials, in which they insisted on the violation of the partition treaty, and particularly on the French possessing themselves of the Spanish Netherlands: they also desired, that the emperor might have just satisfaction in his pretensions, and that in the mean while Luxemburgh, Namur, Mons, and Aeth, might be put in their hands; and Ostend and Newport into the hands of the English, and both they and the Dutch might have a free trade, as before, to all the Spanish dominions. The French, seeing these demands run so high, and being resolved to offer no other security for the peace of Europe, but the renewing the treaty of Ryswick, set all their engines at work in England, to involve us into such contentions at home, as should both disable us from taking any care of foreign affairs, and make the rest of Europe conclude, that nothing considerable was to be expected from England. As soon as the news of those memorials could come to England, the marquis of Normanby, and the rest of the tories, took up the debate concerning the partition treaty: this they managed with great dexterity, while the matter was as much neglected by the king, who went that day to Hampton court, where he stayed some time; by this means no directions were given, and we were involved in great difficulties, before the court was

[r] Father of general, afterwards earl Stanhope. O.

aware of it: the king either could not prevail with his new ministers to excuse the treaty, if they would not justify it; or he neglected them so far, as not to speak to them at all about it. Those who attacked it, said, they meant nothing in that but to offer the king advices for the future, to prevent such errors as had been committed in that treaty, both as to matter and form. They blamed the giving such territories to the crown of France, and the forsaking the emperor; they also complained of the secrecy in which the treaty was carried on, it not being communicated to the English council or ministry, but privately transacted by the earls of Portland and Jersey: they also blamed the putting the great seal, first to blank powers, and then to the treaty itself, which the king's new ministers said was unjust in the contrivance, and ridiculous in the execution. To all this it was answered, that there not being a force ready and sufficient to hinder the French from possessing themselves of the Spanish monarchy, which they were prepared for, the emperor had desired the king to enter into a treaty of partition, and had consented to every article of it, except that which related to the duchy of Milan: but the king, not thinking that worth the engaging in a new war, had obtained an exchange of it for the duchy of Lorrain: the emperor did not agree to this, yet he pressed the king not to break off the treaty, but to get the best terms he could for him, and above all things he recommended secrecy, that so he might not lose his interest in Spain, by seeming to consent to this partition. It is certain, that by our constitution, all foreign negotiations were trusted entirely to the crown; that the king was under no obliga- 1701. 261

1701. tion by law to communicate such secrets to his council, or to hear, much less was he obliged to follow, their advices: in particular it was said, that the keeper of the great seal had no sort of authority to deny the putting it, either to powers for a treaty, or to any treaty which the king should agree to: the law gives no direction in such matters, and he could not refuse to put the great seal to any thing for which he had an order from the king, unless the matter was contrary to law, which had made no provision in this case[s]: they insisted most on the

[s] This defence has some very dangerous and unconstitutional doctrines in it. If ministers advise a bad measure, they are answerable for it to the nation in parliament; and so are they though they advise against it, if they concur in the execution of it; he especially who puts the great seal to it, although the matter may not be strictly illegal, to render the act void; otherwise the people have no security against a bad administration of government. All will be laid upon the person of the king, ministers will escape by that, and the nation be without remedy. The deposit of the great seal is a trust of the highest kind for the public, and may be applied to acts of the most pernicious consequence to the state, though not properly illegal in the form. Can the command of the crown excuse this? Suppose it in a treaty where the trade of England is sacrificed to a foreign nation. This may not be contrary to law in a strict sense, and the treaty may in a like strict sense be valid. But is not the keeper of the seal criminal for giving the national sanction to such a treaty? If he be not, his office is no longer a trust, and nothing more in these things than the office of his sealer, whose hand put the seal to the wax. We know how some chancellors have treated this matter for their indemnity, and that some, a little more wary, have resorted to the poor evasion of delivering up the seal to the king, for him to put it to the instrument, and immediately to receive the seal back again. The lord chancellor Nottingham did this last in the case of the earl of Danby's pardon, and I have been well informed he escaped censure for it, by an obsequious courting of the house of commons at that time, and giving with great warmth into the prosecution of the popish plot, for which see the former volume of this history, the lord Stafford's trial, and Journal of the house of commons. As these claims of impunity have been made by men of great

other side, upon the concluding a treaty of this importance, without communicating it first to the privy council; so the first day of the debate ended with this [t]. 1701.

The earl of Portland apprehending that this might fall too heavy on him, got the king's leave to communicate the whole matter next day to the house; so he told them, that he had not concluded the treaty alone, but had, by the king's order, acquainted six of his chief ministers with it, who were the earls of Pembroke and Marlborough, the viscount Lonsdale, the lords Somers and Halifax, and secretary Vernon: upon which those lords, being likewise freed by the king from the oath of secrecy, told the house, that the earl of Jersey, having in the king's name called them together, the treaty was read to them, and that they excepted to several things in it, but they were told, that the king had carried the matter as far as was possible, and that he could obtain no better terms: so when they were told, that no alterations could be made, but that every thing was settled, they gave over insisting on particulars; they only advised, that the king

The lords advised with in it opposed it.

character and authority in this high station, it becomes a very important question to the public, and ought to be thoroughly and very well considered by those who are to watch and control the power of ministers, by which the freedom of this country is only preserved. If ministers should say, What are we to do, if the prince will not be withstood by our advice, but will still persist against it? the answer is, (if the measure be of a dangerous nature,) Resign, or suffer a dismission. This would make kings counsellable, and the nation safe. O.

[t] The minute of this council was burnt amongst lord Somers's papers. It did appear, many objections were made by the lords. Lord Portland's constant answer was, "Nothing "could be altered." To which one of the lords present (the name not mentioned) replied, "If that be the case, why are "we called together?" H.

1701. might not engage himself in any thing that would bring on a new war, since the nation had been so uneasy under the last. This was carried to the king, and a few days after that, he told some of them, that he was made acquainted with their exceptions, but how reasonable soever they were, he had driven the matter as far as he could: the earl of Pembroke said to the house of lords, he had offered the king those advices, that he thought were
262 most for his service and for the good of the nation; but that he did not think himself bound to give an account of that to any other persons: he was not the man struck at, so there was nothing said, either against him or the earls of Marlborough or Jersey: upon this, the debate went on: some said this was a mockery, to ask advice when there was no room for it: it was answered, the king had asked the advice of his privy council, and they had given it; but that such was the regal prerogative, that it was still free to him to follow it or not, as he saw cause.

An address to the king about it.

In conclusion, the house of lords resolved to set out this whole matter, in an address to the king, complaining both of the partition treaty, and of the method in which it had been carried on: the lord Wharton moved an addition to the address, that, whereas the French king had broke that treaty, they should advise the king to treat no more with him, or rely on his word without further security: this was much opposed by all those who were against the engaging in a new war: they said, all motions of that kind ought to come from the house of commons, who only could support such an advice, that did upon the matter engage us into a new war; nor would they lay any blame on the breaking of a trea-

ty, which they were resolved to condemn: they also excepted to the words *further security* as ambiguous; yet the majority of the house agreed to it; for there was such treachery in the French negotiations, that they could not be relied on, without a good guarantee, and the pledge of some strong places. It now plainly appeared, that the design was to set on the house of commons to impeach some of the lords who had been concerned in the partition treaty, for it was moved to send the address to the house of commons for their concurrence; but that was not carried. The king seemed to bear all this with his usual coldness: and the new ministers continued still in his confidence, but he laid the matter much to heart: now he saw the error he had fallen into by the change he had made in the ministry[u]: it was plain they resolved to govern him in every thing, and not to be governed by him in any one thing. 1701.

As soon as this was over, the earl of Jersey did, by the king's order, bring to the house of lords the memorials that had been given in at the Hague, and then, by comparing dates, it was easy to conjecture why the partition treaty had been let lie so long on the table, and it seemed as if it was taken up at last only to blast this negotiation; a French management appearing very plainly in the whole steps that had been made. The house of commons began, at the same time, not only to complain of the partition Memorials sent from the States. 263

[u] Yet what could he do otherwise? But his giving up his former ministers in the manner he did, with regard to this prosecution, for what they had done in the partition treaty, merely in deference to him, was unworthy of a king, or a great man. O.

1701. treaty, but likewise of the demand of Ostend and Newport, nor would they shew any concern for the emperor's pretensions: the Dutch demanded the execution of the treaty that king Charles had made with them in the year 1677, by which England was bound to assist them with ten thousand men and twenty ships of war, if they were attacked: some endeavoured, all that was possible, to put this off for the present, pretending that they were not yet attacked: others moved, that the pay of ten thousand men might be given to them, with the twenty ships, as a full equivalent to the treaty; yet they not liking this, it was in conclusion agreed to send the ten thousand men: five thousand of these were to be drawn out of the army in Ireland, and five thousand of them were to be new levied; but they took care that Ireland should not be provided with any new forces in their stead, so jealous were they of trusting the king with an army. The representation sent over by the States, setting forth the danger they were in, and desiring the assistance of England, was penned with great spirit, and in a very moving strain: the house of lords did, upon a debate on that subject, make an address to the king, to enter into leagues offensive and defensive with the emperor and other princes and states, who were interested against the conjunction of the French and Spanish monarchies: but the house of commons could not upon this occasion be carried farther, than to advise the king to enter into such alliances as should be necessary for our common security, and for the peace of Europe. This coldness and uncertainty in our councils gave the French great advantages in their negotiations both in Germany and in

Portugal. They tried the courts of Italy, but without success; only the duke of Mantua consented that they should make a shew, as if they had surprised him, and so force him to put Mantua in their hands: the pope and the Venetians would not declare themselves; the pope favoured the French, as the Venetians did the emperor; who began the war with a pretension on the duchy of Milan, as a fief of the empire that devolved on him; and he was making magazines, both in Tyrol and at Trent: the French seemed to despise all he could do, and did not apprehend that it was possible for him to march an army into Italy: both the king and the States pressed him to make that attempt. The elector of Bavaria and some of the circles had agreed to a neutrality this year; so there was no hope of doing much upon the Rhine, and the French were making the Italians feel what insolent masters they were 264 like to prove: so a general uneasiness among them determined the emperor to send an army into Italy under the command of prince Eugene. England was all this while very unwilling to engage; yet for fear we should at last have seen our interest so clearly, that we must have fallen into it, those who were practised on to embroil us, so that we might not be in a condition to mind foreign affairs, set on foot a design to impeach the former ministry. 1701.

A design to impeach the former ministry.

The handle that brought this about was given by the earl of Portland: when he was excusing his own part in the partition treaty, he said, that having withdrawn himself from business, and being at his country house in Holland, the king sent to him, desiring him to enter upon that negotiation; upon that, he wrote to secretary Vernon, to ask his ad-

1701. vice and the advice of his other friends, whether it was fit for him to meddle in that matter, since his being by birth a foreigner seemed a just excuse for not engaging in a thing of such consequence: to this, secretary Vernon answered, that all his friends thought he was a very proper person to be employed in that treaty, since he had known the progress of all those treaties, and the persons who were employed on that occasion: and he named the lord Somers among those who had advised this [x]. The earl of Portland had mistaken this circumstance, which did not belong to the last partition treaty, but to that of the year before, in favour of the prince electoral of Bavaria. The house of commons hearing of this, required secretary Vernon to lay before them that letter, with his answer to it; for the earl of Portland said, that he had left all papers relating to that matter in Holland. Vernon said, he had received no such letter in the year 1699; so that led them to inquire farther, and they required him to lay before them all the letters he had, relating to both treaties: he said, those were the king's secrets, writ in confidence by the persons he employed. But in such a case, a house of commons will not be put off: a denial rather raises in them more earnestness in following their point: it was said, the king had dispensed with the oath of secrecy, when he ordered all matters to be laid before them, and they would admit of no excuse. Vernon upon this went to the king, and told him, since these were his

[x] N. B. I remember a letter from lord Somers to the king, desiring leave to produce his letter about the partition treaty, and complaining of secretary Vernon, for bringing the papers and letters relating to it before the house without leave of the king. H.

secrets, he was ready to expose himself to the indig- 1701.
nation of the house, and to refuse to shew his letters: but the king said, his refusing to do it would not only raise a storm against himself, from which the king could not protect him, but it would occasion an address to the king, to order him to lay 265
every thing before the house, which, in the state that things were in then, he could not deny: Vernon, upon these orders given him at two different times, carried all the letters, and laid them before the house of commons: it appeared by these, that he had communicated the treaty to the king's ministers, who were in town, about the end of August 1698: that lord Somers being then at Tunbridge, he went to him; and that he had communicated the project, both to the earl of Orford and the lord Halifax: several objections were made by them to many parts of the treaty, which were mentioned in Vernon's letters; but, if better terms could not be had, they thought it was better to conclude the treaty, than to leave the Spanish monarchy to be overrun by France, or to involve Europe in a new war. Lord Somers had also put the seals to blank powers, for concluding this treaty[y]. When all this was read, those who were set on to blow up the flame, moved the house to impeach some of the ministers who had been concerned in this transaction; yet in this they proceeded with so visible a partiality, that though the earl of Jersey had signed the treaty, had been plenipotentiary at Ryswick, ambassador in France, and secretary of state, while the partition treaty was negotiating; yet he, having

[y] I have heard my father say that was imprudent. H.

1701. joined himself to the new ministry, was not questioned about it: the party said, he had been too easily drawn into it, but that he was not in the secret, and had no share in the councils that projected it [z].

They are impeached.

On the first of April, the house of commons brought up a general impeachment of the earl of Portland, for high crimes and misdemeanours; but the chief design was against the earl of Orford, and the lords Somers and Halifax [a]. Their enemies tried

[z] King William had, with good intentions, conducted the partition treaty himself. His English ministers rather acquiesced in, than advised it, and for that reason, rather apologize in their defences for the share they had in it, than openly stand forth to defend it. Lord Orford, in particular, disowned the whole, and was very angry with the king at that time. H.

