Thesis submitted for the Degree of Ph.D. in the Faculty of Arts. London University 1934.

"The political career of Laurence Hyde, Earl of Rochester, as it illustrates government policy and party groupings under Charles II and James II."

Short Abstract of Thesis.

Laurence Hyde is a figure of the late Restoration as his political career only began after his exiled father's death. In the seventies he was an insignificant member of the Court Party in the Commons which was organised by Danby in opposition to the strong country party. During this period Hyde played an official diplomatic role in the vacillating policy of England towards the Nimuegen settlements from 1676 to 1678. This uncertain policy was forced on Charles II partly by his secret French entanglements, partly by Danby's ardent anti-Gallicanism, and partly by the reluctance of the suspicious Commons to supply the men and money necessary for the Anglo-Dutch alliance which they had demanded. These complexities led to Danby's failure in 1678; and the Popish Plot crisis then arising, not only caused his own downfall but completely overshadowed foreign affairs. The resulting Exclusion struggle gradually deprived the Crown of the mass of Court Party support and gave a few
younger courtiers, notably the Yorkist Hyde, an opportunity to advance rapidly in the understaffed royal government. Hyde played a confidential part in completing the secret French money treaty of 1681 which enabled Charles to win an unexpected victory over the Exclusionists. For the next four years he reaped the reward of fidelity in the leadership of the reactionary government of the High Tories. James II's accession made Hyde's position apparently supreme, but the fanatical Catholic policy which the King soon displayed split the High Tory party into two irreconcilable groups: one devoted to Anglicanism, the other to the prerogative. Hyde, devoted to both ideals and torn between the two, had no definite policy in 1688 and thus incurred the opprobrium of both James and Orange. His inevitable political decline after 1688 epitomises the break up of the old Church and State party upon which his father had believed the Restoration settlement was founded.

M. F. Yates.

December, 1934.
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ABBREVIATIONS USED IN FOOTNOTES.

(a) Manuscript Reference.

Barillon  - Baschet-Paris Transcripts in the Public Record Office dealing with Barillon's despatches, 1678-88.

B.M.  - British Museum Manuscripts from the Additional, Egerton, Mackintosh, Lansdowne, Sloane and Stowe collections.

Bodl.  - Manuscripts in the Bodleian Library from the Clarendon, Firth, Rawlinson and Tanner collections.


P.R.O.  - Public Record Office.

Rawl.  - Rawlinson Manuscript in Bodleian Library.

(b) Printed Reference.

Ailesbury  - Memoirs by Thomas Bruce, 2nd Earl of Ailesbury, 1890.


Burnet (Airey)  History of my Own Time. O. Airey Ed. 1900.

Burnet (Routh)  History of my Own Time. M.J. Routh Ed. 1833.

Burnet Life  - Life of Gilbert Burnet by Clarke & Foxcroft, 1907.

Burnet Supplement  - A Supplement to Burnet's History by H.C. Foxcroft, 1902.

C.J.  - Journals of House of Commons.

C.J. Fox  - History of Early Part of Reign of James II with Appendix, 1808.
Cal. S.P. - Calendar of State Papers Domestic, Charles II.

Cal. S.P. Col. - Calendar of State Papers Colonial, Charles II.


Carte - Thomas Carte. Life of Ormonde, 1851.

Christie - W.D. Christie's Life of Shaftesbury, 1871.

Clarke's Life - Life of James II. J.S. Clarke, 1816.


Cobbett - Cobbett's Parliamentary History, 1806.

D'Avaux - 'Negotiations' Comte J.A. de M. (English Translation 4 vols. 1754.)

D.N.B. - Dictionary of National Biography.

Dalrymple - Sir John Dalrymple, Memoirs of Great Britain and Ireland, 1790.

E.H.R. - English Historical Review.


H.M.C.R. - Historical Manuscripts Commission Reports.

L.J. - Journals of the House of Lords.


Luttrell - Narcissus Luttrell's Brief Relation of State Affairs, 1857.

North's Lives - Roger North's Lives of the Norths, 1742.

N.S. - New Style.


Prinsterer - Groen Van Prinsterer's Archives - Inédites du Maison d'Orange, 2nd series, 1861. Tomes 3-5.


Ralph - J. Ralph's Review of Reigns of Charles II and James II.

Reresby - Memoirs of Sir John Reresby, 1875.

Sidney Diary - Henry Sidney, Diary of Times of Charles II. Blencowe ed. 1843.

South Diary - Dr. Robert South's Posthumous Works (including Diary) 1717.
INTRODUCTION.

If this Thesis were concerned solely with the political career of Laurence Hyde it would be the study of a statesman of the second or even third rank. Since, however, this career is used to illustrate government policy and party groupings, it is concerned much less with biography than with the study of a politician, who in one way represents the older type of confidential king's minister, and in another represents the new type of departmental minister, just beginning to evolve in the later seventeenth century. Half the old courtier, half the new official, Hyde's contact with, or participation in, all the stirring events between 1676 and 1688 serves to throw light on the ramifications of court intrigue, hand to mouth administration, financial stress and opportunist foreign policy in that period. It is a period which has more frequently been surveyed from the point of view of the opposition than that of the executive government.

In the history of parties Hyde's political views have a special interest. As the obvious legatee of Clarendon's political ideas of Church and State he was regarded by his contemporaries as the leader of the
Anglican Tories. The Restoration settlement was founded on the alliance of Anglicanism with the Crown. The Exclusion struggle was won for the king by the same union. The Revolution of 1688 was at once the cause and the effect of its divorce. The religious and political teachings of the Church of England were one of the few principles to which Hyde adhered steadfastly throughout his life. But it will be seen from the following chapters that, though a sufficiently good figure head, he was far from being a great leader of the High Church party. He was, however, its leader for so long and at such a critical juncture in its history, that in that aspect alone his career, especially from 1685 to 1687, is most illuminating.

Hyde was practically continuously the leading figure at the Treasury during the important period of its evolution into a modern department of State. Not only in his administrative reforms there, and in the rapid development of the Treasury officials' predominance in the Cabinet Council of this period, but more generally in his attention to detail, capacity for hard work and zeal for long hours, II

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I. See Appendix I to Chapter 8 for Hyde's work at the Treasury.

commented on by his contemporaries, he was a forerunner of the modern type of minister, and one of the first politicians to appreciate the prime importance of the Treasury post. He is correctly described as a persistent mercenary office hunter, but it was office, not only place, that he sought; although he naturally desired lucrative reward and honours. He is much more the forerunner of the modern Government official, non-aristocratic and professional; in spite of his royal connections, than such of his contemporaries as Halifax or Seymour, for example.

Although he had plenty of natural abilities and literary gifts, it may be asserted that his defects of character prevented him from being a great statesman. He could please and charm when he considered it necessary, and his niece Princess Anne always spoke well of her Uncle Rochester as a good friend worth having. But haughty ambition, uncontrollable temper, and overweening self-confidence, coupled with his sycophantic weakness for royal blood, detracted from his courtier's smoothness, his discretion and his capacity for industry. His notoriously passionate temper certainly prevented him

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II. "So good a friend as my Uncle Rochester... for he can do you as much kindness and service as anybody." Anne to Lady Bathurst, June 4, 1683, in Letters of Two Queens (1925). A. Bathurst, p. 165.
from excelling in Parliamentary debate. I In the game of court intrigue and amidst the kaleidoscopic groupings of Whitehall, his arrogance and blind conceit made him the victim of more adaptable and supple personalities such as Sunderland. Smooth and adroit with his royal superiors, his manner in his days of success was intolerable to his equals. To quote Dartmouth "he therefore always had more enemies than he thought though he had as many professedly so as any man of his time." II

If it be true that a man can because he thinks he can, Hyde's self-confidence was not without its value. Lord Keeper North once protested to him that he did not appoint underlings sufficiently well versed in the technicalities of their posts and received the characteristic reply: "God's wounds! my Lord, don't you think that in one month's time I could understand any business in England?" III To which North dryly replied that his lordship could understand it much better in two months.

I. "Easily wound up to a passion so that he often lost himself in the debates of the House of Peers and the opposite party knew so well how to attack as to make his great stock of knowledge fail him." Mackay's Characters quoted in Introduction to Clar: Cor.

II. Dartmouth's note in Burnet. Routh.

III. Quoted in Dalrymple I. Part I, Book II. p.166.
The trap into which his sycophantic weakness for royalty and his desire to retain office led him in James II's reign, when without actually betraying his religious principles he stretched them almost to breaking point in the attempt to reconcile them with his ambitions, practically ended his political career in 1688. He still, however, had many years to live as a dignified pillar of the High Church party. Mesnager relates that when Louis XIV heard of his death in 1711 he exclaimed "Rochester dead! Then there is not a man of probity and counsel equal to him left in the world." I This ironic exaggeration may probably be taken to mean that the French King had known Rochester in the past to be adroit and capable of holding his tongue.

While Hyde's abilities and career must be estimated in their correct secondary perspective, he should nevertheless be remembered as playing a part in events of primary importance. Had he been a statesman, of Danby's more resolute calibre, a great personality such as Halifax, or a subtle political intriguer of first rank like Sunderland, his career would not have made so practical and impersonal a basis on which to make the survey of

I. Quoted in Vernon Watney's Cornbury.
the complex government problems of the late Restoration,
which is attempted in the following pages.
CHAPTER ONE.

Birth and Early History.

Laurence Hyde was born in Wiltshire in March, 1641, the second son of Sir Edward Hyde by his second wife. Concerning his childhood and early boyhood information is scanty, for Clarendon's writings, especially his correspondence with his wife, contain fewer references to Laurence than to the rest of his children. With the collapse of the King's cause in the West in 1646 Hyde accompanied Prince Charles into exile in Jersey, leaving his wife and family in England, I as his means were too impoverished to provide for them a suitable home with him. But his family could hardly expect to live for long in peaceful retirement under the Commonwealth régime, and a few months after the King's execution, in 1649, Hyde thought it advisable to remove his family to Antwerp prior to proceeding on an embassy to Spain. II

Judging from his letters the family were then in very straitened circumstances. In a letter to Secretary Nicholas from Spain in August 1650, Hyde mentions "the miserable wants


II. Ibid. p. 337.
and distresses ... of my poor wife." I And a few months later, writing to Prince Rupert, he begs for immediate help (the Spaniards having failed him) for his wife and children at Antwerp, who are "fallen into such necessityes as are easier apprehended than expressed." II

After returning from Spain in 1651, before placing himself in attendance upon Charles in Paris, Hyde joined his family in Antwerp for about six months. III This was one of the few occasions during the whole of their exile that the family were united. In 1653 their circumstances improved: Lady Hyde and the children moved from Antwerp to Breda where they lived in a house lent to them by the Princess of Orange. IV

Concerning the boys' education, there is no evidence that Clarendon ever had time to devote much attention to their upbringing. V One may conjecture, however, that, with such parents, the children in their home life were brought up as far as possible on English lines. Living in poverty in a


II. Ibid. III, p. 61. October 19, 1650.

III. June to November, 1651.

IV. Lister, I, p. 392.

V. He is anxious, in writing to his wife, that the children should become perfect in French. H.M.C.R. Bath MSS. Vol. II, p. 87.
small Dutch town with other Royalist families, Laurence, as a boy, must have overheard much political gossip and shared in many anxieties. At the age of thirteen one finds him writing to his elder brother Henry at Cologne, in his careful schoolboy hand of the state of affairs in England, and of the rumours of "Crummell's" disagreements with his followers. There are also letters in French interchanged between the two brothers, and references to their classical studies.

At one time Laurence appears to have been at school in Utrecht and subsequently to have been tutored by Dr. Robert South. Although few details of their education are available, both Laurence and his elder brother seem to have acquired in after life the reputation of being well educated. Laurence's writings certainly compare favourably in literary expression with those of Godolphin, Sunderland and many other of his contemporaries. There is no evidence however to support Mrs. Jameson's statement that he was specially trained by his father for the diplomatic service. It seems on the contrary more probable that she confused him with Henry, who was...


IV. South, Diary (1717) p. 20.

V. Mrs. Jameson, "Court Beauties of Charles II", p. 121.
employed as his father's confidential secretary. Henry was with his father in attendance on the King late in 1654; while Laurence at Breda wrote begging for news from his brother as often as he could send it. I No doubt Laurence as he grew older had some worldly training, for his sister Anne was a leading maid of honour at the Court of the Princess of Orange, II and it may have been there that he gained those suave, polished manners which served him so well at the Restoration Court.

The greatest influence upon his early life was naturally the Restoration. If there had been no Civil War the Hydes would have remained in comparative obscurity in the ranks of country gentlemen, divines and lawyers, from whence they sprung. The restoration of the monarchy raised them to the aristocracy. Sir Edward Hyde, who had been the exiled King's Chancellor III since 1658, was made Earl of Clarendon at the Coronation, and became at once the leader of the Restoration Government. As the only great statesman amongst them, he towered above the older nobility of the Cavalier party, moderating their claims to monopoly of office and restraining their clamours for

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II. Appointed in 1654. Lister, I, p. 393.

revenge. The domination of this "shrub of gentry" — the only business man of their party — did not make him and his family more acceptable to some of the older aristocracy. Circumstances shortly compelled them however to acknowledge the new social status of the Hydes. The marriage of Anne Hyde, soon after the Restoration, to the Duke of York, enormously strengthened their position. That an alliance with their family had not been disdained by the first Prince of the blood, coupled with their father's position, gave the sons an importance not only at Court, but in the eyes of the older nobility; and enabled them to marry into its ranks. Shortly after their return to England, Henry married a daughter of Lord Capel, and in 1665 Laurence, now twenty-four, married Henrietta Boyle, the second daughter of the Earl of Burlington, a royalist Irish peer.

Laurence embarked upon his political career with the advantage of his newly-formed royal connections, his father's power and influence and the hardihood born of a youth spent in exile; many men have started with worse

II. September 3, 1660.
III. Lister, III, p. 450.

qualifications. Considering Clarendon's position one might have expected him to procure for his sons promising, if not lucrative offices. But he seemed opposed to exerting his influence on their behalf. Nevertheless he had obtained for Laurence a seat as a member for Oxford University in the Cavalier Parliament; and subsequently in 1662 Laurence was made Master of the Robes. Henry, in the same year, became Chamberlain to the Queen. Neither of these appointments, however, were of much importance. This apparent lack of active interest on their father's part can hardly be ascribed to want of appreciation of their abilities, for Henry, at any rate, was regarded by him as a most discreet and promising secretary.

Incidents in Laurence's career as a minor court official are few. The Mastership of the Robes was not a post to give him much insight into political affairs, but it afforded him an opportunity to gain a little administrative experience. The record in the State Papers Domestic of his receiving a small bonus on the King's hearing that he "has performed good service in reducing Tradesmen's Bills" shows him already revealing


N.B. He is stated to have received £1,000 per annum from Crown lands as his share of the spoils of the Restoration. See sarcastic list of members of Cavalier Parliament. E.M. Lansdowne MSS. 805. f.86.
some attention to details in matters of business, which in later life was an outstanding characteristic.

His early Parliamentary career is equally devoid of incident. His name is found on some of the permanent committees, such as that for Privileges and Elections, some others useful for financial training, and on several minor ones for dealing with unimportant Bills. He seemed to have been a fairly regular attendant at the House until 1667, but he seldom took any part in the debates. Only twenty when he took his seat, he was one of those irresponsible "yunkers" whom Charles meant to keep by him until they got beards. This Parliament of cavaliers (one hundred had sat in the Long Parliament of Charles I) was composed, by a large majority, of staunch Anglicans. Loyalty expressed itself, after the first few months, in a privileged Anglicanism, which narrowed into a caste system and eventually divided the nation, in spite of the King's leanings towards toleration or indulgence. Clarendon became the symbol afterwards of this strong, socially exclusive Anglicanism, possibly because his enemies in the Cabal which succeeded him were Catholics or believers in toleration. This theory of rigid Anglicanism was a mantle which fell upon his sons. But the Clarendon Code was not Clarendon's own offspring; and Dr. Keith Feiling

I. See C.J. 1661-67 passim.
has pointed out, after a thorough study of the correspondence available, that Clarendon's attitude in this Parliament was less rigidly and consistently Anglican, and more personal and politically exigent than is sometimes supposed, or than his apologists afterwards claimed.\textsuperscript{I} Clarendon had to steer a course between the severer churchmen and the milder King. The code called by his name was made by the ecclesiastics and the squires;\textsuperscript{II} who on other questions connected with the prerogative and supplies found him less yielding.

Of the two sons who inherited this Tradition of Anglicanism; Henry may be said to more deserve the title by his later actions than Laurence, who was the one regarded in later life as the figurehead of the Anglican party. His Anglicanism however was to prove itself on many occasions even more elastic and opportunist than that of either his brother or his father. What he may have learned in his early years in Parliament as he saw his father raising a steadily growing resentment amongst all sections, was the impossibility of trying to steer a course between two sides, and the advisability of ranging himself completely

\begin{footnotes}
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and utterly with the Courtiers, or with the Parliament men, and not attempting to try to reconcile the two, if he wished to make a successful career for himself. He was however to find the Anglican label a very useful legacy at certain times in his later career. The culmination of the resentment against Clarendon, and dislike of his old-fashioned ways, was expressed in the general attack on him by Parliament in 1667. As has been said, in supporting the prerogative against Parliament on questions of supply, and Parliament against the King in religious matters, he had incurred the enmity of both. The Secretary Henry Bennett, his enemy in office, had really been responsible for promoting the Second Dutch war, but Clarendon was made the scapegoat for the muddle that ensued. By the end of the war in 1667 he had lost all support in the Commons. On the burning question of supplies, and the wastage of public monies in the war, his chief enemies, Danby and Buckingham, were able to unite all sections of opposition against him, and to bring about his impeachment. Everyone knew that the King, tired of Clarendon, would abandon him to his enemies, and this emboldened them to impeach him on a long list of charges, many quite untrue and most of them unfair.

In this fierce attack on his father, Laurence Hyde, now a familiar, if unimportant figure, in the Commons,
had his first opportunity to reveal his character and talents. His activities on his father's behalf are not, however, greatly to his credit. At the time of the impeachment, both sons were thought to be courageous in their defence of their father. But their defence did not really amount to very much: their conduct in fact might almost be termed ambiguous. One of Laurence's most outstanding characteristics was his violent temper: yet he does not seem to have displayed any sign of this during the fierce attack on his father in the Commons. On the contrary, far from losing his self-control at the injustice of the attack, he impressed his hearers with the studied moderation of his speech. "I am sensible," he said, "the House may think me partial, but I shall endeavour to shew myself not so much a son of the Earl of Clarendon as a member of this House." Pepys remarks that Waller, the poet, applauded these words as "spoke like the old Roman, like Brutus for its greatness and worthiness." Yet something more surely might have been expected from a son defending a father practically on trial for his life.

I. Both sons declared in the House that if only one article of the charges brought against their father could be proved, he would submit to the rest. They had been ordered to say this by Clarendon. Burnet, I, p. 458. (Routh.)

II. Cobbett's Parl. Hist. IV, p. 373.

III. Pepys, Nov. 19th, p. 585.
The impeachment of Clarendon brought the two houses into conflict, for the Lords, more just to Clarendon than the Commons, refused to commit him on vague and unsupported charges. When this dispute was at its height, Laurence moved in the Lower House that "rather than the Earl of Clarendon's case should set the two Houses at difference, the Earl may be brought to his Trial to answer the crimes objected against him." This motion, seemingly rather callous, leaves one doubtful as to whether Laurence was not trying to curry favour at Court by adopting an apparently impartial attitude.

Although Clarendon was not guilty of most of the crimes charged to him, the King's displeasure, and his willingness to make the Chancellor the scapegoat for every disaster the country had suffered during the seven years since the Restoration, added to the hatred he had aroused in the Commons, were too strong to be overcome. The Duke of York, his son-in-law, who might have supported him, was taken ill at the height of the attack; and although after he recovered, he pleaded with the King, it was then too late for him to render effective help. All Clarendon's friends, as well as his sons, feared that "There was a design to

II. Burnet, I, p. 460. (Routh.)
prorogue Parliament and try the Chancellor by a Jury of Peers. "I Clarendon would then have been doomed, for the King, bent on his downfall, would almost certainly have appointed the Jury from the anti-Clarendon group in the Upper House.

This fear led Laurence and Henry to join with many of Clarendon's friends in urging him to flee from the country. Even York eventually advised this course. It seems, from Laurence's "Meditations" on his father's death written later, that Clarendon himself did not want to leave the country, although the King let him understand that he wished him to solve a difficult situation by doing so. Laurence admits in the "Meditations", that he himself thought it better that the Chancellor should withdraw and leave his charges undefended than stay to risk the consequences of an unfair trial. "I cannot but accuse myself," he wrote, "of being too earnest and overweening in my own thoughts in persuading him to provide for the security of his person by going out of England," and further on, "I know very well there were a great many others older and more experienced, that were of the same opinion, and I know too that it was always against his own judgment."II Laurence was anxious

I. Carte, Life of Ormonde V, p.38.
that he should appear as little identified as possible with the impeachment, and from selfish motives no doubt encouraged his father to go into exile as the simplest solution of the difficulties confronting a son "who afterwards made his court so dextrously that no resentments appeared on that head." Neither Pepys nor Waller could have termed these "old Roman" sentiments.

Circumstances and the force of friendly advice became too strong, and Clarendon fled to France early in December. His flight left the way open for his enemies, and Parliament at once passed an Act of Banishment condemning him to death should he ever return to England. Of the four hundred odd members of the Lower House, only forty-two voted against this Bill, and it is noteworthy that neither of his sons were included in this number. Laurence states in the "Meditations" that the Bill was set on foot by some of his (the Chancellor's) best friends as well as his worst enemies. Clarendon's friends doubtless hoped, as Laurence did, when they agreed to this Act of Banishment, that,"after this sacrifice to their fears their enemies would leave the Hyde family in peace."


It is on this ground that Laurence excuses himself in his "Meditations" for his "mistaken policy" in persuading his father to flee, and in not opposing the Act which banished him. I

The only modification made in the Bill was "the liberty given to his children and relations to correspond with him." II That Laurence, for more than two years, did not make use of this privilege is a further illustration of his circumspection. In writing his "Meditations" eight years afterwards, he protests strongly that he "was not baited indeed with any hopes of pleasing any party or of making myself well at Court upon the ruins of my father's fortune, of which I had the good fortune not to be suspected," III but he admits, "I had given occasion enough for the suspicion..."

It is true that by his contemporaries he does not seem to have been considered either selfish or circumspect. This was probably for the reason that for some time after the flight he was officially in disgrace as if he had fought ardently on his father's behalf. He, as well as his brother, was banished from court early in 1668, IV "for all the Chancellor's


IV. Pepys, Feb. 6th, 1668, p. 612.
relations and friends that had publicly appeared for him were presently looked upon as men that were not fit to have any place about the King.\textsuperscript{1} Included among these were the Bishops of Winchester and Rochester, \textsuperscript{2} who had been Clarendon's chief supporters. The strict old-fashioned Cavalier party, who had believed in the prerogative and no toleration of dissent, now gradually disappeared, making room for men of more elastic principles and modern outlook. It is worth noticing here that Laurence's disgrace cannot have been very formal or complete since he retained his post as Master of the Robes, the duties of which would necessitate some attendance at Court. He did not relinquish this post until 1678\textsuperscript{3} when he was already marked out for more important office. He was not therefore strictly in the same position as "all the Chancellor's relations and friends ... not fit to have any place about the King" referred to by the Bishop of Winchester.\textsuperscript{IV}

\begin{enumerate}
\item Clar. S.P., Vol. 87, f.84.
\item Pepys, Dec.23rd, p. 594 and Feb. 6th, 1668, p. 612.
\item See Calendar Treasury Books VI, p.63 and 64. In the introduction to the Sidney Diary Vol.I, p.XVI, Blencowe speaks of the appointment of Henry Sidney as Master of the Robes in 1675 but this must be an error, since according to the official record of the Treasury books when Hyde "surrendered office, same was by patent granted to Sidney Godolphin." See Treasury Books VI, p. 63.
\item See Supra, p. 14 and note 2.
\end{enumerate}
Laurence had two friends and patrons at court: his sister the Duchess of York and her husband. The Duke, throughout one of Clarendon's staunchest defenders, had gone so far as to dismiss from his bedchamber, after Clarendon's flight, all who had been against him; and he maintained an attitude of friendly patronage towards his brother-in-law Laurence. Henry's disgrace, on the other hand, was more serious than that of Laurence, for he never fully recovered the favour of the King. In resentment at the treatment accorded to his father and himself, he threw in his lot with the opposition in Parliament, and was always spoken of by the King "with much sharpness and scorn."

But Laurence, whatever his true feelings, appears to have shown little or no resentment and to have kept quietly in the background at court, awaiting no doubt, an opportune moment to rehabilitate himself.

Laurence Hyde's uncomplaining attitude, his care to avoid giving needless offence, and his political insignificance, no doubt explain the comparatively small effect which his father's downfall had upon him. By 1671 he succeeded in securing permission from the King to visit his father; the first visit paid to the exile by any

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II. "I think he will not be much marked." Henry Hyde to Nicholas, 1669, Jan. 23rd. B.M. Egerton MSS. 2539, f.314.

of his family. Clarendon moved from Montpellier to Moulins for the greater convenience of Laurence, who visited him early in June. Laurence took over to Moulins many of his father's papers, including the six books of the original "History" written between 1646 and 1648, which Clarendon required as material for his final work. During the visit, Laurence had many long discussions with his father concerning the impeachment. This was probably the first time that father and son had had any really intimate intercourse, as Laurence's early relations with his father had been marked, to use his own words, by "awe and restraint." These discussions made a lasting impression on Laurence and probably helped him to shape his own political outlook. The Chancellor blamed both Court and Parliament for his downfall, but he advised Laurence to remain at Court. Laurence possibly gave him hope that the King might soon permit him to return to England; and he wrote to Charles begging that he might be allowed to return; this letter was entrusted to Laurence to present to the King. Although this permission was naturally refused, Laurence does not appear to have incurred any censure from the King for being

I. Lister, I, p. 296. See also Clar. Corr.
III. Ibid.
the bearer of the request. The father and son had become more intimate during this visit. "He was pleased," Laurence wrote later, "to discuss with me of several actions in his life more like a friend and upon equal terms than a father, and to give me the perusal of several of his writings."¹ While Clarendon, in writing to Henry, spoke of having "very much comfort in your brother's company."²

Since 1667, the management of his father's involved finances had fallen on Laurence, as Henry had little aptitude for business affairs; Laurence, in fact, became the business head of the family, and had already, by 1671, succeeded in paying off a part of the Chancellor's large debts.³ It may be of interest here, briefly to explain something of the Hydes' financial circumstances. Clarendon, when Chancellor, is generally reputed to have enriched himself at the expense of the nation, but the legitimate profits of the office were large, and it is the expert opinion of Sir Charles Firth that Clarendon did not

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². Ibid.
³. Lister, III, p. 535. Lister states earlier that only £1,000 was paid off, but in the accounts he gives, Laurence has marked sums amounting to £4,000 to be paid off in 1669. See Lister, III, p. 540.
acquire his wealth dishonestly.  

Certainly he received grants of land and manorial profits from the King, which, together with several money grants, amounted at least to sixty thousand pounds. But he was exceedingly extravagant and imprudent in money affairs, and when he fled from England, his debts amounted to more than forty thousand pounds.

He was not, therefore, in a position to make adequate provision for his sons - a fact which greatly influenced them later in seeking lucrative offices, and of necessity made them both "the needy place hunters" which history has labelled them. Laurence's own sources of income were always uncertain and are difficult to trace. It may be inferred that his wife brought him a dowry, but not a very large one, since she was the daughter of a newly-restored Irish Royalist. The Mastership of the Robes was worth five hundred a year to him, in addition to the fairly large sum derived from the charges of the office, and his father had obtained for him, in 1663, a share in the

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II. There is an interesting schedule of the estates owned by Clarendon, drawn up in 1671, in the Clarendon State Papers, 87. f. 96.

III. See allusion to £1,000 per annum grant of Crown lands as a Cavalier member of Parliament. Noted supra p.6 from the evidence (uncorroborated) in Lansdowne MSS. 805, f.86.
islands of Surinam and Barbados.

When the Chancellor left England, he owed Laurence £10,000, and among the financial arrangements agreed upon during his visit in 1671, was the making over of certain of Clarendon's estates to Laurence to provide him with an income of £600 a year in payment of the debt. At the same time he was given further instructions regarding the family finances and the liquidation of the remainder of the Chancellor's debts, in particular the sale of Clarendon House, on which the Chancellor had expended forty thousand pounds.

Laurence's life at Court during the next few years, which were perhaps the gayest of the reign, has nothing to distinguish it from that of the average courtier, save

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I. Cal. S.P. Col. 1661-1668, p. 451. Letters Patent granted jointly to Lord Willoughby and Laurence Hyde. Willoughby wished to retain the proprietorship of Surinam and the governorship of Barbados and found himself opposed by the Chancellor, whom he presumably bought off by the bribe of a share in the profits for his second son.

II. Lister, III, p. 535. The Duke of Ormond, Laurence's godfather, out of £10,000 due to the Chancellor in Ireland, wished to buy estates for his godson, but Clarendon had not wished it to benefit only one of his family. See Lister, III, p. 226. See also references to "the great debt to Lory." Lister, III, p. 479. Clarendon to Henry Hyde.

III. Lister, III, p. 479 and p. 484.
perhaps that the purity of his own domestic life marked him off a little from the younger boon companions of the King, with whom he consorted. But it is quite devoid of political interest.

The coalition which now governed had driven out the last Clarendonians. There was no particular body to which he could attach himself save that section of the Royalist party, the courtiers and officials, pure and simple, who, as Feiling says, "neither adorn nor affect party development," but who may be relied upon as safe government votes on practically every issue. His name appears on the well-known Court party list, "Flagellum Parliamentarium", which was compiled by the Opposition in 1672, otherwise there is little mention of him. One reason for this lies in the long prorogation of Parliament from April 1671 to February 1673, when all the old lines of division in the House were fading, and future parties were in the melting-pot.

He was now evidently persona grata at court. There was a rumour mentioned in the Verney letters in 1673, that he was likely to be made a Lord in the near future, together

I. Feiling, p. 148.

II. Flagellum Parliamentarium. Published by Harris Nicolas, 1827.
with Bab May, Arran and Paston, three gay friends of the King. Such complete re-instatement does not seem to have been pleasing to his father. "I would not," he wrote to Henry some months later, "have your brother doe anything passionately or immodestly with reference to what hath been done to me by particular persons but I doe not wish that in particular cases and wherever the publique is not at all concerned, all memory should be extinguished in him of the foule acts he saw practised against me." Evidently Clarendon had heard that his younger son was making his way at court unhampered by any inconvenient memories against those who had been his father's enemies.

A few months after this letter was written, Laurence paid a second visit to his father at Rouen, whither the Chancellor, now failing in health, had removed in the spring. Laurence seems to have reassured his father by enlarging upon the favour shown to him by the Duke of York. Clarendon now seemed anxious that his sons should seek further royal favour, despite his own bitter experience; and, emboldened by Laurence's accounts of the Duke's kindness, entrusted him with a fresh petition for his


return to England, to be given to the Duke to present to Charles at an opportune moment. In August, he wrote himself to the King, imploring to be allowed to return to die "amongst my owne children"; and assuring Charles of the faithful service and loyalty of his sons.

Four months later, his request ungranted, he died in Rouen. Laurence and Henry were summoned at the last moment by the Chancellor's old servant, but they did not arrive in time to see their father alive.

In commemorating the anniversary of his death a year later, Laurence endeavoured to emphasize his deep sense of loss on being left "absolutely to my own free choice and discretion," but he more nearly describes his real situation in acknowledging that for the last seven years he had been "by my mother's death and father's banishment which happened within halfe a year or less one of the other, almost as much exposed, I may call it, to my own election, when I was soe much younger and more liable to the temptations of a new got liberty." III

He was now a man of thirty-three and, from what can be gathered of his headstrong, arrogant character, and the


imperious way in which he ruled his own family, unlikely to feel keenly the loss of his father's control and advice, despite the plausible phrases of the Meditations.

His position was very little affected by his father's death - neither he nor Henry, now Lord Clarendon, found themselves any richer, since the bulk of the Chancellor's debts were still unpaid, and his younger children were left dependent on the two elder sons.¹ But his death coincides with the end of the preliminary stage in Laurence's career - a career destined to be very different from that of his greater father.

Clarendon's chief bequest to his second son was a certain part of his own political temperament. Most important was a passionate devotion to the Church of England, its political teaching and religious exclusiveness, accompanied by absolute belief in the royal prerogative. These were the only "fixed principles" to which Laurence Hyde can be said to have held fast in later life: and his Anglican convictions have been doubted. But one cannot stress his sycophantic weakness for royal blood which he also inherited, from his father, and at the same time question his undoubtedly Anglican principles, since sycophancy in the end yielded to the Clarendonian tradition.

He had also a full measure of Clarendon's capacity for industry. He did not however inherit those principles of integrity and solidity which made Clarendon the rock on which the Restoration was built. He had already shown that he could bend even his filial principles to personal exigencies, and in his service to the state, now beginning, was to prove himself over and over again, at once more adroit and less sincere than his father.
CHAPTER TWO.

Diplomatic Missions and Foreign Affairs, 1676-1678.

In the three years following the break-up of the Cabal, Danby, who had assumed control of the Government, seemed to return to the policy of Clarendon. This change was accompanied, as is well known, by the definite organisation, first of the Country Party, then of the Court Party, for a struggle within the Lower House, and by the framing of more or less coherent party programmes.

Danby's staunch Anglican convictions and organisation of the courtiers must have seemed a good omen to the younger Hyde, anxious to find an opening for his own ambitions. But far from being an ardent henchman in Danby's organisation of the courtiers, he remained entirely in the background during this important period. At the same time he must have seen enough of Danby's work to realise the importance of good administration, and also to understand, an understanding which his diplomatic experience shortly reinforced, the causes of Danby's

I. In April 1675, Danby introduced a non-resisting Test Bill, which would have practically excluded all except Anglicans from political life. L.J. April 15, 1675. G. N. Clark describes his only policy as a demonstration of extreme Anglican narrowness. The Later Stuarts, p. 82.

II. See Felling 157-158 and 165-166.
ultimate failure as a chief minister. His own later policy has been described as that of "Danby in a minor key" and like most generalisations it is an accurate enough description to emphasize that these years were an important stage in Hyde's education. But while his inactivity during this period covers growth of political conviction it demonstrates at the same time one point of essential difference between Hyde and Danby, for while an unswerving "party" man, Hyde was never really a "Parliament" man. The only reference that can be found in his correspondence to the organisation of the Opposition in the Commons is in the Meditations of 1675, where he refers to that "desolation and dismal invasion upon the very essence and form of government, of which we have had the sad prospect this last year." II

Even Hyde's attendance in the House was not so regular at this period as earlier. His name appears on the Committee of Elections and Privileges in April 1675, but disappears in October after the prorogation and he does not seem to have sat on any other committee in 1675. III It should be noted, however, that his name is included

I. Feiling, p. 192.


III. A "Mr. Hide" appears on a minor Committee in the Journals, but there was another Hide in the House and L.H. is usually given with his first name also.
in the list Danby made of the inner core of the Court Party in 1677 - the "100 yt are reckoned dependts." \textsuperscript{I}

Hyde's appointment as Ambassador Extraordinary to the King of Poland in May 1676, probably through the patronage of York, appeared of no particular importance, although, as it actually happened, it was remembered to Hyde's detriment by his political opponents many years later. The embassy was merely a complimentary one to represent the King at the christening of Sobieski's infant daughter, with a further commission to return by way of Vienna to condole with the Emperor upon the death of his wife. For such ceremonious purposes Hyde was allowed adequate supplies,\textsuperscript{II} and provided himself with what Doctor South, who accompanied him as Chaplain, describes as a"most sumptuous equipage."\textsuperscript{III} The appointment was important enough to the young man to occasion several comments and pleasantries upon his satisfaction among his friends at court.\textsuperscript{IV}

\textsuperscript{I} Add. Mss. 28,091, f.169. See also Cal. S.P. Dom. 1675, p. 302, where he is one of the members circularised in a 'party whip' letter from Williamson.

\textsuperscript{II} "£10 a day for his entertainment and £1,500 for his Equipage and such further expenses as shall be allowed." Cal. S.P. Dom: 1676, p. 170.

\textsuperscript{III} South. Diary, p. 20.

\textsuperscript{IV} Saville to Hyde. Add. MSS. 17017 f. 105.

Coventry to Hyde. Add. MSS. 17017 f. 105.
Unfortunately 85 pages of manuscript are missing from the diary which he kept during his embassy, but the remainder gives a clear and amusing account of his experiences, and the information lacking is to some extent supplied by South's diary. Hyde set sail in June, arrived at Dantzig in August and went on to Warsaw; there he waited for a fortnight, as the King was in camp near Leopol in Russia. Sobieski at this time was attacking the harassed troops of Ibrahaim Pascha in the hope of gaining some mitigation of the humiliating Treaty of Buczacs. His military successes and his French alliance aided him to make a compromise with the Turks and the Tartars — the Treaty of Zurawno of October 1676, by the terms of which Polish prisoners were released, Polish Ukraine was restored to him and all claims to tribute renounced. It was into the negotiation of this treaty that Hyde, on his purely ceremonious mission, became drawn. His instructions had been to interview the King of Poland; and having had audience of the Queen and the infant Princess at Dantzig, he set off after his wait at Warsaw to seek out the King at his camp, for he had no

wish to remain in Poland the whole winter. The country through which he had to pass was in a most unsettled condition, continually invaded by bands of Tartars, and it therefore happened that the French Ambassador, the Comte de Bethune, who also wished to reach the King, came to him at Lublin and suggested that they should travel together not as ambassadors but as private individuals. After a good deal of hesitation upon the part of the younger ambassador, full of punctilios, he finally agreed to the proposal.\textsuperscript{I}

The diary gives amusing and interesting details of the alarums and excursions of their journey, and carefully describes the villages and the general condition of the country. Hyde now became considerably more involved in the political situation than his initial mission warranted. To get through the Tartar lines to the King he adopted, on the suggestion of Bethune and some of the Polish generals, the expedient of asking the Tartars for a pass as an Ambassador from Charles as a King who was "in peace with the Turks and Tartars and especially in good correspondence with the first."\textsuperscript{II} He had no instructions


\textsuperscript{II} Clar. Corr. I. 615.
to offer English mediation in the peace negotiations then in progress, but, as he noted in his diary, "it was impossible to have an instruction two months ago for a thing that was not then foreseen;" and he argued to himself that he had general instructions "to make all offers of service and do all good offices I could to this King, which I took to be authority enough for what I proposed." He hastened to send off excuses to Charles for being persuaded by the French Ambassador to exceed his instructions in this way, stating that in his letters to the Turkish General and the Prince of the Tartars, he had merely promised to ask his sovereign to join with the French King as mediators in the peace, if they should require it. "If it be a thing disagreeable to your Majesty to enter into, your Majesty can have no trouble in denying it." His well-phrased letter of excuse tactfully suggested to Charles that, being already a mediator for the settlement of differences between Christian Princes, "it may be for the increase of your interest and reputation to become so, of those that are amongst some Christian Princes and the Turk."
Hyde arrived at the King's camp when the Treaty of Zurawno was on the point of being concluded. For the moment, in view of the preoccupation of the king and the difficulties as to precedence which would have arisen with the French Ambassador, he agreed to appear as a private visitor. It is therefore surprising that Doctor South, in his Diary, ascribes to the inexperienced Hyde an important part in the conclusion of this Treaty. South himself had not gone on to Leopol, and his statement is quite unsupported by any other evidence. Whether Hyde actually witnessed the signing of the treaty is uncertain, but he cannot in the circumstances have taken any official part. He had been drawn into the negotiations simply through his intercourse with Bethune.

The formal objects of the embassy to Poland were accomplished when the King returned to Zolkein after the peace was signed. Here Hyde was publicly and ceremoniously received as English Ambassador, and delivered the royal message in sonorous Latin, provided by the useful Doctor South. It assured Sobieski of England's full concurrence.


II. Clar. Corr. I. 589. He had gone incognito to the Camp with Bethune.
in the French attitude of help and protection, and their joint intention of establishing his power on a firm basis. There was one rather surprising statement: that until absolute monarchy should prevail everywhere, "the King my master, sees no possible means of establishing the most Holy Apostolick Roman Catholic religion." This clause would appear to be the only foundation for later accusations by Hyde's political opponents that his mission to Poland had been to further the Catholic religion. It seems obvious that if Charles had intended these words to mean anything, a man of Hyde's known Anglican principles would never have been appointed to carry such a message. Hyde, who was greatly incensed when these rumours were afterwards circulated, told his brother that he had, had, on the contrary, instructions from the King "to move that King Sobieski on the behalf of the Protestants of that country," as copies of his credentials and public speech to the King of Poland would prove. There is, however, no actual mention on three different copies of the speech examined in the British Museum and the Public Record Office of this request being made. Doctor South stated


II. B.M. Add: MSS. 32,095. f.79.
Add: MSS. 29,587. f.190.
P.R.O. Shaftesbury Papers. Bundle VIa.
later that representations on behalf of the Protestants had been included in the message. And although South complained, at the time and later, of Hyde's spiteful and ungrateful treatment of himself, he definitely testified to the absence of any Catholic propaganda. Writing in his defence in 1701 when the Whigs were digging up old scandals against Rochester as an undesirable relative of Anne, he says:— "as for anything concerning Religion except his desiring favour for ye Protestants or concerning those other intreagues charged upon the said Earl ... there was not ye least syllable in ye speech relating to them." I This would imply that oral representations were made on behalf of the Protestants.

The most important part of Charles' message to Sobieski promised his general support against the Hanse Towns and, if necessary, the Dutch; and expressed approval of the French exhortation to Poland to stir up the malcontents in Hungary, "the better to dispose the Emperor and the confederates to accept of such Terms of Peace as shall bee judged reasonable." II The whole speech was strongly absolutist and very hostile to the Dutch:—

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I. Add: MSS. 32,096. f. 349. "Dr. South's Letter to Mr. Bennett the Bookseller concerning a paper written agt Rochester." I701.

II. Speech to the King of Poland. Add. MSS. 32,095. f.79.
"their pretended liberty having been of pernicious consequences by their rebellious example." It is not surprising that Hyde's political enemies fastened upon such inviting material as this speech so long afterwards as 1701.

The Polish Embassy concluded, Hyde proceeded to Vienna but the Emperor had married again, so he tactfully left with his mission unperformed. His homeward journey now took him through Nymegen in Holland where the joint European Congress was sitting. This circumstance coincided with a desire on the part of the English government for a first-hand report of the proceedings, and it was decided, perhaps with some knowledge that Hyde would like the appointment, to entrust it to him. On December 26, 1676, Secretary Williamson despatched the following instructions to Hyde:- "upon computation upon our last letters from Vienna wee may reasonably believe your Excellency may by this time be as near us as Nimeghen, and his Majesty finding you take that in your way, is desirous you should be able at yr returne to give him a

I. Speech to the King of Poland. Add: MSS. 32,095, f.79.


III. There is an indication in a letter of Coventry to Hyde later that the latter had asked for the appointment. "Your motion of asking the King as a mark of his value for you to have a share in the full power of treating at Nymegen." Add: MSS. 25,119 f.78. Jan. 5, 1677.
thorough account of the state of things in that assembly, and that you may be the better able to do it, by being received not only by his own Ambrs but even by the severale ministers of other Princes ... has thought fitt you should be added to the Embassy."1

Affairs at the Congress were at a most wearisome juncture. In 1674 the Grand Alliance of the Hague had united all Europe, even the old allies of France - with the one exception of Sweden - in defence of the Dutch. English public opinion, rendered doubly distrustful by suspicion of the part Louis was playing in English politics, had compelled Charles to drop out of the war in 1675 and had shown increasing apprehension of the consequences of allowing the Dutch to be crushed. It was, indeed, setting strongly in the direction of such a decisive interference in support of the allies as would end the whole war. Charles was therefore in a delicate position. He did not want, any more than his subjects, a peace disadvantageous to English trade and naval powers; and the pressure of public opinion had compelled him to accept the position of mediator at the Congress. But he was determined not to go further in commitment. To take up the rôle of an arbitrator, which was urged upon him, necessitated a

readiness for active interference to enforce the arbitration; and decisive action was what he was not prepared to take. France, for her part, was ready for peace— with Holland at least. Sweden her only ally, valued because of a long standing military superiority, had been defeated by the rising power of Brandenburg in 1675, and Louis wanted to consolidate his own spectacular successes in the field by one of those carefully-assigned arrangements in the making of which the French are pre-eminent. He was the more concerned to force a speedy peace, because he was increasingly nervous of English action, and uncertain of Charles's power to maintain the position of a friendly neutral.

The English plenipotentiaries, Sir William Temple, Lord Berkley and Sir Leoline Jenkins had been at Nymegen since July, but by the end of September, of the actual combatants, only the French, Swedish and Dutch representatives had arrived; the rest of the allies were holding off each having their own motives for delaying the peace. The Austrians always sullen and stubborn losers, were not ready to give in; the Germans still hoped for military successes, and the Spaniards flattered themselves that

I. "They are willing like gamesters that have won much to give over unless obliged to play on by those that had lost." Temple, I. p. 428.
English interest in their affairs would eventually give them support for stronger claims than they could make at the moment. Only the Dutch definitely desired peace at once but they could not risk the isolation in which they would be left by withdrawing from the confederacy. With the allies so divided, the French hoped to make advantageous separate treaties "with those among them who began to be impatient for peace." Indeed, the Prince of Orange had warned Charles that unless he interfered actively in the moribund Congress, the French and Dutch would make a separate peace. Charles could therefore have played an important part as arbitrator, but his representatives at Nymegen had received strict orders to perform only the offices of mediators, in order that none of the parties should appeal to him to settle their differences. He did, however, acknowledge Orange's warning so far as to order Jenkins to protest if he suspected any private concert between the French and Dutch. The English embassy, restricted in this way, had no particular interest in influencing proceedings and most of the time before

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II. Ibid. p. 418.

III. Temple, however, strongly doubted whether this order to Jenkins was sincere. Temple. I. pp. 437-438.
Hyde's arrival had been spent in perpetual squabbles among the various representatives, as they arrived, over points of ceremony and procedure. Into this purely "Business of Form" as Temple calls it, Hyde was now to be drawn.

Secretary Williamson in his despatch informing Hyde of his appointment does not seek to hide that it is an empty title. "Your Excellency will by these general hints understand enough his Maties mind to see that you have the full character power and authority of Amb^ and Plenipotentiary; while you are there, for the enabling you to know more entirely what passes and in what states things are. But yet it is not thought at all necessary you should put yourself into any sort of Equipage more than you shall happen to have about you ... for the short time you are to be there wch his Matie understands shall be only for some weeks at most for the decency of it."II Hyde's mission was simply to be an eye witness for a short time of the events at Nymegen in order to make a report to Charles when he finally came home.

Hyde stayed, in the event, only a fortnight at Nymegen. The despatches containing his credentials and instructions were so late in arriving that, giving up hope of them, he

passed on towards the Dutch coast with a view to embarking immediately for England. Actually the despatches arrived a day or so after his departure. At the Hague, through the offices of Temple, he was given an audience by the Prince of Orange, as one who was just returning to England and could take a confidential message to Charles. His conversations here with Temple and Orange gave him much more valuable information on the current state of Western European affairs than if he had remained, inexperienced as he was, among the futilities of Nymegen, and thus out of touch with the latest phases of a continually changing situation.

The Prince charged him to tell the King that "the affair of the Peace was in his hands," but that if Charles "intended only to bear the part of a general mediator it might perhaps be three or four years before the preliminaries should be adjusted." Temple took pains to give Hyde more light on the situation. The French, in their anxiety to make a separate peace with Holland, were courting Orange "on whom they thought the whole affair principally depended" and had offered him "Maestricht.

I. He had sent for a yacht to take him over to England.
III. Ibid.
Burgundy and Limburg, or what he could name or wish for..." but "...the Prince on the other side would rather have one town more for the Spaniard than all that for himself." The Spaniards wanted to see the French reduced to the Treaty of the Pyrenees. Temple himself thought they should be satisfied with a reduction to Aix-la-Chapelle, and considered that if only Charles would make the French agree, peace might ultimately be concluded on that basis.

Temple and Hyde had not apparently known each other before this meeting at the Hague, and Hyde, who was inclined to strong prejudices, seems to have taken a dislike to the older man. Although Temple showed him a great deal of kindness and spoke freely and confidentially to him, Hyde is one of the few men who ever referred to Temple in scornful or disrespectful terms, despite the fact that he owed much of his advancement as a diplomat entirely to Temple's good offices. He sneered at Temple's harmless vanities, his long-windedness and tedious narration of amours, and was so predisposed against him that he even suspected Temple's kind offer of the use of a house and equipage at Nymegen.

Certainly Temple did all he could

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II. Possibly Temple's connection with his father's enemies may have been responsible for this.

III. Courtenay-Temple. I. p. 495.
for Hyde, was anxious to give him experience and information, and interested himself in his career. When Hyde's letters of appointment to the Congress finally overtook him, it was Temple who advised him to return there and take up the post of observer for a short time as likely to prove a useful experience. Hyde naturally gives a much fuller account of this advice than Temple does in his own memoirs; and asserts that Temple suggested that the king probably intended to substitute Hyde for one of the ambassadors at Nymegen, a piece of flattery for which there was no foundation. It was certainly Temple who persuaded Hyde to discontinue his homeward journey, to wait until the Commission and instructions overtook him, and then to return to Nymegen. Letters from England at this point gave him entire freedom of choice, in view of his having missed the earlier despatches. His nearness to home and his fortnight's experience of the kind of occupation and interest which Nymegen afforded made him much less anxious for the honour of being attached to that embassy than he

I. "I easily perceived that this Despatch was intended for to introduce him into these kinds of characters and Employments, and so advised him to go back to Nymegen." Temple. I. p.440.

had been earlier. This was suspected by Secretary Coventry, who wrote encouraging him with the prospect of a fairly short stay at Nymegen, since "the sudden approach of a Parliament when the court will not have any superfluity of members will promise you a return as sudden as you will desire it." II

His final decision to return to Nymegen was, as it happened, a wise move on Hyde's part, for the foreign situation was becoming of increasing interest to England, and the appointment led to other and much more important commissions. When he arrived at Nymegen, however, he did not take much part in the work of the embassy even though he had been recommended to learn all he could of procedure and ceremonial. III Temple complained that since Hyde "excused himself from entering into the management of any conferences or Despatches," IV all the work fell upon himself on his visits there from the Hague, and upon his overworked colleague Jenkins, for the third Ambassador

II. Ibid.
Berkley was old and infirm. He attributed this inactivity on Hyde's part to modesty - a trait which he seems, judging rather superficially, to have considered one of Hyde's chief characteristics. Hyde stayed with Jenkins, whom he liked personally, while at Nymegen, for he unjustifiably suspected Temple's invitations to be patronising. We gather from one of Coventry's letters that Hyde gave him as a reason for his choice of abode his resolution to avoid the temptations of female society: Coventry, who promises to inform Lady Hyde, jestingly enquires if this is because of the dignity of his new position or due to the "clime of Poland, that hath frozen you into such frigid morals." II

Hyde was bored and confused with the meaningless and intricate formalities of the Congress, and it must have been with great relief that he received Williamson's despatch at the end of January, summoning him to England, as Coventry had predicted, for the opening of the new session of Parliament. The King wished to have a first-hand account of the private "caballes and councils," III and Hyde's own desire to be back in England after his long

sojourn abroad was known. "As to the bringing you off, no conjuncture could be more favourable than the present," wrote Coventry to the impatient ambassador; "it is a conjuncture and time very fitting for one that is young and hath the world before him to be at the fountain head and see the first motion of things, I believe the time was never more critical than it will suddenly be." Hyde returned to England in the second week of February, just two days before the opening of Parliament. He cannot therefore be said to have gained much experience from his first appointment at Nymegen, save some acquaintance with the intricate procedure of the foreign embassies there, and, as Williamson told him, "what is more valuable in all these things ye marks and testimonys of his Ma\(^\text{ys grace and favour in ye honour of that character."}\(^{\text{II}}\)

At this juncture the French, though still offering the Dutch a separate peace, were preparing with "great forwardness" for the spring campaign. The opening of the new session of the English Parliament was therefore of great interest to Europe. Parliament and the nation as a whole desired war with France; but Charles, who had a

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full understanding with Louis and did not intend that any parliamentary grant should be conditional on a break with France, made no mention of foreign policy in his speech to the Houses. The French, somewhat nervous of Parliament, had been redoubling their attentions to Charles and would gladly have paid for a continuance of his inertia of the past year. Charles for his part cheerfully accepted money from France to bribe those members of his Parliament who might vote for war, but "who are accustomed to make a noise only in order to be the better bought." 

Danby, from a party point of view, managed this session successfully, but in foreign affairs he was in an awkward position. When he could not get Charles to follow him, he had to follow Charles, and in the matter of Holland Charles was working against him. The Opposition refused to grant supplies until Charles should lay definite treaties before them, and this Danby could not persuade him to do. Charles, indeed, regarded such a demand as an invasion of his prerogative which, whatever his foreign policy, he must oppose. This indicated an indefinite

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I. Courtin says the French sent money for this purpose because they thought the Emperor and Spain were sending it to the Opposition. Dalrymple. App. to Chap.II. p.149.
deadlock, yet such was the interest of the Commons in the foreign situation that at the end of March they were actually offering supplies for a French war, entreating Charles to save the Spanish Netherlands and "not defer the entering into such alliances as may attain these ends." I Charles' reply was to demand the actual supplies before committing himself to any definite step. II

Throughout this busy session, Hyde played a distinctly unobtrusive part. Yet from his recently acquired knowledge of the continental situation he could have demonstrated to the House the necessities of the Spanish Netherlands. This would seem to illustrate his lack of ability in debate, and also perhaps his lack of "parliamentary" instinct; he neither volunteered information, as some men would have done, nor was he asked to give the House the benefit of it. His silence may, however, have been the discretion of the courtier as much as the modesty of the mediocre orator.

By Easter the Commons had offered supplies which Charles refused as inadequate, demanding at least £600,000 before he would make any move. III The French at this

I. C.J. March 29, 1677. f.408.
II. C.J. April 11, 1677. f.418.
III. C.J. April 16, 1677.
crisis renewed their offers to him. Courtin as early as April 21st had obtained power to make an offer of 400,000 crowns for the dissolution of Parliament. The influence of Danby, reluctant to abandon his own foreign policy which in essentials was that of the Opposition, caused Charles to stand out for a larger sum and the haggling continued till the end of August. After Easter when Charles must have already decided to ignore Parliament's desire for a Dutch alliance, the feeling in the House rose so high that a vote on May 25 for a Dutch alliance was carried by 182 votes to 142, and even some of the Court party either abstained, or voted for the motion. Charles replied severely to this vote, wherein the Commons had "entrenched upon so undoubted a right of the Crown." Parliament had however shown unusually strong determination over this question, and such was the position that no understanding with France could last for long. Indeed Charles had scarcely finally agreed on the 5th of August to a payment of two million livres for a prorogation till May 1678,

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I. "The reassembling of the Parliament upon the 21st of this month will in all probability occasion a great crisis and will have probably a considerable influence upon the affairs of Christendom."

II. Foxcroft. I. p.129. About 40 or 50 members abstained.

III. C.J. May 28, 1677. f.426.

when he began to waver again, and Danby's own anti-gallican policy seemed once more to have a chance of success.

Meanwhile Temple, who had come over to England in June, was holding long conversations with the King and Danby about the possibilities of co-operation with the Dutch. He was very anxious that Orange should visit England, but for a time the King put him off by suggesting that Orange should make peace for the Confederates if they would not do so themselves, before paying him a visit. Temple, disappointed and anxious to avoid taking a message so unwelcome to the Prince, suggested instead that Hyde, who was still technically in the Nymegen Embassy might be sent to fill his own vacant place at the Congress and on his journey thither, might interview the Prince and make the suggestion without creating any comment, or "giving any jealousy to the allies, or without the Noise that my going would make." II

The Duke of York, who was pleased to help Hyde, strongly supported Temple's recommendation, and finally persuaded Danby and the King to send him. On July 3rd Williamson notes in his diary: "Mr. Hyde ordered to passe to Nymegen in Sir Wm. Temple's roome even without

I. Temple. II. p.450.

but on the same day a warrant was issued for £1,500 for Hyde's equipage and £100 a week for his entertainment at Nymegen. Hyde evidently did not intend to set out without this, for it was not till the end of August, armed with special instructions for his interview with Orange, that he started for Holland. According to Temple, he was "well enough pleased with the Employment which renews his character at Nymegen that was before but a compliment;" but Temple warned him before he left England that he must not expect any success from his mission. Notwithstanding this, Hyde had reason to be gratified, for the message was highly confidential and he was taking the place of a diplomat so distinguished as Temple. It was a considerable step in a career which had so far consisted of relatively unimportant errands.

Hyde's instructions were to warn Orange against the Spaniards, reminding him of their unsatisfactory conduct during the last year, and to inform him that Charles was not prepared, "to fling ourselves and people into a war by violating our faith and Treaties with France, only to

I. Add. Mss. 28,040. f. 36.


III. Temple II. p. 458.
humour the Spaniards." I He was however to assure Orange of England's guarantee of his own estates in Burgundy if peace were arranged, but to warn him not to expect the French to surrender all Burgundy. The result of this message was not very encouraging, for the Prince would not listen to these suggestions for a moment, and Hyde, having despatched a report of his interview to the King, passed on to Nymegen, whence he wrote a further account to Temple stating that he "never saw such firmness in any man." II

Despite the failure of his errand, Hyde seems to have acquitted himself creditably. III On his arrival at Nymegen he found he was likely to gain more experience than on his first visit, for Sir Leoline Jenkins welcomed him eagerly as an assistant. Jenkins had been left to manage the Embassy alone and being irresolute and timid, was glad to have the assistance of the younger man, sent straight from England, to support him in actions which might be censured at home by his old enemy, Secretary

I. Temple II. p.458.
III. "His Majesty and the whole Committee were very well satisfied with your comportement in your negotiation." Add: MSS. 25,119. f.112. Coventry to Hyde, Sept.17.
Williamson, of whose complaints he lived in continual fear.¹

After the failure of Hyde's errand, Charles, beginning to waver from the French, permitted Orange to visit England. Secretary Coventry, whose letters to Hyde were always friendly and informal, kept him supplied with news of events in England, and reported how everything was at a standstill until the significance of the Prince's visit should be known.² Hyde from his station at Nymegen grumbled in his letters to his brother that everything there languished for the same reason. "We have scarce subject for one side of a sheet of paper for our joynt despatches to the Secretary of State. In a word all the parties are at a stand-still till they heare the issue of the Prince of Orange's journey."³ As the Prince of Orange was in England Hyde felt once again very much out of the centre of affairs, and the absence of any real business to occupy the Congress made him find the little town even drearier than before.⁴ He gave his brother sarcastic examples of


IV. "It is a great favour for a man that lives in London to throw away so much of his time upon anybody in Nymegen, who with all the splendid titles of ambassador and Plenipotentiary and mediator and what you will, I assure you lives out of the world." Add. MSS. 17,016. f.22. Hyde to Clarendon, Oct.11.
the minutiae which engrossed the Congress, concluding:
"Is not this a fine life and to be envied, and yet it is as good as walking in the galleries, or standing idle in the drawing room."

In October the whole trend of events was changed by the marriage of Princess Mary to the Protestant Prince of Orange. The day after Orange's marriage Hyde, as his uncle-in-law, hastened to send his compliments and congratulations to the Prince, reminding him that, although his last official message had been an unwelcome one, yet "I had the good fortune at least to tell you the King would be glad to see your Highness in England." The Prince of Orange was now a power to be propitiated and the 'smoothest man in court' was not the last to recognise this. On the excuse of there being so little business at Nymegen, Hyde then asked for leave to pay his compliments to his niece on her arrival at the Hague as Princess of Orange, and permission was granted. It happened that this visit to the Hague brought him at an opportune moment into the centre of the new trend of policy which Charles and Danby were shaping in the last

I. Add: MSS. 17,016. f.27. Hyde to Orange (a draft).
II. Burnet. I. p.474. (Routh.)
months of 1677. Charles, who had been practically forced, on account of the marriage, to make an insincere threat of war to Louis, though giving him underhand assurances to the contrary, found himself baulked in his double-dealing by the French King, who in his irritation cut off the supplies lately promised. Charles thereupon was so indignant that he began to think seriously of a French war and a definite alliance with the Dutch. Terms were arranged which Orange was to propose to Spain, while Charles was to offer them to France. Duras, the English representative in Paris, made little progress with the negotiation, however, for Louis delayed matters by perpetual excuses and evasions, cynically awaiting yet another change in Charles' temper. In December Charles and Danby definitely ordered Temple to the Hague to make a new Dutch alliance like the former Triple Alliance, which would compel both France and Spain to accept their terms. Temple was against an engagement with Holland alone, and excused himself once more from a personally distasteful mission. He again recommended Hyde, who was at the Hague on his complimentary visit, as his substitute. Hence Hyde's opportune visit to the Princess gave him a chance to play an important part in the making of the alliance for which Parliament had repeatedly asked.

I. Thynne was sent over with instructions to Hyde.
Charles, with the idea of revenging himself upon France and regaining his popularity, intended to summon Parliament in January, instead of waiting until April as he had promised Louis, in the hope that then he would be able to present an accomplished treaty with Orange, and so with good reason demand supplies for war. Although neither Danby nor anyone who knew Charles could trust his sincerity or rely on this phase of policy continuing, it seemed at last as if Danby's foreign policy might have an opportunity of success.

"This is a sorte of madness now soe common heer," wrote Henry Saville to Wilmot, Earl of Rochester, "that either to doubt of making war with France or beating them when it is made is an offence against the nation, and though the Parliament will occasion your coming up within a month, it were well enough worthy a journey sooner to see how the stile of the court is altered in this point, and to see His Majesty soe merry with the Confederates in the queen's withdrawing room, whilst poor Barillon stands by neglected."¹

In connection with Hyde's personal part in these affairs, there is an interesting letter from Danby to Orange, written in November, which reveals the fact that

the latter did not want either Hyde or his wife to be employed in Holland. He feared the influence which his wife's relatives, whom he knew to be attached to York, might have upon her. Danby pointed out to him that it would be difficult to refuse York's suggestion of Lady Henrietta Hyde as a Lady-in-waiting to the Princess, without revealing the reason for refusal - that Orange wanted to keep his wife free from Yorkist influence. He thought, however, that it could be arranged in her husband's case, and his letter definitely stated that the King, at Orange's request, would not employ Hyde as an Ambassador at the Hague. Yet he had already been given leave to go there and pay his respects, and early in December his private visit to the Hague had become official.

Hyde was ordered to acquaint Orange with the dry answer which France had returned to Duras when he notified the King of the minimum terms which the Dutch would accept - terms which Orange had reluctantly, under pressure from Charles, defined. It was this unsatisfactory answer which had inclined Charles decisively to Danby's policy and which caused the early summons of Parliament in the following month. Hyde's instructions from Williamson were to let Orange know "that if the States will joyne

I. Prinsterer, II. 5. p.353. Danby to Orange, Nov. 23, 1677.
his Matie to oblige Spaine, his Matie will joyne with them to oblige France to accept their conditions sent by my Lord Faversham; in case either should refuse them."I

This message was only for the private ear of Orange and not for the Dutch government. Coventry, in a personal letter, gave Hyde some idea of the importance of the events in which he was now participating. "You will see how business courts you and if Nimingen did not supply you, the Hague will......the ante-dating the meeting of Parliament, maketh the work of Monday more famous than any of our long Sessions, and I doubt but as it maketh great noise here, so it will do more with you."II

Hyde reported that Orange was greatly pleased with the new attitude of the English Government. "He doth answer for the States that they will joyne with the King and as far as his Matie pleases to oblige Spaine to arrange of a Peace upon the conditions carried over by my Lord Faversham."III Orange astutely suggested that if these terms finally pressed by Montague, were once more refused and it came to an alliance of the English

I. Add: 28,054. f.99. Williamson to Hyde, Dec.4, 1677. Headed "This is a principall letter to shew the King's willingness to press France if he could be sure of good assistance from the States."


and Dutch to force France to accept them, then Charles might as well fully satisfy one side by adding two more towns to the Spanish claims. I Hyde was so anxious to report this conference accurately to his master that, having written his despatch, he took it to Orange and read it over to him. "To see whether I had comprehended right what he had said to me." II

The final French refusal of the terms brought the Anglo-Dutch Treaty into concrete existence. Three days after the refusal Williamson noted in his diary: "the Project of ye offensive Alliance ordered to be posted over immediately to Mr. Hyde to be gott signed." III Hyde's instructions were fairly general, for there was a great anxiety that there should be no delay and that everything should be settled and signed before Parliament met. From the outset of the negotiations, however, the young diplomat was overborne by the more experienced Prince, who knew exactly what he wanted. Hyde was torn between an anxiety not to exceed his instructions, and an eagerness not to delay the completion of the treaty, "in what forme ye Prince shall have thought best but soe as ye King may be

II. Ibid. Hyde to Williamson. Dec. 11.
III. Add: MSS. 28,040. f. 42. Dec. 20, 1677.
able with truth and clearness to tell ye Parliament he hath made a Treaty, for ye Preservation of Flanders, wch is ye foundation yt all ye King's businesse at this time in the Parliament must rest upon" - as Williamson had directed him.

Unfortunately for his later peace of mind, Hyde was encouraged by the discretion given to him and by his own belief in Charles' sincerity to go further than the King intended: this self-confidence was reinforced by a natural desire to acquit himself creditably in his first responsible task.

The outstanding points of the Treaty were: that it provided for mutual agreement as to the terms France and Spain must accept, and stipulated that eight towns in the Netherlands should be restored to Spain as well as more recent French captures: that France should keep Burgundy but that all the districts in Sicily were to be returned. Between France and Holland there was to be a complete mutual restoration. Under pressure from Orange, the inexperienced Hyde allowed himself to agree to certain changes which exceeded his instructions. The Dutch had refused to use the same forceful words towards Spain their ally, as towards

France with whom they were at war, and inserted a separate paragraph in the Treaty to avoid offence to the Spaniards. Charles, however, had intended that the same language should be used to both. Nor would Orange let the Treaty pass without a mention of the Emperor and the Empire; but, as Hyde had no instructions at all on this point, it was deferred until he could take counsel with his government. As a point of honour Orange also felt he must insist on Lorraine being restored to its Duke, without the razing of the fortifications, or at least the leaving of them in as good a condition as when seized by France; and this was added in a separate article. Again, Orange would not permit the clause concerning the districts in Sicily, which were to be left in French hands as a guarantee of security for her ally Sweden, to be an official part of the Treaty. He did not want Spain to know of this agreement, but he was willing to subscribe to it, as a private article.

In addition to these objections of Orange Hyde had to contend with the claims of the Dutch representatives. They insisted that they understood the restoration of all towns to include the independencies as well, but since they could not persuade Hyde to stretch his instructions any further, they had to content themselves with a separate declaration to the effect that they interpreted the
Treaty in that sense. Though Hyde would not go so far as to sign this declaration he had already signed the separate article concerning Lorraine, and it is not surprising that he was rather uneasy as to the reception which the alterations might have in England. "You will give me leave now Sir," he wrote to Williamson the day after the Treaty was signed, "to put you in mind of what you must needs know, that this is a work I never was put to before ... that I knew not the force and vigour of words in Treatys, that I scarce ever read any and never had occasion to make or observe any of them exactly." II

The alteration made in the language to be used to Spain as compared with that prepared for France was the most important change that had been made. Hyde had warned Orange that Charles might desire the same consideration for France. III Indeed it may be said that the weakest point of this Anglo-Dutch agreement, and the one most likely to impair its effectiveness, was, that Holland did not want to press Spain too harshly, while Charles did not want to press Louis; yet the only real value of the

I. "His ambassador has signified to us that he had no commands about the same, but that he would give the King an account of this declaration of said deputies and use all good offices that his Majesty may concur in the same design with them." Courtenay-Temple. Text of Treaty. (Translated from the Latin). App. II. (Courtenay took this from Dumont's collection.)


III. Add: MSS. 32,095 f.151.
alliance lay in their both doing this. Hyde had made continual resistance to Dutch pressure but he was hampered in his objections, for as he says, "it sounded to me in the Instructions that the King had such a confidence in the Prince of Orange that I was not to refuse what he soe insisted on." He was not yet experienced enough to realise that he could not rely upon the official policy of his master. Hyde's own personal view of the Treaty was that it was not strong enough. "For what concerns my own share in this offensive and defensive treaty, which I hear is to be damned by vote," he wrote later to his brother, "it is no child of mine, and therefore I say for my own share of it, I cannot be at all concerned for its subsisting, but after all, I think a peace made upon these terms leaves as good a barrier - I know it is not the same, but I say as useful a one, as the peace of Aix-la-Chapelle did, which is so much honoured, not but that I wish better with all my heart." II

It was unfortunate that a despatch from Williamson instructing Hyde "that Spaine must be equally named with France in the Allyance" III did not reach him before

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Thynne had carried the signed treaty back to England. I
A short note in Williamson's diary describes the reception
it received: "Mr. Hyde having agreed to several material
alterations, the King was forced to have it altered.
II
Charles would not approve the amended article
regarding the difference in the language to be used to
France and Spain, nor did he desire any mention of the
Empire in the text, and the Treaty was returned to be
signed over again, III with a further commission to Hyde
to negotiate a defensive alliance as well; this of course
delayed the summons of Parliament for a few days longer. IV
He found it very difficult to persuade the Dutch to agree
to the alterations Charles required, and he was exceedingly
mortified to learn that he had exceeded and misunderstood
his instructions. V He eventually persuaded Orange to

I. On January 8, 1678.
II. Williamson's Diary, Jan. 8, 1678.
III. The original idea had been that both France and Spain
should be 'obliged' to accept. Charles also did not
desire the inclusion of the Empire even by a mention,
in the Treaty.
IV. Add: MSS. 28,040. f.44. Williamson's Diary. Jan.15,
1678.
V. "I have the mortification enough to see I have been
a fool." Add: MSS. 17,016. f.73. Hyde to Jenkins
(January).
make the desired compromise, however, and reported to Williamson: "the Treaty shall be now signed and at the end of the 9th article, after all that is already said of the King of Spain shall be added word for word, some words that are as the 8th concerning the most Christian King." The Treaty by now had become rather unsatisfactory to both parties.

In the meantime the French had been skilfully playing for time against Charles, until this phase of his policy should change. Although the policy of the King and the inclination of Parliament were in better accord than they had been for a long time, Louis was able to turn the tables effectively on Charles, by bribing members of the Opposition to vote against war. He managed to do this by playing on their fear of the use to which Charles might put plentiful supplies and a standing army. The deadlock of 1677 was bound to recur in these circumstances, especially as Charles, with his treaty accomplished, expected immediate offers of supplies, this time with every self-righteous expectation that having done his part Parliament would do theirs.

I. Firth MSS. I. p.87.

II. Ranke shows how both the Opposition and the French were for totally different reasons opposed to Charles' standing army. Ranke IV. p. 67. See also Dalrymple. I. App. to Chap. III. p. 184.
Hyde at the Hague evidently perceived what would happen. "I am afraid," he wrote to his brother, "they will both be out in their computations, if they expect the House of Commons should vote any certain yearly sum as long as the war should last, that I take much against the nature of a House of Commons, who desire to be often called and to renew their favours rather than grant them all at once." He hoped that "by the assistance of honest men," (that is the court party) "there may be a vote passed that they will support the King to maintain that alliance and that I take to be a pretty good step..... if they would sit again in six months, let them not give a supply that cannot reasonably be supposed to last something longer than that time."  

Charles' speech to the Houses when they met on the 28th of January, asking for supplies to carry out his treaty obligations suited the genuine anti-French tempers of some and the manoeuvres of others. This complexity of motive led to the Commons' impossible demand for the reduction of the French to the Treaty of the Pyrenees.

II. Ibid.  
In February the necessity of supplies was admitted by a narrow vote, but the real difficulty had only just begun. The actual terms of the Dutch Treaty had not been revealed, and it was criticised as only providing for a "little better bulwark and Barrier to Holland and (that it) reached not to an effectual prosecution of disabling the French King." Louis' money and the genuine fear among the opposition of an increase of the royal power through war, were stronger than the desire for co-operation with the Dutch and the strength of Danby's majority. Meanwhile the French made fresh military efforts in Flanders - a final telling stroke to persuade the Dutch to agree at last to their terms. Whether Charles really wanted war then or not, Parliament certainly prevented it, and Orange waited in vain for English action, while the vigorous military offensive

I. In spite of demands, the Treaty was not actually shown to the House till May, and then only because the terms had become known in Germany and were published in Hamburg and Frankfort in March. See Orm. MSS. IV. p. 41.


III. "How they chicane and fly off from what they have formerly sayde, attaque the prerogative and would impose upon his Ma: such things as cannot subsist with monarky."
of the French was impressing the Dutch people with the necessity for an immediate peace.

Louis now offered the Dutch his own very different terms, which had already been privately circulated and assented to by "some Leaders of the Principall Towns" in Holland. These were the basis of the final peace. At the same time he made Charles a tempting offer if he would agree to these terms as "a thing already accepted by Holland." This was actually a premature statement but unfortunately Hyde reported at the same time that the Dutch were disposed to accept the terms immediately.

Godolphin, hastily sent over, soon confirmed this report and brought back the "same account of all dispositions which Mr. Hide had given." Charles thought of sending Temple to the Hague to use his persuasions, but the latter knew that the Dutch would not be dissuaded unless Charles should first "take his measures with the Parliament for the war, and then send them word in Holland he was ready to declare it." Past experience had taught Temple not to expect any such decisive action from Charles. In any

II. Add. MSS. 28,040. f.50. Williamson's Diary.
III. Temple. I. p.460.
case the Parliamentary situation made definite action impossible. Those members who were in French pay were obviously evading or obstructing a policy which they had formerly demanded just at the moment for effective action. Godolphin was sent on another useless mission of enquiry to Holland, Parliament was prorogued until the end of April, and Charles started raising forces. Danby requested Temple to frame a conciliatory speech for the King to deliver to Parliament when it reassembled, criticising the French terms and promising a general alliance, not merely with the Dutch, but with all the confederates. But a definite report from Hyde that "Holland absolutely desired the Peace even upon the terms proposed by France" caused this speech to be set aside for one containing no accusations against the French but complaining instead of the evasive and unfriendly conduct of the Dutch.

Parliamentary suspicion of Charles rose higher than ever, and the "unlucky peevish vote mov'd by Sir T ---

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II. "King's Speech. To this end (alliance with Holland) he did in the month of June send for his Ambassador Sir Wm. Temple to come to him from Nimmeguen, in order to his being employed to negotiate with the Prince of Orange touching those measures which were necessary to be taken for the common safety... yet in August following the King appoints his Ambassador Mr. Hyde to wait upon the Prince."

C.J. April 29, 1678. f.465.
in spight to my Lord Treasurer,"I was immediately passed in the House of Commons, "That no money shou'd be given till satisfaction was received in matters of Religion."II This so enraged Charles that he gave up all thought of seeking any further a policy which Parliament would not simply obstruct. "The King at last, now saw he had lost his time of entering into a war, if he had a hand to it, and that he ought to have done it upon my Lord Duras's Return, and with the whole Confederation."III Louis pointed out to Charles that the Dutch intended to accept his terms, and consequently that it would be futile for Charles to hold out for better terms for the Spaniards, when their allies the Dutch were satisfied. IV These circumstances naturally inclined Charles to revert to his old policy of agreement with France, the more so since on May 4th the Commons had definitely condemned Hyde's treaty as "not pursuant with the addresses of this House, nor consistent with the good and safety of this Kingdom."V

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I. General hatred of Danby by the Opposition must not be disregarded as an important factor in the attitude of Parliament.

II. Temple, I. p.461. He attributes this to Sir Thos. Clarges.

III. Temple, I. p.461.

IV. Ibid.

V. C.J. May 4, 1678, f.475.
Meanwhile Hyde was still busy making excuses at the Hague for the English delay as each fresh offer to the States arrived from the French. Orange warned him continually that the Deputies could not be prevented from making peace very soon. I Van Lewen, the Dutch Ambassador in England, gave Charles the same warning. It was therefore hardly surprising that "His Majesty began to cool his talk of a war, and to say the Peace must be left to the Course which Holland had given it." II

Charles' reaction from a brief sincerity of purpose, cynically foreseen by Louis, and strengthened by the obstruction of Parliament and the short temper of the Dutch, was now completed by Louis' tempting offer to pay him for acquiescing in the peace which he could no longer prevent. As a result another private money treaty was arranged in May, of which only York and the reluctant Danby were aware. For six million livres Charles was to disband the army, to remain neutral in the war if the allies refused the terms of peace offered by France, and not to assemble Parliament for six months. III


II. Temple. I. 462.

Hyde meanwhile had applied successfully for leave to return home. He was anxious about his own affairs in England and knew that he could do nothing more in Holland. He and Lady Hyde returned to England on June 14th. Orange's earlier personal objections to Hyde seem to have diminished, for, apparently at the Prince's request he concerned himself with the matter of the payment of the Princess Mary's dowry, and received cordial thanks from Orange for his services.

The French and the Dutch came to terms about the end of June. Danby's anti-Gallican foreign policy seemed therefore to have completely failed when a new turn in events gave it a fresh opportunity. Hostilities had been suspended for six weeks in Flanders, while the Dutch were persuading the Spaniards to agree to the peace terms, when a chance conversation revealed to the Dutch plenipotentiaries that the French had no intention of restoring the towns to Spain until some indefinite date when Sweden

I. "Methinks the affairs look as if there were little more to be done." Add. MSS. 17,016 f.221. May 21, 1678. Hyde to Coventry.

should have received satisfaction. The Dutch had understood that restitution would follow immediately on the ratification of their own treaty with France. Once more Dutch feeling ran high against France, and the Orange party were in the ascendant. Charles veered again with the fresh wind; though his sole object now was to keep his standing forces together which he would have otherwise been obliged to dismiss. As an apparent proof of his sincerity in desiring renewed co-operation he sent over Temple, the Englishman most trusted in Holland, to inform the Dutch that he would support them to the fullest extent in refusing Louis' specious terms. A new and more stringent compact was signed on the 16th of July, which gave a time limit of only fifteen days to France to abandon her pretensions or to meet a joint attack, which would reduce her to the Treaty of the Pyrenees. Temple was delighted with his errand, as likewise were Orange and Danby. Charles refused to ratify his latest arrangement with France, and Louis was faced with what seemed

II. Orm. MSS. IV. p.439. Southwell to Ormonde.
III. "They esteem'd my coming into Holland like that of the Swallow, which brought fair weather always with it." Temple I. p.464.
a really serious threat of war. But his parliamentary allies in England concocted with the French Ambassador, an expedient to assist him. By this one of the Swedish representatives released Louis from the conditions which he had made in Sweden's favour. The French then retracted their condition to Sweden, and the Dutch could not refuse to settle the negotiations. Charles himself had actually been at work behind the scenes in the Swedish intrigue, for it gave him a chance to please Louis secretly while defying him outwardly. In order finally to conclude the matter Louis allowed a hint of Charles' duplicity to escape to the Dutch, who at the full realisation of his untrustworthiness, signed the Peace at Nymegen in great haste and alarm on August 10th. This was more than Charles had intended or expected; he did not want a speedy settlement in Europe, for every fresh disturbance gave him a pretext to avoid disbanding the army he had raised. He still hoped that Spain would be too dissatisfied to come into the Peace. Louis however wisely prevented this by retracting all the reservations he had made to the Spanish

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II. See Reresby. p. 173.

claims, and showed his knowledge of the game Charles had played by refusing, on the grounds that Charles had not kept to his bargain, to pay him the subsidies agreed on in May.