[a] There had been a warm debate in the house of commons upon the partition treaty, in which it was moved to impeach lord Somers, but carried in the negative by a great majority; after which, Harlington moved the earl of Portland, who was a foreigner, and had meddled so much in English affairs, should be impeached, which met with little opposition. Next day, lord Jersey came to me from the king, who was highly provoked at the whigs, for having brought their own minister off, and his upon the stage: therefore desired I would get somebody in the house of commons to ask if there had never been another treaty of partition besides that before them, which would soon set the whole matter in a clear light; but great care must be taken, that the king might not be known to have any hand in it: which I very readily undertook, in return for the many good offices the ministers had done me, (as the king said he believed I would,) and assured lord Jersey, the king's name should never be mentioned in the matter. Next day, Mr. Finch took notice, that the secretary often insisted upon this treaty, therefore desired he might inform the house, whether there had ever been any other treaty for dividing of the Spanish monarchy; which put Mr. Vernon into great confusion, and obliged him to tell all he knew, and the three lords were impeached. The king told lord Jersey, he knew I lived in great intimacy with lord Berkely of Stratton, who had married lady Portland's sister; therefore desired I would aggravate lord Portland's treatment to him, and try if he could prevail with him to take his revenge, (which he had it very much in his power

again what use could be made of Kid's business, for he was taken in our northern plantations in America, and brought over: he was examined by the house, but either he could not lay a probable story together, or some remnants of honesty, raised in him by the near prospect of death, restrained him; he accused no person of having advised or encouraged his turning pirate: he had never talked alone with any of the lords, and never at all with lord Somers: he said he had no orders from them, but to pursue his voyage against the pirates in Madagascar. All endeavours were used to persuade him to accuse the lords; he was assured, that if he did it, he should be preserved; and if he did it not, he should certainly die for his piracy: yet this could not prevail on him to charge them: so he with some of his crew were hanged, there appearing not so much as a colour to 266 fasten any imputation on those lords; yet their enemies tried what use could be made of the grant of all that Kid might recover from the pirates, which some bold and ignorant lawyers affirmed to be against law. So this matter was for the fourth time debated in the house of commons, and the behaviour of those peers in it appeared to be so innocent, so legal, and in truth so meritorious, that it was again let fall. The insisting so much on it served to convince all people, that the enemies of these lords wanted not inclinations, but only matter to charge them, since they made so much use of this: but so partial was a great part of the house, that the drop- 1701.

to do,) and I was authorized to assure him, the king would be pleased with his so doing. Lord Portland seemed willing, but was afraid of the whigs, who he thought would ruin him, and did not think the tories were either able or willing to protect him: which put an end to that negotiation. D.

1701. ping this was carried only by a small majority. When one design failed, another was set up.

Lord Somers heard by the house of commons.

It was pretended, that by secretary Vernon's letters it was clearly proved, that the lord Somers had consented to the partition treaty: so a debate coming on concerning that, lord Somers desired that he might be admitted, to give an account of his share in it, to the house of commons: some opposition was made to this, but it had been always granted, so it could not be denied him: he had obtained the king's leave to tell every thing: so that when he appeared before the house, he told them, the king had writ to him, that the state of the king of Spain's health was desperate, and that he saw no way to prevent a new war, but to accept of the proposition the French made for a partition: the king sent him the scheme of this, and ordered him to communicate it to some others, and to give him both his own opinion and theirs concerning it, and to send him over powers for a treaty, but in the secretest manner that was possible: yet the king added, that, if he and his other ministers thought that a treaty ought not to be made upon such a project, then the whole matter must be let fall, for he could not bring the French to better terms. Lord Somers upon this said, that he thought it was the taking too much upon himself, if he should have put a stop to a treaty of such consequence: if the king of Spain had died before it was finished, and the blame had been cast on him for not sending the necessary powers, because he was not ordered to do it by a warrant in full form, he could not have justified that, since the king's letter was really a warrant, and therefore he thought he was bound to send the powers that were called for,

which he had done. But at the same time, he wrote his own opinion very fully to the king, objecting to many particulars, if there was room for it, and proposing several things, which, as he thought, were for the good and interest of England. Soon after the powers were sent over by him, the treaty was concluded, to which he put the great seal, as he thought he was bound to do: in this, as he was a privy counsellor, he had offered the king his best advice, and as he was chancellor, he had executed his office according to his duty. As for putting the seal to the powers, he had done it upon the king's letter, which was a real warrant, though not a formal one. He had indeed desired, that a warrant in due form might be sent him for his own security; but he did not think it became him, to endanger the public only for want of a point of form, in so critical a time, where great despatch was requisite. He spoke so fully and so clearly, that, upon his withdrawing, it was believed, if the question had been quickly put, the whole matter had been soon at an end, and that the prosecution would have been let fall[b]: but his enemies drew out the debate to

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[b] I was in the house of commons during the whole debate: what the bishop says of lord Somers making an impression in his favour is so far from true, that I never saw that house in so great a flame as they were upon his withdrawing. He justified his putting the great seal to a blank so poorly, and insisted that the king's letter (which he produced) was a good warrant, which every body knew to be none, nor did the contents sufficiently justify him, if it had been any; and his endeavouring to throw every thing upon the king provoked them to such a degree, that he left them in a much worse disposition to himself than he found them; and I heard many of his best friends say, they heartily wished he had never come thither. D. We found no minute of this excellent speech amongst lord Somers's papers; there were some heads about the conduct of his defence, in case the impeach-

1701. such a length, that the impression which his speech had made was much worn out[c]; and the house sitting till it was past midnight, they at last carried it, by a majority of seven or eight, to impeach him and the earl of Orford and the lord Halifax of high

ment had been tried. There is a very honourable and manly answer of lord Somers, upon being asked who had informed him that the house was in debate about impeaching him. Vide the Journals. H. (Ralph in his History gives the follow- account of it: "Before lord "Somers's admission it had "been ordered, that he should "be asked from the chair, who "it was informed him that "there was a debate in the "house relating to his lord- "ship? And the said question, "after he had done speaking, "being put to him accordingly, "his lordship made the follow- "ing reply; to wit: 'that he "was strangely surprised at a "question that he never knew "was put to any man that "came to desire the favour of "being heard: and that if the "question was asked to bring "the least prejudice to any "man in England, he would "not only be content to lie "under the censure of the "house, but suffer the worst "thing that might befall him "upon earth, rather than do a "dishonourable thing.' After "which follows this other ar- "ticle in the Journals: 'And "then his lordship withdraw- "ing, came back, and desired "to leave with the house a let- "ter his lordship acquainted the "house that he had received "from his majesty, (and which "he said he had his majesty's "leave to acquaint the house "with,) and also a copy of his "lordship's letter, which he "sent to his majesty in an- "swer thereof; which letter "and copy his lordship had "mentioned in what he had "offered to the house, and he "left the same accordingly, "and then withdrew.' This "is all that can be deliver- "ed with any certainty con- "cerning this event: for of "the debate which followed, "or even the names of those "who conducted it on either "side, no specific mention is "made. And all that the "Journals farther report is, "that the question being put, "that John lord Somers, by "advising his majesty in the "year 1689 to the treaty for "dividing the Spanish mo- "narchy, whereby large territo- "ries of the king of Spain's "dominions were to be deli- "vered up to France, is guilty "of a high crime and misde- "meanour, the house divided; "and it was resolved in the "affirmative, by 198 against "188." Vol. ii. p. 943.)

[c] Cowper (afterwards chancellor) unhappily entering into a defence of him, begat a debate. O.

crimes and misdemeanors[d]: the general impeachment was brought up the next day to the lords' bar. 1701.

The commons were very sensible, that those impeachments must come to nothing, and that they had not a majority in the house of lords, to judge in them as they should direct: so they resolved on a shorter way, to fix a severe censure on the lords whom they had thus impeached: they voted an address to the king, for excluding them from his presence and councils for ever: this had never gone along with an impeachment before: the house of commons had indeed begun such a practice in king Charles the second's time: when they disliked a minister, but had not matter to ground an impeachment on, they had taken this method, of making an address against him, but it was a new attempt, to come with an address after an impeachment: this was punishing before trial, contrary to an indispensable rule of justice, of not judging before the parties were heard: the lords saw, that this made their judicature ridiculous, when, in the first instance of an accusation, application was made to the king for a censure, and a very severe one; since few misdemeanors could deserve a harder sentence. Upon these grounds, the lords prevented the commons, and sent some of their body to the king with an address, praying him, that he would not proceed to any censure of these lords till they had undergone their trial. The king received these 268

Contrary addresses of the two houses.

[d] ("The question was afterwards put in relation to the earl of Orford and lord Halifax; and was carried on two several divisions in the affirmative; to wit: against lord Orford, by 193 against 148; and against lord Halifax, by 186 against 163." *Ralph's Hist. of England*, ibid.)

1701. addresses, so contrary one to another, from both houses, but made no answer to either of them; unless the letting the names of these lords continue still in the council books might be taken as a refusing to grant what the commons had desired. They renewed their address, but had no direct answer from the king; this, though a piece of common justice, was complained of, and it was said, that these lords had still great credit with the king: the commons had, for form's sake, ordered a committee to prepare articles of impeachment, but they intended to let the matter sleep; thinking, that what they had already done had so marked those lords, that the king could not employ them any more: for that was the main thing they drove at.

The king owned the king of Spain.

While this was in agitation, a letter came to the king from the king of Spain, giving notice of his accession to that crown: it was dated the day after he entered into Spain, but the date and the letter were visibly writ at different times: the king ordered the letter to be read in the cabinet council; there was some short debate concerning it, but it was never brought into any further deliberation there. The earl of Rochester saw the king seemed distrustful of him, and reserved to him in that matter, and was highly offended at it: he and the rest of the new ministry pressed the king to own the king of Spain, and to answer his letter; and since the Dutch had done it, it seemed reasonable that the king should likewise do it: they prevailed at last, but with much difficulty: the thing was kept secret, and was not communicated to the privy council, or to the two houses, nor did the king speak of it to any of the foreign ministers; the Paris gazette gave the world

the first notice of it [e]. This being carried in such a manner, seemed the more strange, because his ministry had so lately condemned a former one, for not communicating the partition treaty to the council before it was concluded; and yet had, in a matter of great consequence, so soon forgot the censures they had thrown out so liberally, upon the secrecy with which that matter had been transacted. While things were moving in such a slow and uncertain pace in England, the Dutch had daily new alarms brought them of the forces that the French were pouring into their neighbourhood; into the Spanish Guelder on the one hand, and into Antwerp on the other: so that they were apprehensive of a design both upon Nimeguen and Bergen-op-zom: they took the best care they could to secure their frontier: the negotiations went on slowly at the Hague: the French rejected all their demands, and offered nothing but to renew the peace of Ryswick: this the 269
Dutch laid again before the king, in a very awakening strain; and he sent all to the house of commons, but they could not be brought to declare that the offers made by the French were not sufficient. D'Avaux, seeing this coldness in our counsels, refused to treat any more with the Dutch, in conjunction with the envoy of England, and said, his powers directed him only to them: this put a full stop to all further treaty; for the States said, they were engaged in such a close conjunction with England, that they could not enter on a separate treaty. In the mean while they armed powerfully; and our fleet, in conjunction with theirs, were masters of the

1701.

[e] (Ralph, amongst other observations, remarks, that the king having solicited the notification, could do no less than acknowledge it. *Hist. of England*, vol. ii. p. 939.)

1701. sea; but, for want of marines, they were in no condition to make any impression on the enemy. The emperor went on with his preparation for a campaign in Italy: the French sent an army into the Milanese, that they reckoned would be much superior to any force the emperor could send thither: the duke of Savoy was engaged in the interest of France, by king Philip's marrying his second daughter: the pope still refused to give the investiture of Naples, or to accept the annual present; for he would not quite break with the Emperor.

Negotiations in several places.

The French practices were every where the more prevalent, because they gave out that England would not engage in a war, and the face of our affairs looked but dark at home: the emperor's ministers had an uneasy time among us; the king encouraged them, but the new ministers were scarce civil to them, and studied to put them quite out of hope. The king of Denmark entered into a treaty with the emperor and the States. Great pains were taken to mediate a peace between Sweden and Poland. The court of France, as well as that of Vienna, tried it; both sides hoping that Sweden, if not Poland, might enter into their interests: the French reckoned that Denmark and Sweden could never be on the same side; so, when they found they could not gain Denmark, they tried a mediation, hoping to get Sweden into an alliance with them, but all attempts for a mediation proved unsuccessful. The diet of Poland was put off, and their king being delivered from them, resolved to carry on the war. The Spaniards, and the subjects of their other dominions, began to feel the insolence of the French very sensibly; but nothing was more uneasy to them,

than the new regulations, they were endeavouring to bring in, to lessen the expense of the court of Spain: so they seemed well disposed to entertain a new pretender. 1701.

While all these things were in a ferment all Europe over; the declaring a protestant successor after the princess, and such issue as she might have, seemed to be forgot by our parliament, though the king had begun his speech with it. The new ministers spoke of it with much zeal[f]; from this their friends made inferences in their favour, that certainly men, in the interests of France, would not promote a design so destructive of all they drove at: this was so little of a piece with the rest of their conduct, that those, who were still jealous of their sincerity, looked on it as a blind, to cover their ill designs, and to gain them some credit; for they 270 An act declaring a protestant succession.

[f] Upon the death of the duke of Glocester there was a necessity for this declarative act; there being so many intermediate heirs that were papists, who are as incompatible with our constitution as Jews or Mahometans; and that the legislature had a right to limit the crown was never doubted, until king James the first's time, who was against law, because law was against him. But for any merit that has been ascribed to king William, I do positively affirm, that it was never in his power to nominate any body but the princess Sophia; and if it had, we all knew that his inclinations, as well as vanity, led him to the house of Brandenburg, who were his own immediate heirs; and luckily for the present reigning family, there was no qualified heir between them and the princess Ann when the act passed, by which no subsequent qualification can avail those that have lost their right by their own default. D. It is very probable, the king made it a stipulation with them when he took them into the administration. Besides the earl of Rochester, although a very high tory, was certainly no Jacobite, and always in great credit and esteem at Hanover: at least with the princess Sophia, who upon his death expressed a more than ordinary concern. This last I had from some English gentlemen who were then at Hanover. O.

1701. could not but see, that if France was once possessed of the power and wealth of Spain, our laws, and every thing that we could do to support them, would prove but feeble defences. The manner, in which this motion of the succession was managed, did not carry in it great marks of sincerity: it was often put off from one day to another, and it gave place to the most trifling matters. At last, when a day was solemnly set for it, and all people expected that it should pass without any difficulty, Harley moved, that some things previous to that might be first considered[g]. He observed, that the haste the nation was in, when the present government was settled, had made us go too fast, and overlook many securities, which might have prevented much mischief, and therefore he hoped they would not now fall into the same error. Nothing pressed them at present, so he moved they would settle some conditions of government, as preliminaries, before they should proceed to the nomination of the person; that so we might fix every thing that was wanting, to make our security complete. This was popular, and took with many, and it had so fair an appearance, that indeed none could oppose it: some weeks were spent upon it[h]. Suspicious people thought,

[g] In the committee of the whole house, who were to consider of that part of the king's speech which related to the succession. H. It has been said by his particular friends, that he took this matter into his hands, to hinder some worse proposals, and went so far as he did to preserve his credit with his party. O.

[h] ("On the first of March, "being precisely the fifteenth "day after the king's speech "had been reported to the "house, the clause in relation "to the succession was taken "into consideration by a com- "mittee of the whole house, "who came to certain resolu- "tions, which were reported "on the third, and with two

this was done on design to blast the motion, and to offer such extravagant limitations, as should quite change the form of our government, and render the crown titular and precarious: the king was alarmed at it, for almost every particular, that was proposed, implied a reflection on him and his administration, chiefly that of not employing strangers, and not going too often out of the kingdom: it was proposed, that every thing should be done with the advice of the privy council, and every privy counsellor was to sign his advice. All men, who had places or pensions, were made incapable of sitting in the house of commons. As all this was unacceptable to the king, so many, who had an ill opinion of the design of those, who were now at the helm, began to conclude, that the delays were affected, and that these limitations were designed to raise disputes between the two houses, by which the bill might be lost [i]. When some time had been spent in those preliminaries, it came to the nomination of the person; sir John Bowles, who was then disordered in his senses, and soon after quite lost them, was set on 1701. 271

" amendments agreed to." *Ralph's History of England*, vol. ii. p. 921. On the fourteenth day of May the bill was by a unanimous vote sent up to the house of lords; the two parties, as Ralph observes, p. 923. having been previously in the midst of their broils.)