Even so, Hyde had still one more mission to Holland. While the rest of the confederates had not made peace, Orange, unaware of the technical termination of hostilities, seemed to re-open the whole matter by a surprising military victory at Mons. According to Temple, "In Holland 'twas doubtful whether to ratifie that their ambassadors had signed, and whether, at least before the Treaty of Spain should be agreed," Temple was surprised by Hyde's sudden arrival at the Hague at the end of August on a mission to put Temple's July treaty into effect, on the grounds of the unsatisfactory treatment of Spain; with an additional promise to declare war three days after the Dutch should refuse to ratify the Nymegen Treaty. Hyde himself fully believed in the sincerity of the message, though he could not understand or inform Temple on enquiry, of "the true

I. Temple, I. p.473.

II. "Instructions to L.Hyde. Amb^ and Plenipotentiary at Nymegen," Aug.12. Hyde was ordered to deny any intrigue with Swedish representatives if the Dutch should cite it as a cause of their signing the Treaty without Spain. Add. MSS. 15,901. f.6.
spring of this resolute pace." Temple attributed this sudden move on Charles' part to the opening stages of the Popish Plot. The King's need to humour Parliament in this domestic crisis which was just beginning made him anxious to have a good reason for maintaining his army. He therefore transported troops in great numbers to Holland under the pretext of the fresh negotiations for, "an army will look better at the meeting of the Parliament to be on that side the water than on this." III

This step raised considerable hopes among the Dutch and Spanish, but Orange was only made more mistrustful of England as "too hot and too cold." IV The Prince received the message coldly - this direct action so long desired had come a few days too late. "If this despatch had come twenty days ago, it had changed the face of affairs in Christendom and the war might have been carried on till France had yielded to the Treaty of the Pyrenees," Orange remarked bitterly to Temple after receiving Hyde's message. Hyde understood his reaction and makes the point

II. Ibid, p. 474.
III. Orm. MSS. IV. p. 448. Aug. 27, Southwell to Ormond.
shrewdly in a letter to Thynne. "In plaine English I am convinced that the King must follow the States in the steps they will make, and not lead them, and that anything that looks like leading them further or faster than they have a mind to goe will create jealousies, that the King and Prince of Orange are upon particular designs separated from the Interest of ye States."\[I\] This last possibility too probably had a part in Orange's refusal. Since every consideration was paid to Spain by the French, and every facility and courtesy given to the Dutch to complete the technicalities of peace, Hyde's mission came to nothing. Temple remarks on his disappointment, "Mr. Hide had the mortification to return into England with the entire disappointment of the Design upon which he came, and believed the court so passionately bent."\[II\] There was nothing further for him to do in Holland, and he would shortly be required by his party in the Commons.\[III\]

The climax, or rather anti-climax, in foreign affairs had been almost entirely due to the well-founded Dutch

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II. Temple. I. p.475.

III. "Mr. Hide may return, nay must because of Parliament." He actually returned five days later. Cal. S.P. Dom. Sept.8, 1678. Williamson Diary.
suspicions of England as an ally. The factors determining English foreign policy throughout the whole year had been so complex as to render this inevitable. As a result Charles was never seriously tempted away from the comfortable French alliance for the rest of his reign, and Louis had no grave reason to fear even when he was backward and dilatory in his money payments to Charles. From now until the Revolution of 1688 England was largely a cipher in European politics.

The Peace of Nymegen marked the end of Hyde's diplomatic career. Henceforward he was to be engrossed by domestic politics, in which issues were now arising of such importance as to exclude all interest in external affairs. From the complicated and unfruitful negotiations of the past two years, he had gained some interesting experiences, a useful acquaintance with the Prince of Orange, and, despite the unsatisfactory ending of his Anglo-Dutch negotiations, a general commendation of his conduct from both the King and the Duke of York. What was to be most valuable to him later on was the knowledge he had gained of the difficulties of dealing with Orange and the Dutch, and of the King's tortuous policy, if such it can be called, which accompanied and undermined the official policy of his minister Danby. Hyde had improved
his own immediate prospects by his diplomatic work. He had become sufficiently important in July for rumour actually to couple his name with that of Temple as possible candidates for the Secretaryship of State. I
CHAPTER THREE.

Hyde and the Exclusion Struggle.

Part I.

The Treaty of Nymegen was scarcely signed before all interest in foreign affairs was completely overshadowed by the much more engrossing domestic crisis arising out of the celebrated Popish Plot. Already in August Kirby and Tonge had been examined by Danby; by the last week of September Oates had made his sworn deposition to Sir Edmund Berry Godfrey, and Coleman the Duke's Catholic Secretary had been arrested. Early in October the murder of Godfrey began the full flood of panic which swept over the country and ultimately led to the attempt to disinherit the Catholic heir.

With the government's early attitude to the Plot, in the autumn, the examination of witnesses by council committees, the search for Jesuits, and the rapid spread of a credulity, real or feigned, which would swallow any charge Oates might produce, Hyde had no official concern. But he was in Parliament and about the court, and was evidently in a position to report on the progress of affairs to his deeply interested correspondents, Temple and Orange. Orange, who was now, outwardly at least,
very cordial to him, in gratitude perhaps for his services in the matter of Mary's dowry, was most anxious to receive all possible details of the Plot. "I am extremely impatient," he wrote to Hyde, "to know the bottom of this plot which I believe nevertheless will be very difficult to discover. Let this be as it may I entreat you to inform me of all that you learn, and of the measures that are to be taken in future as well in home as in foreign affairs. This is giving you a great deal of trouble but being so much my friend as you are I trust you will not think it strange I should do so." Temple at the Hague felt remote from the controversies and panics of the Plot and naturally wanted to keep his finger on the pulse of English affairs. He also enquired of Hyde, "what in general you think of the plot, not what the town talks or Court, on one side or other in it, but what upon the whole you think of it at bottom, at least whether anything or nothing, little or much." 

Hyde gave him some "useful lights" on the proceedings in Parliament at the beginning of the new session

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III. Ibid. I, p. 30. Temple to Hyde. It is a great pity that two letters from Hyde to Temple of the 18th and 22nd of October containing the "useful lights" mentioned above should be missing.
in October, and in general kept him much better informed about domestic affairs than did Williamson. By December Temple had become very worried at Parliament's pre-occupation with the Plot to the exclusion of foreign affairs, and he endeavoured in his letters to keep Hyde alive to the importance of foreign policy, "to keep all these matters in your head, the more so because I find them so much out of other people's." I

Parliament was undoubtedly far too busy to think of foreign affairs from the day of its assembly on Oct. 21st down to the impeachment of Danby in December. At the first meeting five Catholic lords, Arundell, Belasyse, Powis, Petre and Stafford were sent to the Tower; and a resolution was passed by the Commons "that there has been and still is a damnable and hellish plot, contrived and carried on by Popish recusants for the assassinating and murdering the King, and for subverting the government and rooting out and destroying the Protestant religion". II The King, the only man in the nation who knew in his innermost convictions that there was no plot at all, had taken up a cautious non-committal attitude. He dared not express incredulity,

telling the House on assembly that he would forbear any opinion on the designs attributed to the Jesuits; upon which they immediately appointed committees to examine witnesses and search for further information, which was only too readily forthcoming from professional informers.

The Popish Plot agitation awakened in the masses of the people a violent interest in current politics, and the attack on York was its natural outcome, since it was a popular obvious deduction that the position of York as the Catholic heir was at the root of the Plot. The superstitious fears of the ignorant joined forces with political opposition to James as an exponent of these absolutist ideas of government which were associated with France and Catholicism. In this bitter national attack the Court party was deeply concerned and Danby most of all. Whatever attitude he might take up in regard to James his own position was extremely unsafe. Ranke has shown how the attack on the Duke and the culmination of parliamentary hatred of Danby coincided; whether Danby's government protected or deserted York it was doomed. In the first eventuality Parliament would be hostile, in the second, York, turned an enemy, would no longer oppose the disbanding of the army and would seek the protection of France against

I. Ranke IV, p. 64.
Danby. As yet York lacked French support, for the Opposition had persuaded Barillon, the French Ambassador, that York and Danby stood or fell together, and Barillon encouraged the attack on York in the hope that it would involve the fall of the minister. Later on when Louis decided to overthrow Danby by the betrayal of the letters, Barillon did all he could to separate York and Danby in order to clear the way for the attack.

On November 2\(^\text{III}\) Shaftesbury, the leader of the Opposition, began the attack upon York in the Upper House, demanding that the King should dismiss him from the Council. He was supported in this by Essex and Halifax, for the old Country party Opposition was still intact, and did not split up into moderates and extremists until the fight over the Second Exclusion Bill divided its ranks. Two days later Lord Russell carried the attack into the Lower House, when he moved that the Duke of York "may withdraw himself from his Majesty's person and councils."

An important debate followed in which the idea of Exclusion

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I. Barillon, Oct. 27, 1678. N.S.

II. See Ogg II. p. 576.

III. L.J., Nov. 2, 1678.

IV. C.J., Nov. 4, 1678. cf. 333.
was first mooted. The King had already given the House verbal assurance that he would consent to reasonable Bills to safeguard their rights in the next reign provided the principles of succession were not violated. This first lead of conciliation or compromise was to be used over and over again as the struggle went on. The Court party - whatever as yet their individual opinions on the Popish scare - held firm upon the question of the heir's privileges. Secretaries Williamson and Coventry urged that such an attitude would drive the Duke to the very courses of which he was suspected. Hyde now stood out as a definite "Yorkist". To the objection that the Duke's influence in council would prevent the passing of laws for the security of Protestants, he took it upon himself to say "that any Laws now in agitation, or others that may be prepared for the security of the Protestant religion, will not bee opposed by the Duke". Whether he had definite authorisation for this there is nothing to show, although he began by "I think I have ground to say". He also pointed out in this quite short speech, rebutting the accusation of

I. By Sacheverell. See Grey VI, p. 148.
II. Grey VI. p. 172.
IV. Grey, VI, p. 140.
the Duke's friendship for France, that Coleman's Letters shewed that the French did not regard York as a friend.

Hyde seems to have spoken with some emotion. "The two sons of the martyred King, the only surviving sons to be torn from one another by such a Parliament as this!" His speech, which was obviously sincere in its indignation and in its disdain of the attitude of Parliament, gives the impression of a man who was definitely committed. As an ambitious man Hyde took a risk in making this speech, for York's patronage now seemed likely to prove more of a liability than an asset, but he cautiously ended up with "I speak for the King, and not for the Duke."

A man of such rigid High Church views as Hyde, equally opposed to toleration of Dissent and of Catholicism, might have been expected to be somewhat influenced by the rumours and panics of a Popish Plot in which "some truth there was but dashed and brewed with lies." But the educated upper classes, Churchmen, Dissenters, or Rationalists,

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I. Cobbett IV, 1030. North and Burnet considered that "choler" and "passion" were outstanding characteristics of Hyde, but he had shewn few signs of them as yet in his parliamentary career. This speech might be taken as the first showing any emotion. See also Grey VI. p. 140.

II. Dryden. Absalom and Achitophel. Pollock in his analysis of the Plot has shown that there were some grounds for suspicion of Catholicism a few years before, although Oates' evidence was not founded on this. See The Popish Plot, pp. 32-44.
were not so much affected yet by those superstitious fears of Popery which could always be aroused at once among the lower classes; though they were quite ready to turn them to political advantage. Those who used the Plot and those against whom it was used saw clearly many of its absurdities and contradictions, yet as the panic grew, the latter found it necessary, not only for the King's safety but for their own to profess belief in it. There is no indication that Hyde ever took the actual Plot, or at least those implications which concerned York, very seriously. Not until he was persecuted by King James for his own faith would he ever be brought to believe that his patron's religion was not simply a private personal matter. This helps to explain Hyde's stubborn fidelity to York throughout the exclusion struggle, which might at first seem hard to reconcile with the bigoted religious element in his own political views, and with the fact that he could weep with indignant rage in the House of Commons when personally accused of Catholicism.

I. "Before the murder of Godfrey in the second week of October, Oates' stories had made little impression on the sceptical government." Pollock, 84-85.

II. "When he with tears reply'd And in full House the loyal Baby cry'd." "Satyr to his Muse". Anon. In State Tracts, p. 51. Pamphlets No. 279. London Library See also Burnet, p. 262. II. Airey.
As early as November 1st, before the dangers of York's position had really become apparent, Orange suggested to Hyde that "those who are so much attached to him like you and others" should use their influence with James in this crisis. He hinted at the necessity for converting James. "I have strong apprehensions of your internal disturbances, if God does not of his mercy enlighten him." Orange may have been really sincere in this, for his own personal interest in the Exclusion struggle was still to come. James himself was aware of his own precarious position and of that of the government in general. After his attempt to avert the attack by a voluntary withdrawal from the Council, he wrote to Orange "I am to prepare for a very greate storme to come upon me, and I do not see it is likely to stop at me, and that their chief aime of removing of me is to come the easier at the King." He realised that the proviso exempting him from the Bill to prevent Catholics sitting in Parliament, which had been secured by only two votes, was far from a permanent security. Writing again ten days later to Orange, he

III. C.J. Nov. 21, 1678. By 158 to 156. See also note in Grey VI, p. 253, on James' speech on the proviso in the Lords.
sings, "in this my enemys have mist of their aime, for their chief designe by this bill was to drive me from his Majesty's presence; and though I have carried this point, yett their malice to me continues as much and more than ever, and they have a new designe on foot against me, and I am sure will leave no stone unturned to ruin me if they can so that I am far from being secure by having gained that point yesterday."

The real attack on York cannot be said to have yet begun, and he was "let alone", II as he told Orange, for some time after the proviso was passed. Exclusion had only been hinted and there was no split discernible in either party. The events of this month merely foreshadowed the events of the next two Parliaments. What the House turned to in grim earnest was the attack on Danby. Montague's betrayal of the French treaty negotiations was undoubtedly instigated by France, as Barillon's despatch of October 24th demonstrates. Therein he III predicted that York would abandon Danby when he was attacked, that the King would prorogue Parliament in the same case, and that then being without supplies he might

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III. Barillon. Oct. 24th, 1678. N.S.
be compelled to take desperate steps which might prove unlucky for him. Montague was promised by Barillon a large pension to assist in the attack on Danby.

As a result of the correspondence made public by Montague, Danby was impeached for treason under six articles on December 19th. Lady Sunderland told Sidney that the two articles considered most damning to the Treasurer were first, the treating for peace with the King of France "as they must suppose without the knowledge of the King, because these letters bore the date 21, and the King's revealed will declared in Parliament on the 28th was for the raising of the army to go on with a thorough war with France;" This, according to Lady Sunderland, was construed as "traiterously assuming the royal power to himself." The second important article was "about the breach of the Act of Parliament in keeping up the army." The Commons revealed their deep distrust of Danby by expressing a desire to lodge the money voted for the disbanding of the army in the Chamber of London, while

the more conservative lords differed in advocating the "known way of the Exchequer."\textsuperscript{I}

In the impeachment division only 116 members voted in Danby's defence; hence it may be concluded that very few of the Courtiers beyond the solid care of "ye 100 yt are reckoned dependt"\textsuperscript{II} can have voted for the government. Sir Stephen Fox, the paymaster general, who did not vote to save Danby, lost his place immediately afterwards, an event of which everyone took note.\textsuperscript{III}

The Lords refused to commit Danby on the articles produced, and there arose the possibility of a long duel between the two Houses which was ended by the King's prorogation of Parliament on December 30th\textsuperscript{IV} until the following February. The eighteen year old Parliament was destined never to meet again since Charles dissolved it by proclamation in January 1679.

Danby's court party organisation now began to break up. It was to be nearly swept away altogether in

\begin{itemize}
\item[II.] See supra, p.
\item[IV.] Grey VI, p.400. "It is with great unwillingness that I come this day to tell you, I intend to prorogue you. I think all of you are witnesses that I have been ill-used."
\end{itemize}
the next two years when all interest in Danby and his policy disappeared. Such men as Jenkins, Williamson, Henry Coventry and Hyde maintained in the interim a faint continuity of the old Court party, until it returned to a new and increased power in 1681. In the Exclusion struggle after Danby's fall the line of division in the party lies chiefly between supporters of the Anglican Church, now being driven from their traditional loyalty to the crown by the fear of a Catholic Sovereign, and the supporters of the royal prerogative. The division line was, however, blurred, and the aims of both sides were modified by the mediating activities of the "Moderates" or "Trimmers", who were driven out of the Country party by the violence of that section who came to be known as the "Exclusion Whigs". It might seem, perhaps, that this dividing line is too arbitrary, since Sunderland for example, who was a Court Party man, at one time allied with the Exclusionists. But Sunderland turned his coat too often to be regarded as a typical party man, and this line of division offers a good working distinction.

Hyde's political career has a particular interest in that he was an exponent of the principles of both sections of the old Court party. He was at the same time an Anglican and a prerogative man to a strong degree. His personal relationship and devotion to York, his own
high handed, arrogant temperament, his ambitions as a professional politician; all made him as ardent a "Courtier" as his education and the Clarendonian family legacy of high principled rigid Anglican views, and his ecclesiastical friends, made him a "High-Church Tory."

The speech in defence of York on the 4th of November, defined his position, and marks the beginning of his importance in the Court party. Early in 1679 York, now alive to his usefulness, tried to push him forward as a possible Secretary of State. His claims however, despite the Duke's influence, could not outweigh those of the older and more experienced candidates, Temple and Jenkins, nor the stronger influence of the Duchess of Portsmouth, who eventually obtained the first vacancy for Sunderland.

At the beginning of the new year, Charles made some efforts to conciliate popular feeling by disbanding his forces, by attending seriously to the prosecution of the plotters, and by sending Yorke abroad, after

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I. "I am told Sir Wm. Temple will be the other Secretary though some would have (but cannot compass it) Mr. Hyde."
Lady Russell to her husband, Jan. 1, 1679, in "Some account of the Life of Lady Rachel Russell," p. 23. See also Barillon, Feb. 20, 1679. N.S.


proclaiming the dissolution of the Cavalier parliament at the end of January. He ordered a new Parliament to assemble early in March from which he hoped for a better temper than from those no longer young and ardent royalists of 1661 who had not mellowed but rather sharpened in their attitude as they had grown older, and with whom he now thankfully parted.

Financially Charles was in a very precarious position. Supplies had been refused as the result of a last minute deadlock between the two Houses, and as Barillon was still working with the Opposition, France withheld assistance. There seems to have been general suspicion that Charles would approach France, for Barillon wrote to Louis early in January of malicious reports that "Sa Majesté Britannique est assuré d'un secours de Votre majesté, ... et que Mr. Hyde doit partir incessament pour conclure un traité." Such a rumour indicates that Hyde had already achieved a certain importance; but it is rather ironical that Barillon's first important reference to him should be in what was as yet an unlikely connection, since much later in the same year negotiations for a French treaty were broken off through Hyde's scruples.

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I. Barillon. Jan.12, 1679. N.S.

II. See Dalrymple I. Chap.IV. p.272.
The election of February 1679 was the first to be fought on what we may call distinctive party lines, both sides employing propaganda and an unsparing use of influence. It may be seen from the accounts of Ormond's correspondents in London how hard the courtiers worked to get seats in the new Parliament. Although Danby had been officially impeached he was still Lord Treasurer and his "interest" still existed to obstruct "some of the late members" in the new elections.

Chancellor Finch wrote to beg Ormond to recommend his son Heneage to the University of Oxford in the cause of His Majesty's service. "If both the Secretaries had not secured their elections elsewhere, or if Mr. Hyde had not made himself Master of the two burgesses-ships of Wootton Basset, or if it were likely that Sir Leolin Jenkins would return time enough to serve in this next Parliament, in all or any of these cases, I would not presume to importune your Grace." The reference to Hyde's change of constituency should be noted here - that he could by Wootton Basset seems a proof of his growing prosperity. In February everyone was busy discussing the

I. See Orm. MSS. IV. passim pp. 318-335.


elections and the efforts of the Court Party. "His Majesty wanted speakers in the house," reported Muly to Ossory. I By the 15th of February Coventry was informing Ormond that "The Court hath not the usual favour in the elections at this time." II

Danby still went about his official business up till March. III By then he realised that it would be hopeless to expect any change in the new Parliament's attitude towards him. IV He finally "convinced the King to accept of his White Staff, urging that he could neither answer it to God or man on his own conscience, that he, instead of serving His Majesty in that employment, should so absolutely obstruct his service by continuing in it." V He retired with a marquisate and £5,000 per annum.

Important changes followed at the Treasury after Danby's departure on Lady Day. The King decided, actually at Danby's suggestion, that a Board of five Treasury Commissioners should be appointed instead of a new Lord

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II. Ibid. p.325.
III. Recorded as present at a Council Committee for the Plot on March 14th. See Rawl. MSS. A. 136. f.520.
IV. Colonel Cooke told Ormond that the new members seemed very moderate unless they heard Danby's name. Orm. MSS. IV. p.361.
High Treasurer. York in particular was delighted with this new scheme. He had been anxious for some time to gain some influence at the Treasury and he succeeded, just before he left England for Brussels, in obtaining Hyde's appointment to membership of the new board. Great objection was raised by the Opposition to Danby nominating his successors; and although the unpopular proposal of Arlington for First Commissioner was eventually superseded by the nomination of Lord Essex, the moderate leader of the County party, the latter lost some prestige with his party by accepting the post. The other Commissioners appointed were Sir Edward Dering, Sir John Ernely, and Sydney Godolphin, another young diplomat like Hyde. All four were Court party men. Henry Guy, an astute industrious courtier who had done some shady work for Danby, was appointed Secretary to the Board. The new Commissioners

I. Barillon. Mar. 27, 1679. N.S.

II. Hatton Cor: 1, p.183. March 18, 1679.

III. "Take a Toad upon my word, And into five parts cut it And put it into a Pye To convince our good Prince What it can be to mince Thomas, Earl of Danby Into five Commissioners and a Guy." A Pun. State Poems, 1704, Vol.3, p.189.
were regarded as men of honour, but general disappointment was expressed that they were not more experienced. I

"Ils ont tous entièrement dependants de la Cour," wrote Barillon to Louis, "et ne paroissent pas d'un assez grands poids ni d'une capacité que puisse faire approuver généralement le choix qui a esté fait." II

Danby's monopoly of power resulted after his fall in "an administration of political ciphers". III Compromise of some kind was necessary to it, but the constitutional importance of the new Privy Council formed in the spring, sometimes attributed to Temple's scheme, has been much exaggerated. IV Charles, in agreeing to its formation, intended as usual to play for time. The Court party had lost their old majority at the elections for the new Parliament and the new House contained a large number of men with no previous Parliamentary experience who


II. Barillon. March 27, 1679. N.S.

III. Foxcroft, I, p.144. See also Temple - "I never saw a man more sensible of the miserable condition of his affairs than I found his Majesty." I. p.333. Danby surrendered to Black Rod on April 15th.

IV. Cf. Macaulay, Hallam, Ranke. The idea as a political expedient seems to have been suggested by Sunderland and Portsmouth, and coalesced with Temple's notion. See Dalrymple I. App. to IV. p.296.
swamped the old cabals. The plan of a new Privy Council purporting to represent the opposition by the inclusion of men like Shaftesbury as well as the King's friends, was simply a sop to Cerberus. "Care was taken to gratify but not to gorge the new comers." II The King, whatever his promises, had no intention of allowing it to rule; and the moderate Whig leaders who accepted the offer of a seeming share in power only disgusted their other followers, as Charles astutely foresaw. IV A small inner cabal was soon found necessary for any real administration, in which the leading figures were Sunderland, Essex and Halifax. Temple says he proposed to Sunderland and Essex that Halifax should be brought into the consultations of the inner circle, and that Essex "received the overture with his usual dryness..." but that he, Temple, "continued resolute in pressing it and so at length the thing was concluded and we fell all four Together into the usual

I. Barillon. April 6, 1679.

II. Ralph I, p.439.

III. Ogg says the term Whig first began to be used as a political term in this Parliament. Ogg II. 586.

IV. York's letters to Orange reveal his surprise at the new Council but he notes with satisfaction that those who entered the Council lost credit with the House. Dalrymple. I. App. to Chap.IV, p. 296-297. May 8th - May 11th.
meetings and consultations,"I Lord Essex represented the old Country party as also did Halifax, a man of wealth and rank who had not hitherto taken a leading part in politics. But represented the "trimming" or middle party in Parliament, while Sunderland, a young courtier of ability, represented the solid core of the Court Party. This "triumvirate" had such direction of affairs throughout the summer as was possible in the circumstances. The outlook already appeared depressing for the King's officials before the summer had begun. Southwell predicted correctly that the Plot "will certainly have an entire and thorough persecution, and Popery be laid fast for one age, and till these things are well over there will be no words of money."II

Under this new government, which was neither "Court", "Moderate", nor "Whig", Hyde kept simply to his own new work. Confusion and financial stringency prevailed everywhere - in the Treasury, in the Exchequer and in the services. Court officials and servants, even ambassadors, clamoured for arrears of salary. Although Danby had

I. Sidney Diary I. Introd. p.c. Quoting Temple. For a list of the members of this Privy Council see end of Chapter.

reorganised finance and left by his computation over a
hundred thousand pounds in the Exchequer, an estimate
in March 1679 of the King's debts reckoned them at
nearly a million and a quarter pounds. Throughout
Charles's reign, administration had to be conducted in
an amazingly haphazard way. "Want of order," it has been
said, in regard to the work of painstaking officials such
as Williamson, Temple, Coventry, and Jenkins, "did not
disturb them, for they were used to none.... it had become
almost a tradition of Charles's government to expect the
worst without ceasing to hope for the best." Hyde was
now to become one of these hardened servants of the crown.
Writing from Brussels to express his pleasure at Hyde's
appointment, James commented on the financial difficulties
surrounding the king. "I wish we might heare some talke
of the Parliament giving some money to his Ma: to hansel
you in your new office rather than of new impeachments
and accusations which will do the publicke no good."
The position of anyone in the service of the crown at this period was not enviable. "Whoever," it was said, "comes voluntarily in to offer his services, or is called out of the crowd to assist, that man seems immediately to lose all power and virtue that was in him by coming to Whitehall. He is looked upon as a man that has made conditions for himself."\(^1\)

Essex, the first Commissioner, although he displayed financial ability in these difficult circumstances, retained his place for only eight months, mainly because of his unsatisfactory position in the Council. It may be presumed that his position on the Treasury Board was quite as uneasy, for "he had Sir John Ernely and Mr. Hyde joined with him in the Commission to temper his influence at that Board."\(^{II}\) Hyde seems to have been outstanding in industry and ability amongst the Commissioners, and he succeeded to Essex's position as first Commissioner, although Ernely had been Chancellor of the Exchequer. This last office was not so important as that of the First Commissioner, who had the chief responsibility for

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I. Orm. MSS. IV, p.502. Southwell to Ormonde, April 12, 1679.

II. Ralph, p.439. Ernely was a Court party man who had spoken in defence of York in the House. See Grey, Vol. VI, p.145. Nov. 4th.
financial schemes, whilst the Exchequer was merely an office for receipt and payment of money in accordance with Treasury warrants. I Hyde was undoubtedly the chief power at the Treasury from the date of Essex's retirement until the Revolution, if one excepts the carefully-obscured influence of that astute "Court party man," Henry Guy, the permanent Secretary. II

The chief note in the events of the summer of 1679 was the growing breach between the "Moderates" and those who began to think definitely of exclusion.

In the Council, the Triumvirate, Halifax, Essex and Sunderland, were definitely opposed to Shaftesbury, whose chief source of power, his following in the Lower House, they both feared and envied. Late in April Shaftesbury's party made an important attack on York in the Lower House. The prospect of a Popish successor was expressly discussed as the chief political peril and "principal encouragement to the Papists in their designs against the King." III A motion to this effect was carried "nemine contradicente". Only Secretary Coventry openly


II. See Appendix on Hyde's work at the Treasury, 1679-1686.

III. Clarke's Life, I. p. 547.
opposed such a clear foreshadowing of Exclusion.\textsuperscript{I} Hyde and others of York's friends seem to have remained silent even when the question was put to the House. James's Memoirs contain some bitter remarks regarding the backwardness of his friends in this debate: "The reason they alleged for this Silence was, that those violent men would sooner come to soberer thoughts upon their own reflections, than by any thing that could be offer'd by private men whose interest might render them suspected to have consider'd that, more than the public good; this was thought but a poor excuse for abandoning his cause on so urgent an occasion."\textsuperscript{II} Nor was this the only occasion. On May 11\textsuperscript{th}, when it was resolved that "a Bill be brought in to disable the Duke of York to inherit the Imperial Crown of this Realm," neither Hyde nor any other member spoke for the Duke: "those for the Bill went out, those within soon removed from their seats and would not be counted but yielded the question."\textsuperscript{III} Such lack of

\textsuperscript{I} See speeches of Bennett, Player and Lord Russell. Grey's debates, VII, April 27. p.137-152. See also Southwell's account to Ormond April 29, 1679. Orm. MSS. IV, p.507. "Mr Secretary Coventry spoke freely his mind."

\textsuperscript{II} Clarke's Life. I, p.547.

action at this point is in surprising contrast to Hyde's spirited attitude in the preceding autumn. Quite possibly his new position at the Treasury made him anxious to play for safety. This period may well have been one of doubt and hesitation on his part. If he had gained an entry into government circles under York's auspices - though not as yet into the inner "cabals", - the Duke was now in exile and the Yorkist group was without a nucleus. It may be, also, that his cautious attitude and that of other "Court" men in this debate can be connected with Charles's offer to accept the principle "of limitation" of James's future prerogative which he had announced in his speech to the House on April 30th.

At this stage in 1679 Charles was affecting a very mild and moderate temper demonstrated in the favour shown to Halifax. "My Lord Halifax is just growing into great approbation with His Majesty, and if he holds his resolution to despise preferment he will be able to govern all that have it," commented Southwell in one of his regular letters to Ormond. Halifax's influence probably caused

I. Vide Supra p.54-55
II. C.J. IX, p.606. April 30th.
this flourish of limitations which in turn gave Hyde, engrossed in his office and ambitions, a guide for his own conduct. York meanwhile grew more alarmed with each report he received of the King's conciliatory attitude towards the opposition.

Parliament made its first direct attack on the Duke in May, having failed to get further with the impeachment of Danby who had cut the Gordian knot by surrendering himself to Black Rod and returning to the Tower in the middle of April. It was a sledge hammer attack beginning with the attempt of Pilkington, a city member, to impeach York on the ground of high treason; and when that failed an Exclusion Bill was introduced on May 15th which even Algernon Sidney called "severe". This passed its second reading on May 21st by 207 votes to 128. Sir Thomas Clarges was the only important speaker for the court, and he "made so long and so considerable discourse for laying the Bill aside, that without any other seconding

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I. Southwell speaks of his caballing against Ranelagh in the hopes of getting the Vice-Treasurership of Ireland in April, but there appears to be little other evidence of this. See Cm. MSS. April 19th 1679. It does suggest, however, that Hyde at this juncture was concentrating on his own career, and was not too much concerned with York's future.

II. Grey VII. p.314. The government vote was slightly increased on this measure.
or any material answer made, the House immediately went to the question and to a division thereon."\(^I\) The King acted promptly, and with the concurrence of the Triumvirate suddenly prorogued Parliament on May 27 until August in an effort to secure time. York and his friends were delighted with this sudden termination to the Parliamentary attack, all the more as it became evident that the slight put upon the rest of the Council by this sudden decision led to such scenes of "unbridled recrimination,"\(^II\) that it began to break up into its component parts.

Notwithstanding his delight at the prorogation James was still uneasy, seeing no prospects of his return. Hyde, though unobtrusively occupied with his Treasury work and taking no part in the session, had maintained a regular correspondence with his patron keeping him informed of every detail of English affairs, and he continued to do this through the summer. He offered prudent counsels of patience and restraint for James' conduct in exile, and suggested that a Protestant country would be a more politic place of retirement than Brussels,\(^III\)

\(^II\) Temple II, p.507.
On one occasion he suggested a favourable moment for writing personally to Charles; and he encouraged James with heartening reports of the King's resolute attachment to his brother's interests, for which he could have had as yet no definite evidence. That he and the rest of York's friends were really very uneasy as to the Duke's future is clear from their attempts to persuade him to change his religion. Hyde in particular urged this, and in July provoked a very firm refusal, and a request "That neither you nor none of my friends will ever mention it to me, or flatter themselves that I can ever be brought to it." York as strongly repudiated another suggestion made by Hyde that he might be allowed to return to England if he kept away from the Court. Hyde warned him that Halifax and Essex and Sunderland, now so much in favour, were his enemies, and York quotes Hyde's own opinion of these men "who as you say will turn everything

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II. Gathered from York's replies to Hyde's letters which are missing.

III. "Beside the malice of his Enemys, he had the fears and reproofs of his friends to struggle with." Clarke's Life, I. p.555.


V. Ibid. Derived from York's reply to his suggestion.
against me,"¹ as his excuse for not coming to England as a private individual. It was largely as a result of Hyde's letters that, when York did finally return, he regarded the Moderates with only a little less favour than the Exclusionists.

It may be wondered how Charles, in his precarious financial state, could afford to cut off his hope of supplies by the sudden prorogation. But the new Treasury officials were doing their best for him. "Ceux qui ont la direction des finances," reported Barillon, "croyent pouvoir soutenir les affaires pendant quelque temps et promettent de faire subsister sa Majesté Brittanique jusques à la prochaine session."¹² Southwell wrote to Ormond about the same time, "that which is most considerable is that the Lords of Treasury declared they can pay off Narborough's fleet."¹³ In July Barillon wrote again to Louis that the King of England "a fait un grand retranchement de toutes les despences de sa maison et a suprimée la plupart des pensions."¹⁴ Despite this economy,

¹² II. Barillon. June 8, 1679. N.S.
¹³ III. Orm. MSS. IV, p.528. May 31st 1679.
¹⁴ IV. Barillon, July 6, 1679. See also reference to these economies in Appendix on Hyde’s work at the Treasury.
it may be of interest to note that on the very day of prorogation there was a memorandum "by his Majesty's direction signifying that notwithstanding the stop of some pensions in Ireland, Mr. Hyde's pension is for particular considerations to be constantly and punctually paid," which indicates Hyde's favour at Court.

From the prorogation of Parliament until the end of the summer, Sunderland, Essex and Halifax still appeared to have complete charge of affairs. The King secretly arranged with them in July that Parliament should be dissolved and another summoned which might not be so strongly exclusionist. When this decision was made known to the rest of the Council it caused a formal breach with

I. Cal. S.P. Dom., May 27, 1679. This pension Hyde had been claiming since 1676 as one long promised to his father out of the Irish Reserve; charged with other pensions on the Irish quit rents, it was still not paid in March 1680. See Cal.Treas. Bks. V, 1, April 27, 1676 and VII, 2, p. 927.

II. The common view of Charles might in part explain this generosity, in connection with an unimportant scandal of the time that the King had found a new mistress in Hyde's eldest daughter, Anne, who later married Lord Ossory; but the child was only about thirteen at the time, and there is no reason to believe the scandal. Mrs. Crawford. Louise Kerouaille (1887) p.235.

III. "This is certain, that the new Secretary Essex and Ld Halifax have the monopoly of the King." Orm. MSS. IV, p.530. July 5th. Southwell to Ormond.

IV. They could not bear to think that this Parliament in which their enemies were so powerful could ever meet again. Ralph, p. 472.
Shaftesbury, and thenceforward there was bitter war between the two groups. Till then Shaftesbury's apparent inclusion in the government circle had been an asset, because Sidney was told to inform Orange, "the Lord Shaftesbury is not of our party but he is a good tool to work with, and that there is nothing to be done in Parliament without him." Shaftesbury now deliberately took as his chief lieutenant the King's illegitimate son, the Duke of Monmouth, born to be a tool for abler men, who had high hopes of his own in the event of York's exclusion. These two strange partners now began deliberately to arouse the animus of practically every group represented in the last Parliament against the three Ministers. The handsome Monmouth fresh from military triumphs in Scotland was the idol of the London mob. Shaftesbury, perceiving the political value of this popular support, began to exploit the fiercely anti-papist temper of the London streets.

To turn for a moment to the foreign policy of the Triumvirate, with which Shaftesbury, before the final

I. Temple I, p. 341. "The Council broke up with the greatest rage in the world of the Lord Shaftesbury, Lord Russell and two or three more, and general dissatisfaction of the whole Board."
See also Sidney Diary I, pp. 21 & 23.

II. 
rupture, had been in accord; the chief event of interest
was the drawing up of a new Anglo-Dutch compact to
guarantee the permanent integrity of the Spanish Nether­
lands.\textsuperscript{1} There was for the Triumvirate a further policy
behind this, that of a rapprochement with the Prince of
Orange himself to counter-balance Shaftesbury's exploita­
tion of Monmouth's popularity, an exploitation which was
especially to be feared if the Exclusion Bill should
ultimately pass. Sunderland felt that a visit from Orange
might increase his popularity in England and distract
attention from Monmouth. Finally the King was won over
to this opinion.\textsuperscript{II} Henry Sidney, Sunderland's uncle who
was serving in Holland under William, and who was much in
his favour, was chosen as the most suitable negotiator for
both the open alliance and the secret invitation. Hyde
and Godolphin also seem to have been let into the full
secret of Sidney's mission. Hyde paid Sidney a visit
before his departure, which was later apparently deliberately
misconstrued by Sunderland. The only evidence available
concerning it is a note in Sidney's diary, "Mr. Hide came

\textsuperscript{1} See Foxcroft I, p. 163 and Ralph, p. 487. "Within two
days of the prorogation the King and the Ministers
had spoken in the strongest manner of their friendly
sentiments towards the States." Foxcroft, Note I,
p. 163.

\textsuperscript{II} Sidney Diary, I, p.10. June 16, 1679.
to see me, and carried me to Mr. Godolphin.\footnote{I} Some years afterwards, when they were rival ministers under James II, Sunderland tried to use this visit to Hyde's detriment. He insinuated that Hyde begged Sidney to persuade Orange to come over at all costs, whether Charles wanted it or not. If this was true, it was a complete betrayal of York's interests. Probably the only point of importance in the allegation is the fact of the visit made by Hyde to Godolphin the night he sailed. The two men were friendly enough for the visit to be a natural one; for Sydney was officially taking Hyde's old place at the Hague,\footnote{II} and maintained a useful correspondence with him on arriving there.\footnote{III} Sunderland later on used this flimsy evidence with deliberate intent to discredit Hyde in the eyes of Barillon as a long confirmed Orangist.

Barillon's analysis of the political situation at this moment when the Triumvirate were turning towards Orange seems to bear out, as against the generally accepted view, the suggestion already made here that the "moderate" ministers had only a seeming control of affairs.

\footnote{I. Sidney Diary, I, p. 34. July 21, 1679.}
\footnote{II. Sidney Diary, I, p. 57.}
\footnote{III. Sidney Diary, I, p. 52 and I, p. 71, Aug. 4 and Aug. 18.}
He considered that the two most powerful groups at Court were Monmouth and his friends - now at the height of their power because of Charles's pride in his son's increased popularity after his suppression of the Scottish rebellion - and the Sunderland-Portsmouth alliance, who enjoyed the greatest personal influence with the King. In Parliamentary circles Barillon noted another factor to be reckoned with besides Shaftesbury's exclusionists and the undecided courtiers and moderates; the important and wealthy Presbyterian element, "moins emportés contre la religion Catholique et ajurent dans toutes les affaires avec plus de moderation et de prudence".¹

While Charles seemed to acquiesce in the foreign policy of the three ministers and in Orange's proposed visit, he had already, as early as July 6th,¹¹ after the decision to dissolve Parliament, secretly resolved on the necessity for seeking financial assistance from France, and had opened negotiations with Barillon for a fresh subsidy. He informed Barillon that his retrenchments were intended to teach Parliament that he could manage without it.¹¹¹

¹ Barillon, July 13, 1679. N.S. In this long and interesting analysis of the political situation at Court, Hyde is never once mentioned. Less than three months later Barillon continually emphasises his influence.