[i] Mr. Harley was obliged to humour his own party in these limitations, some of which were absurd, and others, to speak the truth, very proper. He judged right in getting the bill through at any rate. I have seen his picture, with this bill in his hand, and Prior had written under it, "Paid such " a day," *viz.* when he was sent to the tower by the Hanover party. Mr. Harley was an able speaker, an indifferent secretary of state, and a good œconomist at the treasury board. Mr. Pelham used to applaud his conduct there; but the duke of Newcastle differed with him, and preferred lord Godolphin's. H.

1701. by the party, to be the first that should name the electoress dowager of Brunswick, which seemed done to make it less serious, when moved by such a person: he was, by the forms of the house, put in the chair of the committee, to whom the bill was committed: the thing was still put off for many weeks; at every time that it was called for, the motion was entertained with coldness, which served to heighten the jealousy: the committee once or twice sat upon it, but all the members ran out of the house with so much indecency, that the contrivers seemed ashamed of this management[k]: there were seldom fifty or sixty at the committee; yet in conclusion, it passed, and was sent up to the lords; where we expected great opposition would be made to it: some imagined, the act was only an artifice, designed to gain credit to those, who at this time were so ill thought of over the nation, that they wanted some colourable thing, to excuse their other proceedings. Many of the lords absented themselves on design. Some little opposition was made by the marquis of Normanby; and four lords, the earls of Huntington and Plymouth, and the lords Guildford and Jefferies, protested against it. Those who wished well to the act were glad to have it passed any way, and so would not examine the limitations that were in it; they thought it of great importance to carry the act, and that, at another time, those limitations might be better considered: so the act passed, and the king sent it over by the earl of Macclesfield to the electoress, together with the

[k] (If this be true, neither party seem to have given themselves much concern, at this time at least, about the Hanover succession.)

garter to the elector. We reckoned it a great point carried, that we had now a law on our side, for a protestant successor; for we plainly saw, a great party formed against it, in favour of the pretended prince of Wales. He was now past thirteen, bred up with a hatred both of our religion and our constitution, in an admiration of the French government; and yet many who called themselves protestants seemed fond of such a successor; a degree of infatuation that might justly amaze all who observed it, and saw the fury with which it was promoted [1]. 1701.

[1] Long since the author wrote this History, a very remarkable transaction has appeared, relating to the succession, from a letter found among my lord Somers's papers. It is written by the princess Sophia to Mr. Stepney, then in some character for us somewhere abroad. (He was envoy in 1692. and again in 1698. to the court of Brandenburg. See Johnson's Lives of the Poets, vol. i. p. 291.) The letter is an answer to a private one of his to her, intimating by some private direction from hence, that the duke of Gloucester being dead, there was an intention to settle the succession upon her and her family after the death of the king and the princess of Denmark without issue. In this letter she says, how highly she thought of this notice of her and her family, but wishes that it might be well considered of with regard to some improprieties she mentions of her family having the crown of England, that they were strangers, and used in their own country to a form of government very different from that of ours, and which we were so fond of; and then recommends, in a style of compassion, the unhappy case of *le pauvre prince de Galles*, and wishes that he may rather be thought of than her family, saying, that he had learned and suffered so much by his father's errors, that he would certainly avoid all them, and make a good king of England. This letter I saw and read by the favour of one of the sons of my lord Hardwick, the chancellor, whose lady was a neice of my lord Somers, and by her my lord Hardwick had many of his papers, most of which were unfortunately destroyed in Mr. Charles Yorke's chambers at Lincoln's inn by the late terrible fire there, though I have some notion, this letter was among the few papers that were saved. I have heard my lord Hardwick speak

1701. of this, calling it princess Sophia's Jacobite letter. But a very short time after this happened, she was with king William at Loo, (see antea 246,) where the affair of the succession in her house was fully settled. To explain this strange matter: I will tell you what I heard several years before I knew of this letter, and it was from Richard earl of Scarborough, who said he had it from the earl of Halifax himself, that he and others, who wished the succession to be in the house of Hanover, yet were very apprehensive that many evils to England might arise from the two countries being under the same sovereign, and therefore wished that it might be a condition in the new settlement of the crown, that whoever of the house of Hanover succeeded to it should not at the same time hold their German dominions, and that upon this, the proposal was made to the elector, (our late king,) who immediately rejected it, declaring he would not accept of the crown here on the terms of quitting his own country, where he had a sure possession. That it was then proposed, that the crown should go to some other Protestant of his family: to which he answered, that if the crown of England was to come to his family, no one should wear it before himself, except his mother. Might not the letter of the princess Sophia have been written whilst this matter was pending? This condition was very desirable for us, and the elector's answer was very sensible for him, but he was safe in it, and so was the mother in her letter; for where else could we have gone, unless we had fallen in with her *pious* proposal? It has been said that king William had some design of that sort at this time; but I never saw any good authority for that notion, although it may be true for any I have met with to the contrary. (See above, note at p. 201.) But now I will mention to you a particular I can speak of with some authority. A little while before sir Robert Walpole's fall (and as a popular act to save himself, for he went very unwillingly out of his offices and power,) he took me one day aside, and said, "What will you say, speaker, if "this hand of mine shall bring "a message from the king to "the house of commons, de- "claring his consent to having "any of his family, after his "own death, to be made by act "of parliament incapable of "inheriting and enjoying the "crown, and possessing the "electoral dominions at the "same time?" My answer was, "Sir, it will be as a mes- "sage from heaven." He replied, "It will be done." But it was not done; and I have good reason to believe, it would have been opposed, and rejected at that time, because it came from him, and by the means of those who had always been most clamorous for it; and thus perhaps the opportunity was lost: when will it come again? It was said that the prince at that juncture would have consented to it, if he could have had the

Another very good act passed this session, concerning the privilege of parliament. Peers had, by law or custom, a privilege for themselves and their servants, during the session, and at least twenty days before and after. Of late they have reckoned forty days before and after, in which neither they nor their servants could be sued in any court, unless for treason, felony, or breach of the peace: the house of commons had also possessed themselves of the same privilege; but with this difference, that the lords pretended theirs was a right, not subject to the order of the house of lords; whereas the commons held, that their privilege was subject to the authority of their house [m]: of late years, sessions 1701. An act explaining privilege. 272

credit and popularity of the measure, and that some of his friends were to have moved it in parliament, but that the design at St. James's prevented it. Notwithstanding all this, I have had some thoughts, that neither court ever really intended the thing itself; but that it came on, and went off, by a jealousy of each other in it, and that both were equally pleased that it did so, from an equal fondness (very natural) for their own native country. But of our connections with Hanover I shall speak to you more at large elsewhere. O.

[m] The privilege here mentioned is not the privilege of peerage, (which is quite a different thing,) but parliamentary privilege, which from the nature of it must be common to both houses in right and use, and so it has *always* been understood and practised. It is inherent in every member by law, and cannot be taken away but by act of parliament. The house of commons has sometimes suspended the benefit of it in some particular members: but this has ever been by way of punishment, for some delinquency, when such punishment was adapted to the crime; and when a member waves his privilege, the house will not let him resume it again in that cause during that parliament. But they never oblige a member to wave it, nor can they. The house indeed will judge whether privilege does or does not extend to such or such cases, (and so do the lords,) and determine and declare accordingly; (it was done 30th of November, 1696.—17th April, 1699.—13th February, 1700. But quere as to the legality of this, for the reasons before mentioned, and compare

1701. were long, and continued by intermediate prorogations, so that the whole year round was a time of privilege: this made a great obstruction in the course of justice, and none who were so protected could be sued for debt. The abuse was carried further, by the protections which some lords gave, or rather sold to persons, who were no way concerned in their affairs; but when they needed this shelter, they had a pretended office given them, that was a bar to all arrests. After many fruitless attempts to regulate these abuses, a bill was brought into the house of commons, that took away all privilege against legal prosecutions, in intermediate prorogations; and did so regulate it, during the sitting of parliament, that an effectual remedy was provided for a grievance, that had been long and much complained of[n]: these were the only popular things that were done by this parliament, the rest of their

it with the act here spoken of, see the journal of the house of commons of 14th of February, 1694.) but never attempt to take it away where it is, except by way of punishment; and when a member is thus suspended from it, or waves it, it never goes to his person, I mean such suspension or wave. You will see among my parliament-entries a pretty curious piece of private history as to this very good law. O.

[n] This good bill had its rise from private interest; lord Grey had been pardoned after Monmouth's rebellion, upon condition that lord Rochester should have twenty thousand pounds raised upon his estate, and two thousand pounds a year annuity during lord Grey's life; and his brother Ralph Grey, upon whom the estate was intailed, was bound for the performance. After the revolution, lord Grey, created earl of Tankerville, never paid the annuity, but insisted upon his privilege; which occasioned sir John Levison, whose sister was married to lord Rochester's son, to bring the bill into the house of commons. Lord Tankerville died not long before, and left nothing to his brother in return for his good nature and generosity, but the arrears to pay, which were afterwards compounded for sixteen thousand pounds. D.

proceedings shewed both the madness and fury of parties. 1701.

The impeachments lay long neglected in the house of commons, and probably they would have been let sleep, if the lords concerned had not moved for a trial: on their motion, messages were sent to the commons to quicken their proceedings: at last, articles were framed and brought up, first against the earl of Orford: he was charged for taking great grants from the king; Kid's business was objected to him; he was also charged for abuses in managing the fleet, and victualling it, when it lay on the coast of Spain, and for some orders he had given, during his command; and in conclusion, for his advising the partition treaty. And in setting this out, the commons urged, that the king, by the alliance made with the emperor in the year 1689, was bound to maintain his succession to the crown of Spain, which they said was still in force: so the partition treaty was a breach of faith, contrary to that alliance, and this passed current in the house of commons, without any debate or inquiry into it; for every thing was acceptable there, that loaded that treaty and these lords: but they did not consider, that by this they declared, they thought the king was bound to maintain the emperor's right to that succession; yet this was not intended by those, who managed the party, who had not hitherto given any countenance to the emperor's pretensions: so apt are parties to make use of any thing that may serve a turn, without considering the consequences of it.

Proceedings upon the impeachments.

And first, the articles against the earl of Orford.

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The earl of Orford put in his answer in four days. He said he had no grant of the king, but a reversion at a great distance, and a gift of ten thou-

The earl of Orford's answer.

1701. sand pounds, after he had defeated the French at La Hogue, which he thought he might lawfully accept of, as all others before him had done: he opened Kid's matter, in which he had acted legally, with good intentions to the public, and to his own loss: his accounts, while he commanded the fleet, had been all examined, and were passed; but he was ready to wave that, and to justify himself in every particular, and he denied his having given any advice about the partition treaty; this was immediately sent down to the commons: but they let it lie before them, without coming to a replication; which is only a piece of form[o], by which they undertake to make good their charge.

Articles of impeachment against lord Somers.

Articles were next sent up against the lord Somers. In these the two partition treaties were copiously set forth, and it was laid down for a foundation, that the king was bound to maintain the emperor's right of succession to the crown of Spain; lord Somers was charged for setting the seals, first to the powers, and then to the treaties themselves; he was also charged for accepting some grants, and the manner of taking them was represented as fraudulent, he seeming to buy them of the king, and then getting himself discharged of the price contracted for[p]. Kid's business was also mentioned, and dilatory and partial proceedings in chancery were objected to him. He put in his answer in a very few days: in the partition treaty, he said, he had offered the king very faithful advice as a counsellor, and had acted according to the duty of his post, as chancellor[q]; so he had nothing more to answer for: as for his

Lord Somers's answer.

[o] Generally. O.

[p] If this was true, it has a bad aspect. O.

[q] See antea, p. 251. O.

grants, the king designed him a grant to such a value; the king was not deceived in the value; the manner of passing it was according to the usual methods of the treasury, in order to make a grant sure, and out of the danger of being avoided. Kid's business was opened, as was formerly set forth; and as to the court of chancery, he had applied himself wholly to the despatch of business in it, with little regard to his own health or quiet, and had acted according to the best of his judgment, without fear or favour. This was presently sent down to the house of commons, and upon that they were at a full stand: they framed no articles against the earl of Portland, which was represented to the king as an expression of their respect to him. 1701. 274

Some time after this, near the end of the session, they sent up articles against the lord Halifax, which I mention here, that I may end this matter all at once. They charged him for a grant that he had in Ireland, and that he had not paid in the produce of it, as the act concerning those grants had enacted: they charged him for another grant, out of the forest of Dean, to the waste of the timber, and prejudice of the navy of England: they charged him for holding places that were incompatible, being at the same time both a commissioner of the treasury, and auditor of the exchequer; and in conclusion, he was charged for advising the two partition treaties. He was as quick with his answer as the other lords had been; he said, his grant in Ireland was of some debts and sums of money, and so was not thought to be within the act concerning confiscated estates. All he had ever received of it was four hundred pounds. If he was bound to repay it, he was liable

Articles of impeachment against lord Halifax.

Lord Halifax's answer.

1701. to an action for it; but every man was not to be impeached, who did not pay his debts at the day of payment. His grant in the forest of Dean was only of the weedings; so it could be no waste of timber, nor a prejudice to the navy: the auditor's place was held by another, till he obtained the king's leave to withdraw from the treasury: as for the first partition treaty, he never once saw it, nor was he ever advised with in it; as for the second, he gave his advice very freely about it, at the single time, in which he had ever heard any thing concerning it. This was sent down to the commons, but was never so much as once read by them. When, by these articles, and the answers to them, it appeared, that after all the noise and clamour that had been raised against the former ministry, (more particularly against the lord Halifax,) for the great waste of treasure during their administration, that now, upon the strictest search, all ended in such poor accusations; it turned the minds of many that had been formerly prejudiced against them. It appeared, that it was the animosity of a party at best, if it was not a French practice, to ruin men who had served the king faithfully, and to discourage others from engaging themselves so far in his interests as these lords had done. They saw the effect that must follow on this; and that the king could not enter upon a new war, if they could discourage from his service all the men of lively and active tempers, that would raise a spirit in the nation for supporting such an important and dangerous war, as this now in prospect was like to prove.

The proceedings of parliament much censured.

This gave a general disgust to all England, more particularly to the city of London, where foreign af-

fairs and the interest of trade were generally better understood. The old East India company, though they hated the ministry that set up the new, and studied to support this house of commons, from whom they expected much favour; yet they, as well as the rest of the city, saw visibly, that first the ruin of trade, and then, as a consequence of that, the ruin of the nation, must certainly ensue, if France and Spain were once firmly united: so they began openly to condemn the proceedings of the commons, and to own a jealousy, that the louis d'ors sent hither of late, had not come over to England for nothing. This disposition to blame the slowness in which the house of commons proceeded, with relation to foreign affairs, and the heat with which private quarrels were pursued, began to spread itself through the whole nation. Those of the county of Kent sent up a petition to the house, desiring them to mind the public more, and their private heats less, and to turn their addresses to the king, to bills of supplies, to enable him both to protect the nation and to defend our allies. This was brought up by some persons of quality, and was presented by them to the house: but it was looked on as a libel on their proceedings; and the gentlemen who brought it up were sent to prison, where they lay till the prorogation; but they were much visited, and treated as confessors. This was highly censured; it was said, the commons were the creatures of the people, and upon all other occasions they used to favour and encourage petitions: this severity was condemned therefore as unnatural, and without a precedent: it was much questioned, whether they had really an authority to imprison any except their own members,

1701.

The Kentish petition.

1701. or such as had violated the privilege of their house: but the party thought it was convenient, by such an unusual severity, to discourage others from following the example set them by those of Kent: for a design was laid to get addresses of the same nature, from all parts of the kingdom, chiefly from the city of London. The ministers represented to the king, what an indignity this would be to the house of commons; and that, if he did not discourage it, he might look for unacceptable things from them. It might rather discourage than give heart to our allies, if they should see such a disjointing, and both city and country in an opposition to the house of commons. Some went in his name to the eminent
276 men of the city, to divert it; yet with all this it came so near, for such an address, in a common council, that the lord mayor's vote turned it for the negative, so that fell. But a disposition to a war, and to a more hearty concurrence with the king, appeared to be the general sense of the nation; and this had a great effect on the house of commons[r]: they began to talk of a war as unavoidable; and when the session drew near an end, they, by an address, desired the king to enter into such alliances with the emperor, and other states and princes, as were necessary for the support of us and our allies, and to bring down the exorbitant power of France. This was opposed with great zeal by those who were looked on as the chief conductors of the Jacobite

[r] The tory party was certainly drawn much against their inclinations into measures of war, and the king was forced to plie the house of commons hard with Dutch memorials and representations to force the cold spirits which they did shew. The fitting out a fleet under sir G. Rooke, without marines or land forces, was a very lame and inefficient measure. H.

party, though many, who had in other things gone along with them, thought this was the only mean that was left, to recover their credit with the people: for the current ran so strong for a war, that those who struggled against it were looked on as little better than public enemies. They had found good funds for a million and a half: it is true, one of these was very unacceptable to the king: it was observed, that the allotment for the civil list did far exceed the sum that was designed, which was only six hundred thousand pounds, and that, as king James's queen would not take her jointure[s], so by the duke of Glocester's death the charge on it was now less than when it was granted; so they took almost four thousand pounds a week out of the excise, and, upon an assignation made of that for some years, a great sum was raised. This was very sensible to the court, and the new ministers found it no easy thing to maintain, at the same time, their interest both with the king and their party: this matter was at last yielded to by the king. All the remainder of this session relates to the impeachments. 1701.

The lords had resolved to begin with the trial of the earl of Orford; because the articles against him were the first that were brought up; and since the commons made no replication, the lords, according to clear precedents, named a day for his trial, and gave notice of it to the house of commons: upon this, the commons moved the lords, to agree to name a committee of both houses for settling the preliminaries of the trial, and they named two preliminaries; one was, that the lord who was to be tried, Messages passed between the two houses.

[s] (See before, at p. 208.)

1701. should not sit as a peer; the other was, that those lords who were impeached for the same matter, might not vote in the trial of one another: they also acquainted the lords, that the course of their evidence led them to begin with the lord Somers. The
277 lords judged their last demand reasonable, and agreed to it; but disagreed to the others. They considered themselves as a court of justice, and how great soever the regard due to the house of commons might be, in all other respects, yet in matters of justice, where they were the accusers, they could only be considered as parties. The king, when he had a suit with a subject, submitted to the equality of justice; so the commons ought to pretend to no advantage over a single person, in a trial: a court of justice ought to hear the demands of both parties pleaded fairly, and then to judge impartially; a committee named by one of the parties, to sit in an equality with the judges, and to settle matters relating to the trial, was a thing practised in no court or nation, and seemed contrary to the principles of law or rules of justice: by these means, they could at least delay trials as long as they pleased, and all delays of justice are real and great injustices. This had never been demanded but once, in the case of the popish plot; then it was often refused; it is true, it was at last yielded to by the lords, though with great opposition; that was a case of treason, in which the king's life and the safety of the nation was concerned; there was then a great jealousy of the court, and of the lords that belonged to it; and the nation was in so great a ferment, that the lords might at that time yield to such a motion, though it derogated from their judicature: that ought not to

be set up for a precedent for a quiet time, and in a case pretended to be no more than a misdemeanour; so the lords resolved not to admit of this, but to hear whatsoever should be proposed by the commons, and to give them all just and reasonable satisfaction in it. The chief point in question, in the year 1679, was, how far the bishops might sit and vote in trials of treason; but without all dispute, they were to vote in trials for misdemeanours. It was also settled in the case of the lord Mordaunt, that a lord tried for a misdemeanour was to sit within the bar. In all other courts, men tried for such offences came within the bar. This was stronger in the case of a peer, who by his patent had a seat in that house, from which nothing but a judgment of the house, for some offence, could remove him: they indeed found that, in king James the first's time, the earl of Middlesex, being accused of misdemeanours, was brought to the bar; but as that prosecution was violent, so there had been no later precedent of that kind, to govern proceedings by it: there had been many since that time, and it had been settled as a rule for future times, that peers tried for such offences were to sit within the bar. The other preliminary was, that peers accused for the same offence might not vote in the trials of the others: the lords found that a right of voting was so inherent in every peer in all causes, except where himself was a party, that it could not be taken from him, but by a sentence of the house; a vote of the house could not deprive him of it: otherwise, a majority might upon any pretence deny some peers their right of voting, and the commons, by impeaching many peers at once, for the same offence, might exclude as many

1701.

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1701. lords as they pleased from judging[t]: it was also observed, that a man might be a judge in any cause in which he might be a witness; and it was a common practice to bring persons charged with the same offence, if they were not in the same indictment, to witness the facts with which they themselves were charged, in another indictment: and a parity of reason appeared in the case of lords who were charged in different impeachments for the same facts, that they might be judges in one another's trials[u]. Upon these points, many messages passed between the two houses, with so much precipitation, that it was not easy to distinguish between the answers and the replies: the commons still kept off the trial by affected delays. It was visible, that when a trial should come on, they had nothing to charge these lords with: so the leaders of the party shewed their skill in finding out excuses, to keep up the clamour, and to hinder the matters from being brought to an issue: the main point, that was still insisted on, was a committee of both houses; so according to the forms of the house it was brought to a free conference.

In it the lord Haversham, speaking to the point of lords being partial in their own cases, and therefore not proper judges, said that the house of commons had plainly shewed their partiality, in impeaching some lords for facts, in which others were

[t] This was certainly a strong objection, but not so as to (*sentence not finished.*) O.

[u] For the case of a witness is very different from that of a judge. In that of a witness, though it does not go to his competency, yet it does go to his credit, and his testimony may not have any effect, but the vote of a judge has its full operation in judgment. Quære, whether this be a cause of challenge with regard to a juryman. O.

equally concerned with them, who yet were not impeached by them, though they were still in credit and about the king; which shewed, that they thought neither the one nor the other were guilty. The commons thought they had now found an occasion of quarrelling with the lords, which they were looking for; so they immediately withdrew from the conference, though they were told that the lord Haversham spoke only his own private sense, and not by any direction from the house. The house of commons sent up a complaint to the lords, of this reflection on their proceedings, as an indignity done them, for which they expected reparation; upon this, the lord Haversham offered himself to a trial, and submitted to any censure that the lords should think he had deserved; but insisted that the words must first be proved, and he must be allowed to put his own sense on them; the lords sent this to the commons, but they seemed to think that the lords ought to have proceeded to censure him in a summary way, which the lords thought, being a court of judicature, they could not do, till the words were proved, and the importance of them discussed [x]. 1701. 279

The house of commons had now got a pretence to justify their not going further in these trials; and they resolved to insist upon it: they said, they The lords tried and acquitted.

[x] The words that gave most offence were, that the commons' proceedings were abhorrent to justice; and the chicane of proving words spoke publicly and very audibly at a conference between the two houses, was received with the scorn and contempt it well deserved, both in their own house and every where else; there not having been one man in the painted chamber, which was very full upon that occasion, that had not heard them: therefore looked upon to be a greater insult than the words themselves. D.

1701. could expect no justice, and therefore they could not go on with the prosecutions of their impeachments: and a day being set for the lord Somers's trial, they excepting still, it was put off for some time; at last a peremptory day was fixed for it; but the commons refused to appear, and said they were the only judges, when they were ready with their evidence, and that it was a mockery to go to a trial, when they were not ready to appear at it. There were great and long debates upon this in the house of lords; the new ministry and all the Jacobites joined to support the pretensions of the commons: every step was to be made by a vote, against which many lords protested; and the reasons given in some of their protestations were thought to be so injurious to the house, that they were by a vote ordered to be expunged; a thing that seldom happens. When the day set for the trial came, the other lords, who were also impeached, asked the leave of the house to withdraw, and not to sit and vote in it; this was granted them, though it was much opposed and protested against by the tory party, because the giving such leave supposed that they had a right to vote: the lords went down in form to Westminster-hall, where the articles against the lord Somers were first read; lord Somers's answers were next read; and none appearing to make good the charge, the lords came back to their house, where they had a long and warm debate of many hours, concerning the question that was to be put. The judges told them, that, according to the forms of law, it ought to be *guilty* or *not guilty:* but those of the party said, as it was certain that none could vote him guilty, so, since the house of commons had

not come to make good the charge, they could not vote him not guilty; so to give them some content, the question agreed on to be put was, whether he ought to be acquitted of the impeachment or not? That being settled, the lords went again to the hall, and the question being put, fifty-six voted in the affirmative, and thirty-one in the negative. Upon this, the house of commons passed some high votes against the lords, as having denied them justice, and having obstructed the public proceedings; and called the trial a pretended trial. The lords went as high in their votes against the commons; and each house ordered a narrative of the proceedings to be published, for satisfying the nation. A few days after this, the earl of Orford's trial came on, but all the lords of the other side withdrawing, there was no dispute; so he was acquitted by an unanimous vote. The lords did also acquit both the earl of Portland and the lord Halifax; and because the commons had never insisted on their prosecution of the duke of Leeds, which they had begun some years before, they likewise acquitted him, and so this contentious session came to an end. The two houses had gone so far in their votes against one another, that it was believed they would never meet again: the proceedings of the lords had the general approbation of the nation on their side: most of the bishops adhered to the impeached lords, and their behaviour on this occasion was much commended: I bore some share in those debates, perhaps more than became me, considering my station and other circumstances: but as I was convinced of the innocence of the lords, so I thought the government itself was struck at; and therefore, when I ap- 1701. 280

1701. prehended all was in danger, I was willing to venture every thing in such a quarrel: the violence, as well as the folly of the party, lost them much ground with all indifferent men; but with none more than with the king himself; who found his error in changing his ministry at so critical a time; and he now saw that the tories were at heart irreconcileable to him: in particular, he was extreme uneasy with the earl of Rochester, of whose imperious and intractable temper he complained much, and seemed resolved to disengage himself quickly from him, and never to return to him any more[y]. He thought the party was neither solid nor sincere, and that they were actuated by passion and revenge, without any views with relation to our quiet at home, or to our affairs abroad.

A convocation of the clergy met.

But having now given an account of the session of parliament, I turn to another scene: when the new ministry undertook to serve the king, one of their demands was, that a convocation should have leave to sit, which was promised; and it sat this winter: Dr. Atterbury's book, concerning the rights of a convocation, was reprinted with great corrections and additions: the first edition was drawn out of some imperfect and disorderly collections, and he
281 himself soon saw that, notwithstanding the assur-

[y] Lord Rochester had an assuming manner, both in his behaviour and discourse, that was extremely disagreeable. Lord Jersey told me, he was with him once in the king's closet, where he took the liberty to tell the king, that princes must not only hear good advice, but must take it. After he was gone, the king stamped about the room, and repeated the word "must," several times; at last, turning to lord Jersey, said, "If I had ordered him "to have been thrown out of "the window, he must have "gone; I do not see how he "could have hindered it." D.

ance and the virulence with which it was writ, he had made many great mistakes in it: so, to prevent a discovery from other hands, he corrected his book in many important matters: yet he left a great deal to those who answered him, and did it with such a superiority of argument and of knowledge in these matters, that his insolence in despising these answers, was as extraordinary as the parties adhering to him after such manifest discoveries. Dr. Kennet laid him so open [z], not only in many particulars, but in a thread of ignorance that ran through his whole book, that if he had not had a measure of confidence peculiar to himself, he must have been much humbled under it. The clergy hoped to recover many lost privileges by the help of his performances: they fancied they had a right to be a part of the parliament; so they looked on him as their champion, and on most of the bishops as the betrayers of the rights of the church: this was encouraged by the new ministry: they were displeased with the bishops for adhering to the old ministry; and they hoped, by the terror of a convocation, to have forced them to apply to them for shelter. The Jacobites intended to put us all in such a flame, as they hoped would disorder the government. The things the convocation pretended to, were first, that they had a right to sit whensoever the parliament sat: so that they could not be prorogued but when the two houses were prorogued: next they advanced, that they had no need of a licence to enter upon debates, and to prepare matters, though it was confessed, that the 1701.

[z] But chiefly Wake (afterwards archbishop of Canterbury) in his State of the Church. This Dr. Kennet was, in the reign of George the first, made bishop of Peterborough. O.