¹¹ Ibid. July 6, 1679. N.S.

¹¹¹ Ibid. July 6, 1679. N.S. See also G.W.Rose, Observations, p. 133.
Meanwhile James, who could never grasp Charles's tactics sufficiently to understand that whenever he appeared most compliant towards one policy, he was probably secretly engaged in following another, thought that Charles had "so given up himself entirely into the hands of his new councillors that I can see nothing but the ruins of the monarchy". Fortunately, to his great relief he learned through Sunderland, at the wish of the French King, of his brother's secret move. Louis was anxious to obtain York's approval of the negotiation and gratified that his belligerent anti-Gallican attitude of 1678 had disappeared since his exile, wherein he had had ample time and leisure to reflect upon the advantages of Louis's friendship.

During August and September the chief interest of the government centered in the elections for the new Parliament. There was a great effort to gain as many reliable adherents for the Court as possible. But Shaftesbury's energies were also in full swing. "He labours openly in the new elections to have them men


III. The King, however, did not use much influence in the elections. See Sidney Diary, I, p. 58. Aug. 8. for Sunderland's comment on this as deliberate caution.
of his own mind" wrote Southwell. I

During the election campaign even Hyde, who owned most of Wootton Bassett, seems to have had a busy time at his election there, as he informed Sidney, II "using my endeavours to be sent up to serve my country in the new Parliament." At the same time Sidney received a useful comment on the returns from an opposition member:— "I do not find any great gall in the new elections, but even that not only men in places, but long parliament men, and even my Lord Danby's pensioners, come in promiscuously." III The government was successful only in the small boroughs, it could not prevail in the large towns and even in some of the Counties. IV This resulted in an even stronger opposition than in the last Parliament, and the rank and file of Nonconformity, animated by sharper hatred than before of Popery, was increased. Southwell's description of the general situation to Ormond is very interesting. "I observed everywhere in the countries a strange agitation in the spirits of the people; their minds warmed in a great

III. Ibid. I, p. 81. Harbord to Sidney, Aug. 18
IV. Ranke IV, p. 89.
part by contention and animosity in the elections for the Parliament where not only inclination, but even moderation towards the Court seems to be grave matter of accusation and indifferency in religion. Then the swarms of new pamphlets and the liberty of intelligence from hence adds new flame, so that if Parliament were not so nigh, which they think is to remedy what every man expects, there are many, I fear, would be carving out satisfaction for themselves."  

The general excitement had been intensified by the unexpected return in August of the Duke of York. This was at the secret invitation, rather surprisingly, of the Triumvirate, who were alarmed by the serious illness of the King at the end of August. Their personal rivalry with Shaftesbury, who was certain to exploit Monmouth's pretensions if the King died unexpectedly while the legal heir was in exile, rather than any interest in York's position, led them to summon him hastily to England as the best counter-move. It was agreed by the three ministers that York's arrival must appear to be the


II. Sidney referring to Freeman's account. Sidney Diary, p. 137. "My Lordes Halifax and Essex and two more had writ to the Duke to come over."
outcome of brotherly anxiety and sudden impulse. Only the Duchess of Portsmouth and a few of the Duke's intimate friends such as Hyde were let into the secret.

This intrigue, which ultimately caused the discomfiture of those who had manoeuvred it, initiated Hyde into the inner conclaves of the government, and gave him his opportunity to lead the Yorkist group in politics, a somewhat dangerous honour which he was to maintain with a varying degree of ostentation for the rest of the reign.

As the King recovered rapidly, it was chiefly York's friends who gained by this sudden visit, for as has been said, York looked upon the Triumvirate scarcely less unfavourably than upon the Exclusionists. I His first visitors after his incognito arrival in London were Hyde and Godolphin, II who impressed upon him the necessity for haste since "his coming was still a secret", and advised him to go to the King at Windsor as quickly as possible before any rumours of his arrival should reach Monmouth. Charles received James while shaving at seven the next morning, with outward astonishment, but


II. Sidney Diary, I, p. 125, Sept. 28th. "He went to Sir Allen Apsley's house, where he lay all night and sent for Mr. Hyde and Mr. Godolphin". Quoting from Clarke's Life II, p. 565.

III. See Sidney Diary, I. p. 125.
"very kindly". He was not, however, permitted to remain long, since the immediate danger of the King's condition had already passed. Scarcely two days after his arrival the Triumvirate waited on him to explain that in view of the approaching summons of Parliament he must again leave the country. They took with them to the interview his friends, Hyde and Godolphin, to add their persuasions. The one compensation they promised was that Monmouth also should be banished. This was indeed the sole point on which the interests of York and the Triumvirate were really compatible. Sunderland, who throughout his political career was always preparing for the next political reaction, was the most cordial of the three to James and made a good impression with him. Otherwise the atmosphere was not cordial, and the Duke reluctantly had to comply with their decision. Describing the interview to Orange, however, he appears to have been considerably heartened by his unexpected summons, and "very glad to find I have so many friends left, and that his Majesty has been undeceived in one thing, that had been told him, which was, there would be a rebellion, and that the city would rise in case I came back."
This illness of Charles and the sudden visit of James was of more consequence than might appear on the surface. That the King was for a short time seriously ill may have shocked the Triumvirate into some very hard thinking. The urgent choice of the successor was thrust upon them for a moment, and it is possible to trace the beginnings of a real Yorkist party, in defence of the legitimate succession, from this date. James's discussions with the Ministers, even though they were concerned with his speedy departure, were not without value as a stock taking of the mutual interests of the royal ministers and the royal family. And despite the shortness of his visit and his failure to secure his permanent return, James had nevertheless re-established his influence at Court and had "something to his gratification against the other Duke". I Sunderland, to ensure York's goodwill to himself, suggested to the King that York should go now to Scotland instead of Brussels. He would, of course, have to return first to Brussels for his family; II accordingly Sunderland secretly suggested to him that he should again attempt to stay in London on his way from Brussels to Scotland. III Hyde was sincerely anxious


II. See Clarke's Life I, p. 571.

that York should remain in London if it could be made possible, in this he had the support of Coventry. "When the Duke found so many of his friends thus bent against his leaving them (he) thought fit to discuss that matter again with those who first proposed it to him." But with the exception of Hyde, they all reiterated the necessity of his keeping to the bargain. Godolphin especially emphasized that Monmouth's banishment depended upon York's acceptance of exile. Nevertheless James did attempt to carry out Sunderland's suggested manoeuvre on his way to Scotland at the beginning of October. But he had only been a week in London when Sunderland and Hyde "came to tell him that the King thought it for his service he should go to Scotland as soon as he could," adding however the promise that he should not have to stay there longer than January. Macpherson's Extracts indicate that they were compelled to advise this because of the alarm and annoyance of Halifax and Essex. It may be said that York's visit served to sharpen the distinction between the position of Halifax and Essex and the rest of the men in the inner court circle.

I. Macpherson Extracts. I. p. 95.
II. Clarke's Life I, p. 571.
IV. See Ogg. II. p. 592.
Meanwhile James had managed to have a long conversation with Barillon while he was in London in which he warmly advocated the completion of a new French alliance; repeating that he considered his own safety and reinstatement were in Louis's hands. Before coming to England he had despatched his henchman Colonel Churchill to Paris to accelerate the negotiations which had by now reached a stage when, in consideration of an annual pension, Charles was ready to agree not to assemble Parliament for three years, and to permit York to return to England. It was also understood that neither nation should enter into an alliance prejudicial to the other, but on the understanding that France would not attack Flanders. Matters could not be definitely settled however until the haggling as to the amount of the pension came to an end. Barillon reported that James was so anxious for the conclusion of the alliance that on his return to Brussels he offered to lend his own money to Louis to facilitate the financial arrangements.

It was at this stage in October that Hyde, at the Duke's request, was let into the secret of the French


negotiations. Sunderland had known for some time, probably through Portsmouth's instrumentality, and was by now considerably embroiled in the intrigue, having taken part in the actual bargaining. What followed after Hyde's enlightenment gave proof not only of his increased influence, but also of his apprehensions of French intrigue. The negotiations perceptibly slackened; hitherto the stumbling block had been simply failure to agree on the amount of the pension, but Hyde, still a novice in these underhand dealings with France, showed great nervousness at the proposed terms themselves. It seemed to him that the promise not to assemble Parliament for three years was exceedingly rash, especially as that would be the proviso most damning to the King's advisers if the terms should become public. He had not forgotten Danby's fate. He communicated his fears both to the King and to Sunderland; and feeling that even their lives would be in jeopardy if they signed, the two young men urged Charles that it should be a verbal agreement.

I. J'ay en deux conferences avec Mileud Sunderland et Mr. Heyde a qui le secret de ce qui se traite a esté confie depuis peu. M. le Duc d'York a desire qu'un homme entierelement attaché a lui entrat dans une negociation qui lui est si importante.
Barillon. Oct. 9, 1679. N.S.

or one signed by the King alone. They informed Barillon that there would be a revolution if a written promise of this kind were discovered, and further insisted that Louis's promise not to attack Flanders should be the definite foundation of the agreement; "et que la guerre se fit dans les pays bas, le peuple d'Angleterre viendrait l'assuyer dans Whitehall." II

An opportunity for diverting Charles from this risky alliance was afforded to the apprehensive Ministers in November, when Louis nullified the condition that neither party should make alliances against the other, by a marginal note implying that France would not forego the right to make defensive treaties against England. Sunderland and Hyde were quick to point out the disadvantage in which England would thus be placed, and negotiations were broken off. Hyde's fears and scruples had been the main cause, as Barillon admitted, of this breakdown. In addition Charles had much resented Barillon's haggling, and he had been further irritated by the contempt which Louis shewed for his precarious position in changing the terms. Furthermore he had

II. Barillon, Oct. 9, 1679. N.S.
not yet lost all hope of doing something with his new Parliament.

It is interesting to speculate on the possible course political events might have taken in the next eighteen months had this financial agreement been accomplished. Undoubtedly it strengthened Charles's position with Louis in 1681, when they came to terms again, that he had done without French money for so long. But if, with money in his pocket, Charles had refrained from summoning Parliament again, then, if one can believe Southwell's estimate of the tense situation, the opposition might have proceeded to dangerous and drastic measures, inevitably leading to civil war. The continued efforts at compromise made by Charles for some time to come, partly through his poverty and partly through his instinctive wisdom in playing for time and hedging as long as possible, did moderate the possibilities of an appeal to force. In view however of Charles's habit of acting on the intuition of the moment such speculation is more interesting than profitable.

In the meantime Orange refused the Triumvirate's invitation to visit England. He was much annoyed at York's return, having told Sidney just before it that he

I. See supra, p. 116.
was convinced "the Duke will never have the crown"\textsuperscript{I} and that he was himself contemplating a visit to England in the near future. A few days later he drew back, excusing himself on the ground that he might be unpleasantly embroiled. If, while he was in England, Parliament met and attacked York, the Duke would "lay all upon him",\textsuperscript{II} while if the King should dissolve Parliament in dissatisfaction, the nation might hold him responsible. Therefore, he told Sidney that "at this time it would be better to stay away" and that "he does advise the King by all means to agree with his Parliament".\textsuperscript{III} What Orange wanted was to be declared the third heir to the Crown.\textsuperscript{IV} It seems clear from Sidney's letters of September that Orange was taking a deep personal interest in the evolution of the exclusion crisis. A temporary ascendancy of York's interest can therefore be noted in the early autumn since Monmouth had been removed from contact with the opposition for a time; York had been given Lauderdale's powers in Scotland where he would have an opportunity if he were

\textsuperscript{I.} Sidney Diary, I, p. 130. Sept. 7th. "And I find would be very willing to be put into a way of having it for himself."

\textsuperscript{II.} Ibid. p. 143. Sept. 19.

\textsuperscript{III.} Sidney Diary, p. 143. Sept. 19.

\textsuperscript{IV.} Ibid.
skilful to increase his own party; and the King's illness had done something to make the trading element rally to the cause of the monarchy. On the Duke and Duchess's journey north to Scotland at the beginning of November there were popular demonstrations in their favour at various points on their route. Moreover Shaftesbury had been dismissed from the Council on October 15th. This marks the definite close of the King's outward conciliation of the opposition leaders. The break was not undesired by Shaftesbury in Southwell's opinion: "Lord Shaftesbury is to be shaken off and left to do his worst, which 'tis likely he will not be displeased at, but augment and propagate his interest thereby, and would even have broken loose himself if the way were not coming out to his hand; and there's no doubt he is whetting his tools against his quondam friends." But it was more galling to the less extreme leaders especially since at the same Council meeting at which Shaftesbury was dismissed Charles announced that he intended to postpone the meeting of Parliament by short prorogations for a

I. See Ogg. II. p. 592.

II. See Wharton to Ormond. Orm. Mss. V. p. 234. Nov. 7. See also Letters of Two Queens. A. B. Bathurst (1925) p. 114, where it states that city of York only showed hostility on the journey.

Two members of the Triumvirate had to reconsider their positions and were destined to go in different directions. Essex resigned his position at the Treasury in order to be free to resume a more active opposition, and "as a demonstration to the world that he is ardent for the meeting of Parliament." Halifax, who had not yet made his own decisions, was troubled at the failure of the Council plan, and ill "and out of humour", absented himself from the council meetings although he did not resign. November 1679 marks the break up of the alliance of the country and the court, and Charles could now create a new ministry out of whatever elements he had to hand. Only Sunderland, of the Triumvirate, had insured his continued influence at court by establishing relations with York. The attempt to bring Orange over to counter-balance York's interest had failed, and a definite mark of the moderates' downfall - the Dutch unfavourably
impressed by these events, I rejected the Triumvirate's compact guaranteeing the integrity of the Spanish Netherlands. II The proposed guarantee had not been really of great value, III but the moderates had hoped much from the effects of a popular foreign policy.

The next ministry would obviously be a courtier's ministry, and one friendly to York. The choice of Hyde and Godolphin seems practically inevitable. But Hyde did not succeed Essex automatically as first Lord although he was next in importance at the Treasury. IV Essex resigned on November 16th and Hyde was appointed to his position on the 19th, but in the three days interval some rather surprising negotiations took place. According to Sidney: "Lord Essex told him (Sunderland) of his resolution to quit. He went to persuade Lord Halifax to accept but he refused. V Next day Sidney suggested Shaftesbury "being of the Treasury" but notes on the

I. Sidney told the King on his arrival at the end of October that the Dutch were not pleased with the prorogation of Parliament. Sidney Diary I, p. 176.

II. Vide supra p. 111. and see also Foxcroft I, p. 109-209

III. See Ralph's opinion quoted in Sidney Diary. I, p. 159.

IV. See Cooke to Ormond. Orm. MSS. V, p. 239. Nov. 18th.

V. Sidney Diary I, p. 185. Nov. 11th.
following that Shaftesbury refused the offer. I When Sidney recounted this offer later to Orange he was, not unnaturally, amazed. II Sidney's inclination is more understandable than that of Sunderland in this surprising offer. Either Sunderland wanted to maintain links with every section, III which is probable in view of after events; or Charles was playing some private game with the leading men for his own amusement. Both explanations are compatible. Halifax's Notebook corroborates Sidney as regards himself: "Lord Sunderland came to me when Ld Essex quitted his place in the Treasury to conjure mee from the King to take it. Ld Hide came along with him and joyned in it. Hee told mee at the same time that if I would take it hee would be answerable that in three months I should have the White Staffe." IV Sunderland may well have wished to keep a moderate of such prestige at least nominally in the government, but the offer could not have been directed to conciliating Parliament, with whom the Triumvirate were now discredited. Nor would


it have been pleasing to York, who had no love for Halifax. Hyde's part in this negotiation is unaccountable, unless he felt sure that Halifax would refuse, and that he would then be sure to succeed to a post so valuable for the Yorkist interest. Halifax, who had commended the resignation of Essex, did of course refuse, but did not withdraw from the government, and during December he resumed attendance at the Council. Essex pretended that he despaired of being able to achieve anything in his Treasury office. He was probably enraged that Charles could contemplate living "upon his revenues" without a Parliament; and that York's party were coming to power. "He complained the Duke had not kept his promise with him of doing nothing without his advice."

I. "I once told the first (Halifax) I looked on him as one of the dangerest men I knew."

II. Temple I, p. 345.

III. Add. MSS. 15,643. Register of Committee of Intelligence, passim for December.

IV. "I found him apt to laugh and despise the Treasury". Sidney Diary I, p.186. Nov. 15th. See also Barillon. Nov. 27th, 1679. N.S.

V. See Sidney Diary I, p. 188. Sidney had a conversation with the King on November 16th, who told him that he could not let Parliament sit above a week, and that it was better not meeting than parting angrily.

This would seem to indicate personal jealousy and annoyance at not being consulted by the King in November, and at feeling himself outstripped by Sunderland, rather than a real desire to relinquish office. He felt the more isolated because Sunderland took care to conciliate Halifax as long as he was in town. The Verney Letters contain a statement that Essex had a difference of opinion with the King as to the payment of £25,000 to the Duchess of Cleveland, refusing to make it "while he (the King) was so much indebted to such as daily clamoured at their table for money", and desired Charles to find someone else to do it, whereupon the King said he would take him at his word. "Tis thought that Laurence Hyde made no scruple of doing on't, for that Duchess was ever his friend and kept him in." This is pure gossip, and there is very little evidence that Hyde ever had a close connection with Cleveland, but even if the rumour was true, it was obviously not the only nor the chief reason for the change at the Treasury.

I. Barillon. Dec. 11. 1679. N.S. "Milord Halifax est celui en qui il se confie le plus."


III. It is rather curious that rumour at various times ascribed to Hyde the friendship and favour of the King's three leading mistresses in turn, Gwyn, Cleveland and Portsmouth, but there is no corroboration to be gathered from Hyde's papers.
The resignation of Essex was therefore the first of a series of important changes. The uneasy equilibrium of parties in 1679 was now to give place to a crucial struggle over the Exclusion question, foreshadowed in the wild and excited behaviour of the Londoners during the last months of 1679, with pope-burnings and civic processions, and pamphlets pouring from the printing presses to inflame popular excitement. I At the end of November Monmouth suddenly returned from Holland without permission and was punished by dismissal from all his offices and was ordered to leave England. II He thereupon formally identified himself with Shaftesbury's party as an Exclusionist leader. In December Charles formally announced his decision to postpone Parliament's meeting for a year, in spite of the protests of Temple and others. III Shaftesbury's party counter-moved with a flood of petitions for an immediate session. The Government replied to this agitation by proclamations against "Tumultuous assemblies", and the dismissal of "petitioning justices" from the Commissions of Peace. Evidence of the gradual development of the

I. Ogg. II. p. 595.

II. Barillon Dec. 11. 1679. N.S.

III. Barillon. Dec. 29. 1679. N.S.
nucleus of a popular support for the crown may be seen in the loyal counter-addresses "abhhorrning" the petitions; and two new political terms "petitioners" and "abhhorrers" came into popular use.

Hyde's preferment at the Treasury gave him a new status in the government, and he became a leading minister co-equally with Sunderland. "Tis generally said," wrote Southwell to Ormond, "that Mr. Hyde is to be Viscount Killingworth, II and will not only be at the head of that commission, but soon admitted to the Council Board, being for his good abilities and devotion to the Duke in a more principal regard with his Majesty, than any man else as it is certainly said. III Hyde was officially appointed to the Privy Council (as First Lord of the Treasury IV) on November 26th; and - a more important mark of his increasing status - he entered on the same day the cabal of the Committee of Intelligence, which had the chief direction of affairs. V He was also added to the

I. See Foxcroft I, p. 201 and Ranke IV, p. 97.

II. This did not happen till 1681, but the rumour was also mentioned by Barillon on Nov. 27th, 1679.


IV. See appendix on Hyde at the Treasury.

V. Add. MSS. 15, 643, f.17. Register of Committee of Intelligence. Not present at a meeting till Dec. 2. Ibid. f. 22.
other standing Committees of the Council, those for Trade
and Plantations, for Ireland, and for Tangier. I

This Committee of Intelligence, the most interesting
of all the Council Committees is now generally regarded
on the executive side as having been a kind of premature
Cabinet, in so far as it usually discussed current
affairs. A modern monograph on the subject has shown
that it was at the same time the Committee for Foreign
Affairs, II and also despatched whatever miscellaneous
business the Council as a whole might refer to it. III
Unlike later cabinet councils, it was composed of political
office-holders as distinct from household officials, and
was "a business assembly, made up of person whose offices
brought them into the centre of state affairs". IV Though
its advice as a whole may not have been sought on decisions
of great political import, such as those concerning the
Plot, the banishment of York, or the dissolution of
Parliament, yet the men whom Charles consulted privately
on these matters were members of this Committee. The

I. P.C. Register No. 68, f. 3. Added to Irish Committee
Occasionally on Tangier Committee. Register 68,
f. 536 and 537. Register 69, f. 14.

XXXVII.

III. Davis gives two reasons for its special importance:
1. The customary presence of the King.
2. The absence of any restrictions on topics to be
discussed beyond the caprice of the Sovereign.

IV. Anson. The Cabinet in the 17th and 18th Centuries.
Triumvirate had been, and indeed still were leading members, and when the "second Triumvirate" had taken over the management of affairs, they had all already been called into the Committee. Charles placed on this important body those rising men who he intended should be his leading ministers and appointment would seem to have been a sign of political "arrival". As the Committee became by degrees entirely court-party in personnel in 1680, it ceased to be regarded as an ordinary standing Committee of the Council and acquired the character of an informal advisory cabinet. I Hyde was the first of York's friends to be placed on this Committee, if one excepts the less partisan Secretary, Henry Coventry - but within a few months there were several changes in the large Privy Council itself, II as the opposition members withdrew, and were replaced by Godolphin, Jenkins and others of the Court Party, III reflecting the change in character of the government.

One can hardly as yet perhaps describe the young trio, Sunderland, Hyde and Godolphin as a new Ministry. They


II. In 1680 Godolphin, Daniel Finch, Jenkins, Ossery, Clarendon and Sir Robert Carr replaced Holles (dead), Shaftesbury, Capel, Cavendish, Powle and Russell. E.H.R. Vol. XXXVII, p. 47.

were, as a matter of fact, simply the surviving remnants of the ruling cabal after the retirement of Halifax and Essex. Temple says, "These two (Hyde and Godolphin) joined in conference with Lord Sunderland, and the other two Lords being in discontent or absent, and I keeping at home, these three were esteemed to be alone in the King's affairs and looked upon as the Ministry."I

Naturally their youth and inexperience were fastened upon by the opposition with great scorn and ridicule, and the derisive epithet of "The Chits" bestowed upon them by a popular lampoon stuck fast as a nickname:-

"Clarendon had law and sense
Clifford was fierce and brave
Bennett's grave look was a pretence
And Danby's matchless impudence
Helped to support the knave.

But Sunderland, Godolphin, Lory,
These will appear such Chits in story
'Twill turn all politics to jests
To be repeated like John DoryII
When fiddlers sing at feasts."

"The Chits", who had been responsible for the breakdown of the French negotiation, were now left to grapple alone with many unpleasant difficulties, a total lack of supplies, the increasing violence and rising temper

I. Temple I, p. 345.

II. "The Young Statesmen," attributed to Dryden but more probably the work of Dorset.
of the Opposition, and an unsatisfactory state of affairs abroad. On Hyde's second attendance at the Committee of Intelligence, he had the dissatisfaction of hearing letters from Sidney "giving an account that an alliance between France and the States had been prepared in their assembly," a not altogether surprising outcome of recent events which Charles and his ministers deeply resented.

Sunderland was far from pleased at the weight of his responsibilities, the more so probably because Charles appeared to have fallen into a heavy lethargic mood. He did not want to commit himself too far in any direction. His wife wrote to Sidney at the end of the year "pray keep our friend right with the Prince; he will always deserve it." He made yet another effort in the middle of December to bring Halifax back into the inner circle. Halifax however definitely refused to re-engage himself. The possibility of a vacant secretaryship (Coventry desiring to retire) had been mooted. "The King has been persuaded to Lord Halifax, but he desires to be excused", reported Lady Sunderland to Sidney on the last

The Dutch dallied with this project until the following March. See Ralph I, p. 496.

II. Barillon. Dec. 17, 1679. N.S.

day of the year. I In the same letter she mentions the
government's fresh move of more severity against
papists, II no doubt another scheme to re-assure the
people. Halifax's disgust with the political situation
is evident from his description of it to his brother.
"Our world here is so overrun with politicks, the fools' heads so heated and the knaves so busy, that a Wasp's Nest is a quieter place to sleep in than this town is to live in." III The "Chits" had, therefore, to undertake the entire burdens of the government without Halifax's support; and to assist them in their dealings with the moody King they had only the immediate influence of Portsmouth, IV through her ally Sunderland, and the more distant influence of York, through Hyde.

"A pretty set he has at hand
   Of flimsy Portsmouth's creatures
G - n, Lory, Sunder - d,
   French gamesters and deep Betters
Who would reform this brutal Nation V
   And bring French slavery in fashion."


II. Ibid.

III. Halifax to Henry Saville, Jan. 8, 1680.
Printed in Foxcroft, I, p. 203.

IV. "The Duchess of Portsmouth is every day more of a jade than ever, but don't understand that I mean as to France, for I believe that is quite out of her head." Dec. 30, 1679.
   Lady Sunderland to Sidney, Diary I, p. 217.

V. "Satyr on old Rowley". State Poems. Vol. 3, (1704) p. 120.
APPENDIX TO CHAPTER III.

The Privy Council of April 1679.

Prince Rupert
Ld Archbp of Canterbury
Henage Ld Finch. Ld Chan:
Ant: Earle of Shaftesbury
   Ld President
Arth Earle of Anglesi L.P.S.
Xpher D. of Albemarle
James D. of Monmouth
Henry D. of Newcastle
Duke of Lauderdale. S. of S.
James D. of Ormond Ld Steward
C. Marquis of Winchester
Henri Earl of Arlington. Ld C.
JAMES Earl of Salisbury
John Earl of Bridgewater
Robt Earl of Sunderland. S. of S.
Arthur Earl of Essex. Tr. C.
Earl of Bath.
George Viscount Halifax.
Henry B. of London.
Marquis Falconberg.
W. Lord Russell.
Wm Lord Cavendish.

Parliamentary Proceedings.
Add. Mss. 33,249, f.73.
CHAPTER FOUR.

Hyde and the Exclusion Struggle.

Part Two.

The chief interest of the period before the calling of the second exclusion Parliament lies in the work of the 'Chits', in their efforts to conciliate public opinion by a popular foreign policy; and in their attempt to ally with the 'moderate' group; in particular with its leader, Halifax. Compromise was in fact the keynote of the new ministry, and in its political isolation such a course was almost forced upon it. At the beginning of the new year, Halifax had gone down to his country seat, and shortly afterwards Shaftesbury's friends, Cavendish, Russell, Capel and Povel had ostentatiously withdrawn from the Council. The whole burden of government fell

I. "He is at Rufford a month sooner than he intended; but I hope he will come again though he does not stay. I am sure he had resolved to be at Rufford all this spring and summer, four or five months ago," Sidney Diary, I, P.237. Lady Dorothy Sunderland to Sidney, Jan. 6, 1680.

II. "I hope the four counsellors who left the King in so formal a way of ostentation will have no great ill effects." Ibid.
upon the three young men, none of whom had had more than a year's experience in the direction of affairs and only in subordinate positions.

Sunderland was chiefly anxious to maintain a connection with all interests, so as to ensure his own position whatever the political future. This is clearly implied in his wife's letters to Sidney at the Hague during this winter. It is sometimes said that the intimacy of these two was fully realised by the complaisant husband. Hyde's self-interest was less complicated; he also was anxious to secure his career, but he was a thorough Yorkist and could not alienate his patron by too obvious a show of moderate policy. Throughout this spring and summer Hyde was more of a "Trimmer" than he was ever to be again. This may have been due in part to the influence of the supple Sunderland, but he was doubtless oppressed by the responsibilities of maintaining the King's government in the face of political discontent and financial insecurity, and so welcomed every opportunity

I. "Milord Sunderland negocie avec toutes les cabales". Barillon, Jan. 1, 1680. N.S. He maintained a connection with Halifax through his mother, Lady Dorothy Sunderland, and spasmodic negotiations with Shaftesbury, as well as the close correspondence with Orange, through Sidney, his uncle.

II. See Sidney Diary, Volume I. passim, winter of 1679.
to conciliate those sections, not violently Exclusionist, which might support the Ministry. Another reason perhaps was his distance from his implacable and uncompromising patron in Scotland. Yet even York, impressed by the difficulties of their task, seemed willing in his letters for some compromise. Godolphin was the least important of the three Ministers but he was already in favour with the King as well as the Duchess of Portsmouth, and had the full confidence of his colleagues. Sunderland was the virtual director of policy, but Hyde, ambitious and indefatigable at the Treasury, soon rose to an equal place with him.

As the Spring wore on, the Privy Council lost the last traces of the coalition of 1679. Godolphin was made a Councillor in February and entered The Committee of Intelligence:但是他 did not gain the Secretaryship as he had hoped, for he could not pay the retiring Secretary, Coventry, the necessary fee for his office. The office was bestowed upon another of York's friends, of the same High Church politics as Hyde, the industrious and honourable

I. "Ce dernier ne faire pas toute la figure d'un Ministre, il est partout dans le secret des affaires."
Barillon, March 18, 1680, N.S.

II. On February 15. Vide Supra P.129,135"
Jenkins. The Tory Daniel Finch became First Commissioner at the Admiralty and Tory substitutes as has been said gradually replaced other Country Party men in the Council. Despite the cautious policy of the three young ministers, the political atmosphere was most discouraging. Those "moderates" of the 'country' party who, it was hoped, might still be won over, continued to impress Halifax with the desirability of continued retirement. The fresh prorogation of Parliament in January which emphasized the King's intention to postpone the struggle indefinitely, filled moderates such as Temple with perplexity. "All our paces of late look so inconsistent one with another that I cannot pretend to judge of them," he wrote to Orange.

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I. M. Jenquins est creature de M, le Duc d'York et entièrement attache à ses intérêts. Barillon. Feb. 15, 1680. N.S. Interesting to note that Ormonde approved the choice, he considered that either Hyde or Jenkins would be an excellent substitute for the trustworthy Coventry.


II. Barillon. Feb. 22, 1680. N.S.

III. Vide Supra P. 130


The trio of Ministers was as much in the dark regarding the King's real intentions as Temple. Sunderland wrote, on the announcement of the prerogation in January, to Sidney - "the difficulty is not what is to be done after the King should declare he would pass the bill, but how to persuade him to pass it, which I believe he never will do, and that being so, if some expedient might be found to which the Prince would agree, we shall all be happy, but they are so averse to anything but the bill, it must be some extraordinary means that can make them be contented with less than that." This is interesting in showing how early Sunderland had become convinced of the inevitability of at least partial exclusion, and as revealing also at this early stage his real inclination towards Orange, rather than to the Shaftesbury group. It is very clear that the subtlest and cleverest of the three new Ministers had no idea of what his master's policy was, which was probably just the situation Charles wanted for some months to come.

The most important work of the "young statesmen" II was their attempt to emulate and follow up the popular

I. Sidney Diary, I, pp. 243-244.

II. Title of lampoon quoted on p. 134.
foreign policy of the "first Triumvirate". It has already been stated that the breakdown of the private negotiations with France in the preceding autumn had led Louis to offer a defensive alliance to Holland, a move peculiarly irritating to England. Temple urged the necessity of keeping on good terms with the Dutch to prevent this alliance. In the winter of 1679 Sydney's instructions as ambassador had stated "that a firm conjunction between England and the States General is the only expedient now left to preserve both." Naturally the Dutch were cautious in view of the political situation in England, and had been uncertain whether to hearken to D'Avaux the French agent, or to his rival Sidney. But it was now intimated to them that if they were in real danger from France, Charles would summon Parliament immediately since "it is not in the least to be doubted but that the Parliament will be ready to support him on such an occasion," and

I. See supra, p. 137

II. Ranke IV, p. 100. (Note.)

III. Repeated orders were therefore sent to D'Avaux to awake their old terrors, which he failed not to obey in a thundering memorial to the States, setting forth that the King his master was extremely astonished at their manner of proceeding in this matter of the Alliance proposed by him and that he highly resented it. Ralph, I. 496.
come to their aid. This reassured the Dutch to the extent that they eventually rejected the offers of France. Orange was now so far encouraged as to propose a great European league, in which England and Holland together should co-operate with the Northern Powers and with the Hapsburgs, to maintain a strong defensive position against French aggression in Flanders. It was at this point, when the renewed aggression of the French King in the Netherlands under the pretext of "Reunions" was rousing all Europe to a more serious consideration of Orange's scheme, that the 'Chits' ministry came into power.

The new Ministers approved the popular idea of alliance with Holland, and were soon prepared to go even further. Pressed by Orange's mouthpiece Sidney, they actually considered committing themselves to Spain and Austria, not only as a check on Louis and to please Orange, but principally to increase their own prestige in England by a popular foreign policy. Hyde was genuinely anxious to remain friendly with the Prince and approved of the alliances. "Mr. Hide came to me yesterday," Temple informed Orange, "and after much discourse of our affairs both at home and abroad, profest to agree most perfectly

with my opinions on them; and at his going took occasion to say hee did not knowe how hee may have been represented to your Highness of late, especially since the Duke's coming over, as different from what he had been both to your Highness and the publique affairs, when wee were last in Holland, but he desired mee upon occasion that I would assure you hee was still the same in both that hee had been then."

Negotiations were opened with Sweden, Brandenburg and Brunswick—Luneberg, and it was intended to conclude treaties with Austria and Spain. "To prepare for a good session of Parliament next winter the Ministers were resolved upon all measures that might concurre towards it during the summer: and, as one of the Chief, were resolved to send Ministers to Spain, Denmark and other of the Confederates, and enter with them into the strictest measures for the Common Defence against the Power of France." The exasperated d'Avaux declared that the three "Chits" were entirely under Orange's

I. Temple was very anxious for a general confederation.
IV. Temple I, p. 349.
influence, "they communicated to him every particular and received his orders in regard to every step of their conduct." I Yet even so the Ministers did not move as quickly in foreign affairs as Orange desired.

Sunderland wrote to Sidney, "Mr. Hyde, Mr. Godolphin and I have talked of all these matters so fully to the King, that I can assure you he is never to be changed, but everything will be much easier if the Duke is of the same mind." II Though Temple also wrote that "it would in time come to measures with Spain," III he was not really in the confidence of the three ministers. IV Orange however realised the varying scale of their enthusiasm for a Treaty with the Dutch. "Mr. Godolphin does go too fast, he thinks him quicker than Mr. Hyde and Sir William Temple far beyond them all." V The weakness of the Chits' attribute to this general defensive scheme was that they only considered it as an expedient for

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II. Sidney Diary I. p. 259.


purposes of conciliation at home, while the difficulties of domestic affairs prevented them, inexperienced and pre-occupied as they were, from giving it their closest attention. "If they cannot afford it, I know not who else can to any purpose, for they are certainly all the Ministry that is amongst us, and I see nobody else that has any more mind to be in it than perhaps they have that anybody should," wrote Temple dejectedly. Ostensibly the Ministry were co-operating with Orange's scheme but, as Temple said, "their heads are too full to think so deep as he (Orange) does of this affair."II

In the complicated problems of domestic politics the young Ministers had no decisive line of action - this is not surprising in view of the undoubted fact that Charles throughout this year was playing for time, waiting for the worst froth of excitement and panic raised in 1678 to subside slowly but surely as months went by. It might still be maintained at its height amongst the political classes but the ordinary minority, as 1680 went on, had become surfeited. III Although the direct consequences of the Plot still had to be dealt with; informers paid,

II. Ibid.
III. See Ogg II, p.598.
garrisons increased, and harbours and ports strengthened as in the first year of Oates' discoveries, I yet the worst danger from the apprehensions of the mass of the usually sober-minded was decreasing. The "grand confidance" which Barillon reported that the young Ministers displayed may have been due to a realisation that a section at least of the sober wealthy men of the city would passively support the Government, or at any rate would not support the Whig extremists, through their fear that the Whig demand might lead to another civil war. Moreover the Ministers already knew that some of the city men approved their foreign policy. III This section - the cautious, property-owning middle class - which in all ages and communities modifies and curbs the vanguard of violent change - was later to support limitations or expedients against definite exclusion - just as in 1688 it was to lend money to Orange when he arrived in London.

To return to the domestic concerns of the Ministers: Their foreign policy had been distasteful enough to York, but their propitiatory move of a stringent persecution

I. Pollock pp. 244 and 255.
II. Barillon. Feb. 12, 1680. N.S.
III. See Sidney Diary I. p. 231.
of papists was even more obnoxious. This was instigated by Hyde with the best of intentions. He calculated that such a policy would reassure public opinion, and help to pave the way for York's return. When severely reprimanded by James he "seem'd extremely surprised at it, and sayd, He was no longer (he found) capable of serving his Highness, if he could not preserve his countenance, protection and even approbation in what he did; expressing a desire rather to retire early, than by acting longer in his Highness' affairs draw a greater burthen of displeasure, where he expected to have merited most." The religious question was the one point upon which the aims of York and Hyde could never coincide, and this reply to York's remonstrances reveals the depth of Hyde's feelings on the matter.

During this period of momentary calm which Charles had gained by refusing to summon Parliament the Court had an opportunity to look outside its own small circle for support in the pending crisis, and to seek a popular following, as the Whigs had done earlier. The Whig party

I. "The next thing that was thought best, was this severity against Papists;" Countess of Sunderland to Sidney. Sidney Diary I. p.216.

itself was now concentrating definitely upon the fundamental constitutional issue, and was not to be impressed by a popular foreign policy or spasmodic persecution of the Papists now that the first panics of the Popish Plot had subsided. Shaftesbury made a bold attempt early in the year to win over Charles himself by a new offer. In January Barillon reported that secret negotiations were taking place nightly at Whitehall between the Whig leader and the king. Shaftesbury proposed that Charles should divorce Catherine, on the pretext of her sterility, and marry a Protestant; in return the Exclusion project would be dropped and ample revenues settled upon Charles for the rest of his life. Shaftesbury hoped in this way to gain the support of the Presbyterians in Parliament, and it was from their leader Hollis that Barillon learned of the negotiations. Strangely enough York's group regarded the scheme favourably as the best safeguard at the moment for his safety. They thought that Charles could thus weather the present storm for himself and for his brother. The king pretended to think it over, but the project languished and Hollis drew back. Any possibility of its revival was destroyed by a characteristic counter-move on

I. Barillon. Jan. 25, 1680. N.S. "Si on pretend tout conserver, on perdre à tout."
the part of Charles. On January 29th Shaftesbury's hopes were dashed by the King's announcement in council that, as the Duke's exile had not produced the effect desired, he was about to recall him.¹

Shaftesbury's retort to this move was the Black Box agitation and his attempt to stir up another panic by rumours of a Popish Plot in Ireland.² Fresh fuel was added to the fires of Whig discontent by the renewed prorogation of Parliament early in February.³

Until now Sunderland had been the leading minister of the three closely supported by Hyde and Godolphin, and very friendly with the Duchess of Portsmouth whose influence with Charles he may have over-estimated. "For our friends at court," wrote his mother to Sidney, "my Lord Sunderland is as well as anybody; how long God knows... Hyde and Godolphin, his supporters, are never from him, with her at Little Ombre."⁴ But with York's approaching return Hyde's influence rose proportionately. If he had

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¹ He returned at the end of February.

² "About this time many Libels were thrown about to disaffect the King and country and to turn all to '1641.'" Mackintosh Notes from Luttrell Collection, Add. MSS. 34,513, f.VI. March 1680.