1701. practice for an hundred years was against them: but they thought the convocation lay under no farther restraint than that the parliament was under; and as they could pass no act without the royal assent, so they confessed that they could not enact or publish a canon without the king's licence. Anciently the clergy granted their own subsidies apart, but ever since the reformation, the grant of the convocation was not thought good till it was ratified in parliament: but the rule of subsidies being so high on the clergy, they had submitted to be taxed by the house of commons ever since the year 1665, though no memorials were left to inform us how that matter was consented to so generally, that no opposition of any sort was made to it[a]: the giving

[a] It was first settled by a verbal agreement between archbishop Sheldon and the lord chancellor Clarendon, and tacitly given into by the clergy in general, as a great ease to them in taxations. The first public act of any kind relating to it, was an act of parliament in 1665, by which the clergy were, in common with the laity, charged with the tax given in that act, and were discharged from the payment of the subsidies they had granted before in convocation; but in this act of parliament of 1665, there is an express saving of the right of the clergy to tax themselves in convocation, if they think fit; but that has been never done since, nor attempted, as I know of, and the clergy have been constantly from that time charged with the laity in all public aids to the crown by the house of commons. In consequence of this, (but from what period I cannot say,) without the intervention of any particular law for it, except what I shall mention presently, the clergy (who are not lords of parliament) have assumed, and, without any objection, enjoyed the privilege of voting in the election of members of the house of commons, in virtue of their ecclesiastical freeholds. This having constantly been practised from the time it first began, there are two acts of parliament which suppose it to be now a *right*. The acts are the 10th of Anne, chap. 23; 18th of George II. chap. 18. And here it is best, the whole of this matter should remain without further question or consequence of any kind; as it now stands, both the church and the state have a benefit from it. See the other

of money being yielded up, which was the chief business of convocations, they had after that nothing to do; so they sat only for form's sake, and were adjourned of course; nor did they ever pretend, notwithstanding all the danger that religion was in during the former reigns, to sit and act as a synod; but now this was demanded as a right, and they complained of their being so often prorogued, as a violation of their constitution, for which all the bishops, but more particularly the archbishop of Canterbury, was cried out on: they said, that he and the bishops looked so much to their own interests, that they forgot the interests of the church, or rather betrayed them: the greater part of the clergy were in no good temper; they hated the toleration, and were heavily charged with the taxes, which made them very uneasy; and this disposed them to be soon inflamed by those who were seeking out all possible methods to disorder our affairs: they hoped to have engaged them against the supremacy, and reckoned, that in the feeble state to which the government was now brought, they might hope either to wrest it quite from the crown, and then it would fall into the management of the house of commons; or if the king should proceed against them according to the statute, and sue them in a premunire, this might unite the clergy into such an opposition to the government, as would probably throw us into great convulsions: but many aspiring men among them had no other design but to force themselves into preferment by the opposition they made. In the writ that the bishops had, summoning them to 1701. 282

vol. p. 197. Gibson, bishop of London, said to me, that this was the greatest alteration in the constitution ever made, without an express law. O.

1701. parliament, the clause, known by the first word of it, *Premunientes*, was still continued; at first, by virtue of it, the inferior clergy were required to come to parliament, and to consent to the aids there given: but after the archbishops had the provincial writ, for a convocation of the province, the other was no more executed, though it was still kept in the writ, and there did not appear the least shadow of any use that had been made of it for some hundreds of years[b]; yet now some bishops were prevailed on to execute this clause, and to summon the clergy by virtue of it: the convocation was opened with speeches full of sharp reflections on the bishops, which they passed over, being unwilling to begin a dispute.

They dispute the archbishop's power of adjourning them.

Dr. Hooper, dean of Canterbury, was chosen prolocutor, a man of learning and good conduct hitherto: he was reserved, crafty, and ambitious; his deanery had not softened him, for he thought he deserved to be raised higher. The constant method of adjournments had been this; the archbishop signed a schedule for that purpose, by which the upper house was immediately adjourned, and that being sent down to the prolocutor, did also adjourn the lower house: the clergy perceiving that by this means the archbishop could adjourn them at pleasure, and either hinder or break off all debates, re-
283 solved to begin at disputing this point; and they brought a paper to the upper house, in which they asserted their right of adjourning themselves, and cited some precedents for it. To this, the bishops drew a very copious answer, in which all their precedents were examined and answered, and the

([b] See before, at p. 17.)

matter was so clearly stated and so fully proved, 1701.
that we hoped we had put an end to the dispute. The lower house sat for some time about the reply to this: but instead of going on with that, they desired a free conference; and began to affect, in all their proceedings, to follow the methods of the house of commons. The bishops resolved not to comply with this, which was wholly new: they had, upon some occasions, called up the lower house to a conference, in order to the explaining some things to them; but the clergy had never taken upon them to desire a conference with the bishops before; so they resolved not to admit of it, and told them, they expected an answer to the paper they had sent them. The lower house resolved not to comply with this, but on the contrary, to take no more notice of the archbishop's adjournments: they did indeed observe the rule of adjourning themselves to the day which the archbishop had appointed in his schedule, but they did it as their own act, and they adjourned themselves to intermediate days.

They censure books.

That they might express a zeal in the matters of religion, they resolved to proceed against some bad books: they began with one, entitled *Christianity not mysterious*, wrote by one Toland, a man of a bold and petulant wit, who passed for a Socinian, but was believed to be a man of no religion: they drew some propositions out of this book, but did it with so little judgment, that they passed over the worst that were in it, and singled out some, that how ill soever they were meant, yet were capable of a good sense: they brought up the censure that they had passed on this book to the bishops, and desired them to agree to their resolutions. This

1701. struck so directly at the episcopal authority, that it seemed strange to see men, who had so long asserted the divine right of episcopacy, and that presbyters were only their assistants and council, (according to the language of all antiquity,) now assume to themselves the most important act of church government, the judging in points of doctrine: in this it appeared, how soon men's interests and passions can run them from one extreme to another. The bishops saw, that their design in this was only to gain some credit to themselves, by this shew of zeal for the great articles of religion; so they took advice of men learned in the law, how far the act of submission in
284 the twenty-fifth of Henry the eighth did restrain them in this case. There had been the like complaint made in the convocation 1698, of many ill books then published; and the bishops had then advised both with civilians and common lawyers in this matter: they were answered, that every bishop might proceed in his own court against the authors or spreaders of ill books within his diocese: but they did not know of any power the convocation had to do it: it did not so much as appear, that they could summon any to come before them: and when a book was published with the author's name to it, the condemning it, without hearing the author upon it, seemed contrary to the common rules of justice. It did not seem to be a court at all, and since no appeal lay from it, it certainly could not be a court in the first instance. When this question was now again put to lawyers, some were afraid, and others were unwilling to answer it: but Sir Edward Northey, afterwards made attorney general, thought the condemning books was a thing of great conse-

quence; since the doctrine of the church might be altered, by condemning explanations of one sort, and allowing those of another; and since the convocation had no licence from the king, he thought that, by meddling in that matter, they should incur the pains in the statute: so all further debate of this matter was let fall by the bishops. The lower house going on to sit in intermediate days, many of the most eminent and learned among them, not only refused to sit with them on those days, but thought it was incumbent on them to protest against their proceedings; but the lower house refusing to suffer this to be entered in their books, they signified it in a petition to the archbishop. The party sitting alone, in those intermediate days, they entered into such a secrecy, that it could not be known what they sat so close upon: so the archbishop appointed five bishops, together with ten they should name, as a committee to examine their books; but though this had been often done, yet, upon this occasion, the lower house refused to comply with it, or to name a committee. This was such an unprecedented invasion of the episcopal authority, that the upper house resolved to receive nothing from them, till that irregularity was set right. 1701.

Hereupon they, being highly incensed against me, censured my Exposition of the Articles, which, in imitation of the general impeachments by the house of commons, they put in three general propositions: First, That it allowed a diversity of opinions, which the articles were framed to avoid. Secondly, That it contained many passages contrary to the true meaning of the articles, and to other received doctrines of our church. Thirdly, That some things in it were And complain of my Exposition. 285

1701. of dangerous consequence to the church, and derogated from the honour of the reformation. What the particulars, to which these general heads referred, were, could never be learned: this was a secret lodged in confiding hands. I begged that the archbishop would dispense with the order made, against further communication with the lower house, as to this matter: but they would enter into no particulars, unless they might at the same time offer some other matters, which the bishops would not admit of.

In these proceedings the bishops were unanimous, except the bishops of London, Rochester, and Exeter: the bishop of London had been twice disappointed of his hopes, of being advanced to the see of Canterbury; so for several years he was engaged with the tory party, and opposed the court in every thing, but with little force or authority: the bishop of Rochester had been deeply engaged in the former reigns, and he stuck firm to the party, to which, by reason of the liberties of his life, he brought no sort of honour [c]. These bishops gave no great reputation to the proceedings of the lower house, to which they adhered: they likewise entered their dissent to the resolutions taken in the upper house. From the fire raised thus in convocation, a great heat was spread through the whole clergy of the kingdom: it alienated them from their bishops, and raised factions among them every where.

The king was still reserved.

Thus ended the session of parliament and convocation, which had the worst aspect of any that had sat during this reign. The new ministers pressed the king often to dissolve the commission, that re-

[c] (But see note at p. 483, vol. i.)

commended to ecclesiastical preferments, and to turn out some of the whigs who were in employments, the lord Haversham in particular, who was in the admiralty: but the king could not be prevailed on to do any thing; yet he kept himself so much on the reserve, that when he went out of England, it was not certainly known, whether he intended to dissolve the parliament or not. When the king came to the Hague, he found the negotiation with France quite at an end: the king of France had recalled his minister; the States had increased their force, and the French were very strong in their neighbourhood: so that though no war was actually declared, yet it was very near breaking out. 1701.

Prince Eugene marched into Italy.

The emperor's army was now got into Italy: the entrance towards Verona was stopped by the French; but prince Eugene came in by Vincenza; and when the reinforcements and artillery came up to him, he made a feint of passing the Po near Ferrara; and having thus amused the French, he passed the Adige near Carpi, where a body of five thousand French lay: these he routed; so the French retired to the Mincio: he followed them, and passed that river in their sight, without any opposition. The French army was commanded by the duke of Savoy; with him were the mareschal Catinat, and the prince of Vaudemont, governor of Milan: these differed in opinion; the duke of Savoy was for fighting; Catinat and prince Vaudemont were against it: so the mareschal Villeroy was sent thither, with orders to fight. Catinat, who was the best general the French had left, looking on this as a disgrace, retired, and languished for some time; yet he recovered. There were many small engagements 286

1701. of parties sent out on both sides, in which the Germans had always the better: yet this did not discourage Villeroy from venturing to attack them in their camp at Chiari: but they were so well entrenched, and defended themselves with so much resolution, that the French were forced to draw off with great loss: about five thousand of them were killed, whereas the loss of the Germans was inconsiderable. Sickness likewise broke in upon the French, so that their army was much diminished; and after this they were not in a condition to undertake any thing. Prince Eugene lay for some time in his camp at Chiari, sending out parties as far as the Adda, who meeting oft with parties of the French, had always the advantage, killing some, and taking many prisoners: for several months prince Eugene had no place of defence to retire to; his camp was all; so that a blow given him there must have ruined his whole army. Towards the end of the campaign, he possessed himself of all the Mantuan territory, except Mantua and Goits: he blocked them both up; and when the season obliged the French to go into quarters, he took all the places on the Oglio, and continued in motion the whole following winter. The French had no other enemy to deal with, so they poured in their whole force upon him: he was then but a young man, and had little assistance from those about him, and none at all during the summer from the princes and states of Italy: for the pope and the Venetians pretended to maintain a neutrality, though upon many occasions the pope shewed great partiality to the French: the people indeed favoured him, so that he had good and seasonable intelligence brought him of all the

motions of the French: and in his whole conduct he shewed both a depth of contrivance and an exactness in execution, with all the courage, but without any of the rashness of youth. 1701.

287 His attempt upon Cremona.

But to carry on the series of his motions as far as this period of my history goes, his attempt in January following, upon Cremona, had almost proved a decisive one. Mareschal Villeroy lay there with six or seven thousand men, and commanded a bridge on the Po; prince Eugene had passed that river with a part of his army; the princess of Mirandola drove out the French, and received a garrison from him: the duke of Modena put his country in his hand, and gave him Bersello, the strongest place of his dominions: the duke of Parma pretended he was the pope's vassal, and so put himself under the protection of that see: prince Eugene would not provoke the pope too much, so he only marched through the Parmezan; here he laid the design of surprising Cremona, with so much secrecy, that the French had not the least suspicion of it. Prince Eugene went to put himself at the head of a body that he brought from the Oglio, and ordered another to come from the Parmezan at the same time, to force the bridge. He marched with all secrecy to Cremona; at the same time, through the ruins of an old aqueduct, he sent in some men, who got through, and forced one of the gates, so that he was within the town before mareschal Villeroy had any apprehension of an enemy being near him: he wakened on the sudden with the noise, got out to the street, and there he was taken prisoner. But the other body did not come up critically, at the time appointed: so an Irish regiment secured the bridge:

1701. and thus the design, that was so well contrived, and so happily executed in one part, did fail. Prince Eugene had but four thousand men with him, so that since the other body could not join him, he was forced to march back, which he did without any considerable loss, carrying mareschal Villeroy and some other prisoners with him. In this attempt, though he had not an entire success, yet he gained all the glory to which the ambition of a military man could aspire; so that he was looked on as the greatest and happiest general of the age: he went on enlarging his quarters, securing all his posts, and straitening the blockade of Mantua, and was in perpetual motion during the whole winter: the French were struck with this ill success; more troops were sent into Italy, and the duke of Vendome went to command the armies there.

King Philip at Barcelona.

The duke of Savoy was pressed to send his forces thither: but he grew cold and backward: he had now gained all that he could promise himself from France: his second daughter was married to king Philip, and was sent to him to Barcelona, and he came and met her there: Philip fell into an ill ha-
288 bit of body, and had some returns of a feverish distemper: he had also great disputes with the states of Catalonia, who, before they would grant him the tax that was asked of them, proposed that all their privileges should be confirmed to them. This took up some time, and occasioned many disputes: all was settled at last: but their grant was short of what was expected, and did not defray the charges of the king's stay in the place. A great disposition to revolt appeared in the kingdom of Naples, and it broke out in some feeble attempts, that were soon

mastered; the leaders of these were taken and executed: they justified themselves by this apology, that till the pope granted the investiture, they could not be bound to obey the new king: the duke of Medina was a severe governor, both on his master's account and on his own: some of the Austrian party made their escape to Rome and to Vienna: they represented to the emperor, that the disposition of the country was such, in his favour, that a small force of ten thousand men would certainly put that kingdom wholly into his hands. Orders were upon that sent to prince Eugene, to send a detachment into the kingdom of Naples: but though he believed a small force would soon reduce that kingdom, yet he judged that such a diminution of his own strength, when the French were sending so many troops into the Milanese, would so expose him, that it would not be possible to maintain a defensive, with such an unequal force: yet repeated orders came to him to the same effect; but in opposition to those, he made such representations, that at last it was left to himself, to do what he found safest, and most for the emperor's service; with that the matter was let fall, and it soon appeared, that he had judged better than the court of Vienna: but this was, by his enemies, imputed to humour and obstinacy: so that for some time after that, he was neither considered nor supported as his great services had deserved. This might flow from envy and malice, which are the ordinary growth of all courts, chiefly of feeble ones: or it might be a practice of the French, who had corrupted most courts, and that of Vienna in particular; since nothing could more advance their ends, than to alienate the 1701.

1701. emperor from prince Eugene; which might so far disgust him, as to make him more remiss in his service.

The war in Poland.

Our fleets lay all this summer idle in our seas, on a bare defensive; while the French had many squadrons in the Spanish ports and in the West Indies. In the north, the war went on still[d]; the king of Sweden passed the Duna, and fell on an army of
289 the Saxons, that lay on the other side, over against Riga, and routed them so entirely, that he was master of their camp and artillery. From thence he marched into Courland, where no resistance was made: Mittaw, the chief town, submitted to him: the king of Poland drew his army into Lithuania, which was much divided between the Saphias and Oginskis: so that all those parts were breaking into much confusion: the court of Vienna pretended, they had made a great discovery of a conspiracy in Hungary: it is certain, the Germans played the masters very severely in that kingdom, so that all places were full of complaints, and the emperor was so besieged, by the authors of those oppressions, and the proceedings were so summary upon very slight grounds, that it was not to be wondered, if the Hungarians were disposed to shake off the yoke, when a proper opportunity should offer itself: and it is not to be doubted, but the French had agents

[d] The foreign alliances this summer were managed with great ability under the king's own direction. For his secretaries of state were not equal to the task, and little more than commis in office. The grand alliance was formed; treaties signed with Denmark and other princes for troops, all which were laid before and approved by the next session of parliament, in consequence of the resentment raised by the French acknowledging the pretender, and the king's animating and affectionate speech to his people, which was prepared by lord Somers, though no minister. H. (See below, p. 295.)

among them, by the way of Poland as well as of Turkey, that so the emperor might have work enough at home. 1701.

This was the state of the affairs of Europe this summer. Several negotiations were secretly carried on; the elector of Cologn was entirely gained to the French interest, but was resolved not to declare himself, till his brother thought fit likewise to do it: all the progress that the French made with the two brothers this summer, was, that they declared for a neutrality, and against a war with France: the dukes of Wolfembuttle and Saxe Gotha were also engaged in the same design; they made great levies of troops, beyond what they themselves could pay, for which it was visible that they were supplied from France: here was a formidable appearance of great distractions in the empire. An alliance was also projected with the king of Portugal: his ministers were in the French interests, but he himself inclined to the Austrian family: he for some time affected retirement, and avoided the giving audience to foreign ministers: he saw no good prospect from England; so being pressed to an alliance with France, his ministers got leave from him to propose one, on terms of such advantage to him, that as it was not expected they could be granted, so it was hoped this would run into a long negotiation: but the French were as liberal in making large promises, as they were perfidious in not observing them: so the king of France agreed to all that was proposed, and signed a treaty pursuant to it, and published it to the world: yet the king of Portugal denied that he had consented to any such project; and he was so hardly brought to sign the treaty, that when it

Several negotiations.

1701. was brought to him, he threw it down, and kicked it
290 about the room, as our envoy wrote over: in conclusion however, he was prevailed on to sign it: but it was generally thought, that when he should see a good fleet come from the allies, he would observe this treaty with the French, as they have done their treaties with all the rest of the world. Spain grew uneasy and discontented under a French management: the grandees were little considered, and they saw great designs, for the better conduct of the revenues of the crown, likely to take place every where, which were very unacceptable to them, who minded nothing so much as to keep up a vast magnificence at the king's cost. They saw themselves much despised by their new masters, as there was indeed great cause for it; they had too much pride to bear this well, and too little courage to think how they should shake it off.

A parliament in Scotland.

But now to return to our affairs at home, the duke of Queensbury was sent down to hold a parliament in Scotland; where people were in so bad a humour, that much practice was necessary to bring them into any temper. They passed many angry votes upon the business of Darien, but in conclusion the session ended well. The army was reduced one half, and the troops that were ordered to be broke, were sent to the States, who were now increasing their force. This session was chiefly managed by the duke of Queensbury and the earl of Argyle, and in reward for it the one had the garter, and the other was made a duke [e].

[e] Bishop Burnet, who is so full on the affairs of his native country in his first volume, is very short and dry in his second. He never mentions the extraordinary share which Mr. Carstares, a private Scotch minister, had in the management

In Ireland, the trustees went on to hear the claims of the Irish, and in many cases they gave judgment in their favour. But now it began to appear, that whereas it had been given out, that the sale of the confiscated estates would amount to a million and a half, it was not like to rise to the third part of that sum: in the mean while, the trustees lived in great state there, and were masters of all the affairs of that kingdom: but no propositions were yet made for the purchasing of those estates. During the king's absence, the nation was in a great ferment, which was increased by many books that were wrote, to expose the late management in the house of commons, and the new ministry, the earl of Rochester in particular, who was thought the driver of all violent motions. The few books that were published, on the other side, were so poorly writ, that it tempted one to think, they were writ by men who personated the being on their side, on design to expose them. The earl of Rochester delayed his going to Ireland very long: 291 he perceived that the king's heart was not with him, and was very uneasy at that: as on the other hand, the king complained much of his intractable temper and imperious manner; and by his intercourse with him, the king came to see that he was not the man he had taken him for; that he had no great nor clear notions of affairs abroad, and that, instead of moderating the violence of his party, he inflamed them; so that he often said, that the year in which he directed the councils was one of the uneasiest of

1701. Affairs in Ireland.

there, and in king William's confidence. That clergyman's Correspondence, lately printed, has many anecdotes, 1774. H. (He is stiled, in that publication, confidential Secretary to king William during the whole of his reign.)

1701. his whole life. The earl of Rochester finding the king's coldness towards him, expostulated with him upon it, and said, he could serve him no longer, since he saw he did not trust him. The king heard this with his usual phlegm, and concluded upon it, that he should see him no more: but Harley made him a little more submissive and towardly. After the king was gone beyond sea, he also went into Ireland: there he used much art in obliging people of all sorts, dissenters as well as papists: yet such confidence was put in him by the high church party, that they bore every thing at his hands: it was not easy to behave himself towards the trustees, so as not to give a general distaste to the nation, for they were much hated, and openly charged with partiality, injustice, and corruption: that which gave the greatest disgust in his administration there, was, his usage of the reduced officers, who were upon half pay, a fund being settled for that by act of parliament: they were ordered to live in Ireland, and to be ready for service there. The earl of Rochester called them before him, and required them to express under their hands their readiness to go and serve in the West Indies. They did not comply with this: so he set them a day for their final answer, and threatened, that they should have no more appointments, if they stood out beyond that time. This was represented to the king, as a great hardship put on them, and as done on design to leave Ireland destitute of the service that might be done by so many gallant officers, who were all known to be well affected to the present government: so the king ordered a stop to be put to it.

I am now come to the last period of the life of the unfortunate king James: he had led, for above ten years, a very unactive life in France: after he had, in so poor a manner as was told, abandoned first England and then Ireland, he had entered into two designs for recovering the crowns, which he may be said more truly to have thrown away than lost: the one was broke by the defeat of the French fleet at sea before Cherburg, in the year 1692: the other seemed to be laid with more depth, as well as with more infamy, when an army was brought to Dunkirk, and the design of the assassination was thought sure, upon which it was reasonably hoped, that we must have fallen into such convulsions, that we should have been an easy prey to an army ready to invade us. The reproach that so black a contrivance cast upon him, brought him under so much contempt, that even the absolute authority of the French court could hardly prevail so far as to have common respect paid him after that[f]. He himself seemed to be the least concerned in all his misfortunes; and though his queen could never give over meddling, yet he was the most easy when he was least troubled with those airy schemes, upon which she was still employing her thoughts. He went sometimes to the monastery of La Trappe, where the poor monks were much edified with his humble and pious deportment. Hunting was his chief diversion, and for the most part he led a harmless, innocent life; being still very zealous about his religion. In the opening of this year he had been so near death, that it was generally

1701. King James's death.

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[f] (But see note at p.172.)

1701. thought the decline of it would carry him off: he went to Bourbon, but had no benefit by the waters there: in the beginning of September, he fell into such fits, that it was concluded he could not live many days: the king of France came to see him, and seemed to be much touched with the sight: he, with some difficulty, recommended his queen and son to his care and protection: the French king answered, he would reckon their concerns as his own; and when he left him, he promised those of his court, that he would, upon king James's death, own the prince of Wales as king of England, and that he would take care of them all.

His character. King James died on the 6th day of September. He was a prince that seemed made for greater things than will be found in the course of his life, more particularly of his reign: he was esteemed in the former parts of his life, a man of great courage, as he was quite through it a man of great application to business: he had no vivacity of thought, invention, or expression: but he had a good judgment, where his religion or his education gave him not a bias, which it did very often: he was bred with strange notions of the obedience due to princes, and came to take up as strange ones, of the submission due to priests: he was naturally a man of truth, fidelity, and justice: but his religion was so infused in him, and he was so managed in it by his priests, that the principles which nature had laid in him,

293 had little power over him, when the concerns of his church stood in the way: he was a gentle master, and was very easy to all who came near him: yet he was not so apt to pardon, as one ought to be that is the vicegerent of that God, who is slow to

anger and ready to forgive: he had no personal vices but of one sort: he was still wandering from one amour to another; yet he had a real sense of sin, and was ashamed of it: but priests know how to engage princes more entirely into their interests, by making them compound for their sins, by a great zeal for holy church, as they call it. In a word, if it had not been for his popery, he would have been, if not a great, yet a good prince. By what I once knew of him, and by what I saw him afterwards carried to, I grew more confirmed in the very bad opinion which I was always apt to have of the intrigues of the popish clergy, and of the confessors of kings: he was undone by them, and was their martyr, so that they ought to bear the chief load of all the errors of his inglorious reign, and of its fatal catastrophe [f]. He had the funeral, which he himself had desired, private, and without any sort of ceremony. As he was dying, he said nothing concerning the legitimacy of his son, on which some made severe remarks [g]: others thought that, having spoken so oft of 1701.

[f] (Ralph, in his History, says well, "How signally soever his own frailties, prejudices, absurdities, and violences contributed to his misfortunes, it ought to be acknowledged, that the measure would never have overflown in so astonishing a manner, if it had not been for those fatal concurrents, treacherous counsellors, ungrateful servants, &c. all of whom, instead of warning him of the rocks that lay before him, according to the obligations which lay upon them, either sordidly connived at the ruinous course he held, or wickedly flattered the phrensy which impelled him, for the sake of their share in the wreck." *Hist. of England*, vol. ii. p. 991.)

[g] The bishop has forgot, that in the last page he says, king James recommended the queen and his son to the care and protection of the king of France. And in this he mentions the directions he left with him, as such, before he died. What sort of owning the bishop expected, I am at a loss to guess; or what severe remarks could be made upon that occasion, in

1701. it before, he might not reflect on the fitness of saying any thing concerning it in his last extremity. He recommended to him firmness in his religion, and justice in his government, if ever he should come to reign [h]. He said, that by his practice, he recommended Christian forgiveness to him; for he heartily forgave both the prince of Orange and the emperor. It was believed, that the naming the emperor was suggested to him by the French, to render the emperor odious to all those of that religion [i].

The pretended prince of Wales owned king by the French court.

Upon his death, it was debated in the French council what was fit to be done with relation to his relation to his legitimacy. But this worthy prelate is continually insinuating falsehoods, when the truth is too notorious to be contradicted. D.

[h] This was surely as strong a declaration as he could then make of the legitimacy. But it has been said, (how true I cannot say,) that the mother took no notice of him in her will, and left all she had to dispose of to the regent. O. (They were on bad terms before her death.)

[i] King James was certainly far a better man than his brother, although of a far inferior understanding. *His* designs were in general of a public nature, most pernicious indeed to this country. But the restoration of popery here was a great object in the eyes of most of his own faith every where, and was a great and meritorious attempt with them. He fell a sacrifice to it, and was undoubtedly very conscientious in it; whereas king Charles, in *his* government, had himself neither conscience, religion, honour, or justice, and he does not seem to have had even the feelings of them. He had no one truly public aim, as such, in the whole course of his reign. All he meant and sought, for which he tumbled and tossed from side to side, from one minister to another, and for what he was continually cheating his people, was to enjoy a lazy, thoughtless ease, in the constant debauchery of amours, and in the pleasures of wit and laughter, with the most worthless, vicious, and abandoned set of men that even that age afforded, and who often made him the subject of their jokes and mirth, sometimes to his face. He was corrupted in France, and had all the pleasantry and vices of his grandfather, Henry the fourth, but not one of his virtues, and which had made Henry great. Charles made the times here to be profligate, and instead of ministers spoiling him, he spoiled most of his ministers, and did not love those whom he could not spoil. O.

pretended son: the ministry advised the king to be passive, to let him assume what title he pleased, but that, for some time at least, the king should not declare himself: this might be some restraint on the king of England, whereas a present declaration must precipitate a rupture: but the dauphin interposed with some heat, for the present owning him king: he thought the king was bound in honour to do it: he was of his blood, and was driven away on the account of his religion; so orders were given to proclaim him at St. Germains[k]. The earl of Manchester, then the king's ambassador at Paris, told me, that his own court was going about it; but a difficulty, proposed by the earl of Middletoun, put a stop to it: he apprehended, that it would look very strange, and might provoke the court of France, if, among his titles, he should be called king of France; and it might disgust their party in England, if it was omitted: so that piece of ceremony was not performed: soon after this, the king of Spain owned him; so did the pope and the duke of Savoy: and the king of France pressed all other princes to do it, in whose courts he had ministers, and prevailed on the pope to press the emperor and other popish princes to own him, though without effect. The king looked upon this as an open violation of the treaty of Ryswick, and he ordered the earl of Manchester to leave that court, without asking an audience. The French pretended, that the bare owning of his title, since they gave him no assistance to make good his claim, was not a breach 1701. 294

[k] Lord Manchester says, it was owing to a promise made to king James's queen through madame Maintenon. H.

1701. of the treaty: but this could not pass on the world, since the owning his right was a plain declaration that they would assist him in claiming it, whensoever the state of their affairs should allow of it.

With which the English nation was inflamed.

This gave a universal distaste to the whole English nation: all people seemed possessed with a high indignation upon it, to see a foreign power, that was at peace with us, pretend to declare who ought to be our king: even those, who were perhaps secretly well pleased with it, were yet, as it were, forced, for their own safety, to comply with the general sense of the rest in this matter. The city of London began, and all the nation followed, in a set of addresses, expressing their abhorrence of what the French king had done, in taking upon him to declare who should be their king, and renewing a vow of fidelity to the king and to his successors, according to the act of settlement. A great diversity of style appeared in these addresses: some avoided to name the French king, the prince of Wales, or the act of settlement, and only reflected on the transaction in France, in general and soft words: but others carried the matter farther, encouraging the king to go on in his alliances, promising him all faithful assistance in supporting them, and assuring him that, when he should think fit to call a new parliament, they would choose such members as should concur in enabling him to maintain his alliances: this raised the divisions of the nation higher. All this summer the king continued at Loo, in a very ill state of health: new methods gave some relief: but when he came to the Hague, on his way to England, he was for some days in so bad a condi-

tion, that they were in great fear of his life: he recovered, and came over in the beginning of November [l]. 1701. 295

The first thing that fell under debate, upon his return, was, whether the parliament should be continued or dissolved, and a new one called [m]: some of the leading men of the former parliament had been secretly asked, how they thought they would proceed, if they should meet again: of these, while some answered doubtfully, others said positively, they would begin where they had left off, and would insist on their impeachments. The new ministry struggled hard against a dissolution, and when they saw the king resolved on it, some of them left his service [n]. This convinced the nation, that the king A new parliament called.