³ Barillon. Feb. 8th, 1680. N.S.

played second fiddle to Sunderland up till then, it was anticipated that he would now play the chief part in the Ministry as York's mouthpiece. "Mr. Hyde is in such a degree of fame," wrote Southwell to Ormonde, "that if he affects the Staff he may not long be without it. He is up every morning at five and at the Treasury an hour before the rest. And some think my Lord Sunderland is a little jealous of his augmentations, which will certainly increase upon the arrival of his Royal Highness." I

The Duke of York arrived on February 24th and was well received by the peace-loving section II of the city, the more so perhaps because Monmouth, at that time on his triumphal progress through the Western counties, was fomenting a possibly dangerous popular excitement amongst the peasants. III His arrival however complicated ministerial problems in a most unsatisfactory way. The Chits could not allow him to take an active part in public affairs lest this should further provoke the Opposition. IV York was too impatient to be grateful for the intentions behind this moderate policy. He felt that during his

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III. Ranke IV, p. 99.

IV. Barillon, March 7, 1680, N.S.
absence Hyde and Sunderland had lost sight of his interests;¹ that he had been sent to Scotland needlessly, in order that a foreign policy obnoxious to his ideas, could be forwarded in his absence. "The chief difficulties in the Duke's mind were, that the Parliament might sit, though never so much to the hazard of the Government or anything else, and that his Highness took all his measures from Sir William Temple, who he looks upon as a Republican."II Suspicion and jealousy of Orange was a strong factor in York's attitude. Sunderland wrote to Sidney on March 1st desiring that the Prince would not write letters concerning England's internal affairs "unless it is to Mr. Hyde, Mr. Godolphin or me, for it can do no good, and has sometimes done the contrary."III But what irritated York perhaps more than anything else was the renewed persecution of the papists just before his arrival, diligently promoted by Sunderland, Hyde and Godolphin - "lest the world might be apt to think it should be shaken upon the arrival of the Duke, they have lately been more pressing than ordinary." IV

I. Barillon, March 11th. 1680. N.S.


III. Sidney Diary I. p.293. March 1st.

With Hyde from whom he had expected much, York was especially dissatisfied. He feared that Hyde's strenuous efforts at the Treasury would be unavailing, and that financial stringency would, in the end, necessitate a Parliament. He had at first blamed Sunderland for the breakdown of the French negotiations in the preceding autumn, which had really been due to Hyde, now he was so suspicious of the latter that he attributed the whole policy of the ministry entirely to him. The want of "des accommodements particuliers entre les chefs des cabales et la cour," mentioned by Barillon, certainly gave York some cause for complaint against those whom he regarded as entirely in his service.

James commented on the relations of the Ministers to their sovereign with more penetration than usual, although his solution of the situation was as short-sighted as ever. He declared that the greatest blow to the King's prerogative had been the dismissal of Clarendon. Formerly his Ministers had trusted in the king's support and worked wholeheartedly for him. But since the King had restored the weapon of Impeachment to the Commons in 1667, Ministers now "found they were like to be left to the Censure of

I. Barillon. March 18, 1680. N.S.
II. Ibid. March 21, 1680. N.S.
Parliament; it made them have a greater attention to court an interest there than to pursue that of their Princes from whom they hoped not for so sure a support.\textsuperscript{I} According to Barillon, York attributed Hyde's timidity to these causes. "Milord Sunderland et Mr. Hyde ont eu se mettre à couvert de la hayne ordinaire en ce pays contre les ministres en faisant faire à sa Majesté Brittanique ce qu'ils croyaient agréable à la nation."\textsuperscript{II} The only suggestion York himself could make for a firm basis of strength and security for the monarchy was another French alliance. Barillon himself found it very difficult to ascertain what design, if any, the King and his Ministers were following.\textsuperscript{III}

In spite of their position between the suspicious Duke and the aggressive Opposition the Ministers were still full of self-confidence. No doubt they were encouraged by York's peaceful reception in London, and relieved that he did not try to overturn their policy. "The Duke falls into all our measures so much beyond what we could expect, both at home and abroad, that I will venture to say the King's affairs are in a better condition

\begin{itemize}
  \item I. Clarke's Life, I, p. 593.
  \item II. Barillon. March 18, 1680, N.S.
  \item III. Barillon. March 21, 1680, N.S.
\end{itemize}
than they have been these seven years. For we apprehended only that he would disorder them but we find quite the contrary," reported Sunderland to Sidney. They still hoped much from a popular foreign policy. "Everything here continues in the best disposition that can be," wrote Hyde to Sidney, "and if we can make good alliances abroad, everything at home will do very well." The attitude of the city gave some cause for optimism: "The generality of the city is at this time in a more sedate and well-tempered disposition than could well be expected so suddenly after the fermentation that some humours were put into by the Petitioners." This was the report of some of the "gravest and best experienced citizens" to Jenkins which he passed on to Sidney at the Hague. Moderation seemed to be in the air. When the Dutch Ambassador asked that the English Parliament might meet before November, Charles announced in the Committee of Intelligence that the prorogation would be shortened to

See also Sidney Diary. I. p.281. "he and the two Commissioners have all the hopes possible."  
Countess of Sunderland to Sidney, February 20th.  
Written before York's arrival.

II. Sidney Diary. II. p.6. March 16th, 1680.

May. I Two days later Hyde boasted to Sidney, "We have agreed on what the Prince asked for before we knew his mind." II At the same time Lady Dorothy Sunderland reported - "The Duke meddles so little 'tis as if he was grown extremely wise or subdued." III Essex who had been in retirement, found this moderate trend more to his liking, and, anxious to regain his old Irish post if possible, began to visit the Court again; "as if," reported Lady Dorothy Sunderland, "he had more employment than a Privy Counsellor, and I believe repents he is not, now he sees the King does not do irregular things which perhaps they did fear." IV

York's presence at court undoubtedly increased Hyde's prestige, and the developments of foreign policy gave him an opportunity to profit by his earlier diplomatic experiences. "It has made Mr. Hyde a great man by his having much occasion to shew his parts," commented the Dowager Sunderland in a letter to Sidney. She added


III. Sidney Diary. II. p.25. April 6th.

IV. Ibid. p.41. April 16th. Essex is said to have resumed his attendance at Council in order to disapprove of Ormond's measures in Ireland, because he wanted that post himself.
however: "our friend is the chief, everyone says." Hyde and Sunderland were now rumoured as rivals for the White Staff, which, as Barillon shrewdly observed, shewed that "ils sont persuadés que le Rey d'Angterre peut subsister quelques temps de son revenue sans le secours du Parlement." I Hyde was optimistic enough to hope that the Ministry could conciliate the extremists by this show of moderate policy, and in the spring neither he nor Sunderland yet personally apprehended a Parliamentary attack. II They had not therefore so much reason as York to desire to postpone indefinitely its meeting. Reassured by the interval of calm following York's return Hyde wrote cheerfully to Orange in April, that after the conclusion of the Dutch alliance there would be nothing to hinder the meeting of Parliament. III

The Ministers, however, expected too much as a result of their foreign policy. In a few months Parliament was to show how little importance it attached to foreign affairs when it considered that domestic concerns were in a state of crisis; and at present, though the city merchants approved, public opinion at large was not interested. The tranquillity of the late spring after

I. Barillon, Feb. 22, 1680, N.S.
II. Barillon, May 16, 1680, N.S.
York's return was, as Halifax predicted from his retreat at Rufford, simply the calm before the storm. But this was not yet apparent. Shaftesbury's Irish Plot only gave a slight fillip to the languishing condition of the coffee houses; for it was discredited among the middle class merchants anxious to prevent disorder. The Black Box agitation at the beginning of the year had only evoked the formal proclamation of Monmouth's illegitimacy. The Duke of York's levees were crowded. One might trace the first beginnings of the reaction in favour of the monarchy to the spring of 1680, although the severest crisis was still to come.

The time seemed opportune for the return of "trimming" men, since York was causing no apparent changes. "I am vexed at my Lord Halifax's not coming to him," wrote the Dowager Sunderland on April 18th, "I doubt not but he will. I love things well-timed. I hope some of his wise friends will persuade him." The young Ministers began negotiations with Halifax to regain his support at the

I. Foxcroft I. p.216.
II. Burnet's Letter printed in Foxcroft I. p.217. See also Ogg. II. p.598.
III. "Since I have known Whitehall I never saw such a Court as at the Duke's levee the morning I was there." Temple to Sidney. April 27th. Sidney Diary II. p.53.
end of April and they proceeded well into June. Sunderland was the chief mover in the scheme but Hyde and Godolphin were also prepared to use their persuasions. Their moderate policy was the inducement. The negotiations for a Spanish alliance had actually begun and Sidney, just returned from Holland, declared all Europe would join the league against France before autumn "if not frightened by our divisions." Sunderland, moreover, had asked Sidney to find out whether Orange, "if it should be thought reasonable," would not visit England before Parliament met. However a few weeks later Sidney records "he thinks it will do him a great deal of hurt here, may make him worse with the Duke and he does not know what good it can do." Meanwhile Halifax took a long time to make up his mind to return to court for his old country party friends were urging him to refuse.

I. "Hee and his 2 frends seme very confident of very sincere and good intentions."
   Wm. Coventry to Halifax, April 27, 1680.
   Printed in Foxcroft I, p. 919.

II. Add. MSS. 15,643, f. 34. Committee of Intelligence.
   June 8. "The project of a definite allyance between England and Spaine read and confirmed."

III. Foxcroft I, p. 222.

IV. Sidney Diary II, p. 52. April 27, 1680.

V. Ibid. II, p. 60. May 22nd.
While Sunderland was pressing Halifax, Hyde was engaged in paying court to Sir William Jones with the same object of enlarging the political basis of the Ministry.\textsuperscript{I} Jones, one of the ablest lawyers of his time, had been a firm adherent to the 'County' party ever since the Plot discovery. He had resigned the Attorney Generalship in the preceding October, but it was now rumoured that he regretted having done this.\textsuperscript{II}

There were reports that Hyde had actually tempted Jones with the prospect of the woolsack but, notwithstanding "ye largest offers ye can imagine,"\textsuperscript{III} Jones would not be won over. All this activity produced a natural impression in Whig circles that the Chits were being frightened into conciliation "to gaine men of credit to their party."\textsuperscript{IV}

The negotiation with Halifax was eventually successful. "I went to Althorpe\textsuperscript{V} and staid there till the 22nd,"

\begin{itemize}
  \item[II.] "There is much notice taken of Mr. Hyde's being often with Sir Wm. Jones, who is sorry, with all his heart, he is not Attorney General," Sacharrissa. p.332. Lady D. Sunderland to Halifax, June 9.
  \item[IV.] Ibid.
  \item[V.] Sunderland's country house.
\end{itemize}
wrote Sidney in the middle of June. "There was my Lord Halifax, Mr. Hide, Mr. Godolphin, and Mr. Shepherd. We gave him (Halifax) so great satisfaction, that he will again come amongst us. He inquired much after the Prince of Orange."I

Definite conditions were made and agreed upon. Halifax would not return until Parliament had actually been summoned. He would only support the young ministers if they maintained their promised policy of opposition to France and conciliation of Parliament. II

Further he would support York's legal claims if some form of "limitation" could be arranged. Once known, this agreement assumed great public importance: "You have made all ye discourse this last month, and silenced black box, Tangiers, and all other Coffee House news" wrote Thynne to Halifax. III

There was general conjecture as to whether he would actually take office in the government. Halifax had no desire to break away from his real friends, the moderates, of the old county party. He still maintained a slight connection with some of the extremists. His intention in supporting a government which had promised to carry out the policy he approved

I. Sidney Diary II, p. 75, June 15.

II. Ibid

III. Printed in Foxcroft, I, p. 224.
was probably to gather round the Ministry, before the
session should begin, moderate men from all parties.
Such a development might have brought a peaceful solution.
It would certainly have been supported by the substantial
classes who wished to avoid Civil War.\textsuperscript{I} This possibility
had already been seen by so shrewd an observer as Barillon,
who actually reported to Louis that an accommodation now
with Parliament, though difficult, would not be impossible.
He advised his master to hold the balance between all
factions, supporting in turn whichever seemed weakest.
This would keep England too much entangled in her domestic
troubles to be free to act abroad.\textsuperscript{II}

Yet just when moderate policy appeared to be
succeeding in the middle of the year the whole situation
began to alter and events followed in progressively rapid
succession in mid-summer and early autumn which revealed
the fundamental insecurity and discontent. In the spring
the deepest discontent had been underground. "The Duke
of Monmouth, my Lord Shaftesbury, my Lord Russell, my
Lord Cavendish amongst others, were the principal that
assisted in these meetings, which changed from house to

\textsuperscript{I} "La ville de Londres craint les desordres et les
principaux Marchandes ne veulent point de guerre
civile." Barillon. June 20, 1680. N.S.

\textsuperscript{II} Barillon. July 1, 1680. N.S.
house for mere privacy every night."\[1\] Late in June when Halifax was making his bargain with the Gists, Shaftesbury became much bolder and began an open attack. On June 26th, at Westminster, he boldly attempted to indict York for a Popish recusant, and the Duchess of Portsmouth for a national nuisance. At this public appearance he was accompanied by Grey, Cavendish, Huntingdon, Russell, and Wharton.\[II\]

In July the city began to reveal a sharp division of opinion. At the sheriffs' elections the court candidates were heavily defeated,\[III\] the Whigs and Bethell being elected. Jenkins wrote to Sidney that it was "the indigent and headstrong party that carried it." He declared that the "wealthy and soberer part of the city" had not voted against the court, and that on another question "not unlike that about the sheriffs" the aldermen were "seventeen to four, the seventeen being for that which was most for the King's service."\[IV\] Nevertheless if Shaftesbury had not all wealthiest citizens behind him, he had numbers to exploit with all the arts of political

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\[I\] Reresby, p.182. April, 1680.


\[III\] See Jenkins to Sidney, July 27. Sidney Diary II, p.88 for figures.

\[IV\] Ibid. p.87. July 24th.
publicity and propaganda of which he was the first exponent in this country. His declaration of war in June at Westminster Hall seriously affected the attitudes of Sunderland, Godolphin and the Duchess of Portsmouth. They realised now that a severe crisis was inevitable and began to think of insuring themselves against the storm. The Duchess was the first to come to terms secretly with the Whig leaders, and her defection naturally made a great impression on her friends. By the early autumn Sunderland had followed her lead and made a secret agreement with the Whigs. His wife's correspondence with Sidney is a useful barometer of her husband's personal attitude, and by August 24th she was writing to her friend in Holland, "I take the Duke to be undone." III

Shaftesbury's offensive forced many others hitherto uncommitted to declare their positions in the late summer. Essex definitely became an Exclusionist. By August a rift was discernible at court between the Portsmouth-Sunderland cabal who were hoping to influence the King to

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I. Foxcroft II, p.235.

II. For her open declaration in October. See Burnet II p.254. Airey, Note 3.

   It is not without significance that Sunderland was at this time losing very heavily at the gaming table. See Sidney Diary II, p.100.
come to terms with the Exclusionists, and that of Hyde and York who had optimistically enlisted the aid of Madame Mazarin's charms to counteract those of the Duchess upon the King. The latter group urged the King that as the futility of moderation had become apparent it would be better to let matters come to a head, and to re-establish the royal authority by force if necessary. But there spoke York rather than Hyde. For Charles' personal attitude Barillon's comment is sufficient: "La conduite du Roy d'Angleterre est impenetrable en tout cela."

Thus by midsummer the situation was rapidly sharpening. Sunderland and Godolphin had not yet openly receded and the Ministry as a whole continued its efforts to secure wider moderate support. There was a declaration in Council, instigated by Sunderland, of a firmer persecution of Papists but clemency to other forms of dissent. This was intended as an olive branch to the Presbyterians, but it had the unfortunate effect of alienating some of the stricter Anglicans.

As Sunderland moved gradually to the other side, Hyde

I. Barillon, Aug. 3, 1680. N.S.
II. Ibid.
III. Ibid. Aug. 19.
IV. Sacharissa, p. 344. July 1st.
became more and more the leader of the crumbling ministry. He was popularly considered to have outstripped Sunderland in Charles' favour. In August he was made a Gentleman of the Bedchamber, and was endeavouring as best he could to continue in the good graces of both Charles and James. Thus when Halifax arrived in London in September, Hyde was the only Minister in the Government whose allegiance had not been shaken.

By then the political situation at Court had grown more complicated. It is clear that, using the Countess of Sunderland's correspondence with himself as a medium, Sidney drew Sunderland and Godolphin closer to Orange as the outlook grew more depressing for the Duke of York. It was Sidney who really persuaded Orange in November to support the Exclusion Bill. So there developed - not as yet discernible - an Orange Group in the Opposition quite distinct from that of Monmouth, after the adherence of the two Chits to the Whig party. Sunderland and Godolphin suggested to Orange that he might claim the

I. Barillon, Aug.20th. 1680. N.S.

II. H.M.C.R. XIII. VI. p.75. Aug.21, 1680.


IV. Burnet (Airey) II, p.258. See also Feiling, pp. 182-183.

V. See Sacharissa, p.292.
throne in his wife's name; but there is no evidence justifying D'Avaux's conclusion that Hyde joined with them in this proposal, nor that he "took more concern for the interest of his niece, the Princess of Orange, than what regarded the Duke of York." D'Avaux probably included Hyde with the other two through ignorance of their increasing divergence. The Orange group, still outwardly the King's advisers and Ministers, sedulously fostered the general belief that the Duke cared only for France. Thus, at the time when Halifax arrived in town, the situation was such that Barillon was advising Louis to support York's party as being now the weakest.

It was therefore surprising that Halifax on his arrival elected to throw in his lot with the small Yorkist group on the main issue of exclusion, although on all lesser points he wished to co-operate with the Opposition. He had no personal regard for James, and may be described as ultimately an Orangist, though he was not in the Sunderland-Godolphin-Sidney cabal. He rightly judged that Exclusion would lead to civil war and—albeit of less


II. Barillon September 9th and 30th. 1680. N.S.

III. Reresby, p. 188. Aug. 30. "I found his lordship more favourable than heretofore in relation to the Court, but not thoroughly reconciled."
importance—would harm the ultimate claims of the Prince of Orange. Thus, feeling that "the remedies are little lease to be feared than are diseases," he threw in his lot with Hyde, although the two men had little in common except their intentions to defend the legal succession.

The King eventually decided to put the matter to the test and to let Parliament meet. But before he did so he was tempted by a surprising offer from the Whigs and their new allies. They secretly offered him six million pounds, and the right of naming his successor if he would accept York's exclusion. Barillon reported that he seemed to waver, and feared that Portsmouth's influence, strongly exerted on behalf of her own children's claims, might prevail with the King to abandon his brother. Mutual distrust, fostered by French influence on some members of the opposition, wrecked the possibility of its success; and in any case it is uncertain how seriously Charles had ever considered the proposal. Undoubtedly with its failure he took a fixed resolution to support

I. Ranke IV, pp. 115-16.

II. Halifax to Thynne, Foxcroft I, p.241. Oct. 5, 1680. Miss Foxcroft gives a full analysis of the reasons for his decision.

III. Barillon, August 20, 1680. N.S.

his brother.

The return of Halifax gave York some encouragement to hope. Although the Duke knew that Charles intended to meet Parliament, he did not yet know that he would be forced to depart before it assembled. He wrote quite cheerfully to Orange at the beginning of October that if the King would only be resolute "and shew favour to his old frends all will be well, and beleve me, none but the true Church of England men can or will support him and our family." This is interesting as a proof that James already realised that the High Churchmen, despite their hatred of the papists, would be the strongest defenders of the legal succession. As "jure divino" Anglicans the deepest principles of the Tories were involved in defending the strict canons of legitimacy and in fighting exclusion, although many of them would have accepted the most stringent "limitations" that the Whigs could devise.

The necessity of York's departure before Parliament met had already been thoroughly discussed in secret by Sunderland and Godolphin together with Sidney when he arrived back in England in September. Sidney on his arrival was very busy getting into touch with all sections of the opposition, visiting Temple, Halifax, and

II. See Sidney Diary. II. p.106. Sept.16.
Jones, as well as holding long discussions with Sunderland and Godolphin and later on with Monmouth and Shaftesbury. Halifax was in accord with the Sunderland cabal on one point against Hyde, for he advised York's immediate departure into exile which Sidney had been discussing with Sunderland ever since he returned. Hyde had no knowledge of their secret intentions until October, when they came to him "and told how they thought it for His Majesty's service the Duke should go again out of England. Halifax and Essex had insisted on this and there was no one save Hyde to resist this pressure. Sidney making a full report early in October to Orange wrote that "some that have ever been in the Duke's interest" were now for Parliament. "I believe (unless it be my Lord Clarendon and Mr. Hyde) there is not a man in the Council who dares advise the King dissolve the Parliament to save the Duke."
James seems to have been unaware of their changing attitude until the question of his departure was openly brought up.\textsuperscript{I} On October 13th there was a full debate in Council upon the matter. "Some were for his going away, others for his staying till 'twas seen what the Parliament would do, and others were for the King's sticking to him. It was carried that he should not go, which gave his party great hopes."\textsuperscript{II}

"We were mightily out of humour,"\textsuperscript{III} records Sidney the next day; but Sunderland did not desist. Through his efforts an extraordinary\textsuperscript{IV} Council was called on October 16th, "which sate till ten o'clock att night," in great secrecy.\textsuperscript{V} According to Francis Gwyn's report to Ormond, seven of the council favoured York's departure; including Sunderland, the Lord Chancellor, (Heneage Finch), the Lord Privy Seal (Anglesey) and Halifax. Eleven voted

\begin{itemize}
\item[I.] "These whom I expected to be most my friends are no more so now, for they would have me go away." Prinsterer II, 5, p.426. York to Orange, Oct.12.
\item[III.] Ibid. p.110. Oct.14th.
\item[IV.] Dalrymple, I, Chap.IV, p.279.
\item[V.] Prinsterer II. p.430. Sidney to Orange, Oct.19th.
\end{itemize}
that he should remain. Most of these were men who eventually shared in York's triumph in the reaction of 1681. They included, in addition to Hyde and Clarendon, Lord Worcester, Jenkins, North, Seymour and the Bishop of London. Barillon's account to Louis adds the Lord Keeper, Lord President, Lord Chancellor, Archbishop of Canterbury and the Bishop of Durham to the list of York's supporters in Council. The King finally decided, "'Since he has so many frends for him,' said Charles, with a wicked pleasantry, 'I see he must go.'"

York complained bitterly to Barillon that he had been betrayed by Sunderland and Sidney. But at the same time he paid tribute to Hyde's steadfast devotion and efforts on his behalf. "Il ajouta que Mr. Hyde avait parlé au Roy de la Grande Bretagne avec beaucoup de firmité et de vigueur pour lui faire connaitre qu'il ne pouvait abandonner son frère sans se perdre." The King


II. Barillon. Oct. 28, 1680. N.S.

III. Dalrymple I. Chap. IV. p. 279.

IV. See Sidney's Diary for Oct. 17th. II. p. 113, which corroborates. Also Barillon, Oct. 28, 1680. N.S.

V. Barillon. Oct. 28, 1680. N.S.
emphatically announced that he would never allow the succession to be altered; and it was with this sole consolation that York departed in high fury for Scotland the day before Parliament assembled.\[I\] Barillon reported to Louis\[II\] that James had threatened to rouse Scotland and Ireland against his enemies in England before tamely submitting to his ruin; and suggested that this may have been in the King's secret mind in sending James to Scotland.\[III\] Louis in reply ordered Barillon to encourage James in this idea, but fortunately James was prevented from acting rashly on his arrival in Scotland by the cool sagacity and advice of his favourite, Colonel Churchill.\[IV\]

It is difficult to analyse the complicated political situation in court circles just before the meeting of Parliament, without over-definition.\[V\] Portsmouth, "crying all day for fear the Parliament should be dissolved"\[VI\] and Sunderland were now openly with the Opposition, and were

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I. Barillon. 20 Oct. 1680. N.S.

II. Ibid. Oct. 31 and Nov. 18, 1680. N.S.

III. Ibid.

IV. Dalrymple I, Chap. IV, p.276.

V. See Barillon, Oct. 21, 1680. N.S.

scheming to take the Whig leaders into office. Shaftesbury was to be Chancellor or Lord Treasurer. Monmouth and Russell were to be given places; and Duras, Margrave and Hyde, the Yorkists, were to be dismissed from Court. As Barillon pointed out to Louis, this scheme rather surprisingly took no account of the Prince of Orange's interest. I Apparently it concerned Monmouth's group only. However Sunderland as usual was trying to work with several factions. Mention has already been made of Sidney's wide range of visits while in London during September and October. But he and Sunderland were chiefly interested in Orange's future if exclusion won the day, if one can rely on the evidence of Anne Sunderland's letters to Sidney. After the Exclusion Bill had been read she wrote, "The thing is already done, and his part is only to come and prevent the confusion which otherwise we must of necessity fall into..... the city is resolved, the moment the bill has passed the House of Commons, to come down and petition the King, when it is judged what must follow. If there be nothing to fix on, 'tis certain the Duke of Monmouth must be the King."II This seems proof that Sunderland's group had no real interest in Monmouth's

I. Barillon. Nov. 4, 1680. N.S.
II. Sidney Diary II, p.123. Nov. 8th.
hopes.

The Duchess of Portsmouth had her own secret interest also - the claims of her own children - since they might possibly be recognised by the King as a solution to the problem.

Halifax’s sympathies were chiefly with the Orange group, the main point of exclusion excepted, but this important exception ranked him now with the High Church. Tories, Hyde, Clarendon, Jenkins, Seymour, Ossery, Finch and Musgrave - men personally devoted to York and all united on the principle of defending the legal succession. To them Halifax was a most welcome ally and eventually reinforced their party, through his example, with his moderate friends, Littleton, Temple, Garroway, Vaughan and Meres, all well known members of the old Country party.

Another party, hostile to the Sunderland group, was also beginning to form at Court. Seymour, a former Speaker of the House, hitherto estranged from the Court, had been inclined by the Whigs’ violence more and more towards the Court Party. He shared Halifax’s views on "limitations" and was anxious that York should solve the problem by changing his religion. A member of the Privy Council, he had grown in the favour of the King and the Duke during the year, and had become quite friendly with
Hyde. He had voted against York's departure to Scotland, and thenceforward may be considered a Yorkist on the main exclusion issue at least. Together with Arlington (for some years past politically insignificant) and the aged St. Albans, he tried to counteract the influence of Portsmouth and her friends upon the King.

But in October their interests were far from defined, and political groupings were kaleidoscopic. It is little wonder that Barillon reported that Charles was "quelquefois dans des grands incertitudes." The Parliamentary crisis which was now approaching was required to define for each group exactly where they wished to stand. No one knew how Charles would take his stand.

I. Barillon. Nov.4th. 1680. N.S.
CHAPTER FIVE.

The Parliamentary Crisis.

The King opened the long deferred first session of Parliament on October 21st. All the week previous the "parliament men" had been flocking to town apace "with great trains of servants". Many of them were newcomers to Westminster; and the excited crowds in London were increased by the numbers of gentry, many of them ex-members, who also came up to town for the great occasion. It was not an encouraging atmosphere, but Charles made a conciliatory and disarming speech, referring to "measures he had taken with Spain and Holland for mutual defence and succour", and reiterating his desire to safeguard the national religion. II The plan he had evolved of offering the Whigs every compromise short of the actual break in the succession was demonstrated in his statement that he would accept any "new remedies", the Houses might suggest, with that all important exception. Naturally he referred to his financial necessities; in particular to the heavy expense of Tangier, for which urgent


II. "I do recommend it to you to pursue the further examination of the Plot, with a strict and impartial enquiry." The King's Speech. Grey. Debates VII, p. 348. Grey gives the best and fullest account of this session, and is quoted in preference to Cobbett.
assistance was required against the attacks of the Moors; and he flatteringly reminded his Commons that "all Europe have their eyes upon this Assembly." I However his hope of parrying their animosity, fomented by so many postponements, by calling the members' attention to foreign policy was in vain ... "The name of anything foreign would not be allowed among them ... laughed at as Court tricks and too stale to pass any more." II

The fruits of Whig organisation during the last two years were now revealed. The opposition could marshal a large majority, overwhelming in the Lower House, apparently sufficient in the Upper House. This exclusion majority represented many interests - the Shaftesbury-Monmouth group, the Sunderland-Orange group, the few Republicans, the Presbyterians and the undecided Tories, and the moderate rank and file who might vote "Exclusion" or "Expedients" as the tide carried them. Opposed to them was only a handful of Court Party men in the Lower House; Hyde, Jenkins, Seymour, Musgrave and Daniel Finch, but none of these had ever had much influence there except the insolent and independent Seymour, now regarded as a renegade. The government's position in the Upper House

I. Grey VII, p. 349.

II. Temple, I, p. 351. Note that Temple is described by Min as having been a connecting link between the Sunderland-Portsmouth Group and Monmouth and Shaftesbury. See e to Ormond. Jan. 25. 1681. p. 560-561. Orm. Ms. V.
seemed more hopeful. There Halifax seemed the main support, as the future was to prove. The Bishops were regarded as practically solid, for it was expected that as High Churchmen their devotion to "divine right" would prove stronger than their fear of Catholicism. But the rest of the government's supporters in the Lords, Radnor, Nottingham, Anglesey and a few others were to show themselves timorous advocates at best or broken reeds.

The Commons did not come to the vital question at once. They assembled on the 21st. The next day Williams was elected Speaker, and two more days were spent in taking the oaths. After the appointment of the usual Committees, the House had Dangerfield - the plot monger of the Meal-Tub Plot - brought to the Bar of the House in order to hear his revelations; much had happened disquieting the Commons since the last Parliament, and the next day was spent in a debate on parliamentary privileges, especially in relation to the proclamation forbidding petitions against prorogation and dissolution.

Since the autumn of the preceding year Petitioner and Abhorrer had become current political terms. The House resolved finally (on the 27th) that it was the

I. Grey VII, p. 349.
undoubted right of English subjects to make such petitions, and that any attempt to represent them as seditious was to betray the liberty of the subject. There was something of the atmosphere of 1641 in this beginning.

On the 26th Russell brought up the burning question of the succession. It is interesting to note that it was connected in his speech with fear of the new ministers - the moderate Tories who were at Court. "If there be so much favour and countenance shewed to Popery by Men of Quality and Business who make their Court to the Heir presumptive, being a Papist, this Parliament must either destroy Popery, or they will destroy us; there is no middle way to be taken, no mincing the matter."\[1\]

At first the government proceeded very cautiously, anxious not to offend. On the next day, Hyde's disclaimer of the informer Dangerfield's revelations as unreliable was mild in tone, and his answer to Russell's insinuations hardly prophetic of his party's victory. "I freely and calmly speak this, because yesterday there were wonderful reflections made on the Court and Council. Who put them there? Them they serve. I was put in by the King; I serve him, and none else. There has been ill conduct -

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yet in compassion to us as men, consider calmly of France
and Popery, and yet great measures of late have been to
take the King out of France and to ally with Spain." I
He concluded with a personal flourish, "whilst I serve
the King with honesty, let me serve with reputation."
He was no more successful than the King in trying to use
the foreign alliances as a distraction. "What judgment
can you pass upon a thing you never saw?" Sacheverell
asked the House. II "We have sufficient testimony that
the Ministers of State (who made them) have not mended."
Garroway, though later he supported the Government,
remarked that a treaty with Spain was "no support of the
Protestant religion." III

Like Hyde, Jenkins tried to pour oil on the troubled
waters. "Let us be calm in our debates," he begged the
House. IV The government men were in despair lest a new
flood of unreasoning Papist panic should sweep away
York's slightest chance even of "limitations". But as
each day of the session was marked by the increasing
violence of the Whig attack, their defence of York

III. Grey. VII. Oct. 27, p. 376.
IV. Ibid. p. 367.
hardened in proportion. There is one point that should be noted regarding the Whig opposition in this parliament as so many members had been elected for the first time. Langford wrote to Ormond on October 30th - "all the new members herd together, insomuch that very few of the old, except my Lord Russell, Colonel Titus, Sir Francis Winnington, Mr. Bennet, Mr. Harbord, and Mr. Colt (sic) will be listened unto." I This is a useful list of the chief "managers" and speakers for the Opposition in the debates of the next fortnight.

Russell asked on October 30th that a day should be set "to consider of suppressing Popery and preventing a Popish successor." On Tuesday November 2nd, a crucial debate took place as to whether a measure of exclusion should immediately be brought forward, or whether the House in Grand Committee should debate means for securing Protestantism under a Catholic King. III The Whigs naturally wanted the Bill brought in, while the Court Party preferred a free debate on "limitations". Garroway, enlisted on the Court side through Halifax, supported the latter demand and urged the necessity of calm

II. Grey VII, p. 391.
III. Grey VII, p. 396-98.
consideration for such an important decision. Capel and Boscummen opposed him, but he was supported by Hyde, Jenkins, Musgrave, Seymour and Finch, who each in their different way put the abstract case for the monarchy. These men were the chief speakers for the Court party.

It should be remembered that none of them were experienced "parliament" men if we except Seymour. The Court's best orator was in the Lords; and against them in the Lower House were some of the best speakers of the old country party, already named in Longford's letter.

Hyde in this debate on the method of proceeding made what was a long speech for him. He began with a complacent reference to his father's services to the national religion, and went on to make a somewhat surprising declaration implying that York would not expect less than limitations. "I believe the Duke is convinced, that it cannot be reasonable for him to expect to come to the Crown upon such terms as if he had not given these apprehensions and jealousies."II It must be inferred from this opening by a man personally so attached to the Duke as Hyde, that all the Court party men had been told, or


II. See Grey VII, p. 401-402.
had decided to make attack their best defence by discerning offers. How far this was due to the influence of Halifax, or to the King himself it is impossible to determine here. He spoke as a true courtier in warning the House that the danger of civil war was a worse menace than a Popish successor. "In all times there have been a great many worthy men, who in all difficulties will stick to the Crown, and in process of time there will be discontents among them who oppose the Crown, and those that are not pleased will join with them that are loyal." This was a discerning forecast. He also indicated to the house the kind of restraints that might be made upon a Catholic King's prerogative: "The Crown has but a narrow Revenue, and the Parliament must supply it from time to time, for the ordinary exigencies of the Crown, and the Parliament will then provide for their own safety better than by taking this way proposed." This sounded a much more reasonable proposition than it really was, as Hyde who had been manipulating the revenues for a year very well knew. The speech is in the writer's opinion the best contribution that Hyde made to the exclusion debates although he spoke again on several occasions. Jenkins,

the best speaker amongst the courtiers and the chief "manager" for the King's party in the house, followed Hyde on this occasion with an appeal to the Opposition to remember that the only alternative to 'expedients' was extremity, and that therefore 'expedients' should be heard. He tried to distract the house from the main issue with the old bogey of a standing army. Musgrave advised the appointment of a Committee to discuss a further vital matter: the nomination of a substitute heir if York was to be set aside. Finch contributed sensible and legal moderation to the debate, also advocating the fullest discussion of expedients. Seymour, with his characteristic vehement rudeness, put forward some excellent arguments against a narrowly domestic view of exclusion. "When you seclude the Duke from Religion, you make a war for Religion, and that Great King, who makes war for his glory, will be glad to take this as a handle for your disturbance. And when once you are put to raise an army to support your Law, adieu to all the Liberties of England." He prophesied Parliament's


II. Grey VII, p. 403.

III. Ibid. p. 411.

final discomfiture in his warning: "I am unhappy when I take notice that the only thing the King excepts in his Speech, should be the first thing you resolve on." I

The violence of the Whigs carried the day against the Tory demand for full discussion. Russell, Harbord, Birch, Winnington and Colonel Titus could appeal to such well-worked memories as "Bloody Mary", and the Irish Massacres, declaring "Religion and Property in the Scale." II They called for speedy action to preserve the King and the nation. It was finally resolved to bring in the Bill, and a Committee of the most violent Whigs was appointed to draw it up. III However it may be noted that the Whigs had met with more opposition than they had expected. IV Colonel Cooke wrote to Ormond that day that the Court party would at this stage have compounded for a bill against Popish succession not actually naming the Duke. V This shows how little

I. Grey VII, p. 407-408. Ralph considered that his insolent speech on this occasion was the chief cause of his later impeachment. Ralph, p. 521.


III. C.J. Nov. 2, 1680.


V. Ibid.
real hope they had. But to the Opposition "all expedients were poisons not antidotes." I

At the first reading on November 4th the burden of opposition to the bill fell chiefly upon Jenkins the Court party 'manager'. His speech was long and weighty and, in its historical and traditional appeals, full of interest as indicating the natural strength of English conservative instinct. It is the enunciation of High Anglican Toryism. He first examined the abstract justice of the proposition. Since Popery was a crime already punishable, could a new law be made for one person alone? The principle that Dominion was founded on Grace he declared to be the notion only of Papists and Anabaptists. The Papists had always maintained that a King might be deposed for the sake of religion; he instanced the Pope's pronouncement against Henry of Navarre and the later papal deposition of Elizabeth. The core of his argument was that the Bill "changes the very essence and being of monarchy", since it was thereby reduced to an elective monarchy; that it was opposed to the principle of primogeniture - an appeal to the deepest traditions of the many landed men who heard him. Jenkins further solemnly

declared it to be inconsistent with the oaths of allegiance: "I believe it is not in the power of man to absolve me from that oath." He was expressing that utter belief in the divine right of kings which had been the chief support of the Stuarts in the past and which was still to tempt them on to folly in the future, in saying "when God gives us a King in his wrath, it is not in our power to change him; we cannot require any qualifications; we must take him as he is."\(^I\)

Here was a more fundamental issue than the immediate problem of James, as Catholic successor, for behind Shaftesbury was ranged feelings not expressed in principle till much later that a bad King need not be passively and inevitably endured.

There was no necessity for a division on the second reading. "The ayes were most numerous and with some clamour; the Noes so weak that the Speaker declared for the former ... we were not a dozen that durst cry out,"\(^II\) wrote Ailesbury afterwards, although he stated that if the house had actually divided there might have been a hundred against exclusion. This is a rather

\(^I\) Grey VII, p. 419-420.

\(^II\) Ailesbury, I, p. 48-49.
surprising statement since it was reckoned at the elections in 1679 that only about forty staunch Court party men had been returned. It is possible that Ailesbury exaggerated in the light of his later knowledge of events.

Two days later after the second reading, the difficult question of nominating another heir arose. As the debate on the winding of this important clause proceeded, differences of opinion amongst the hitherto united opposition began to emerge. The Tories naturally insisted on careful definition. Garroway feared the prospect of a Republic unless the heir was clearly indicated. Finch spoke more strongly against uncertainty in the succession than he had against the Bill itself. All the Court party were determined that York's protestant daughters should never be excluded. Even Harbord, violently opposed to York, threatened "if this Bill should exclude the Duke's children from the crown, that are Protestant, I am against it, it is unjust."