[l] A negotiation was carried on with lord Somers, through the earl of Sunderland's hands, for bringing the whigs again into power. The king was heartily tired of his new friends. The scheme was ripe for execution when the king died. Lord Manchester was made secretary of state in the room of sir Charles Hedges, upon which, and another alteration of the same kind, a courtier humourously said, "That he saw the "whigs were to be taken in "again, for they had sent *their* "*men to keep their places.*" H. ("Bishop Burnet intimates, "that some of the new ministers left the service, as soon "as the king had resolved on "the dissolution: but the truth "is, that no alterations were "made till after the meeting of "the parliament, when the earl "of Manchester was made secretary of state in the room "of sir Charles Hedges; and "the earl of Carlisle was put "at the head of the treasury in "the room of lord Godolphin; "soon after which the earl of "Pembroke was made lord high "admiral, and the duke of Somerset, as a whig, was made "lord president." *Ralph's Hist. of England*, vol. ii. p. 1005.)

[m] What encouraged and indeed enabled the king to do it, was the violence the house of commons had shown in their proceedings. It disgusted the nation. The same has happened on other occasions. The whigs lost themselves by it, after the Oxford parliament in 1680: so did the tories in 1705. and the whigs again in 1710. This should be a lesson to parties. O.

[n] There was nobody left his

1701. was not in a double game, which had been confidently given out before, and was too easily believed by many[o]: the heats in elections increased with every new summons. This was thought so critical a conjuncture, that both sides exerted their full strength. Most of the great counties, and the chief cities, chose men that were zealous for the king and government; but the rotten part of our constitution, the small boroughs, were in many places wrought on to choose bad men; upon the whole, however, it appeared, that a clear majority was in the king's interests; yet the activity of the angry side was such, that they had a majority in choosing the speaker, and in determining controverted elections; but in matters of public concern, things went on as the king desired, and as the interest of the nation required.

The king's speech.

The king opened the parliament with the best

service but lord Godolphin, whom the bishop durst not name, because he was to be his favourite upon other occasions; therefore makes use of the word *some* to avoid it; which sort of fallacy would be called lying in a Jesuit. I am ignorant what term the godly make use of for such misrepresentations, but I know they are frequently to be met with in this book. D.

[o] (Ralph contrasts the bishop's observation with his language in the following extract from a letter formerly written by him to sir William Dutton Colt, February 22, 1690. "'We "have nothing amongst us now "but elections, which put the "nation into a high fermenta- "tion: and it is not possible "yet to know which side will "prevail: those who are called "the tories, do now declare "very high for the present go- "vernment, and have lent mo- "ney very considerably: so that "it seems rather to be an ani- "mosity of parties among them- "selves, than any thing in which "the government is concerned: "and the king's own behaviour "is so very equal, that it ap- "pears he reckons himself sure "of both hands; for as he nei- "ther directly nor indirectly "recommended any, so all that "he says to those who ask his "directions in that matter, is, "That he would have the mo- "derate men of the church "party chosen.' From the bi- "shop's original letter under "his own hand." *Hist.* vol. ii. p. 1000.)

speech that he, or perhaps any other prince, ever made to his people [p]: he laid the state of our affairs, both at home and abroad, before them in a most pathetical manner; he laid it upon them to consider the dangers they were in, and not to increase these by new divisions among themselves: he expressed a readiness to forgive all offences against himself, and wished they would as readily forgive one another; so that no other division might remain, but that of English and French, protestant and papist: he had entered into some alliances, pursuant to the addresses of the last parliament, and was negotiating some others, all which should be laid before them; and this was accordingly done. Both houses began with addresses, in which they did very fully renounce the prince of Wales. The house of lords ordered that all such as were willing to do it, should sign the address that was entered into their books. This was without a precedent, and yet it was promoted by those, who, as was thought, hoped, by so unusual a practice, to prevent any further proceedings on that head. No exception was made to any article of the alliances: one addition was only proposed, that no peace should be made, till a full reparation was offered to the king, for the indignity done him, by the French king's declaring the pretended prince of Wales king of England; which was soon after proposed to the allies, and was agreed to by them all. By the alliances, the king was obliged to furnish forty thousand men to serve in the armies, besides what he was to do by sea: all was consented to in

1701. 296

All were to a war.

[p] Drawn by lord Somers. I have seen the original in his own hand; a strong proof of the king's intention to restore him and his friends. H.

1701. every particular; angry men shewed much rancour against the king, and tried to cross every thing that was proposed, both as to the quotas of the troops we were to furnish, and as to the strength of our fleet. But the public interest was now so visible, and the concurrent sense of the nation ran so vehemently for a war, that even those who were most averse to it, found it convenient to put on the appearance of zeal for it. The city of London was now more united than it had been at any time during this reign; for the two companies that traded to the East Indies, saw that their common interest required they should come to an agreement; and though men of ill designs did all they could to obstruct it, yet in conclusion it was happily effected. This made the body of the city, which was formerly much divided between the two companies, fall now into the same measures. But those who intended to defeat all this good beginning of the session, and to raise a new flame, set on debates that must have embroiled all again, if they had succeeded in their designs: they began with complaints of some petitions and addresses, that had reflected on the proceedings of the last house of commons; but it was carried against them, that it was the right of the subjects to petition as they thought themselves aggrieved: yet they were not discouraged by this, but went on to complain that the lords had denied justice in the matter of the impeachments. This bore a long and hot debate in a very full house: but it was carried, though by a small majority, that justice had not been denied them [q]: after this, the party gave over any farther

[q] ("If any such debate, or "any such division did really "occur, they occurred this very "day, (26th of February,) and

struggling, and things were carried on with more unanimity. 1701.

The house of commons began a bill of attainder of the pretended prince of Wales. This could not be opposed, much less stopped; yet many shewed a coldness in it, and were absent on the days in which it was ordered to be read: it was sent up to the lords, and it passed in that house, with an addition of an attainder of the queen, who acted as queen regent for him. This was much opposed; for no evidence could be brought to prove that allegation, yet the thing was so notorious, that it passed[r], and was sent down again to the commons. It was excepted to there as not regular, since but one precedent in king Henry the eighth's time was brought for it, and in that the commons had added some names, by a clause in a bill of attainder, sent down to them by the lords; yet as this was a single precedent, so it seemed to be a hard one: attainders by bill were the greatest rigours of the law, so stretches in them ought to be avoided: it was therefore thought more proper to attaint her by a bill apart, than by a clause in another bill: to this the lords agreed, so the bill against the pretended prince of Wales passed. The lords also passed a new bill, attainting the queen, but that was let sleep in the house of commons. The pretended prince of Wales attainted. 297

The matter that occasioned the longest and warmest debates in both houses, was an act for abjuring the pretended prince of Wales, and for swearing to the king, by the title of rightful and lawful king, An act for abjuring him.

" that in the committee, not " in the house; no question of " that nature, within the inter- " val specified, being to be " found in the Journals." *Ralph's Hist. of England*, vol. ii. p. 1016.)

[r] (But was protested against.)

1701. and to his heirs, according to the act of settlement: this was begun in the house of lords, and the first design was, that it should be voluntary, it being only to be tendered to all persons, and their subscription or refusal to be recorded, without any other penalty. It was vehemently opposed by all the tory party, at the head of whom the earl of Nottingham set himself. They who argued against it said, that this government was first settled with another oath, which was like an original contract, and it was unjust and unreasonable to offer a new one: there was no need of new oaths, as there was no new strength got by them: oaths, relating to men's opinions, had been always looked on as severe impositions: a voluntary oath seemed to be by its nature unlawful; for we cannot swear lawfully, unless we are required to do it. To all this it was answered, that in ancient time the oath of allegiance was short and simple, because then it was not thought that princes had any right, other than what was conveyed to them by law: but of late, and indeed very lately, new opinions had been started of a divine right, with which former times were not acquainted: so it was necessary to know, who among us adhered to these opinions: the present government was begun upon a comprehensive foot, it being hoped that all parties might have been brought to concur in supporting it: but the effects had not answered expectation: distinctions had been made between a king *de jure* and a king *de facto;*
298 whereby these men plainly declared, with whom they believed the right was lodged: this opinion must, whensoever that right comes to be claimed, oblige those who hold it to adhere to such claimers: it seemed therefore in some sort necessary, that the

government should know on whom it might depend: 1701.
the discrimination made, by such a test, was to be without compulsion or penalty; no hardship was put on any person by it: those who refused to give this security would see what just cause of jealousy they gave; and would thereby be obliged to behave themselves decently and with due caution: when a government tendered an oath, though under no penalty, that was a sufficient authority for all to take it, who were satisfied with the substance of it: while therefore there was so great a power beyond sea, that did so openly espouse this young man's pretensions, and while there was just grounds to suspect, that many at home favoured him, it seemed very reasonable to offer a method, by which it should appear who obeyed the present government from a principle, believing it lawful, and who submitted only to it, as to a prosperous usurpation. About twenty lords persisted in their opposition to this bill, those who were for it being thrice that number: but in the house of commons, when it appeared how the lords were inclined, they resolved to bring in a bill, that should oblige all persons to take this abjuration. It was drawn by sir Charles Hedges; all employments in church or state were to be subject to it; some things were added to the abjuration, such as an obligation to maintain the government in king, lords, and commons, and to maintain the church of England, together with the toleration for dissenters: Finch [s] offered an alteration to the clause, abjuring the prince of Wales, so that it imported only an obligation not to assist him; but

[s] Afterwards earl of Aylesford, formerly solicitor general. O.

1701. though he pressed this with unusual vehemence, in a debate that he resumed seventeen times in one session, against all rules[t], he had few to second him in it: the debate, whether the oath should be imposed or left free, held longer: it was carried, but by one vote, to impose it: the party chose that, rather than to have it left free: for they reckoned the taking an oath that was imposed, was a part of their submission to the usurpation; but the taking any oath, that strengthened the government, of their own accord, did not suit with their other principles: but to help the matter with a shew of zeal, they made the clause that imposed it very extensive, so that it comprehended all clergymen, fellows of col-
299 leges, schoolmasters, and private tutors: the clause of maintaining the government in king, lords, and commons, was rejected with great indignation; since the government was only in the king: the lords and commons being indeed a part of the constitution, and of the legislative body, but not of the government. This was a barefaced republican notion, and was wont to be condemned as such, by the same persons who now pressed it[u]. It was farther said,

[t] Very often; but was it not in the committee? There it may be against liking, but not rules. O. ("If Finch did press "this alteration in so earnest a "manner, he pressed it in the "committee; for in the house, "if the Journals are to be de-"pended upon, no such altera-"tion was offered; and if so, "it is not against rule, for any "member to speak to the same "point as often as he pleases." *Ralph's Hist. of England*, vol. ii. p. 1017.)

[u] (See Journals of the House of Commons, Feb. 10. 1701.) The high prerogative men brought in these words here. I will say nothing as to the distinction, nor to the restrained or general sense of the word *government*. But it is certainly true and constitutional to say, that the supreme power in this country is in king, lords, and commons. See sir Simon Harcourt's speech in Dr. Sacheverel's trial. Read the whole of those proceedings with care.

that if it appeared that our constitution was in danger, it might be reasonable to secure it by an act and an oath apart: but since the single point, that required this abjuration, was the French king's declaring, that the pretended prince of Wales was our king, it was not fit to join matters foreign to that in this oath: upon the same reason, the clause in favour of the church and of the toleration were also laid aside. The design of this act was to discover to all, both at home and abroad, how unanimously the nation concurred in abjuring the pretended prince of Wales: but here was a clause, to one part of which (the maintaining the church) the dissenters could not swear; and even the more moderate men of the church, who did well approve of the toleration, yet might think it too much to swear to maintain it; since it was reasonable to oblige the dissenters to use their liberty modestly, by keeping them under the apprehension of having it taken away, if it was abused by them. One addition was offered, and received without any debate about it, or the shadow of any opposition: it was declared to be high treason, to endeavour to prevent or defeat the princess's right of succession: the tories pretended great zeal for her, and gave it out that there was a design to set her aside, and to have the house of Hanover 1701.

It was the great cause of the people and of the constitution; and however unhappy in its effects at that time, and however impolitic it might then have been to have had such a prosecution, yet now we ought to rejoice that this memorial of the rights of the people is always to remain in the records of parliament. See postea, 537. &c. O. (We have advanced a step further, at least in point of language, since the bishop's time; for lately a numerous body of men, in a petition to one of the two houses, expressed their determination to maintain *the parliamentary government.*)

1701. to succeed the king immediately; though it could never be made appear that any motion of this kind had ever been either made or debated, even in private discourse, by any of the whole whig party[v]. Great endeavours were used, and not altogether without effect, to infuse this jealousy into the princess, and into all about her, not without insinuations, that the king himself was inclined to it. When this clause was offered, its being without a precedent gave handle enough to oppose it; yet there was not one word said in opposition to it, in either house, all agreeing heartily in it. This ought to have put an end to the suspicion; but surmises of that kind, when raised on design, are not soon parted with.

Affairs in Ireland.

Soon after the session was opened, the earl of Rochester wrote to the king, and asked leave to come over: it was soon granted, but when he signified this to the council of Ireland, the whole board joined in a request to him, that he would lay before the king the great grievances under which the whole kingdom lay, by the proceedings of the trustees, who stretched the authority that the law gave them, in many instances, to the oppressing of the nation: he seemed uneasy at the motion, but pro-

[v] I do not know how far the whig party would trust a secret of that consequence to such a blab as the bishop was known to be: but the dukes of Bolton and Newcastle both proposed it to me, and used the strongest argument to induce me to come into it, which was, that it would be making lord Marlborough king, at least for her time, if the princess succeeded; and that I had reason to expect nothing but ill usage during such a reign. Lord Marlborough asked me afterwards in the house of lords, if I had ever heard of such a design; I told him yes, but I did not think it very likely. He said it was very true; but by God, if ever they attempt it, we would walk over their bellies. D. (See below, p. 315. Ralph, after quoting the above passage from Burnet's History, makes the following observations: "We shall find "one party acting as if too

mised to lay it before the king, which he did at his coming over. Soon after that, petitions were sent round all the counties of Ireland, and signed by many, representing both the hardships of the act, and the severe methods the trustees took in executing it: all this was believed to be set on secretly by the court, in hope that some temper might be found in that matter, so that the king's grants might again take place in whole or in part. The house of commons was moved, to proceed severely against the promoters of these petitions; yet the complaining of grievances had been so often asserted to be a right of the subject, that this was let fall: but since no person appeared, to justify the facts set forth and suggested in those petitions, they were voted false and scandalous; and this stopped a further progress in that method. The heat with which that act had been carried was now much qualified, and the trustees having judged for so many claims in favour of Irish papists, shewing too manifest a partiality for them, and having now sat two years, in which they had consumed all the rents that arose out of the confiscated estates, the house was applied to for their interposition, by many petitions relating to that matter. This was the more necessary, be- 1701.