Monmouth's group did not wish to embody the rightful claims of the Duke's children in the Bill, and, in the debate in Grand Committee of November 8th, pressed for the ambiguous clause that such heirs should succeed

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II. Ibid., p. 431-432.
Charles as would succeed if James were already dead. This did not, in its vagueness, preclude Monmouth. The Orange group was ready to be content "with a saving to all Protestant successors". The next day Jenkins brought down a message from the King asking the House "to expedite such matters as are depending before them", and assuring them that "all remedies they can tender to his Majesty, conducing to these ends, (Popery and the Plot) shall be very acceptable to him, provided they may be such as may consist with preserving the succession." This reminder in no way served to calm the passions of the members. Harbord declared bitterly that the King had asked them to make bricks without straw, since every examination into the Plot led back to York. Much dissatisfaction was expressed (chiefly by Hampden, Birch, Titus and Winnington) against those who had advised such a message. Since Charles in his speech opening the session had asked for a speedy trial for the five Catholic Lords in the Tower the Opposition found vent for its annoyance in selecting


II. Grey VII, p. 433.

an easy victim and resolved on November 10th to try one of the five, the aged Lord Stafford, immediately as a Popish traitor. They returned a defiant answer to Charles the next day that their difficulties, even in regard to the trial of the five peers were "much increased by the evil and destructive counsels of those persons who advised your Majesty, first to the Prorogation and then to the Dissolution of the last Parliament ... and by the like pernicious counsels of those who advised the many and long Prorogations of the present Parliament." II

The final exclusion debate of the Commons on the 11th raised the defence of hereditary right to the highest "tablelands of principle" III which the eloquence of the Anglican Tories could achieve. Jenkins again made the most impressive speech: "How can you make a King by Parliaments?" he asked. Government came not from the people but from God: "Religion vests that veneration in us for the Government, that it will be much less, when we see it from the people and not from God immediately." IV

I. His trial actually began on November 30th.
II. Grey VII, p. 440.
III. Feiling, p. 184.
IV. Grey VII, p. 447.
The close alliance of the national church and the monarchy was emphasized: "I am afraid the Church of England will receive a great blow by this Bill. The reason of one of the great beauties of the Church of England is that it is safe and secure in the matter of allegiance to all." He concluded: "We are not to do evil that good may come of it, if there be any good in the Bill! But I know of none, and therefore I move to throw it out." I

Sir Robert Markham stressed the endless difficulties of the future if the succession was broken. What would happen if York's daughters were declared his successors, and then a son was born to him; and if the Duke "should come back again to the Church of England." II

Hyde spoke in a less abstract strain than Jenkins, and in a more defeatist tone. Although he declared himself confident that "a Loyal Party" would never obey the mandate of exclusion and would follow the Duke "which must occasion a Civil War", the general tenor of his speech implies that the bill is an accomplished fact. "I offered formerly Expedients instead of the Bill", he said referring to his speech of November 2nd; but since

II. Ibid. p. 448.
III. Version of Hyde's speech in "An Essay Towards the Life of Laurence Hyde". Grey's record gives "Notwithstanding this Bill Persons of Loyalty will adhere to the Duke if he outlive the King."
the House was now simply to accept or reject, he could only point out that the Proviso as to the successors was far from clear, above all it did not definitely establish that the heirs must be legitimate. As for the Bill as a whole, if this were a merciful bill then he preferred justice to mercy: "for the satisfaction of my conscience, I had rather go the just, than the merciful way." The murderers of Charles I, he declared bitterly, had been known, and had their trials and were heard. "You may take his head off, upon Tryal, if he be guilty of what he is accused of." But to cut York out of the succession would be as ineffective and ridiculous, he predicted, as the Act which was made for the "Perpetuity of Parliaments." James took him up on the question of loyalty saying no one could be called loyal who would not obey the King's law. Winnington followed with the retort to Hyde's argument of injustice that no Englishman unless "one bred in foreign countries, where Popery and arbitrary Government are exercised", would make such a statement.

As the Whigs had held up the bogey of a Catholic reign of terror, reminders of "Bloody Mary", St. Bartholomew, and

II. Ibid.
III. Ibid, p. 452.
IV. Ibid.
the Irish Massacres, if the Bill was not passed; so did the Tories threaten the horrors of Civil War if it became law. Colonel Legge, a close personal friend of James was even more explicit than Hyde had been. "If Pandora's Box must be opened, I would have it in my time, not in my children's, that I may draw the sword to defend the right King."Ⅰ Finch concluded the defence for the Court party by added emphasis on the confusion in the succession, apart from the Duke, which this Bill entailed. "You do not only exclude the Duke the succession, but you leave it doubtful to his children."Ⅱ

The majority for the Bill was so overwhelming that no division was necessary. Arran reported afterwards to Ormond that there were "scarce two negatives, not any of those of the Privy Council in that house, except Lionel Jenkins and Lory Hyde having courage to oppose it."Ⅲ

It is impossible to say therefore whether the High Tory appeal to reason and engrained tradition had swayed any of the moderates, though it is possible that these arguments bore fruit a month or two later among the less extreme Whigs. Four days passed during which Halifax and


Ⅲ. Orm. Mss: V, p. 561. Jan. 25, 1680. Arran to Ormond. This letter is a long and interesting account but without any new details of the proceedings leading up to the 'Bill'.

some of the leading Opposition members were in close cabal, probably in the hope of some eleventh-hour compromise; but on the 15th Russell "greatly attended by zealots", and accompanied by the Lord Mayor and Alderman of the City of London, carried the Bill up to the Lords.

The Court party had already had some hopes that it might be rejected in the Upper House, where the appeal to hereditary right would make a much stronger impression. Nearly a week before Conway wrote to Ormond "they are but thirty of the temporals which will be for it, and my Lord of Sunderland and my Lord of Essex must be reckoned into the number to make them so many, and we shall be fifty now sitting against it, besides the bishops." James rested all his hopes on the peers. "I believe before this or at least before you receive it you will have spoken against the bill in the House of Lords as well as your brother did in the House of Commons, and when I look over the list of our House I cannot think it will pass there," he wrote to Clarendon.

Certainly the backwoodsmen peers realised the importance of the occasion. "All the lords at far

Ralph, p. 525.

II. Ailesbury. I, p. 49.

distance came up to town", records Ailesbury, "and to the eternal honour of the bishops not one was absent unless one that was bedridden." The debate started immediately on the fifteenth and went on far into the night. Halifax as is well known decided the fate of the bill in a celebrated forensic duel, chiefly with Shaftesbury, who was supported by Essex. He answered his opponents sixteen times in the ten hours debate, in the presence of the King and many members of the Lower House who attended in the Upper Chamber. James, who had full accounts of the proceedings from his friends wrote later that Halifax "spoke incomparably and bore the burden of the day in the committee." There are many contemporary accounts of his great feats of oratory on this occasion of which one may suffice - from Colonel Cooke to Ormond a few days later. "My Lord Halifax, who (say some) did so outdo his usual parts (tho' constantly very great) that by the strength of his argument he cleaned many eyes (purblind by prepossession), to vote against the Bill. Three particulars I have heard repeated as wholly unprovided

I. Ailesbury. I, p. 49. Gwyn (See Orm. Mss. V, p. 438) says there were fourteen bishops on the bench.

II. Reresby, p. 191.

III. Macpherson Extracts I, p. 108. See also Burnet II, p. 259 and Reresby, p. 203.
for by this Bill and yet unanswered. 1. The lopping off of the whole kingdom of Scotland, whose fatal consequences wanted not due illustration. 2. What if the Princess of Orange should refuse to assume her father's seat during his life (no unreasonable conjecture), who then should be King? 3. Should the princess accept, be crowned queen and established in the throne, and after the Duke should have a son, what then?!

Halifax cited York's credit in Ireland and with the fleet in emphasizing the dangers of Civil War, and boldly condemned the conduct of Monmouth who was present. Finally the Peers threw out the bill by a two thirds majority of 63 to 30, in an atmosphere of extreme tension and excitement. Some swords were drawn as it was seen that Halifax had won over the waverers, but no actual violence ruined the climax. Sunderland in this debate committed himself quite openly to the Whigs in the King's presence and other Tory Lords supporting it were Anglesey, Suffolk and Manchester. IV All four signed the protest made by the


II. Cobbett. IV, p. 1215. See Note I.


IV. Barillon. Nov. 28. 1680. N.S.
minority of thirty. The Chancellor was absent through illness real or feigned; the rest of the Tory peers, about fifty, had been for the monarchy, or won over by Halifax's oratory.

In his eloquent defence Halifax had expressed his great confidence in the solution of limitations and the Lords turned next day to this great topic of discussion. The Commons adjourned for a whole day "to recollect themselves from this amazing consternation." Meanwhile though "limitations" had still to be thrashed out, there was joyful surprise among the courtiers who had almost resigned themselves to defeat. Hyde had actually advised York before the Lords' Debate to conciliate the Scots. York had been very well received in Scotland in November, and Hyde suggested that he would get an address from the Scottish Parliament against his removal.

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I. L. J. Nov. 15, 1680.
In the same letter Hyde, ironically enough in view of his own position a few months later, strongly warned James against the temptations of French support. "It is the most damned and false bottom you can put yourself on," he wrote, "and such as I can never serve in, with any confidence or hopes of success."

Before turning to the next move of the Lower House it would be advisable to analyse the 'limitations' which the lords proposed in the next few days. One expedient of doubtful value which was put forward by Essex was the framing of an Association (as in Elizabeth's time) consisting of all bishops, judges, officials and members of Parliament prepared to take up arms on the death of the King and to remain armed until Parliament met. A series of proposals limiting the powers of a Popish successor included the cancelling of the royal veto, and the according to York of the legal position of a minor. Halifax made a definite recommendation that the Duke of York should be banished for the King's life, for which James was not so grateful as he had been for his oratory on

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III. Ibid. p. 209-10.

the 15th. Shaftesbury proposed that the King's marriage should be dissolved, and that he should re-marry a Protestant; but he did not press this with much vigour; and on the 23rd the Queen's divorce proposal "was with modesty laid by, not to be resumed again, I hope," wrote Cooke to Ormond, "the King giving no encouragement to it, but much the contrary." III

Finally five general axioms or heads of expediency were resolved by the Lords.

1. That an Act of Association such as was in Edward III and Queen Elizabeth's reigns shall now be passed a part.
2. That all dispensation for the Duke taking the oaths and tests shall be expugned.
3. That he shall be divested of all those trusts and dignities he yet retains, whether relating to Ireland, Tangier or the Indies.
4. That if any Parliament shall be then in being at the time of the King's demise, or if not, the surviving members of the last Parliament shall resume and sit six months indissoluble to settle the great affairs of the nation.

5. That neither the Duke nor any Popish successor shall ever have so much as any negative voice or be capable of conferring any honour or dignity or employment, spiritual or temporal (whether military or civil). I

Using these general principles the Lords guided by Halifax hoped to work out in the last days of November a solution of limitations that would be accepted as the alternative to exclusion.

To return to the proceedings of the Lower House on the 17th. Their fury at the rejection of the Bill by the Lords without a conference was not allayed by a reminder from the King that supplies must be given immediately for the saving of Tangier. II It was hardly likely that the Council would grant supplies for Tangier at the moment. Hyde stood up to emphasize its importance as "situated to command the greatest throw-fare of commerce in the world," III and declared that if the house did not give speedy assistance it would be lost to us. "Tangier is a place of great moment," said Sir William Jones expressing


II. Jenkins delivered the message on Nov. 15th and it was debated on the 17th. See Grey VII, p. 471-472 and Grey VIII, p. 4-21.

III. Hyde however had told Barillon in August that Tangier had cost Charles two million livres which would have been better employed for the Navy. Barillon. Aug. 22. 1680. N.S.
the temper of the Commons, "but I take the preservation of Religion to be far greater." I Jenkins and Hyde opposed this current of feeling "after such a manner as argued their despair of getting the better of it." II The opposition continued to harp upon the rejected bill, "which made Mr. Hide stand up once more and say that it was not only very strange, but if he was not mistaken contrary to the custom of Parliaments, that after the Lords had past a negative upon a Bill, that they should still press for it." III

The address which was at last returned to the King re-iterating the present dangerous condition of affairs, and the impossibility therefore of granting supplies was little less than a grand remonstrance: "every injury since the beginning of the reign seemed contained in it, the Dutch war, the French alliances, the prorogations and dissolutions of Parliament, and everything set down to the influence of the Papists over the King." IV The temper of the Commons was now dangerous towards the men in office. Even before they learned of the Lords rejection, Harbord

I. Grey VIII, p. 5.
II. Ralph. I, p. 527.
III. Grey VIII, p. 5
IV. Hume. Vol. VI, p. 175.
had declared on the 15th, "we must trust the King or he
us ... I am for the King to trust us, for I will be bold
to say, we have had such a succession of Ministers and
Crimes, since the Breach of the Triple League, as never
was in story."¹

The real counter attack of the Commons - an attack
on Halifax whom the House correctly considered chiefly
responsible for rejection - began as soon as the address
to the King had been framed and returned. The perfectly
constitutional action of Halifax in the Lords could not
be used against him, but a pretext for attacking him was
soon found. "Common Fame says that Lord Halifax advised,
and since, he has owned, the dissolution of the last
Parliament,"² declared Montague, in moving that an
address be presented to the King representing Halifax
as a public enemy and petitioning for his removal. That
such an attack could be made in the Lower House wherein
were so many of Halifax's old friends shewed the depth
of the feeling aroused in the Opposition. Temple and
Powle were the only moderates who gave him any support,


II. The Dowager Sunderland told Sidney that Halifax had
been warned "by one of the great acting" that if he
spoke against the Bill in the Lords he would be

but his new Court friends, Finch, Musgrave and Hyde defended him more ably. Hyde was especially anxious to put the onus for the last dissolution on to Sunderland and Essex, who had been as much concerned, if not more so, than Halifax. "Other people concurred as well as he, and some that were then in credit and more likely to do it. To avenge one counsel upon one Counsellor and let the rest escape is unjust," Hyde protested. In the same debate Sir John Hotham gave away the real cause of the attack. "I ... find that this Lord was the great occasion of throwing out this Bill ... he is a great minister and strikes with great hammers. If we are afraid to do this ... he may do yet more if he be near the King." 

A motion for adjournment was lost by 219 votes to 95, (about 80 members abstained), and the address for removal was carried. Although Charles firmly

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II. Ibid.
III. C. J. Nov. 17, 1680, f. 655.
"What followed shewed it to be so perfectly malice that it made 40 for him." Sydney Diary II, p. 128. This number is important since the Exclusion Bill had been carried without a division.
IV. C. J. Nov. 22, 1680, f. 660.
refused to consider it, it had the important effect of throwing Halifax still further into the arms of the Court Party men who had defended him, for he was bitterly disappointed at the lukewarm attitude of his old friends, the Moderates. "I must only cast about for a new set of friends for my old ones have been so very zealous for the public that some of them thought it as meritorious to persecute me as others believed it excusable to desert me," he wrote bitterly to Henry Savile. II "The major part of the House was ashamed and sorry for it," reported the dowager Countess Sunderland to Sidney, "but would not venture their credit for what they were indifferent to." III

In the Lords, Russell and Shaftesbury disowned the attack on Halifax. Here the 'expedients' were being discussed in committee without much headway being made. The Duke's closest supporters were naturally discouraging them and the severity of the limitations on the royal prerogative, such as the surrender of the veto and the

I. As on insufficient grounds, but he clearly gave up in his reply the right to pardon which had aroused so much anger in Danby's case. Grey VIII, p. 87.


right to appoint to spiritual and temporal office gave
the Whigs an opportunity for derisive sarcasms. Moreover
Sunderland's group did not want to encourage the shearing
of a prerogative which might some day fall to the Prince
of Orange, and Orange himself was already objecting to the
proposals. II Sidney's diary for the end of November is a
proof that Orange had been won over to exclusion[III] although
he continued to feign to Charles and James a deep concern
for their present difficulties. IV

The Chits' Ministry may now be said to have dis­
appeared for Godolphin had thrown in his lot completely
with Sunderland. Sunderland was not removed from the
Committee of Intelligence until the end of the year, but
he was in disgrace with the King, and Hyde, alone of
the original trio, maintained his original position in
the King's confidence, with the added prestige of being
the only loyal Minister. Seymour, who had aided the
courtiers in the exclusion debates now began to co-operate
with Hyde at court, and with Jenkins and Arlington,

I. See Foxcroft I, p. 263.
II. Sidney Diary II, p. 139. Orange to Jenkins.
III. See also Ogg II, p. 614, for a modern historian's
view.
IV. See also Orange's letters in Dalrymple I. App. to
IV, pp. 372-376.
their respective satellites, the four made up what can be called the King's Government. The chief animosity of the Whigs was directed, however, not against Hyde the leader of this government, but against his new allies. The attack on Halifax was followed by the impeachment of Seymour; and for the moment Hyde was ignored by the opposition.

York wrote to Hyde from Scotland expressing his deep obligation for his loyal service, and through him transmitted his thanks to everyone who had spoken or voted for him, "they being too many to write to." He had written personally to Halifax but wished Hyde to inform the Bishops of his deep gratitude. "I never expected other from them (the Bishops) than that they would be firme to the Crowne and put them in mind I have ever stuck to them, whatever my owne opinion is and shall so continue to do so." He was very pleased that Sunderland had revealed his true colours in the Lords debate. "Now his Matie can no longer be deceived in my Lord Sunderland, and thinke him my friend since he voted against me, and has also entered his dissent to some purpose... he shall never play mee such a

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III. Ibid.

IV. See Minority Protest, p.200-201.
trick againe.\textsuperscript{I} Although he did not personally like Halifax, he was very concerned at the Commons' attack on him as being the first step in the final destruction of the monarchy. He was still more concerned, in his letters to Hyde, about the proposed Association\textsuperscript{II} of Nobility and the Limitations now being discussed by the Lords' Committee. James felt that strong measures alone would save him, a feeling perhaps reinforced at this time by Louis' secret assurance of supplies in case of war.\textsuperscript{III} "I hope my friends will be as careful to hinder any proposals that may ruine me as well as they were to throw out that Bill," he exhorted Hyde. On December 7th, having seen a copy of the projected schemes, he wrote that they seemed "worse than the bill of exclusion, for that was only against me, but this absolutely destroys for ever the monarchy."\textsuperscript{IV} It seems that Hyde had promised to agree with the King and Halifax upon the drafted Expedients, although he did not think they would come to anything,\textsuperscript{V} and this probably heightened York's fears.

\begin{itemize}
\item[II.] "Those that are phanatically inclined and are for a Commonwealth would have a faire game to play." Clar. S.P. 87, f. 331. York to Hyde. Nov. 23, 1680.
\item[IV.] Clar: S.P. 87, f. 334. York to Hyde. Dec. 7, 1680. (This letter has been published in the National Review. Aug. 1888)
\item[V.] Temple I, p. 352.
\end{itemize}
Hyde's position as first minister was not enviable. He was responsible for carrying on the government without help or supplies. The question of Tangier, the question of future supplies, the question of the Exclusion Bill were all still unsettled, while at any moment he might become the object of a Parliamentary attack. Nor would the Commons find it difficult to concoct an impeachment of the head of the Treasury Board. Temple relates that Hyde asked him one day during November why he came so seldom to the House or Council: "I told him 'twas upon Solomon's advice, neither to oppose the Mighty, nor to go about to stop the Current of a River. Upon which he said I was a wise man and a quiet man and if it were not for some circumstances he could not help he would do so too." 1

The Lower House was now in a much more uncertain position, and many members were considerably less confident than they had been early in the Session. An anonymous letter to a Member, found in the State Papers, gives a shrewd summary of the causes of Parliament's depression. There was a general fear of a sudden dissolution before any decisive action could be forwarded and rumours that the House had "lost a multitude by some of your late votes

1. Temple I, p. 352. See also "An Essay towards the Life of Laurence Hyde", f. 36.
and resolves. By proceeding in such a manner against Lord Halifax without giving the least hint of his fault to satisfy the people". I In addition to citing the neglect of Tangier and the unconstitutional opposition to the royal power to prorogue and adjourn, the letter contains a notable criticism: "'tis very unreasonable to attempt an alteration of the Church and Government at the very same time when others are brought on the stage for a capital transgression by endeavouring to alter the Church and Government." II This last refers to the trial of Lord Stafford.

It is important to examine the attitude of Orange at this juncture. He was taking a very close personal interest in the proceedings through the medium of Temple, Sidney and Sunderland. On November 30th he wrote to Jenkins with great personal point criticising the 'limitations' on the prerogative then under discussion. III A little later he received an undoubted snub from the Committee of Intelligence via an official communication


II. "Anon to a Member of Parliament". Nov. 28, 1680 in Cal. S. P. Dom. 1680, p. 92. There is an injunction in another hand in the margin "to press no further on the King than you can be sure he will beare." Ibid. p. 93.

from Secretary Jenkins to Sidney that the message of the States General pressing Charles to come to agreement with his parliament had been excepted "as taking too much upon it to advise in our great affairs." Orange had a depressing report from Sir William Temple at the end of November that he despaired of any agreement in this session: that the Whig leaders were willing that Parliament should come to an end "to make way for a new one by which the King may see yet further what the heate and humour of the people is." Before another month had passed Orange was contemplating a visit to England - undoubtedly in his own personal interests - but he wanted to come only on one condition. "If the King will declare he will pass the Bill," he told Sidney that he would visit England, but he did not want to come until it was passed, for the sake of his reputation as a dutiful son-in-law.

York was also receiving full reports of the situation from his political henchman. He loaded Hyde with suggestions and recommendations for changing the personnel.

IV. Ibid. p. 149.
of the government. He was as vindictive against the Duchess of Portsmouth as against Essex, Sunderland and Godolphin — "rotten sheep" whom he was delighted to hear were now greatly in the King's disfavour. Sweeping changes should be made in the Administration: Sunderland, Godolphin and Essex should be officially expelled at once; Sidney also, as being in their interest. His own friends, Peterborough and Craven, should be added to the Council. "He (the King) might very well make room for them all and do himself no harm, and really for my sake Lord Peterborough [a Catholic] should be countenanced." II He considered that no one would be more suitable to replace Sunderland as Secretary, than Hyde himself, "till it were fit to have a Lord Treasurer ... but I do not know how you could be spared there." Evidently Hyde had hinted at forthcoming changes in the administration for York excused his comprehensive suggestions on the ground that "what you have said to me in your letter has put all these thoughts of these removes into my head", but dolefully added, "what will all these projects signify if his Majesty lets this Parliament sit any longer." III


II. Ibid. Yorkist Tories such as Chicheley, Finch, Legge and Musgrave were all to be promoted.

Another point upon which York felt very strongly was the interference of the Spanish and Dutch Ambassadors, who were pressing Charles to come to an agreement with his Parliament. Still more was he concerned for the fate of the unfortunate Lord Stafford, which had become involved in the Exclusion struggle. "I hope his Majesty will have considered the trouble it was ever after to the King his father, he having signed the warrant for the execution of the Lord Strafford." He concluded his letter with a strong reiteration of his resolution never to change his religion in any circumstances. Whether Hyde bore all these messages and instructions accurately to the King is not known, but York's own firmness undoubtedly buttressed Charles in his own secret decisions which no one had yet divined.

Mention has already been made of Temple's statement to Orange that the Whigs now desired dissolution in order to try the effect of a new election. The Court party on the other hand naturally wanted the continuance of the present parliament until the division of opinion among the opposition should become sufficient to destroy its solidarity. From their point of view this was a
sound political manoeuvre. York, far removed from the scene and less clear-sighted than Hyde and his friends in London, clamoured in his letters for dissolution. I

Before Charles sent another message down to the Commons, Parliament had gained an empty and dismal victory in securing the conviction of the aged Stafford — selected, says Revesby, "as weaker than the other lords then in the Tower ... and so less able to make his defence."II The chief witnesses against him were Oates, Dugdale and Turberville, whose testimony was a horrible re-echo of the inventions of the autumn of 1678. "The party was so strong that pursued the cause against him more than the man, that he was voted guilty, there being 54 lords affirmative and 32 for negative or not guilty ... my Lord Halifax was one of the 32 lords, and the King, that heard all the trial, seemed extremely concerned at his hard and undeserved fate."III This verdict was given on December 7th. The business of his trial had so much occupied the lords for the preceding fortnight that little progress had been made with the discussion of the draft expedients. IV


II. Reresby, p. 194.

III. Reresby, p. 194.
For Stafford's conviction see also Sidney Diary II, p. 194. Dec. 7th.

On December 15th Charles made another speech to his Parliament practically recapitulating his opening speech of October 21st. This had been discussed and agreed upon in the Committee of Intelligence beforehand. Essex, Sunderland and Godolphin were present there as well as Hyde, Halifax and Jenkins;* a curious sidelight on the position of one section of the opposition at the close of the year. The speech reiterated Charles's ultimatum regarding the succession, emphasized the urgent necessities of Tangiers and the important crisis of foreign affairs. (It was feared that the Dutch might make a new alliance with France.) II It also contained a promise to permit expedients or limitations. III But the Commons were far from satisfied with having secured Stafford's conviction; rather, having tasted blood, they were more fiery tempered than before. "We are not one bit safer than when we came hither first," declared Sir John Hotham, "... we do not only labour under Popery, but desperate arbitrary Power." IV Great bitterness was

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I. Also present at the meeting: The Lord Chancellor, Lord Chamberlain, Temple and Jenkins. Add. Mss. 15,643, f. 45. Register of Committee.


used in referring to the Bishops and the chief advisers of the King. Another Bill was framed for an association of all his Majesty's Protestant subjects ... for the prevention of any Popish succession," which was a stronger threat of Civil War than the Exclusion Bill had been. Hyde took no part in these heated debates during the last days of December. He was probably regarded now as too much of a whole-hearted Yorkist to obtain a hearing, and his satellite, Jenkins, was equally suspected. Temple carried down the King's "last answer to the Commons, containing his Resolutions never to consent to the Exclusion of the Duke ... which was received just as was expected." It was after this errand that Temple retired from public affairs. He considered the struggle hopeless, since each side desired to bring matters to extremity, the Whigs hoping that financial necessity would cause the King's surrender, and the Court hoping that the cumulative violence of the Commons would bring Charles "to a Disuse of Parliaments."

The Commons were determined to have the last word, and, in answer to Temple's Message, resolved not to give

I. Jenkins had become "too unacceptable" to the House to speak at any length; and was attacked about the imprisonment of an informer Norris.


III. Ibid. p. 353.
any supplies until the Exclusion Bill was passed. They pressed on at once to a new wholesale attack upon the King's advisers, Halifax and Hyde. The latter had begun to attract more attention from the Opposition. The Countess of Sunderland, writing to Evelyn at the end of December, had described Hyde and Halifax as "the powerful men". The King had recently personally supported Hyde in some personal dispute with the Lord Chamberlain in Council. The House accordingly included Hyde in the new attack.

From an anonymous letter written to Ormond, it is gathered that the Chancellor, the Privy Seal and Radnor were also intended to be named as evil counsellors with Halifax and Hyde on January 7th, "but others were by accidental notions introduced against the sense of the managers, whereby the three first escaped". Some of the opposition leaders found it very embarrassing when their new friend the Duchess of Portsmouth was named by the rank and file of their own party, "and Sir William Jones was fain to use more art than honesty to save her"; Russell began the attack on the chief ministers by saying


IV. Ibid.
it appeared plainly from the royal message ..."what interest is prevalent at Court, the Duke's creatures, which is so great, that little good can be effected." I A comparison of Charles's government with the French absolutist monarchy "where little men of low fortunes are the Ministers of State", was a palpable hit at Hyde. He rose to proclaim hotly his unashamed opposition to exclusion. II It was an extraordinary proceeding, he declared, to bring up again a bill which the Lords had rejected. His official policy, probably ordered by the King, was to urge the expedients suggested by the Lords which the Commons disdained: "If my advice be taken (as I believe it will not) take any Expedient ... see whether anything of Expedient can make your condition worse than it was before." Leveson Gower retorted that the Lords had only rejected the original Bill through undue influence. "Persons near the King are so interested for the Duke, and so long as they are at Court, we shall not have this Bill ... I would have the House fully expresse themselves about Persons about the King." III


II. "I am not ashamed to own it here, that I was against this Bill." Grey. VIII, p. 265.

III. Grey. VIII, p. 266.
Each member of the Opposition stressed in turn the necessity of breaking down the King's resolution by removing his present advisers. "We are so out of order", said Birch, "that the Bill will do us no good but you must change the interests of the Ministers." While Capel mentioned Halifax as the chief danger and as having advised the King's last message, Russell accused Hyde:-- "I think an honourable Person of this House knows more of the secret of these Councils than anyone and that is Mr. Hyde." Hyde in a great passion "swore by God that he had no hand in it" and wept with indignant rage. Jones "upon the score of old friendship", and moved by his sincerity and "infirmity" defended him against the charge of Popery, though he thought "his passion on this occasion a little too much." Harbord, Finch, Godolphin, Downing and Johnson all spoke in his defence, and compared with Halifax he was leniently treated.

I. Grey. VIII, p. 275.
II. Ibid. p. 281.
III. Ibid. See also note to p. 284.
IV. Burnet II, p. 262. Airey.
VI. Halifax was declared a "promoter of Popery and an Enemy to the King and Kingdom".
Daniel Finch reported that it had been at first intended that he should be bracketed with Halifax, yet "once the House seemed disposed to lett fall the other part of the vote of displacing him. But some of his friends, by their long speeches lett slip that criticall minute and at last they passed the third vote for no other reason as it seemed to be confest, than for being allied with the Duke and so not fitt to be trusted." II Hyde in his own defence proclaimed his "courage in the Treasury, his religion, the education of his children whom he had rather see starve under Algier than under a Popish governor." III Despite the compliments paid him by his defenders on his management of the Treasury, it was generally felt that the Duke's brother-in-law should not be in control there. Yet Russell, who had first accused him, IV later in the debate declared his relationship to the Duke to be no objection "when he is but one of five," V which suggests that a reaction had been aroused in the House in his favour by his friends' defence and his own vehement excuses.

I. To be removed from the royal presence and councils. Feversham, Worcester, Clarendon and Seymour were named also in this vote. Grey does not give the shorter debates on these names.


IV. See Supra, p. 222.

If Hyde was not guilty, as he declared, of advising the King's Message (although he had attended that particular Council), then he had obviously failed to follow out York's strong injunctions and was "trimming" to some purpose. It seems more likely, however, that he had hoped to work entirely in the background, sheltering behind the deeply-resented influence of Halifax. This Debate shewed that his real position was beginning to be suspected.

The political situation was completely at a standstill and rumours spread early in January that Parliament would very soon be dissolved. These rumours seem to have been encouraged by the King's chief advisers. Barillon had the impression that Hyde and Halifax were full of optimism that the Bill would never be passed, and that they themselves were in the full confidence of the King. This attitude, on the part of Halifax at least, was probably assumed to impress the French Ambassador for, on December 29th, the day of Stafford's execution,

I. See Supra. See also Note. See also

II. Halifax, however, described him as "much the more knowing courtier" than himself. Savile Corr: p.259. Halifax to Savile, Jan. 8, 1681.


Reresby relates that Halifax said to him privately:
"Well, if it come to a war, you and I must go together."

The Commons, impressed by the rumours of impending dissolution passed several hurried resolutions on January 7th that whoever should advise the King to prorogue the existing Parliament to prevent the passage of the Bill was a betrayer of the monarchy and a promoter of French interests. Important for Hyde was one resolution "that whoever shall lend or cause to be lent by way of advance any money upon the branches of the King's revenue shall be judged to hinder the sitting of Parliaments and shall be responsible for the same in Parliament." Charles now took action and prorogued Parliament on the 8th for ten days. He had already decided on dissolution chiefly because of the attacks made upon Halifax and Hyde. This was discussed at a small Council meeting on the 17th, three days before Parliament was to meet again. The next day, the 18th, the dissolution of the Parliament was formally proclaimed, and a new Parliament summoned to meet at Oxford on March 21st. Halifax was supposed to be the chief adviser of this move, but he was really

I. Reresby, p. 196.


very suspicious and distrustful of dissolution. He thought that it not only cut short the peers' discussion of "limitations", but also gave the Commons a reasonable protest that no expedients had been laid before them. I

At the same time Charles finally dismissed Sunderland, Essex and Godolphin from the Council and the Court. Sunderland was compelled to surrender his seals. II This left Hyde and Seymour alone and supreme in the Government, for Halifax objecting to dissolution, and fearing it implied the renewed influence of York, retired to his country seat at the end of January. He was no doubt all the more disgusted that the city should impute the dissolution to his advice. III He parted however on cordial terms with Hyde whom he spoke of to Reresby as his particular friend, IV who had jointly suffered with him the violent attack of the Commons.

The dissolution following the attack upon the King's advisers ended another stage in the struggle between the Whig opposition and the Court. The Whigs had manoeuvred

I. See his complaint to Reresby (p. 199) that while Charles appeared to consider one counsel he hearkened to others by the "back door".

II. Foxcroft, I, p. 276.

III. "The town says, Lord Halifax means to expatiate his faults by going away..." Countess of Sunderland to Sidney. Diary II, p. 159.

Charles into the position they wanted and had almost accomplished their aims. Henceforward Charles was to do the manoeuvring. He had been silent and lethargic at the height of the crisis in November. Typically the only indication he gave then of his later attitude was to that ubiquitous Tory Sir John Reresby, to whom he had said one night at supper: - "I will stick by you, and my old friends; for if I do not, I shall have nobody to stick by me."

I. Reresby, p. 190. Nov. 7th, 1680.
CHAPTER SIX.

The High Tory Reaction.

Part I.

The close connection existing between our relations with France and party politics at home was to be as marked in the final crisis of the reign as it was in the earlier phases. Yet to the Tory party as to the Whig party foreign policy was at this moment of subordinate interest, and the influence which it now exerted on domestic affairs was a close secret shared only by the King, the Duke of York and Hyde.

As early as November, 1680, the French king had quietly renewed his attempts to come to a financial understanding with Charles. This was warmly supported by James, who, hearing a rumour from France early in 1681, sent Churchill down to London to urge its advantages at Court,^ and to confer with Barillon. Although Charles did not appear to be moved by either Barillon's or Churchill's arguments, he had been aware throughout the

Barillon. Feb. 3, 1681. N.S.
Barillon did not tell Churchill he had begun negotia-
tions and only informed him that Louis wanted an under-
Also Coxe: Memoirs of Marlborough, p.13.
winter of 1680 that a line of retreat from Parliament was open if he cared to avail himself of it. The lethargy into which Charles had fallen and upon which Barillon had commented in November was probably not so much physical, as a deliberate part of his usual ruse of playing for time. Following upon the tentative French advances, he commissioned Hyde to examine the finances with the purpose of ascertaining whether the Government could, by strict economy, carry on with the ordinary revenues should the next Parliament refuse supplies. After careful examination Hyde judged that this would be impossible unless some help, even though small, were forthcoming. Barillon hoped much from the immediate effect of this report upon the King, but it was the attitude of the Oxford Parliament which finally determined the new French alliance. Charles had a sufficiently sincere desire to explore every possible avenue of agreement before he should finally cut the Gordian knot of his difficulties by taking French aid. Not until the Spring therefore, when the new Parliament was assembling at Oxford, did he make any definite move towards Louis. By that time he had realised the futility of hoping that the new Commons might accept the lavish expedients

I. Barillon, Nov. 11, 1680. N.S.
proposed by the Upper House instead of exclusion.

In those uncertain months before Parliament met the Government was being carried on, practically single-handed, by Hyde. To most of his friends the political outlook appeared distinctly gloomy. Seymour, although gaining in influence at Court, was so nervous that in February he retired to the country until Parliament should assemble. Halifax had already preceded him there—a state of affairs which gave the Opposition much satisfaction notwithstanding the fact that Sunderland's group had recently been officially sent away from Court by the combined influence of Halifax and Hyde; and Seymour's incompetent friend Conway had replaced Sunderland as Secretary. The Duchess of Portsmouth shared likewise in the general disgrace of Sunderland's friends, and the Orange group as a result was cut off from confidential knowledge of the Government's policy for a time. Sunderland's wife wrote to Sidney that these dismissals were intended chiefly as a check to the Prince of Orange's

I. Present at the Committee of Intelligence for the first time on Jan. 25, 1681. Add. MSS. 15,643. f.48. Register of Committee.

II. Barillon. Feb.10, 1681. N.S.


IV. Christie II, p.39 and Barillon, Feb.27, 1681. N.S.
activities in English affairs, but she would naturally incline to this view: "'tis certain that the chief reason of the persecution upon him (Sunderland) and the rest of our friends is full as much to get out all that are friends of the Prince, as for any other cause, and then 'tis thought if all these very idle things called expedients fail, which as sure as you and I live they will, then they may be the sole managers between the King and the Prince, but having been a martyr for the Prince, I fancy he will think himself safer with my Lord, than with Lord Halifax or Mr. Hide; the first being a thing nobody can depend on, and the last so absolutely in the Duke's interest as never to be divided."I Since Temple was also now completely dissociatedII from the government circle, Orange would be able to keep in touch with the court's policy only through Hyde.

Hyde in solitary control during the first quarter of the year, was busily engaged in economising to a very stringent degree in every department of Government. All pensions save his own were strictly reduced, and the payment of Ambassadors abroad suspended.III Since his

attack by the Commons he no longer hid his light under a bushel, but openly avowed what his advice to the King in January had been: "d'avoir conseillé la cassation du Parlement; et la convocation d'un autre à Oxford. Cela augmente son crédit auprès du Roy d'Angleterre qui n'a pas accoustumé de voir dans ses Ministres assez de hardiesse pour advouer les conseils qu'ils lui donnent." I

Hyde's new boldness is illustrated in a letter written at the end of February II to the Prince of Orange, more candid than usual and in a strain that was most irritating to the Prince. III He pointed out the essential virtue of his own political opinions. Had attention been paid earlier as he had advocated, to the persecution of Popish recusants and the removal of the leading Catholics there would be less fear now of a Popish successor. "I think it is best allwaies to speak very plainly," he wrote - quite a new tone for Hyde to take, and pointedly added: "if men could apply themselves to gett all the good they can, at least it would look as if they meant very well." What, he enquired pertinently, was the King

I. Barillon. Feb. 6, 1681. N.S. See also Jan. 27, 1681. N.S.


"I gave the Prince Mr. Hyde's letter, which he was very angry at."
to do when the Whigs were demanding the control of the militia, the navy and the sea-port towns in addition to the Exclusion Bill? He reminded Orange also that the new Parliament had only been summoned so soon after the last failure because of the demands of the King's "neighbours and other allies abroad."I

Hyde required all his new boldness of front to face the great popular outcry against the assembling of the new Parliament at Oxford. Naturally the wilder sections of the city of London made violent protests, as well as the Whig peers. "Here is a wonderful deal of art and industry used to stir up the seamen, the watermen, the hackney coachmen, the suburbs men, to petition that the Parliament may sit here and not at Oxford," wrote Jenkins to Ormond. He added however a comment of great interest regarding the attitude of the solid city merchants:- "The faction is enraged that the bulky, I mean the wealthy, part of the city is not more forward in initiating and writing after the Lords Petitioners."II Essex was punished for petitioning against the assembly of Parliament at Oxford by being deprived of his Lord Lieutenancy of

Though it was a wise suggestion on Hyde's part to get Parliament's next meeting removed from the excited atmosphere of the coffee houses and the London mob, it caused such resentment that the new elections took place in an atmosphere of dangerous tension, and the Whigs were returned with a stronger majority than ever.

The Tories still loyal to the Court had very little hope of a Parliamentary solution once the results of the poles were known. Nor did the King give them any encouragement. It was reported that he had warned his brother that he must either change his religion or submit to exclusion. Moreover he occupied himself with discussing in council the new set of expedients which the despairing Tories were now drawing up to offer to the new Parliament. These were somewhat modified from the original suggestions made in the Upper House, and there is considerable divergence of opinion as to who their real author was. Barillon takes the gossip of the court that Seymour drew them up on his return to

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II. "The elections are generally the same that they were last Parliament; where they have changed 'tis for the worse." Jenkins to Ormond. Feb.12. Orm. MSS. V, p.579.

court early in March. Miss Foxcroft says they were formulated by Halifax possibly at the suggestion of Littleton. Burnet and Littleton claimed to have augmented the suggestions which Seymour took up and made his own. No-one in the court party seems to have shown great enthusiasm for them. Jenkins however thought such constitutional expedients the only possible solution now, in spite of his High Anglican enunciation of the divinity of kingship in November. It is clear that Charles officially approved the list of limitations drawn up, and he ordered the Court Party to support them in the new Parliament.