" many precautions could not " be taken against every open- " ing possible to be made by " any hand or means whatso- " ever, in favour of the pre- " tended prince of Wales; and " the other, as if the succession " of the princess could not be " too many ways secured. And " the author of this work has " been assured by a gentleman " of understanding and inte- " grity, that he had seen and " read a letter under bishop " Burnet's own hand, not over " consistent with the quotation " before taken from his his- " tory." *Ralph's Hist. of England*, vol. ii. p. 1005.)

1702. himself had apprehended all this winter that he was sinking; he said to the earl of Portland, both before and after this accident, that he was a dead man: it was not in his legs, nor now in his collar-bone, that he felt himself ill, but all was decayed within, so that he believed he should not be able to go through the fatigue of another campaign. During his illness, he sent a message to the two houses, recommending the union of both kingdoms to them. The occasion of this was, a motion that the earl of Nottingham had made, in the house of lords, when
302 the act of abjuration was agreed to: he said, though he had differed from the majority of the house, in many particulars relating to it, yet he was such a friend to the design of the act, that in order to the securing a protestant succession, he thought an union of the whole island was very necessary; and that therefore they should consider how both kingdoms might be united; but in order to this, and previous to it, he moved, that an address should be made to the king, that he would be pleased to dissolve the parliament now sitting in Scotland, and to call a new one: since the present parliament was at first a convention, and then turned to a parliament, and was continued ever since, so that the legality of it might be called in question: and it was necessary that so important a thing as the union of both kingdoms should be treated in a parliament, against the constitution of which no exception could lie. The motion was warmly opposed; for that nation was then in such a ferment, that the calling a new parliament would have been probably attended with bad consequences: so that project was let fall, and

no progress was made upon the king's message. 1702.
On the third of March, the king had a short fit of an ague, which he regarded so little, that he said nothing of it: it returned on him next day: I happened to be then near him, and observed such a visible alteration, as gave me a very ill opinion of his condition: after that, he kept his chamber till Friday: every day it was given out that his fits abated: on Friday, things had so melancholy a face, that his being dangerously ill was no longer concealed: there was now such a difficulty of breathing, and his pulse was so sunk, that the alarm was given out every where: he had sent the earl of Albemarle over to Holland, to put things in a readiness for an early campaign. He came back on the seventh of March in the morning, with so good an account of every thing, that, if matters of that kind could have wrought on the king, it must have revived him: but the coldness with which he received it, shewed how little hopes were left: soon after, he said, *Je tire vers ma fin*, (*I draw towards my end.*) The act of abjuration and the money bill were now prepared for the royal assent: the council ordered all things to be in a readiness, for the passing of those bills by a special commission, which according to form must be signed by the king, in the presence of the lord keeper and the clerks of the parliament: they came to the king, when his fit began, and stayed some hours before they were admitted: some in the house of commons moved for an adjournment, though the lords had sent to them not to adjourn for some time: by this means, they hoped the bill 303
of abjuration should be lost; but it was contrary to all rules to adjourn, when such a message was sent

1702. them by the lords, so they waited till the king had signed the commission and the bills; and thus those acts passed in the last day of the king's life.

And death. The king's strength and pulse was still sinking, as the difficulty of breathing increased, so that no hope was left. The archbishop of Canterbury and I went to him on Saturday morning, and did not stir from him till he died. The archbishop prayed on Saturday some time with him, but he was then so weak, that he could scarce speak, but gave him his hand, as a sign that he firmly believed the truth of the Christian religion, and said, he intended to receive the sacrament: his reason and all his senses were entire to the last minute: about five in the morning he desired the sacrament, and went through the office with great appearance of seriousness, but could not express himself: when this was done, he called for the earl of Albemarle, and gave him a charge to take care of his papers. He thanked Mr. Auverquerque for his long and faithful services. He took leave of the duke of Ormond, and called for the earl of Portland, but before he came, his voice quite failed, so he took him by the hand, and carried it to his heart with great tenderness. He was often looking up to heaven, in many short ejaculations. Between seven and eight a clock the rattle began, the commendatory prayer was said for him, and as it ended, he died, in the fifty-second year of his age, having reigned thirteen years and a few days. When his body was opened, it appeared that, notwithstanding the swelling of his legs, he had no dropsy: his head and heart was sound: there was scarce any blood in his body: his lungs stuck to his side, and by the fall from his horse a part of them

was torn from it, which occasioned an inflammation, 1702.
that was believed to be the immediate cause of his death, which probably might have been prevented for some time, if he had been then let blood. His death would have been a great stroke at any time, but in our circumstances, as they stood at that time, it was a dreadful one. The earl of Portland told me, that when he was once encouraging him, from the good state his affairs were in, both at home and abroad, to take more heart; the king answered him, that he knew death was that, which he had looked at on all occasions without any terror; sometimes he would have been glad to have been delivered out of all his troubles, but he confessed now he saw another scene, and could wish to live a little longer. He died with a clear and full presence of mind, and in a wonderful tranquillity: those who knew it was 304
his rule all his life long, to hide the impressions that religion made on him as much as possible, did not wonder at his silence in his last minutes, but they lamented it much[y]: they knew what a handle it would give to censure and obloquy.

His character. Thus lived and died William the third, king of Great Britain, and prince of Orange. He had a thin and weak body, was brown haired, and of a clear and delicate constitution: he had a Roman eagle nose, bright and sparkling eyes, a large front, and a countenance composed to gravity and authority[z]:

[y] How is this consistent with what the author has said just before, where his silence at this time is otherwise accounted for? O.

[z] He had a very ungraceful manner of laughing, which he seldom did, unless he thought he had outwitted somebody, which pleased him beyond measure: therefore, when there was a direct way to what he aimed at, and another that was less so, he constantly chose the latter. He did not love to have any of a superior genius about him, which

1702. All his senses were critical and exquisite. He was always asthmatical, and the dregs of the smallpox falling on his lungs, he had a constant deep cough. His behaviour was solemn and serious, seldom cheerful, and but with a few: he spoke little and very slowly, and most commonly with a disgusting dryness, which was his character at all times, except in a day of battle: for then he was all fire, though without passion: he was then every where, and looked to every thing. He had no great advantage from his education; De Wit's discourses were of great use to him, and he, being apprehensive of the observation of those, who were looking narrowly into every thing he said or did, had brought himself under a habitual caution that he could never shake off, though in another scene it proved as hurtful, as it was then necessary to his affairs: he spoke Dutch, French, English, and German equally well; and he understood the Latin, Spanish, and Italian, so that he was well fitted to command armies composed of several nations. He had a memory that amazed all about him, for it never failed him: he was an exact observer of men and things: his strength lay rather in a true discerning and a sound judgment, than in imagination or invention: his designs were always great and good: but it was thought he trusted too much to that, and that he did not descend enough to the humours of his people, to make himself and his notions more acceptable to them: this, in a government that has so much of freedom in it as ours,

was remarkable in the low capacities of those that were most in his favour. I was told in Holland of some instances in relation to the De Wits, and a sentinel that he suffered to be shot at the Hague, that shewed a cruelty in his nature hardly to be paralleled. D.

was more necessary than he was inclined to believe: 1702.
his reservedness grew on him, so that it disgusted most of those who served him: but he had observed the errors of too much talking, more than those of too cold a silence. He did not like contradiction, nor to have his actions censured: but he loved to employ and favour those who had the arts of complacence, yet he did not love flatterers: his genius lay chiefly to war, in which his courage was more admired than his conduct: great errors were often committed by him, but his heroical courage set 305
things right, as it inflamed those who were about him [a]: he was too lavish of money on some occasions, both in his buildings and to his favourites, but too sparing in rewarding services, or in encouraging those who brought intelligence: he was apt to take ill impressions of people, and these stuck long with him; but he never carried them to indecent revenges: he gave too much way to his own humour, almost in every thing, not excepting that which related to his own health: he knew all foreign affairs well, and understood the state of every court in Europe very particularly: he instructed his own ministers himself, but he did not apply enough to affairs at home [b]: he tried how he could

[a] The king was an able commander upon the whole, though not equal to those he had measured swords with, Condé and Luxemburg. However the campaign of 1695 was as well conducted as any of the duke of Marlborough's. H.

[b] Very little of the most important business towards the end of his reign went through the secretary's office. It was transacted through inferior channels, Bentinck, Keppel, the pensionary of Holland, &c. Indeed the last highly deserved all the confidence which the king shewed him. I mean pensionary Heinsius, one of the wisest and honestest ministers that ever existed. Lord Portland's private letters from France have lately come to light, which it does not appear ever went

1702. govern us by balancing the two parties one against another, but he came at last to be persuaded, that the tories were irreconcileable to him, and he was resolved to try and trust them no more [c]. He believed the truth of the Christian religion very firmly, and he expressed a horror at atheism and blasphemy: and though there was much of both in his court, yet it was always denied to him, and kept out of sight. He was most exemplarily decent and devout in the public exercises of the worship of God, only on week days he came too seldom to them: he was an attentive hearer of sermons, and was constant in his private prayers, and in reading the scriptures: and when he spoke of religious matters, which he did not often, it was with a becoming gravity: he was much possessed with the belief of absolute decrees: he said to me, he adhered to these, because he did not see how the belief of providence could be maintained upon any other supposition: his indifference as to the forms of church-government, and his being zealous for toleration, together with his cold behaviour towards the clergy, gave them generally very ill impressions of him: in his deportment towards all about him, he seemed to make little distinction between the good and the

through a secretary of state's office, at least were not read by them. H.

[c] ("I have seen a correspondence between lord Sunderland and the king, which shewed, that, tired with the unroyal occupation of balancing parties, and of intriguing with his own subjects and servants, he had formed a final resolution to let a free nation have its way in favour of the reputed sons of freedom, and to govern during the rest of his reign, or at least as long as his people chose it, by that whig party, which, at the convention, had placed the crown on his head." *Sir John Dalrymple's Memoirs of Great Britain and Ireland*, vol. iii. p. 3. b. x. p. 168.)

bad, and those who served well, or those who served him ill: he loved the Dutch, and was much beloved among them; but the ill returns he met from the English nation, their jealousies of him, and their perverseness towards him, had too much soured his mind, and had in a great measure alienated him from them, which he did not take care enough to conceal, though he saw the ill effects this had upon his business. He grew, in his last years, too remiss and careless as to all affairs; till the treacheries of France awakened him, and the dreadful conjunction of the monarchies gave so loud an alarm to all Europe. For a watching over that court, and a bestirring himself against their practices, was the prevailing passion of his whole life [d]: few men had the 306
art of concealing and governing passion more than he had; yet few men had stronger passions, which were seldom felt but by inferior servants, to whom he usually made such recompences, for any sudden or indecent vents he might give his anger, that they were glad at every time that it broke upon them [e]: he was too easy to the faults of those about him, when they did not lie in his own way, or cross any of his designs: and he was so apt to think that his ministers might grow insolent, if they should

1702.

[d] And made preparations and provision for carrying it on after his death. His design in all this was great and public-spirited, and no prince ever possessed more of that than he did. And accounts of him have not done him justice enough in that particular. It made him to forego all private considerations whatever, that could interfere with it; ease, health, or pleasures, anger, resentment, jealousy, and even rivalry. O.

[e] ("He was sometimes apt "to be choleric, but the heat "of his temper spent itself "among his bedchamber men "and physicians." *Cunningham's Hist. of Great Britain*, vol. i. p. 255.)

1702. find that they had much credit with him, that he seemed to have made it a maxim, to let them often feel how little power they had, even in small matters: his favourites had a more entire power, but he accustomed them only to inform him of things, but to be sparing in offering advice, except when it was asked: it was not easy to account for the reasons of the favour that he shewed, in the highest instances, to two persons beyond all others, the earls of Portland and Albemarle; they being in all respects men, not only of different, but of opposite characters: secrecy and fidelity were the only qualities in which it could be said that they did in any sort agree. I have now run through the chief branches of his character[f]: I had occasion to know him well, having

[f] The bishop has omitted one part of his character, that he told to earl Paulett and myself in the house of lords, soon after his death. He said king William was a man of no humanity, that he had no regard to any body or any thing but as they related to himself; and was entirely unconcerned what became of the world when he was out of it, and would not have been displeased that it had perished with him. And as an instance of his ill-nature, said, he once talked with him of a project the king of France had for drowning all Holland, and the people in it, which he thought the most barbarous design that ever entered into any tyrant's head: the king, he said, answered him very coldly, that he thought, whatever hurt the enemy was allowable in war. Sir William Temple, in a letter to king Charles the second, says, the prince of Orange told him, he did not trouble himself how the world was like to go when he was out of it; and perhaps we were the persons most concerned to look after that. This was the end of his highness's discourse, and the last part of it was spoke with a good deal of emotion. Vide Sir William Temple's Letters, published by Dr. Swift, vol. iii. p. 285. Which was a glorious character for a prince at the head of a government to give of himself, and for which posterity are highly obliged to him. D. (It is asserted, that the editors, whose omissions we know to have been very numerous in the first volume, directed parts of this history, in which king William's character was more fully delineated, to be left out. See Nichols's Litera-

observed him very carefully in a course of sixteen years: I had a large measure of his favour, and a free access to him all the while, though not at all times to the same degree: the freedom that I used with him was not always acceptable: but he saw that I served him faithfully, so, after some intervals of coldness, he always returned to a good measure of confidence in me: I was, in many great instances, much obliged by him; but that was not my chief bias to him: I considered him as a person raised up by God to resist the power of France, and the progress of tyranny and persecution: the series of the five princes of Orange, that was now ended in him, was the noblest succession of heroes that we find in any history: and the thirty years, from the year 1672 to his death, in which he acted so great a part, carry in them so many amazing steps of a glorious and distinguishing providence, that in the words of David he may be called, *the man of God's right hand, whom he made strong for himself:* after all the abatements that may be allowed for his errors and faults, he ought still to be reckoned among the greatest princes that our history, or indeed that any other, can afford. He died in a critical time for his own glory; since he had formed a great alliance, and had projected the whole scheme 1702.

ry Anecdotes of the Eighteenth Century, vol. i. p. 253. It is then added on the same authority, that the account of Dalrymple lord Stair and his family had been curtailed; which appears to have been really the case, on looking back to p. 369, vol. i. of Burnet's History. So tragical also are the complaints of Cunningham in his History of Great Britain, vol. i. p. 254, respecting the severity of the bishop's remarks on king William, that it is probable he refers to somewhat which has not yet been printed, rather than to what the bishop has said here, or elsewhere, of the king.)

1702. of the war; so that if it succeeds, a great part of
307 the honour of it will be ascribed to him: and if otherwise, it will be said he was the soul of the alliance, that did both animate and knit it together, and that it was natural for that body to die and fall asunder, when he who gave it life was withdrawn. Upon his death, some moved for a magnificent funeral; but it seemed not decent to run into unnecessary expense, when we were entering on a war that must be maintained at a vast charge: so a private funeral was resolved on. But for the honour of his memory, a noble monument and an equestrian statue were ordered. Some years must shew whether these things were really intended, or if they were only spoke of to excuse the privacy of his funeral, which was scarce decent, so far was it from being magnificent.

END OF KING WILLIAM THE THIRD'S REIGN.

A

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