An examination of these new government proposals shows them to be less stringent than those previously put forward. Charles had promised Orange in December that there would be no serious limitations of the royal prerogative, so that their severity is more personal to James than to the crown in abstract. The Duke was to be banished

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I. Barillon. March 13, 1681. N.S.
II. Foxcroft. I. 286.
III. This is Feiling's view. See p. 185.
IV. Prinsterer. II. 5, p. 474. Jenkins to Orange, Jan. 28. See also Barillon. Feb. 10, 1681.
V. Prinsterer. II. 5, p. 490. Hyde to Orange. March 29, 1681. N.S.
during Charles' life-time. (This sounds like the work of Halifax.) On the death of Charles the Princess of Orange was to become regent, and failing her or her issue, the Princess Anne. If the Duke had a son brought up as a Protestant, then the Princess was to have the regency only during the child's minority. The Regent was to nominate members of the privy council with parliamentary approval. This last is a very interesting constitutional proposal which has not received the attention one might have expected from historians of the period. The Regent was to govern in the name of James, but it was to be a capital offence for anyone to take up arms on behalf of James. I

This compromise which Charles was willing to offer as the alternative to exclusion is very definitely favourable to the interests of Orange, and quite destructive to those of Monmouth and Shaftesbury. Feiling believes that Charles put it forward with the hope of drawing the Prince away from the Exclusionists. II When Temple heard of the official expedients he wrote to Sidney: "if it fails after having been proposed by the Court, it will have one effect, which some of the Prince's good friends

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II. See Feiling, p.185.
will be glad of, which is to make it believed that the Prince is as perfectly in the Duke's interest as they would have it thought and give out upon all occasions."

This suggests that Hyde and the rest of the Court Tories hoped to win Orange over from the opposition. Undoubtedly it was Hyde who wrote to inform the Prince that he and the rest of their party had been ordered to press these expedients in the House. Yet the regency scheme must have been most distasteful to all York's friends. They could not of course appreciate the subtlety of the King's attitude. No one knew better than Charles that the Whigs would demand the whole Bill and nothing but the Bill, and while wishing to appear as conciliatory as they were adamant, he was from February onwards, secure in the knowledge that France was behind him if he should need to destroy them.

As the date of the opening of the new Parliament approached Barillon renewed his advances to Charles; the King was now more inclined to listen to him. The negotiations which followed were conducted in complete secrecy by Hyde, whom Charles made manager of the whole business.


on his behalf. So great was the difficulty of maintaining secrecy that, in order to tell Barillon that Hyde would manage the negotiation, the King was compelled to meet him in the Queen's bedchamber, "dans la ruelle du lit." Charles, and Barillon was quick to see the reason, refused to discuss the financial question personally with him and referred him to Hyde, because the latter could make greater demands on his master's behalf.

Several long discussions took place between Hyde and Barillon. Hyde rejected Barillon's first offer of five hundred thousand crowns for three years, with an additional hundred thousand the first year, as insufficient; and set himself to persuade Barillon to agree to a higher figure. He undertook that Charles would do nothing whatsoever against Louis' wishes. This implied the abandonment of the Spanish alliance and any hope of compromise with Parliament. On his side Barillon made

I. "Il est assez naturel qui celui des ministres qui a la direction des finances ait aussi le principal part dans sa confiance." Barillon, Mar. 24. N.S.

II. Barillon, Mar. 24. N.S.
The impression is often given in text-books that Charles and Barillon arranged terms in this bedchamber interview, but it was merely the preliminary meeting before Hyde and Barillon entered upon fuller negotiations without the King.
it plain to Hyde that York must be permitted to return. Hyde then insisted that the subsidy should begin as from January of that year, otherwise Louis would be obtaining a year's accommodation for nothing. He pressed for an equal payment in each year, pointing out that in time Louis would value the alliance more and not less and should pay accordingly. Their first discussion ended, as Barillon perceived, with feelings of satisfaction on Hyde's part that he was managing the King's interests so well. 

A few days before Parliament met at Oxford they held another long conference which practically settled the matter. Hyde successfully insisted upon a total of two million livres and urged that the first payment be made before July. As soon as Barillon agreed to this he at once cheerfully assured him of Charles' sincere friendship for France and of his satisfactory behaviour in future. Hyde admitted however that he was uneasy concerning one matter - the Spanish Netherlands. Louis might have designs there which would place his ally Charles in a very embarrassing position at home as well as abroad. Barillon was apparently able to quiet Hyde's

II. Ibid. Mar. 27. N.S. 1681.
misgivings on this score by reminding him that in the projected treaty of 1679 (to which Hyde had objected) Louis had been prepared to promise not to attack the Spanish Netherlands. At the time Hyde appeared to be satisfied with vague assurance, yet he must have been aware that if Louis attacked Strasburg (one of the reunion towns), Spain, Austria and the States-General could force Charles to join them in opposing such a violation of the Nimueguen treaty.

It is a point of great interest in this secret alliance with France that nothing whatever was written—the agreement was a purely oral one. Louis exacted no particular service from Charles. It was merely understood by both parties that England would not oppose French foreign policy in return for a pension which would enable Charles to free himself from Parliament. Charles did not even give receipts for the money he received. A simple quittance from Hyde for Barillon's Bills of Exchange sufficed. This complete secrecy naturally gave Hyde a great opportunity to consolidate his position. Although he had been one of the chief objectors to the projected agreement of 1679, his reasons for agreeing now to a

secret French alliance can be understood. His former timidity had disappeared, moreover he had now far more to gain by acquiescence. His ministerial fears for the Spanish Netherlands were not very strong; nor was Orange, the ally who would be chiefly concerned in its defence, very popular with the Tories. The Spanish alliance as a popular move had failed to bring the Court party the support it had hoped to gain. Above all the French subsidy, though not very large, would enable the King to carry on the Government if, as everyone expected, Parliament should prove obdurate. Charles moreover was committed to nothing definite. In return his position in the Exclusion struggle could be maintained, York could be saved and Hyde's personal influence greatly increased. These were cogent reasons for a man of Hyde's character and it is not surprising that having successfully held out for a larger sum, he displayed "un grand plaisir d'avoir pu ménager cet avantage." I

Meanwhile the King had gone down to Oxford a week before his new Parliament was to meet. II He spent his

II. Orm. Mss. V, p. 616. Jenkins to Ormond. March 18th. "His Majesty hath been here ever since Monday ... we have no Lords of the Parliament (those that followed the Court excepted) come to town and but very few Commoners."
time hunting and racing and being splendidly entertained at Cornbury, Clarendon's country seat. When he entered the city of Oxford on Monday the 14th he received a more than usually rousing reception from that loyal city. The London members who began to arrive at the end of the week came with ribbons in their hats into which the motto had been woven - 'No Popery, No Slavery'. The city was packed with excited men attended by trains of armed servants whose number was in proportion to their rank and importance in the opposition. "The Court was at Christchurch. The Commons sat in the schools, but were much straitened for room, there being a very great appearance of Parliament men."

The King opened proceedings on March 21st with a conciliatory and dignified speech. The safety and dignity of monarchy must be preserved, he declared, if religion and property were to be safe, but he would entertain any expedients for keeping the administration in Protestant hands if a Popish successor should come to the throne. He was really offering the vital part of

I. See Ogg. II. p. 616.
II. G. N. Clark, p. 99.
III. Reresby, p. 207-208.
the prerogative - a risky offer for had it been accepted Parliament would have felt itself master of the King for the rest of his life. According to Reresby "the question was not now whether the Duke should succeed or not, but whether it should be a monarchy or a Commonwealth ... some of the party had blabbed in the House that this was not the only material bill they intended should pass this session ... inasmuch as the King was told that if he quitted the Duke, it was but to be a step both to quit all his friends and servants afterwards and to fall entirely into the hands of people whom he had reason to think were not so well affected to his person and government."¹ Allowing for Reresby's excitable Tory prejudices there is something to reflect on in what he says here.

The King's speech produced a curious effect. "I found," wrote Cooke to Ormond, "the character of His Majesty's speech differed in the Commons' mouths. Many allowed it to be an excellent gracious one, all the rest a subtle crafty one, and so unexpected that they would be put upon taking new measures."² This may have been the reason for Parliament's postponement of the chief

¹. Reresby, p. 211-212.
subject for the next four days, to give the opposition members opportunity for private discussion and conference. Thomas Thynne, who had seconded Russell's Exclusion Bill in the previous Parliament, wrote to Daniel Finch "The King's speech stumbles our Grandees, who are out of their element, having noe Common Council nor Coffee Houses to support them. Yesterday they moved to have the Duke's bill brought in, but Birch, Hamden and Winington advised to deferr it till Saturday, that if any other security might be offered, there should be time for it; which ended in a vote that on Saturday they would enter into the consideration of means to secure the Protestant religion, without naming the Duke's Bill." 

It was to the tactical advantage of the King that in these few days interval the Commons became involved in a dispute with the Lords over the trial of an informer Fitzharris employed by the Court against the Whigs. This gave Charles an excellent pretext for the sudden dissolution upon which he had already secretly resolved. The exclusion debate on Saturday the 26th, in which the Moderates such as Littleton and Seymour pressed the

II. See Reresby, p. 208 for details re Fitzharris.
III. See Reresby, p. 209 and Felling, p. 185.
cause of the regency scheme, rather than the Court Tories, shewed that the Whigs would not listen to the most stringent limitations. The dispute over the real issue became so involved that while the Whigs in refusing limitations gave as reason that "the name and power of King could not be separated in England", the Court managers for the limitations scheme retorted that "as to the authority of a Parliament to do this, no question but the same power that could alter the government could also modify it."  

Political principles seemed to have become topsy turvey. York was personally attacked more harshly than ever before, and it was finally decided to bring in another Exclusion Bill. Then followed a disconcerting message from the Lords regarding the Fitzharris trial which occupied the attention of the Commons for the rest of that day's debate.

On that same day Shaftesbury in the Upper House made a last offer to the King that Monmouth should be declared his heir to guarantee a Protestant succession. Charles objected to the proposal as contrary to law and justice, in a conversation with Shaftesbury which was overheard by some of the peers. Shaftesbury promised that if the

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II. C. J. March 26, 1681.
King relied on his party they would pass laws legalising such action, but Charles refused the tempting offer.

"Let there be no delusion," said the King, "I will not yield, nor will I be bullied. Men usually become more timid as they become older; it is the opposite with me, and for what may remain of my life I am determined that nothing will tarnish my reputation. I have law and reason and all right-thinking men on my side; I have the Church" - (here Charles pointed to the bishops) - "and nothing will ever separate us."

His decision to dissolve was such a well kept secret over the weekend that on Monday the 28th when Black Rod interrupted the Commons to fetch them to the Lords only four men, Hyde, Seymour, Littleton and Arlington knew that dissolution was intended. The King's surprise termination was a master stroke which turned the confident opposition who had come to Oxford a week before armed and threatening civil war, into a confused hastily-dispersing crowd of individuals, bargaining for horses and coaches - leaving the city for their country estates - or "the

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I. This is given from Ogg. II, p. 618-619 for the sake of the translation of Charles' speech. Barillon. April 7, 1681. N.S. The despatch is printed in full in Christie II, p. cxvi-cxvii.

horse races at Burford."

For the moment no one quite realised what would happen, except the shrewd King who had struck at exactly the right moment, when the violence and self confidence of the Whigs was rising to such a pitch as to alarm the sober middle class - afraid of the prospect of another '42. Jenkins wrote despondently to Sidney on Good Friday that "we must reckon the dissolving of the Parliament to be a very sad misfortune"; although at the same time he admits that the Whigs were out for extremity, and would have been content with nothing less. However as the leading Whigs scattered to distant parts of the country, the Tories who had recommended expedients as the only hope and dolefully predicted defeats, became proportionately confident and determined. The court circle was immediately re-inforced by absentee Tory trimmers. Halifax, the chief absentee however, showed no disposition to return to Court. During his long absence his influence there had waned to the advantage of Hyde and Seymour; and he may have had a hint from Hyde in April that Charles would not summon another Parliament for a long time. For the present

II. Sidney Diary II, p. 186.
he remained at Rufford, probably undecided as to his future line of action. Seymour and Littleton returned to court to support Hyde, and all three rejoiced in Halifax's continued absence.

Rumours that York would shortly arrive were heard everywhere, but there was little desire at Court for the Duke's return. There was a general feeling that the time was not yet ripe and the majority of the 'Courtiers', envious of Hyde's influence with Charles, opposed the suggestion, "all being jealous, that Hyde would be treasurer if the duke returned." Hyde maintained his leading position in the government circle. Littleton, one of the four who had been in the secret of the dissolution, died very shortly afterwards; Arlington, hoping to regain a permanent position at Court, ingratiated himself with Hyde; thus, in the absence of Halifax, Seymour was Hyde's only rival in influence. As author of the secret French alliance Hyde had little fear of him. The secrecy of the alliance was his greatest source of power and he was emphatic to Barillon upon the necessity of closely maintaining it. He was especially nervous lest the

I. Barillon. April 17, 1681. N.S.


III. Orm. MSS. VI, p. 36. April 16, 1681. Arran to Ormond.
Duchess of Portsmouth (fortunately out of favour with Louis at the moment) should discover a clue to it which she might carry to her friends in the Opposition.

A few weeks after the dissolution Hyde was created Viscount Hyde of Kenilworth and Baron of Wootton Bassett, in recognition of his official as well as his secret services to the Crown. Arran, writing to Ormond shortly afterwards, spoke of Lord Hyde as "the greatest man in favour at Court now." This honour was rumoured as merely a prelude to the bestowal of the White Staff and as an indication of great changes to be made in the personnel of the government. But for the present no changes were made in either personnel or policy. Indeed the moderation of Hyde's policy for some time after the Oxford dissolution led many to believe that another Parliament would be called within a reasonable time. For financial as well as political reasons the penal laws against the Papists were strictly enforced, and York's continuance in exile also filled moderate men with hope. "His Majesty put forth a declaration full of fair promises to his people, assuring them of his intentions to govern according to law, etc. This gave great satisfaction, and


he received the thanks of the City of London by the Lord Mayor, and of several other counties and corporations in England, so that all things began to look fair and calm.¹

The tendency of the government towards reactionary absolutism was only gradual, demonstrated by stages in the appointment of new officials and not apparent to the general public till some time after York's return. Ogg, describing the policy of 1681 to 1685 as the Stuart revenge, considers that Charles had a variety of alternatives open to him after the rout of the Whigs, and that he chose the Yorkist path of reactionary absolutism.²

Charles could, it is true, steer a new course on the wane of popular reaction in his favour now rising, but he had not many alternative policies of government from which to make a choice. He had the support of the Church of England, but that alone would not maintain his government; the leading secular Anglican was already his chief minister. He did not want Danby back, and Hyde could carry on for him with the requisite ability and industry at the Treasury, and the full secret knowledge of the French subsidy.

But with a High Church Ministry there could be no toleration of dissent; so conciliation of the middle class

¹. Reresby, p. 213.
². See Ogg II, p. 620.
nonconformists under Halifax's direction was out of the question. The papists had been harried so much in the past few years that new efforts in that direction would not produce many results. The best policy for Charles at the moment was to leave Hyde in office to manage as best he could, but this inevitably would lead in the end to the return of the Duke of York, who would press for a terrorist reactionary campaign.

In the next few months, while Hyde still governed alone, he had a most difficult task to make ends meet. Rigid economies were necessary for in April no payment had yet been made by France. He had moreover in foreign politics to play a carefully simulated part in the complications, which were now arising in European affairs.

Louis had scarcely concluded his secret alliance with Charles before he proceeded to demonstrate to Europe his designs upon Strasburg - those designs which Hyde had vaguely feared. The French claim to Strasburg - the great key to the Rhine - roused all Europe. Louis had provoked the opposition not only of the Empire and the States but the German Princes as well, and since his grasp extended as far as Zweibrucken (a hereditary

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1. See James to Legge. March 31. H.M.C.R. XI, 5, p. 57. "He (the King) must not only take resolute Councils, but resolute counsellors too and lay aside your men of expedients and do something to encourage his old friends. Why should I not be sent for, I have mentioned it to Mr. Hyde, advise with him."
Swedish possession) he lost his old ally Sweden. His hope of securing possession of Strasburg without a general European war lay in his secret alliance with Charles and in the influence which the latter might be able to exert in his cause. Since England was officially allied to Spain and Holland Hyde was in a most embarrassing position. To avert suspicions he recommenced late in May his old friendly correspondence with the Prince. "I doe assure myself your Highnesse shall never morre have occasion to find fault with my conduct," he wrote and in the same letter he gave an unsatisfactory reply to the Memorial recently sent by the States under pressure from Spain begging Charles to interfere in the affair of Strasburg. All Hyde could promise the Prince was that Charles had suggested that the French King should be asked to abstain from all "voyes de faite", and that Saville had been sent to France with this polite request. He ironically assured Orange, however, that the King would speak "very effectually and warmly to the French Ambassador," upon the matter.

II. Ibid.
The Prince perceived how hollow these assurances were and told Sidney he would "write his mind to my Lord Hide very plainly." Hyde, encouraged by Barillon, was impervious however to further pressure from the Prince. His chief aim was to maintain an equilibrium in domestic and foreign affairs in order to carry on the government. He therefore politely evaded Orange's demands and continued to press Barillon for the first payments of the subsidy.

Now that the internal crisis was dying down the European crisis began to arouse more general interest in England. The Common Council of the City made it a pretext to demand another Parliament. There was much discussion of the foreign situation accompanied by the usual vague rumours of a royal understanding with France. These rumours reaching Orange made him still more wary and suspicious of the English Government. Spain meanwhile was sending increasingly pressing demands for intervention to her English ally, demands as unproductive to any action as the Prince's entreaties. But they

II. Barillon. May 22, 1681. N.S.
IV. Barillon. June 19, 1681. N.S.
But they caused Hyde sufficient uneasiness as to try to extract a promise from Barillon that Louis would abstain from further aggression.

Barillon's reply was simply to hasten the next subsidy payments and he cynically reported Hyde's dwindling remonstrances thereafter. He had no fear of Hyde's possible indiscretion since he was well aware that the maintenance of the French alliance "dont il a seul le secret" was now essential to the minister's power and influence.

This influence needed careful tending in domestic politics. Hyde's uneasy position was increased by York's demands to return and by his gloomy prophecies from Scotland as to the future. At court, although he was working amicably enough with Seymour and his friends Ranelagh and Conway, they were to some extent a rival group. Through Ranelagh this group had a connection with the Duchess of Portsmouth whom Hyde

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II. Barillon. June 19th, 1681. N.S.

III. H.M.C. Rep. II. Ft. 5, p. 60. See James to Legge. May 4, 1681.

IV. "Mr. Seymour being now looked upon as the greatest man brings his two friends Conway and Ranelagh into the management of business." Algernon Sidney to Saville. Ralph. I, p. 565.
still cordially distrusted. Ostensibly they were all co-operating in establishing a strong government, but when the first elation after the Whig rout had subsided, increasing points of divergence between Hyde's Yorkist ties and Seymour's personal ambitions were bound to develop. Aware of a possible isolation Hyde had begun to seek a reconciliation with Halifax and pressed him in no uncertain fashion to return to Court. Halifax would be a useful ally to balance against the Seymour group as long as he was ignorant of Hyde's secret source of influence with the King. Charles II reinforced Hyde's entreaties with his own and Halifax returned to London at the end of May. His own aim in coming back to Court was to exert a moderating influence on Hyde. III

Hyde had now, within certain limits, an important ally. Fortunately at the moment the aims of each man to a large extent coincided. Halifax deemed it as yet inadvisable to summon another Parliament. Hyde agreed that the time was not yet ripe for York's return.

I. "For God's sake my Lord come up or you will not find me here," In Foxcroft I, p. 297, n. 1. Hyde to Halifax. May 17, 1681.


III. See Foxcroft I, p. 302.
Certainly on foreign policy Halifax was pro-Dutch and anti-French but his policy could not prevail against Hyde’s secret understanding with France, and to reassure Halifax, Hyde paraded his friendly correspondence with Orange. For a time the two men formed a fairly equable working partnership and together began the work of clearing up the last remnants of the Popish Plot. They formed a Committee of the Council to examine and punish all false witnesses and professional informers, a sane measure which would have been of even greater value two years after. This Committee included Seymour, the Lord Chancellor, the two Secretaries and two subordinate magistrates, Warcup and Booth. Hyde and Secretary Jenkins spent innumerable hours on this work, examining and questioning and weighing conflicting evidence of every kind. Many informers were seized including Rouse and Colledge, two of the chief informers of the Popish Plot. As the heads of this Committee, Hyde and Halifax

I. Feiling takes the end of 1681 to be the end of the Popish Plot. Pollock in his "popish Plot" marks the end in July 1681. Luttrell declares September to mark the real end.

II. For information about this interesting magistrate "of very bad antecedents" see article by Keith Feiling in E.H.R. 40, p. 256, in which is published Warcup’s Journal.

have been accused by Ferguson the Whig pamphleteer "of making their names a clause to draw in men to perjure themselves," I and of allowing "gratuitities to all that would swear against my Lord Shaftesbury and that there is a Presbyterian Plot." II According to Ralph, Warcup, who had himself been in the Whig Plot, undertook to turn the Plot machinery upon the Exclusionists, and "to find out such persons as should do good execution." III

It may be generally surmised that money was obtainable from the Treasury in 1681 for swearing against prominent Whigs, and that there was as good a living to be made then by professional informers against the opposition as had been formerly made by the same class of people acting on their behalf.

This attack on informers was only one manifestation of the strong general attack on the Whigs which began in the summer. Every kind of anti-Whig political activity blossomed forth. There was an outpouring of loyal Tory pamphlets and newspapers IV of which the best known are


II. Ferguson. Ibid. p. 25.


IV. For details of numerous Tory newspapers begun in 1681 and 1682 see Times Hand List of Newspapers 1620-1920.
the Heraclitus Ridens and L'Estrange's Observator.
Fitzharris was condemned by a Middlesex jury, but while
the Whigs were thus attacked the Catholics did not escape,
and Plunket shared the fate of Fitzharris. Shaftesbury
was brought before the Council and examined, and then
detained in the Tower on a charge of treasonable con-
spiry.

There is an interesting document among the Clarendon
State Papers in Hyde's handwriting containing offers made
by Shaftesbury to the government to leave the city or
even the country, and to go to his plantations in
Carolina if he could be released. He asks for a pardon
to accompany his release lest, if he should go beyond the
seas, evidence might be manufactured against him in his
absence. He also needs a convoy and a captain he can
trust to take him, and points out that in the Carolinas
he could extend the King's dominions and his trade.
So great a change of attitude was thus wrought by a
few weeks in the Tower.

The last member of the opposition cabals still in
office might be said to be Sidney, still in his diplomatic

I. Catholic Bishop of Armagh accused of preparing a
Popish Plot in Ireland.

II. Entitled "A Paper given to my Ld Chamberlaine by Mr
Shepherd from ye Earle of Shaftesbury." Dated
post at the Hague. He was rightly suspected by the Government of links with too many interests and too high a place in the Prince's confidence. It was decided therefore that he should be recalled in June. Orange was greatly amazed at this, especially when he heard that Skelton, personally distasteful to him, was to replace Sidney, and he retaliated by offering Sidney the command of the English troops in Holland which was at his disposal, and which he had always wanted to give to Sidney.

The incident somewhat embarrassed Hyde in his policy of conciliating Orange. He was writing to assure the Prince that England would do all she could to restrain Louis from further aggression, and at the same time having to make innumerable excuses for Sidney's transfer. He implored Orange not to irritate Charles by bestowing the military command upon Sidney in order to keep him at the Hague. When Sidney arrived home at the end of June Hyde begged him to submit gracefully to his recall. "He asked me how he was with the Prince,

II. Prinsterer II. 5. p. 503. June 7, 1681.
and complained of his letters: he advises me to quit," records Sidney briefly on June 23rd. He wrote to Orange that Hyde was urging submission: "tells me I shall have great matters done for me, that it will be unpleasant to me to have the command against the King's consent, and, what is most to be considered it will be prejudicial to your Highness." Finally Sidney promised to follow Hyde's advice.

Barillon thoroughly approved of the firmer policy which Hyde was now pursuing but upon one point they differed - the question of the Duke's return. The French King naturally wished to see James return as soon as possible, for this would be incompatible with a new Parliament. Despite Hyde's personal feelings towards the Duke neither the circumstances of the moment nor his colleagues would permit of such a step.

Hyde struggled to maintain as passive an attitude as possible between Orange and Halifax on the one hand

I. Sidney Diary II, p. 208.
III. See Diary for July 5th.
IV. Barillon. June 23, 1681. N.S.
V. "If as my Lord Chancellor saith you have involved your neighbours in articles not any one singly to conclude a peace and equally divide charges, then the design may prosper with the hopes of having money from Parliament." Hyde to the Committee, June 26, 1681, In Christie, II. App. CXIX.
and Barillon and Louis upon the other, as it became increasingly apparent that another crisis in foreign policy was at hand. Sidney wrote to Orange that he suspected some in the Cabinet Council "were desirous enough to see a breach between the King and your Highness;" but that when he had taxed Hyde and Halifax with this they had indignantly denied that there could be "such a villain and such a fool too amongst them." They had both told Sidney that the Prince's demands for English intervention were too peremptory, "too high and too sharp" in tone to have any good effect with Charles.

Sidney was able to give Orange an interesting analysis of the position at court. He reported of Halifax that "he is highly incensed against the House of Commons; and must stick to the Court (for he hath not a friend anywhere else), and is therefore obliged to comply sometimes against his inclination," but he also told Orange that Halifax had dropped him a hint that a visit from the Prince might be useful. Of the Yorkists, he

II. Ibid.
IV. Ibid, p. 216.
reported - "nobody has any credit but the Duke's creatures and they study what is good for the Duke and themselves; but do not consider what is good for the King or the nation, my Lord Hide is for what the Duke would have, right or wrong. Mr. Seymour is very violent, despairs of being well with the King if he is well with his people; and therefore does endeavour every day by his counsels to make the break more irreconcilable" I (between the King and the Prince).

This report filled the Prince of Orange with forebodings. He had also been advised by Godolphin to come over to England, ostensibly to discuss the business of Skelton, and to assure the King when he wrote for permission to make the visit, of his "willingness to work harmoniously with those whom the King is pleased to trust and employ in his business". II Godolphin's advice added to Sidney's report made him consider the advisability of visiting England personally to rouse Charles to action. When Halifax III heard of this idea he hastened to promise his free co-operation, for he and Hyde were the two Ministers who would naturally confer with him in

I. Sidney Diary II, 216-217.
II. Sidney Diary II, p. 211. June 28th.
London. It was Halifax who finally persuaded Charles to allow Orange to visit England late in July, thus adding to Hyde's embarrassments.

But in the circumstances this visit was not likely to be a success, nor did it prove otherwise. Orange had a long interview at Windsor with the King in the presence of Halifax and Hyde. The Prince's peremptory demand for the assembly of another Parliament for the sake of the European crisis did not endear him to the King. Charles enquired blandly how he was to proceed if a new Parliament merely renewed the agitation for Exclusion. Unless Orange would find a means beforehand to conciliate such a Parliament he would not consider the suggestion. These conferences were naturally very depressing to the Prince, and whilst he was in London he made tentative overtures to the City Whigs to see if he could arrange any compromise himself. He was blocked in this attempt however by Hyde and Seymour who prevented him from attending a city banquet given in his honour by getting the King to recall him to Windsor.

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II. Barillon. Aug. 11, 1681. N.S.
Ranke, IV, p. 140.
See Foxcroft. I. p. 308.

III. Ranke IV, p. 141, and Foxcroft I, p. 308.
See also Clarke's Life I, p. 691-2, and Barillon Aug. 4. 1681. N.S.
Orange's visit was not therefore very successful from his point of view and "being disappointed for the time, and finding all his arts and arguments unsuccessful, he went away as ill satisfied with others as others were with him."¹

The sole outcome of his visit was the appointment of a commission, which included Halifax, Seymour and Hyde, to confer with the Spanish and Dutch ambassadors. This Committee actually admitted in conference that Charles was dissatisfied with Louis' conduct but that could not be said to mark a great step forward in the allied negotiations since Charles insisted that any remonstrances addressed to the French King must be made in the most conciliatory manner possible.² The conference prepared a joint remonstrance but it was not presented to France until September³ and even then was couched in exceedingly mild terms.⁴ Shortly afterwards Strasburg⁵ the great key fortress surrendered peacefully to France. Hyde became at once much alarmed lest the fall of Strasburg

¹ Clarke. Life. I. p. 690.
² Hatton Corr. II. p. 4.
⁴ "in a gentler style than might be proper if we were stronger." Halifax to Henry Saville. Sept. 8, 1681. Foxcroft I., p. 315.
⁵ September 30th - Oct. 10th (Ranke gives Oct. 30th).
should so greatly impress the Court as to strengthen the influence of the Moderates upon the King. But there was little real necessity for his alarm. Charles regarded the fall of Strasburg with far less concern than Hyde. II

The Dutch in great consternation sent Van Beuning over as a Special Ambassador to beg Charles to join the long projected guarantee of Nimeguen. Not even the Moderates were as much affected as Hyde had feared, for Halifax joined with him in pointing out to the Dutch that this was rather the duty of the German princes as being particularly concerned, while the English engagements referred to Flanders only. III It was conceded however, that Charles would join the League of Guarantee after the German Princes, the Empire, and Denmark, should have set an example, and the promise of prompt action, should a "voye de fait" be made in Flanders, was reiterated. This last appeared to imply the triumph of moderate anti-Gallican policy and Barillon made strong protests to Hyde. IV He was, however, reassured by both Charles and Hyde that it was an empty promise which would never

I. Barillon, Oct. 9, 1681. N.S.
II. Barillon, Oct. 5, 1681. N.S.
III. See Prinsterer. II. 5, p. 528. Halifax to Orange. Nov. 4, 1681.
be fulfilled. At the same time Hyde wrote to Orange endeavouring to gain equal credit with Halifax for this promise - "We shall see what the French will do now and whether they will have any regard to the interposition the King hath promised to make in case they proceed further." II

Although Hyde and Halifax seemed to be working in harmony in foreign affairs a slight rift had arisen between them in domestic affairs - chiefly regarding the Duke's renewed efforts to return to Court. The Government personnel was now as royalist as the King could desire and Charles, continually pressed by Barillon, had begun to contemplate his brother's return. York had behaved with great discretion during his second exile in Scotland where his administration had been excellent. He won so many golden opinions in the Scottish Parliament, that it issued in August a surprising Declaration in favour of the prerogative and the direct succession - surprising in that "the fountain of Presbiterie should so strenuously assert the Prerogative of the Crown when England itself flew so furiously in its face." III

I. The only danger would be if Luxemburg was seized. Barillon. Nov. 10, 1681. N.S. Charles told Barillon he would be ruined if Luxemburg fell and he did not oppose it. Barillon. Nov. 15.


This seemed an opportune moment for his friends at court. "My Lord Conway therefore and Lord Hide thought this a fit time for his Royal Highness to renew his solicitations to be recall'd to court ... and to the end it might be the easilyer granted, his Highness was advised to desire only leave to come for a few days that he might give his Majesty an account of the transactions during the Parliament."

Negotiations were begun to this end and carefully kept from Halifax's knowledge but he accidentally discovered the scheme. He displayed such annoyance and alarm as to succeed in influencing the King to abandon the idea and, moreover, to try the old scheme of trying to convert the Duke once again. Although everyone felt this was hopeless, Hyde was next sent up to Scotland with an apparently severe message from Charles that "unless he would conforme and go to church he must expect no leave to return to Court, nor could His Majesty, he sayd, support him any longer but on that condition." Much as Hyde desired York's conversion


he had little real hope of such an achievement, and he resented the influence at work on the King which had caused him to be sent on the thankless errand. However he faithfully delivered his "ungrateful message ... (there being no means of eluding it now)"; and for three days laboured to put the case for conversion once more to his patron. James would not hear even of outward conformity.

James was very much mortified at Hyde's message and entreaties, although he did not blame him personally on that score. He wrote to Legge that "all the honest men here are much troubled I do not go up, as Lord Hyde can tell you." While Hyde was in Scotland where he was received with great honours, he counselled James to maintain, for politic reasons, a friendly correspondence with Orange and also with the Duchess of Portsmouth.

II. Ibid, p. 701.
IV. Ibid.
VI. See Barillon. Aug. 25, 1681.
who had now skilfully wormed her way back into the King's favour. Churchill, James's favourite, wrote to Legge on Hyde's departure that he was "the best man living" although "nothing is done in what was soe much desired". Hyde does not therefore seem to have lost any credit with the Duke for his errand. On his return to London he went straight down to Newmarket to give the King an account of his visit. He told Charles that his brother was "immoveable in his religion", but stressed what the Duke had done for the King's service in Scotland. This mollified the King a little and Hyde was thereby encouraged to renew his "solicitations that his Highness might be permitted to come and acquaint his Majesty at least with the state of affairs in Scotland now the Parliament was ended." They did not however produce any immediate effect.

Meanwhile the Declaration of the Scottish Parliament had a very depressing effect upon the hopes of the Whig leaders. The Russell party still stood out for no compromise, but the mass of the old Whig members began

III. Clarke's Life. I. p. 702.
to contemplate a change in their tactics, possibly stimulated to a new concern for foreign affairs by Orange's visit of August. I They now began to announce publicly that "in case the King would call a Parliament they would give a supply for that end, (intervention) without insisting upon the Bill of Exclusion, the Limitation, or the displacing of any Minister." II There was little likelihood that Charles would or could accept this offer, bound as he was to the French alliance, but it was a sign of the decreasing violence of the Whigs' opposition. There still remained in the city itself a strong anti-court party, and "the juries would seldom find for the king," III in 1681; but if blue cockades were still worn in London for Monmouth, red cockades were also being worn that summer in London for York. IV London was still divided although in October a Tory Lord Mayor was elected and "the King being invited, did him the honour to dine with him at Guildhall". V By the end of the year the 'purge' of the city had begun. But in the autumn.

I. See supra p. 261. Clarke's Life. I. p. 693. "This train was of the Pce of Orange's laying."

II. Ibid. Clarke.

III. Reresby, p. 220-221.


Reresby still noted the city's dissatisfaction with the activities of the government, in particular with the New Commission, which had been granted in August to Hyde, Halifax, Seymour, Radnor, the Archbishop of Canterbury and the Bishop of London, to dispose of all ecclesiastical benefices in the King's grant as they fell vacant. This was an Ecclesiastical Preferments Commission which was very distasteful to the parliament man's point of view. The city censured Halifax for taking a seat on the Commission because it was "a kind of taking a branch of the royal authority to themselves, and screening of Majesty, that ought to transfer its own bounty to the subject". Reresby as a loyal Tory thought they had no grounds for this complaint, and that precedents could be cited from the reign of Henry VIII. The criticism reflects however the attitude of what was still largely a Whig capital city towards the ruling clique. There is no evidence that the Commission ever made any important changes, and it was abolished in October 1684. In the autumn opinion amongst the average members of Parliament was obviously changing in favour

I. Reresby, p. 227.


III. See Foxcroft I. Appendix.
of the court. In October, Huntingdon, Thynne, Colonel Booth, "and several other considerable persons" among the opposition made their submission and returned to Court. This made a great breach in the ranks of the Whigs. I Still more significant was the move of the politic Duchess of Portsmouth towards the ministers in power, and her attempts to reinstate herself in the confidence of Seymour and Hyde. By November she openly announced her attachment to York's interest. II It may safely be assumed that this was less from a genuine belief in the fortunes of Hyde and his master than from certain changes which Hyde was contemplating in the Irish revenue which might affect her income. Hyde for his part was not averse to gaining even an outward declaration of friendship for York from so influential a personage, who, as he had hinted to York when in Scotland, might be well worth gaining as an ally. III By December it was reported that Hyde and the Duchess were on "very good terms." IV

I. Orm. Mss. VI. p. 208. See Longford to Ormond, Oct. 25. Ibid. Nov. 15. See also Barillon, Nov. 24, 1681. N.S.

II. Orm. Mss. VI. p. 229.

III. See supra, p. 266 and note VI.

All-pervading Toryism was epitomised by the publication in November of Dryden's *Absalom and Achitophel*. Ormond, Halifax and Hyde were Dryden's patrons and naturally all three received handsome eulogies in the poem. While Dryden stressed Halifax's great services in the Lords' Debate, he singled out in Hyde his services at the Treasury:

"Hushai the friend of David in distress  
In public storms of manly stedfastnesse  
By foreign treaties he informed his youth,  
And joined experience to his native truth  
His frugal care supplied the wanting throne.  
Frugal for that, but bounteous of his own."

A few days after the publication of the satire Hyde was created Earl of Rochester. He was apparently now at the height of power and royal favour. But he was also at the height of his ministerial difficulties, for Halifax and Seymour were beginning to show their jealousy. Moreover at this moment there occurred the investiture of Luxembourg by the French. This was a European crisis of such magnitude that everyone both in England and abroad felt that Charles would now be forced to intervene.

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I. *Absalom and Achitophel*. Lines 888-893.

II. November 29th.  
   See Burnet. II. p. 247. Routh.

III. Barillon. Nov. 15, 1681. N.S.
The King had himself told Barillon that it would be the one occurrence for which he could not provide an excuse. Hyde had long feared the effect of such an event upon his own position. Halifax meanwhile was joyfully assuring the Prince of Orange and the allies that now at last the King must call a Parliament. Nor was Hyde's concern lessened by Barillon's intimation that Louis would not give up his claim to Luxembourg.

Hyde had no real interest in the allies' position; he was concerned only with the effect upon English opinion as Barillon well knew. He suggested that if Louis were willing to wait a little longer, Charles could offer to act as arbitrator in the matter, without being suspected of too much bias. The King would then cede Luxembourg to Louis after a pretended consideration of the legal aspects of the claim. Hyde pointed out to Barillon that Charles could not later persuade Spain to give up Luxembourg unless Louis immediately raised the


II. Barillon. Nov. 17, 1681. N.S.

III. See Translation of Despatch by Dalrymple I. App. to Pt. I, p. 84. "What gives me room to hope is that Lord Hyde has not hid from me, that if his advice is followed, the King his master will enter into a secret concert with your Majesty for your having the town of Luxembourg."
The French King's present policy completely prevented the return of the Duke of York. He persuaded the Ambassador to submit his arbitration scheme to Louis and it was finally agreed between them that Charles would obtain Luxembourg and its dependencies for Louis as soon as he could if Louis raised the siege at once and if he promised to abandon all other possible claims in the Netherlands. This was to be the quid pro quo which Charles could offer to Spain. In return France was to pay Charles the sum of a million livres for this acquiescence in what he was powerless to prevent. Hyde assured Barillon that as soon as Louis allowed supplies of provisions to enter Luxembourg the Duke would be recalled and Parliament indefinitely postponed. From Hyde's own point of view this was an excellent plan and a sound bargain. He had provided a way of escape from the embarrassing engagements with the allies, a dignified position for Charles and his minister, and a financial advantage as well.

Outwardly Hyde had to play a passive part in this foreign crisis. In the many conferences that took place


II. Dalrymple. App. to Pt. I, p. 85; and Barillon. Dec. 1, 1681. N.S.
with the Spanish and Dutch Ambassadors he and Charles reduced evasion to a fine art. In vain the allies pressed for an immediate summons of Parliament to raise the supplies necessary for intervention. The only official result of their urgency was yet another joint remonstrance to France which allowed Charles and Hyde a little time in which Louis might consider Hyde's scheme.

Writing to Orange, Hyde played the role of ardent ally and stressed his part in these conferences "Of common interest." He assured Orange that Parliament would be summoned in the near future since he thought it unlikely that France would answer satisfactorily, though he admitted with seeming frankness that the thought of a Parliament caused him trepidation. This last remark was undoubtedly genuine for little more than a week before, Shaftesbury, indicted against Halifax's advice, had been acquitted by a Middlesex Grand Jury amidst scenes of greatest popular enthusiasm. Rumours were abroad moreover that if a Parliament were called to deal with the foreign situation, it would concern itself chiefly with "the endeavours to make a Presbyterian


II. Thrown out as not a True Bill by the Whig Jury. Foxcroft. I. p. 327.
See also Clarke's Life I, p. 714.
For a useful modern account of the proceedings see Ogg II, p. 628-630.
Plot and the suborning of witnesses to prove it"¹ and that it would impeach those Ministers responsible.

It was perhaps unfortunate that Hyde had so many good reasons for preventing the meeting of a new Parliament. Had one been summoned at this juncture to endorse the King's decisive intervention abroad a compromise might have been arranged that would have greatly affected the future history of both parties. Without doubt many of the Whigs, the Russell group excepted, were ready for compromise of a kind² as were Halifax and the moderate Tories. Halifax moreover was now prepared to go so far as to suggest the return of York to face the new Parliament,³ a suggestion which was merely one aspect of his scheme of a general amnesty for all political prisoners. Seymour also began to advocate York's return⁴ as a means of binding the Court Party more closely together;

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² Yet Van Beuning declares Parliament's concern for foreign affairs very problematic, and notes how little the popular party really cared about foreign policy. See Foxcroft. I. p. 368, n. 1.

³ This amnesty would include Danby. See Foxcroft. I. p. 325. See also Barillon. Dec. 25. N. S. 1681.

⁴ Clarke. Life. I. p. 716.
or at least he affected to approve it, possibly in the
hope of putting Hyde's influence to the test and perhaps
ousting him in the Duke's favour. But Hyde objected to
Halifax's suggestion as rather entailing a summoning of
him to answer in Parliament than a recalling him from
banishment.  

But whatever might have been the possible advantages
of a compromise arising from the peaceful return of the
Duke and a simultaneous summons of Parliament to deal
with foreign affairs, it was rendered impossible, quite
apart from the uncompromising Toryism of the "Lords of
the Secret Junto" II and their fears of a personal attack
in Parliament, by Hyde's secret alliance with France.
Hyde was compelled to play continually for time, and
Louis aided him by returning a ceaseless flow of evasive
answers to the allies. These could not be termed such
definite refusals as to force Charles' hand, but they
had the effect of increasing tenfold the exasperation
and suspicion of the allies towards England. Hyde
however did not want this situation to drag on until the
allies were too exasperated to agree to any scheme of
arbitration, and he implored Barillon to allow the
entry of provisions into Luxembourg as soon as possible.

I. Clarke. Life. I. p. 718. "My Lord Hyde and Mr.
Seymor were so earnest against it."
Charles implored Barillon to find some way out of this situation which might force him to summon a Parliament "des diables qui veulent ma ruine." All he demanded of Louis was an expedient to save his face. Louis suggested the demolition of Luxembourg as a solution and Charles eagerly suggested this to the allies, in such a way as to heighten their suspicions. It afforded however another pretext for delay. Throughout January the Dutch were being urged to persuade Spain to sacrifice Luxembourg, Halifax was calling for a speedy issue of writs, and Hyde was pressing Barillon to raise the siege, while, resisting Halifax's demands with the aid of Seymour. His one fear was that Luxembourg might suddenly surrender.

This deadlock was suddenly ended by the theatrical abandonment of the siege by Louis, in view, as he announced, of the alarming progress of the infidel Turks in Hungary. On this account he declared himself magnanimously ready to submit the whole matter to arbitration, in order that the Emperor could devote

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II. See Barillon despatches passim. January and February.
III. Barillon. Jan. 22, 1682. N.S.
IV. Barillon. Feb. 23, 1682. N.S.
himself unhampered to the defence of Christendom. This adroit move effectually ended the English Whigs' hopes of a Parliament. They appeared to Barillon to be deeply distressed that Louis should have preferred the welfare of Christendom to the immediate acquisition of Luxembourg. I

Everyone at Court obtained some satisfaction in this sudden solution of the crisis. Abroad the French King's withdrawal was generally ascribed to the English King's influence, so it meant for Charles a saving of his public reputation, and the maintenance of peace with honour and cash. The allies declared it to be the result of their own firmness. Halifax believed that the threat of a summons of Parliament had sufficed to make Louis withdraw and Hyde outwardly had to share this opinion. II No doubt he secretly flattered himself that it was the outcome of his own suggestion III that Louis should withdraw until a moment favourable for arbitration arose. Louis for his part had the English King's promise to arbitrate in his favour, while the Turkish advance in Hungary had provided him with the opportunity of a graceful gesture worthy of

I. Barillon. April 2, 1682. N.S.

II. See Note 3. Foxcroft, pp. 345-46.

III. Barillon reported to Louis that Hyde took all the credit to himself for having rescued Charles from his dilemma. Barillon. Feb. 9, 1682. N.S.
"Le roi soleil". But the diplomatic future was still full of difficulties as both Hyde and Barillon realised. Barillon had tried to get a written pledge concerning the arbitration award from Hyde, who had objected to signing such a compromising document and had retaliated with the proposal\(^I\) that the Dutch should be joined with Charles as arbitrators to avoid all suspicion and to tie the hands of the Prince of Orange. But the French Ambassador had not been willing to agree to this.\(^II\)

To return to domestic affairs. During the early spring of 1682 they had been enlivened by the Duke of York's return. This event may be ascribed to various causes. The limited liability partnership of Hyde and Halifax had been strained to breaking point in the foreign crisis, since on every occasion in the allied conferences Hyde had opposed Halifax's demands for decisive action.\(^III\) The gulf was now apparent. Seymour and Jenkins always supported Hyde. "In some private discourse his lordship told me," noted Reresby in January, "that these that belonged to the Duke of York made him mad for that

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\(^I\) Barillon. April 2, 1682. N.S. and April 9, 1682. N.S.

\(^II\) Barillon, April 20 and 23, 1682. N.S.

\(^III\) See Mackintosh Coll. Add. Mss. 34,487. f.3.
See also Foxcroft, pp. 339-344.
Ralph. I. p. 673.
there were few amongst them that had common sense. I
He felt that his former influence was waning fast, II and
that this was emphasized by York's return.

In Ranke's opinion Charles allowed James to return,
as Louis had so long requested, in the hope of placating
the latter to the extent that he would moderate his
policy in the Spanish Netherlands, III but this perhaps
ascribes too much importance to foreign affairs in
Charles' mind, although it should not be disregarded.
The chief reasons were more circumstantial and immediate.
"It was in fine the Duchess of Portsmouth without
intending it, that put an end to the Duke's long and
undeserved Exile." IV She wanted to pay a visit to France
and was anxious to arrange her financial affairs on a
definite basis before her departure. V Charles had
promised to obtain for her a portion of the Post Office
Revenues granted to the Duke of York for life. James was
"ready to do whatever was proposed, but believ'd it not

I. Reresby, p. 231.
II. Barillon, Feb. 16, 1682. "Milord Halifax de son
cote a la conduit d'un homme mecontent."
III. Ranke IV, p. 130.
IV. Clarke's Life I, p. 722.
V. Lardner's Cyclopedia VII, p. 309.
feazable unless he were personally present in town, both to consult the manner and performe what was necessary for such a conveyance". He was well aware in reality that only another Act of Parliament could transfer the money, but he was counselled by Hyde to conceal this and agree to the suggestion, in order to return to Court. The Duchess naturally thought his visit would be a temporary one but Charles intended that once James had arrived he should remain in England. Halifax was not influential enough with Charles to prevent this, but he did succeed in extracting a promise from Charles that the Duke would not meddle in Government affairs. James asserted his willingness to take no part in politics and so in March he at last returned to Court.

Halifax had therefore been openly defeated in this matter as he had already been secretly defeated in the European crisis. Ostensibly he continued in the King's favour and his advice was still occasionally taken by

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II. Macpherson Extracts. I. p. 133.

III. Ibid.

IV. "The duke, by advice of his friends, meddled with no affairs, but in secret." Macpherson Extracts. I. p. 135.
Charles, but "it was perhaps more out of policy than affection that according to the King's favourite axiom the Court factions might balance each other." On the other hand Seymour, as soon as the Duke returned, became apprehensive lest Hyde should be further promoted and in his jealousy gradually turned towards Halifax.

The personnel and home policy of the government had been becoming more aggressively Tory in the spring, and the Duke's return hastened this reactionary tendency although he was at first careful to remain in the background and to act with great circumspection. The Duke of Ormond was invited over from Ireland in May to set the seal of the Moderate Tories' approval upon the Duke's return and was invited to assist in the government. From then on events followed which demonstrate that the period of York's power had definitely begun. His greatest source of influence was naturally his control of Hyde who had full charge of the finances of the country as well as of domestic and foreign affairs.

The first move of the government towards a really absolutist control had begun with the Order-in-Council of December 1681 which required all Justices to execute the

I. Ralph I. p. 673.
laws against Papists, Dissenters and Conventicles. It was intended, by scrutinising in this manner the loyalty of justices, mayors, sheriffs, and council men, to purge local government of all elements of opposition to the crown. In the early summer after Ormond's arrival a direct attack against the Whigs was made by striking at the municipal liberties and privileges of their stronghold — the City. The government had not failed to learn the lesson of 1681 when it was prevented from taking vengeance on Shaftesbury and other exclusionists by the Whig sympathies of the London Juries. The city juries were controlled by the sheriffs. The Ministers had prepared their ground carefully — Reresby mentioned a club of city aldermen "and some men of quality at court that met to consult for the King's service;" in 1682, and at the same time records that the "King's party" in the city was steadily increasing. The Crown lawyers had already begun to prepare a legal attack on the city's accumulated privileges, and the election of two new

I. See Ranke IV, pp. 160-161.

II. See Reresby, p. 221.
Russell, Jones, Thynne and Montague had been returned on the Middlesex Grand Jury in 1681.

III. Reresby, p. 231.
sheriffs in the summer gave the government a pretext to interfere. The sheriffs then in office, Bethell and Cornish, were Whigs who had carried on the petitioning traditions of Pilkington and Shute their predecessors of 1681. The Lord Mayor, however — a modest, well-meaning Tory named Moone — under court influence revived an obsolete custom of mayoral nomination of one sheriff, which finally resulted in the election of two Tory sheriffs. This was hotly contested by the Whig element but Moone was strongly supported by the government — in particular by Ormond and Jenkins who visited him continually, urging him to uphold his revived procedure and to keep the Whig sheriffs out.

In September one of Moone's Tory nominees, Box, resigned, but he obtained the election of another, named Rich, by the same obsolete procedure. This demonstrated what power the Lord Mayor could exert, and naturally the Government made every effort in October to get another Tory Lord Mayor elected for the next year. Strict enforcement of the Act of Uniformity

I. One of these was Dudley North brother of the Anglican Tory — Lord Keeper North. See Ranke IV, p.160. See Warrant for Commitment by Sheriffs at end of this chapter for list of Government.

II. Halifax and Hyde had dined with the Lord Mayor in the spring and were "received with the greatest respect". See Reresby, p.247. April. And again in July. See Cal.S.P. 1682, f.286. July 11. Conway to Jenkins.

III. Ranke IV, p.161.
prevented those from voting who had not attended Church regularly. A submissive Tory puppet, Sir William Pritchard was finally elected. The government was now able to feel that it was acquiring some control over the city's officials, before the Crown lawyers should launch their legal attack on the charter. York wrote delightedly to Orange regarding the mayoral election that it was "a mighty mortification to the Whigs." II

Severe punishment was next meted out to those who had aided the Whig leaders at the exclusion crisis. Ex-sheriff Pilkington who had "petitioned" in January 1681, was fined in November £100,000 for having libelled the Duke of York, "scandalum magnatum", as the destroyer of London in 1666. The ex-lord mayor Sir Patience Ward who testified on his behalf at his trial was indicted for perjury some months later at York's instigation, but managed to escape to Holland. III The real reactionary government of "primitive and unalloyed Toryism" had begun.

It should not however be inferred that Ormond was completely at one with all the reactionary inner cabal

I. Jenkins was very ardent against concessions of any kind to Dissent. See Wynne's Life I p. XLV. See also Feiling p. 198 and Ranke IV p. 168.


III. See Ogg II. p.
of the government. Hyde was in the French interest with York, Barillon, and Portsmouth (who now knew the secret of March 1681) but these last three had an individual bond of Catholicism. Ormond stood aloof from all of them but Hyde, with whom he had the mutual bond of strong Anglican religious principles; and a life-long connection as his god-son. He believed in Hyde and although he hated the Duchess of Portsmouth, was persuaded that Hyde had only become reconciled with her as a measure "useful to the public service." The end which regulated his own conduct, "Impartially speaking and from the best observation I can make, my Lord Hyde," he informed Arran, "is the best and honestest Minister amongst us, though he is fain to comply with the lady beyond what may be approved of by those that know not the necessity and the end." Hyde had always affected to defer to Ormond's wisdom and experience, so much so that when the latter had objected the year previous to the terms of a farm of the Irish Revenue which he was arranging with Sir James Shaen he had abandoned the


II. Ibid. "Since she cannot be removed the next best thing is to make use of her credit."
The two were more closely united by the marriage in July of Hyde's eldest daughter Anne to Ormond's grandson and heir, the Earl of Ossory. This happened at the same time that Halifax's daughter was married to Vaughan, an elderly member of the Opposition of only moderate fortune. "On juge," reported Barillon to his master, "par le difference qui s'y trouve combien le credit de ces deux ministres est different. The more important marriage was arranged by the Duke of York to increase Hyde's prestige still further. But on the whole the presence of the old Duke in England was a check upon York's active interference in affairs during the summer, and it was not until his departure in the autumn that York openly assumed control of the full reaction.

A seemingly paradoxical outcome of the Duke's return was the re-entry of Sunderland that summer to the governing circle. He had been making advances to Hyde

I. Carte. IV. p.641.


III. Barillon. Aug.3, 1682. N.S. Reresby indicated his suspicions about such a rapprochement to Halifax as early as January. p.234.

IV. Barillon. Aug.17, 1682. N.S.

V. See Intr: to Orm. MSS. VII. p.VII. Aug. 1682.
before the Duke's return\[1\] and also to Barillon.\[II\] He had begged Hyde to intercede for him with James, who promised to do this, but told him "he durst not venter to make any such proposal to his Highness in his absence, but that being so soon expected he would not only then acquaint him with it, but accompany his request with all the good offices he was capable of, ... "My Lord Hide writ to the Duke about it, the answer to which miscarried, which put him into some anxiety and suspicion, and not without cause, since that was the only letter which was known to have failed during his Highness' stay in Scotland."\[III\] Sunderland finally managed his return through the Duchess of Portsmouth on her return from France.\[IV\] She was prompted partly by a deep jealousy of James' influence over his brother and partly by her own need of useful allies at court. York had returned too recently himself to oppose openly the rehabilitation of Sunderland, once Charles had been persuaded in that direction by the Duchess.

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**I.** Reresby mentioned his suspicions of such a rapprochement to Halifax as early as January. Reresby p.234.

**II.** See Barillon June 29, 1682. N.S.

**III.** Clarke's Life. p.735-736.

**IV.** Ibid. "When the Duchess of Portsmouth was come back again he had a surer card to play." I. p.736.
Nor was Halifax in a strong enough position to prevent his re-admission; and his mortification was so great that it had the effect of making Rochester more gracious and patronising to Sunderland that he would otherwise have been. He arranged for the latter a secret interview with James in which Sunderland professed deep repentance and the Duke promised his forgiveness. I

Halifax soon had cause for further complaint. Neither he nor Seymour had yet received any reward in office which they might reasonably have expected for their services in the exclusion struggle. Both were awaiting the first important vacancy. But at Court "death did not make vacancies fast enough. It became finally necessary ... to oblige the men of former service to give place to those of present." II For this reason Anglesey, the Privy Seal, was now dismissed on some pretext and everyone predicted that the Privy Seal was destined for Rochester's official ally, Halifax. III But although Halifax had far stronger claims than Seymour, Rochester

I. Barillon. July 27, 1682. N.S.
Prinsterer. II. 5. p. 558.

II. Ralph. I. p. 700.

secretly promised his support to the latter in the hope of decisively out-weighing Halifax in the Cabinet Council. He trusted that Halifax would feel compensated by the marquisate which in August he procured for him from the King. But Charles preferred the polished wit of Halifax to the insolence of Seymour and had his own ideas upon the subject. Fearing that Halifax had the King's ear Rochester now endeavoured to create another vacancy by trying to get the Lord President, Radnor, dismissed on the score of old age. But in this he did not succeed. Meanwhile the Privy Seal remained in abeyance for two months while the claimants intrigued and Rochester negotiated. It was characteristic of Charles that he finally bestowed it upon Halifax despite the opposition of York, Portsmouth and Rochester, perhaps to compensate him for Sunderland's return. Seymour immediately left the Court in great rage and resentment and retired to the country. Halifax had thus gained both a marquisate and the Privy Seal. Rochester had gained the gratitude of neither claimant and had lost,

I. "The Lord Rochester underhand did endeavour to obtain it for Mr. Seymour, rather than for his lordship." Reresby. p.269.

II. Reresby. p.258.

III. Barillon. Oct.14, 1682. N.S.
with Seymour's departure, his support in the Cabinet. He had now to look round for fresh support there to replace Seymour and in so doing alienated Halifax still further. No one seemed more suitable to fill Seymour's position than Sunderland "who though brother-in-law to Halifax was thoroughly and heartily his enemy. He had as a matter of fact already been quietly re-admitted to the Council in September before Seymour's departure. Now, in order to explain his rapid return to political influence it was given out that he had only joined the Opposition for a time to act as a spy "by the King's direction."

To Halifax, Rochester's elevation of Sunderland was a greater breach of the "League offensive and defensive till then existing between them" than his support of Seymour's claims to office.

He told his friend Reresby that "The King commanding it, he would live fairly with Rochester, but he must

I. Ralph. I. p.704.

II. Barillon. Oct. I, 1682. N.S. See also Sunderland to Orange Aug. 1st. Prinsterer II. 5. p.559. telling him the King, York and Hyde have all been very kind to him.

III. Ralph. I. p.704.

IV. Ibid.
give him some assurances of his being more his lordship's friend than my Lord Sunderland's, ere he could much confide in him. I It was now his intention to "keep in his corner, and hear what was offered for the King's service, and not be afraid to declare what he heard to his Majesty's disadvantage, whoever was concerned in it, and whenever he had power he would distinguish between his friends and those that were not so." II In short he was now waiting an opportunity to score off Rochester who had made a serious blunder in estranging him. Rochester had lost Halifax without gaining further support from Seymour, and he had unthinkingly brought into the government circle for his own support a man of far greater adroitness and adaptability than himself, who would eventually supersede him. He had moreover lost that "Moderate" Tory support which Halifax's partnership had seemed to bring him.

For the moment, however, Sunderland, now in the inner cabal, was content to flatter and serve Rochester until he should procure the Secretaryship held by Seymour's incompetent friend Conway. Seymour, who realised that Sunderland had replaced him permanently, took good care

I. Reresby p.269.
II. Ibid.
to bruit his discontent abroad and announced that he had quitted the Court because of the prevailing French and Catholic influence. This, coupled with Halifax's openly critical attitude caused many to realise that the Government was now unmistakably reactionary. But apart from its personnel its activities during the autumn were self-evident. Whig Clubs and conventicles were now more strictly suppressed than ever, the Mayor and Tory Sheriffs giving great assistance in this work. All Whig newspapers were prohibited and "all the Hawkers silenced." On Guy Fawkes day when the city mob demonstrated in favour of Monmouth the "Trained Bands were let loose." Imprisonments and fines rapidly increased in number. Dryden's Duke of Guise, first performed in December revealed, in its scornful parallel of the Whigs with the Guisards, as determined a political character as did its fulsome dedication to Rochester.

I. Barillon. Nov. 12, 1682. N.S.
II. Ralph. I. p. 699.
III. Ibid.
IV. Ibid.
V. Feiling, p. 198.
At the end of the year there were further changes in the government. In December Rochester appeared suddenly to discover Conway's lack of ability, for the first time in the matter of some mistaken instructions to an envoy, and compelled him to resign. Sunderland then obtained the Seals which he coveted. The office of Lord Chancellor became vacant on the death of Nottingham and it was generally expected that Lord Keeper North who now seemed attached to York's interests would fill this post. North had no connection with the French interest but he was a strict Tory in so far as he believed that the King should rule by his legal prerogative with the support of the High Churchmen. In his opinion no man could be a good lawyer unless he were a prerogative man. He may be classed with Jenkins and Ormonde as a moderating influence upon this Government "of primitive and unalloyed Toryism.

Peterborough, a Catholic follower of York,

I. It is said that Conway did not know the meaning of the term "Circles in Germany." Oldmixon, p.676. The King was anxious to have a Secretary better versed in foreign affairs than either Conway or Jenkins. Burnet. II. p.339. Routh.

II. Barillon. Dec.3, 1682. N.S. Conway got a pension and the promise of the next vacant post. See Barillon. Feb.1, 1683. N.S.


and Huntingdon, who had deserted the Whigs a year before, were also given minor office. I There was a liberal bestowal of honours and titles upon deserving Tories, II which gave Halifax an opportunity to sneer at the lack of blue blood amongst the Duke's friends. III

But he and Seymour had now been pushed completely into the background. The Whig lampoons of the time sneered in turn at Halifax's discomfiture at the hands of his quondam friends:

"Joined with scorned Chits, he us by Innocence accus'd,
And is at last ev'n by those Chits refused." IV

With York as leader, and Rochester as his active agent the Tory reaction was now in full swing. The news of Shaftesbury's miserable death early in 1683 in Holland (where he had fled in 1682) hardly created a stir V so

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I. Ralph I, p. 709.

II. One Knight of the Garter (Duke of Hamilton). Two Dukes including Ormonde's English Dukedom. Four Earls, Two Viscounts, Four Lords, including Colonel Legge who was made Lord Dartmouth and Colonel Churchill who was made Lord Churchill (Scottish). Ralph. I. p. 709.

III. Reresby. p. 272.


V. Barillon Feb. 8, 1683. N.S.
"The party here do not at all seeme to regret him."
greatly changed was the situation from the year before. All that remained of the Opposition Party was the extremist, Russell group, I aristocratic and uncompromising, who were content for the present to remain in the background awaiting their next opportunity.
NOTE TO CHAPTER 6.

The following list of signatures to the warrant for the Commitment of the Sheriffs gives a comprehensive list of the members of the High Tory Government in 1682.

"The warrt of Committment signed by

Ld Arch of Canterbury      Ld Vis Falconberg
Ld Chancellor (Nottingham 1st earl) Ld Vis Hide
Ld President (Radnor)      Ld Finch
Duke of Albemarle          Ld B. of London
Duke of Ormonde            L. C. J. North
Ld Marq of Worcester       Mr Sec Jenkins
Ld Chamberlain             Sir John Erneley
Ea. of Oxford              Sir Thos Chichley
Ea. of Clarendon           Mr Godolphin
Ea. of Craven              Master of Ordnance."

June 26, 1682. Add: Mss: 15,643, f. 52.
"If we have good luck we shall all be Tories, if we have bad we shall all be Whigs," I wrote Ormond to Arran, while still in London early in 1683. In analysing the situation at court for the benefit of the latter he attached little importance to that vague Moderate party which Halifax was supposed to lead. Ormond shrewdly perceived that Halifax was a 'Trimmer' more in sentiment than in action; since he "was in most things unanimous with the thoroughest Tory." II He had undoubtedly taken a full share in the attack on civic liberties. But, as Ormond observed to Arran, whenever there was any difference of opinion at court Halifax inclined to the moderates. In sharp opposition Ormonde contrasted the Yorkists — Rochester, Sunderland, North and Jenkins. Nevertheless while Halifax seemed to Ormond's view to be without much influence, he could still on occasion gain the ear of

II. Ibid.
III. See Foxcroft I, pp. 377-378. See also Reresby, pp. 265-266.
the King who delighted in his cynical wit. He was, therefore, a dangerous opponent to Rochester, especially as he was only awaiting an opportunity to revenge himself for Rochester's defection in the matter of the Privy Seal appointment.

It was not long before an opportunity occurred to strike at Rochester in his chief responsibility - the management of the finances. Treasury Boards were held at certain stated intervals in the King's presence, and all the Ministers of the inner cabal had thus some "insight into the Transactions of that office." Halifax had told Reresby he meant to keep his eyes open, and his chance came when he received confidential information from a certain Hearth Tax Commissioner named Shales, that this tax had been farmed out for £40,000 less than might have been obtained for it. Foxcroft states that the Treasury, in a moment of pressure a year or two earlier, had borrowed from the Hearth Tax Farmers who, as repayment, were allowed to farm part of the tax on special terms. This enabled them at the end of five years to make a secret

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I. "He was one of the few admitted to the Bedchamber at that time without leave first asked." Hatton Corr. II. p. 21.

II. Ralph, I, p. 705.

III. See Foxcroft I, p. 380.
profit of £60,000 on the surplus, of which the King only received £17,000. Shales is supposed to have pointed out that this arrangement involved immense loss to the government first of all to Rochester, and to have offered him a new and more favourable farm, variously estimated at £20,000, £30,000 and £50,000. Rochester, who, one may surmise, was bound to the original farmers by their former services to him at times of difficulties, refused, and accordingly Shales went to Halifax.

The details which Halifax gave to Burnet and Reresby of this affair vary. Burnet states that Halifax went first to Rochester with a friendly hint of what he considered to be the victimisation of the Treasury officials. Burnet declares that this patronising interference was furiously resented by Rochester who stood by the contracts he had made with the farmers. This would be a natural attitude on Rochester's part. The contracts had been made by the Treasury and if he had been "misinformed and misled" he "could not prosecute those who had

II. Ibid.
III. See Life of Burnet. Foxcroft and Clarke, p.179.
IV. Burnet II, p.339. (Routh.)
saved him." \textsuperscript{I} Reresby who also had an account of this from Halifax, states that £40,000 had been misapplied to some use of which Lord Rochester could not be ignorant. \textsuperscript{II} North, who believed that Rochester "laboured with all his might to make the most advantage to the King of all the branches of his income, \textsuperscript{III} gives the same version of this incident as Burnet. \textsuperscript{IV} Rochester denied later that Halifax had ever privately informed him of the matter. \textsuperscript{V} According to the account of the affair which Ormond sent to Arran: "The grounds of it were, as Halifax says, the application of one Shales to his Majesty informing him that he had been extravagantly cheated by a bargain made with the Farmers of the Hearth money for the overplus it should yield above the certain rent. But the Lord Rochester suspects the informer was incited and introduced to the King by the P.S. and promised a direction to himself to examine it. My Ld Halifax says he acquainted R. with it as soon as he heard to which R. agrees not."

\textsuperscript{I} Ralph, I, p.705.
\textsuperscript{II} Reresby, p.268.
\textsuperscript{III} North's Lives. II, p.163.
\textsuperscript{IV} See North's Lives, II, pp. 170-171.
\textsuperscript{V} Orm. MSS. VI, p.531. Ormond to Arran, Feb. 13, 1683.
From what is known of Halifax's attitude to Rochester early in 1683 it seems, as Ralph says, "quite unreasonable and unnatural to suppose that he who was lying in wait for Revenge would compliment it away." It must therefore be concluded that according to "the usual dictates of State Rivalships, he proceeded to make use of this advantage, as soon as it was found, and made all the Merit he could of the Discovery."

Whether he spoke to Rochester or not, what is quite certain is that Halifax reported his information to the King, and had sufficient influence to get the matter brought up before the Council, "tho it may be gathered from the sequel that the King had rather been excused from the Trouble." Charles probably felt that the less he knew of how his involved finances were conducted the better, and he had been content to rely on Rochester's financial services in some very stringent times in the past.

Once the matter became official the whole court took sides, with the exception of James "who made it his business to clear himself from being concerned in the least on

I. Ralph I, p. 705.

II. Ibid.
either side. "I Burnet II says people supported Halifax who were either disgusted with Rochester's increasing arrogance and insolence, or who wanted prompter payment of their salaries. These ascribed Halifax's action to his "Courage, Fidelity, and Public Spirit."III But there was a large section at court who censured him as an "officious meddler".IV Rochester's supporters were stronger. He not only had Portsmouth and Sunderland's backing, but "such as had dependencies on the Exchequer (in other words the leading city men,) made it their business to say all they could in extenuation of the facts imputed to Lord Rochester."V Moreover the support which the Whigs in London gave Halifax rather embarrassed him. VI

Rochester, defending himself at council, took up an attitude of passionate resentmentVII at any outside interference with Treasury matters, and this, coupled with his

I. Reresby, p.271.

II. Burnet II, p.339 (Routh).


IV. Ralph, Ibid.

V. Ralph, I, p.706.

VI. Reresby, p.270. "The antecourt party were lavish of their commendations." See also Foxcroft I, p.388.

VII. "He would neither see, hear, nor endure any thing or person that was not clear on his side." North's Lives, II, p.202.
protection of subordinates who might have been questioned, won him the day at the Council enquiry. The question was settled 'in camera' on February 19th; and Rochester's farm of the Hearth Tax pronounced valid. Charles tactfully kept the balance by declaring in public that the enquiry had been made by his command. But practically speaking Halifax's plan of revenge had failed, and it should be noted that one of the Hearth Farmers, Trant, was afterwards knighted.

This incident, however, somewhat affected Charles' attitude to Rochester and possibly influenced him to refuse the repeated appeals of York and Portsmouth to make Rochester Lord High Treasurer. Moreover Halifax could not now let the condition of the revenues alone, and continued his interference in another financial matter. The farm of the Irish revenue by Sir James Shaen and his partners was expiring, but the proposals made for a new farm by both the old farmers and others had not yet been determined. Ormond was against another farm and thought 'management' would be more profitable to the crown, in

I. Reresby, p.270.


III. Reresby, p.271.
which view he had the concurrence of Rochester. I Halifax
however learned of one of the favourable offers that had
been made, and warmly pressed it. Reresby gives details
that the three years farm proposed was for £140,000 per
annum with the promise of a lump sum down of £500,000 as
security, which was not to be deducted till the last half
year. II As the Irish Revenue then came to about £110,000
a year this sounded very favourable. But Rochester and
his party soon pointed out to the King that if this scheme
which Halifax was pressing were accepted, that the wealthy
men guaranteeing the large sum would control the govern-
ment. III Rochester exerted all his influence with the
city to prevent monied men supporting his rival's proposi-
tion; "inasmuch," says Reresby, "as he sent to some of the
richest citizens, desiring them not to concern their estates
in this project. This one, Hornby, a banker, worth
£30,000 by reputation, confessed to me." IV He also put
forward another financial scheme of his own. In the end
Ormond's wish that the Irish revenue should be "managed"

I. See Carte, IV, pp. 641-642.

II. Reresby, p.273.

See also Barillon, March 15, 1683. N.S.

IV. Reresby, pp. 273-274.
was fulfilled - "it being in a way of improvement in proportion to that of trade which was visibly increased of late years, and was reasonably expected to increase daily in proportion as the times grew more settled"I - and by the King's decision a Commission of Managers was appointed. II

Even allowing for Reresby's undoubted bias where Halifax is concerned, it seems reasonable to accept his conclusion that Rochester's reputation at large had been somewhat damaged by all this inspection, enquiry and interference. Reresby states that among the wealthy Londoners the general opinion now was that "the exchequer was not managed to the King's advantage, as it might be by the Commissioners." III

Henceforward Rochester and Halifax were implacable enemies. Although in all the King's business which was "transacted at Council or in Committees," they maintained formally civil relations, "in their correspondences hand to hand and in visits," they were no longer, according to

I. Carte IV, pp. 641-642.

II. Barillon, April 15, 1683. N.S.
See also State Papers P.R.O. Bundle 29, 423.
April 2nd. Dartmouth's Letter.

III. Reresby, p.273.
Ormond, as they once had been. Each was now seeking a personal following at Court against the other, and all efforts to reconcile them were unavailing. Rochester invited Seymour to return to Court and promised to be his friend. "I believe he will be very just to you," wrote Legge, now Lord Dartmouth, to Seymour, "for he cannot but be sensible of the wrong measures he took when he took the P.S. by the hand who dayly continues to molest him even in that so sacred province which he formerly had looked upon as entirely his own."

By April Rochester had gathered together a small personal coterie consisting of Seymour and his kinsman Conway, Lord Dartmouth, and the faithful Jenkins, and was making every effort to get the Duke into the Cabinet Council. Halifax on the other hand began to press the King for the return of his old favourite, the disgraced Duke of Buckingham, but this proved unsuccessful against

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II. Barillon. Mar.15 N.S. 1683. See also Reresby, p.275.
III. Reresby. Ibid. Before this Seymour had actually been making political advances to Halifax.
V. Ibid. Francis Gwyn to Conway, Mar.27.
VI. Barillon. March 15, 1683. N.S.
the obstruction raised by Rochester and the Duke of York. He then attempted to form a rapprochement with Danby who was still imprisoned in the Tower. Danby wisely pretended friendly feelings towards him and proclaimed from the Tower his disgust at the insecure foundations of the High Tory party, hoping that Halifax might secure his release.\footnote{I}

"I found my Lord," recorded Reresby of Halifax, "much abated as to his enmity with that Lord,"\footnote{II} no doubt because Danby had said that Rochester and his party would not be able to maintain their influence for long.\footnote{III}

Ever since the Hearth Tax enquiry Halifax had had the idea of leading a popular party against the Yorkists, especially as he had received so much commendation from the remnants of the Whig party.\footnote{IV} He informed Reresby that he was publicly disassociating himself from Rochester in order not to be suspected of sharing his principles.\footnote{V}

Nevertheless he had, as Ormonde noted in January, already

\begin{enumerate}
\item "He said that Rochester and his party might support themselves for a time, but the interest they went upon could not last long." Reresby, p.275.
\item Ibid.
\item Ibid.
\item The extremist Russell group however had been against him for trying to increase the King's revenue independently of Parliament. See H.M.C.R. VII, p.398.
\item Foxcroft. I. p.385, and Reresby, p.273.
\end{enumerate}
deeply committed himself with the reactionary party in the attack now proceeding against the Corporations.¹

The long contemplated attack on the privileges and liberties of the city had been successfully launched at the beginning of the year. It was the government's intention that London should surrender its Charter under the legal doctrine of "forfeiture by abuse" and then receive it back shorn of those privileges which were considered inconsistent with the full exercise of the royal prerogative.¹¹ By a careful supervision of the Common Council elections at the end of the last year Jenkins had succeeded in obtaining a stronger Tory element there.¹¹ Some of the Judges showed great uneasiness, fearing the criticisms of the next Parliament, therefore Rochester and Sunderland had to seek some means of strengthening the "die-hards" on the Bench. They persuaded the

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¹. Vide supra, p.²⁹³.
   See also Foxcroft. I. p.378, for an analysis of Halifax's attitude. Miss Foxcroft admits that this policy had at least his tacit sanction.

¹¹. No "quo warranto" enquiry would suffice since the City could produce an "eo warranto" on every count.

The acts of earlier common councils in petitioning for a Parliament were taken to be an abuse of the city's privileges.
King, against his real wishes, to appoint as a new Judge, one of Rochester's drinking companions, the notorious Jeffries, later to become so famous in the days of the "Bloody Assizes". Of this new champion of High Toryism, the King himself said upon one occasion that he had "neither learning, law nor good manners, but more impudence than ten carted whores." III

In June judgment was given by Kings Bench to the effect that the city had forfeited its charter by abuse, and all its liberties reverted to the King, who declared that he would restore the Charter with certain conditions. The Mayor presented the apologies of the city a few days later but was informed that they were now too late. In September the Common Council by a narrow majority refused to surrender the old Charter, whereupon judgment was entered against the city and the corporation remodelled. The new conditions laid down that election of all the chief city officials henceforward required royal confirmation,

I. Charles said the other Judges would be very dissatisfied with this appointment as Jeffries "had not law enough." Clar.Corr. I. p.82. Mar.10.

II. See Clar. Corr. I. p.82. Sunderland to Rochester, March 10th, and Ranke. IV. p.188.


IV. For an account of the proceedings see Ogg. II. 637-639.
and that in any deadlock the King would nominate the Lord Mayor and Sheriffs. This was a great victory for absolutist government. The Nonconformist and Whiggish elements were so greatly dismayed that there was considerable financial depression for a time. But there would be no further Whig Grand Juries or Whig Sheriffs in the city. Moreover during the past year the whole structure of local government throughout the country had been gradually altered. The Lord Lieutenants and country gentlemen too aided the government in its campaign to procure the surrender or forfeiture of civic rights. Trifling deviations from the terms of ancient charters and the most insignificant offences were used as the pretext of forfeiture. For example, St. Ives was attacked because it had four constables instead of the original number of three; Oxford, for having five Aldermen when its Charter only gave four. There was a special Government Committee formed to receive informations laid against the boroughs "an institution which irritated one half of the people

I. Ogg considers that here the landed gentry were trying to redress the balance between town and country, and that their campaign of 1682 to 1683 paved the way for the borough-mongering of the eighteenth century. See Ogg II, pp. 634 and 635.

II. Dalrymple, I, Part I, pp. 22-23.
against the other, and debased both." Halifax and Ormond, according to Dalrymple's view, were as much concerned in this campaign as Jeffries - "the meanest of mankind."

To turn for a moment to foreign affairs in the spring of 1683. Here again Rochester and Halifax were pulling in opposite directions. The increasingly conciliatory tone of Orange's letters to the King was attributed by the Yorkists to the secret instigation of Halifax. Rochester was determined that Halifax should not triumph over him in foreign affairs, and he influenced Charles to return polite evasions to all Orange's appeals on behalf of the allies. Halifax's renewed activity in this direction - which Miss Foxcroft terms the awakening of his "inherent patriotism" had been accelerated by the suspicions of Anglo-French intrigue which Lord Preston, our Ambassador in Paris, began to communicate to him. Before his appointment Preston had been a friend of James, but his suspicions had been so greatly aroused in Paris

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II. Barillon. March 1, 1683. N.S.
III. Barillon. April 4th.
IV. Foxcroft I, p. 372.
that he had entered into a secret correspondence with Halifax. This intimacy was suspected by the Yorkists and when Preston applied for leave in March, in order to come over and discuss the situation with Halifax, permission was very peremptorily refused. I

Early in the year Rochester had confided to Barillon that Charles intended to show such coolness to the Spanish and Dutch envoys as would frighten them into agreeing to the arbitration of the Luxembourg question. II The Dutch, desirous of peace, finally decided to press their reluctant Spanish allies to agree to arbitration. III Rochester himself was sanguine that Louis would rest content with Luxembourg and would give up all further claims in the Low Countries. He let Barillon understand that if France compensated herself elsewhere, in Italy or Navarre, for example, it would not concern England. IV This may be described as the sole constructive proposal which Rochester as foreign minister made during the year. It is typical


II. Barillon. Jan. 4, 1683. N.S.

III. Ibid. Jan. 14, 1683. N.S.

IV. Ibid. Jan. 25, 1683. N.S.
of the general lack of interest in foreign affairs which characterised the last years of Charles' reign.

In the spring Rochester busied himself with a plan suggested by France for the marriage of his niece, Princess Anne, to the impecunious Prince George of Denmark. Such a marriage would be a blow to the Prince of Orange, especially as an Anglo-Danish alliance seemed to imply a Triple Alliance later on with France, who was Denmark's strongest ally. Moreover Rochester was quite eager to see his niece married to a Protestant Prince who had the approval of Louis. Naturally Lord Halifax "was not advising to the match." Rochester brushed aside all questions of ways and means and assured Barillon that the King and the Duke would supply an adequate income for the young couple. Orange was much alarmed by news of the impending marriage which dispute might lead to war between the two countries, but

I. Barillon. Mar. 18, 1683. N.S.

II. On May 13 Barillon called the marriage "a slap in the face for Orange."

III. Barillon. Mar. 13, 1683. N.S.

IV. Ibid. Mar. 29, 1683. N.S.

V. Reresby, p. 279.

VI. Barillon. April 8, 1683. N.S.

The Duke guaranteed £10,000 and Charles £25,000 a year. The marriage was solemnized on July 28, 1683.
London rumours attributed to French influence, and wished to come over to England. But this was prevented by the influence of both Rochester and Sunderland, afraid lest Orange should intrigue with Halifax. There was in addition a general objection to Orange's proposed visit, for a widespread coolness towards the Prince had developed in England. This was partly due to a recent quarrel between the English and Dutch merchant companies in the East Indies. The respective patrons of the two companies were Rochester and Orange. The latter supported the Amsterdam Company in its refusal to give satisfaction to the English company whose commercial interests were at stake. He hoped thereby to make the English company dissatisfied with the protection afforded it by Charles. The East India company was eager for liberty to revenge itself on the Dutch Company. Barillon hoped that the dispute might lead to war between the two countries, but Rochester in spite of his own irritation with the Dutch would not allow matters to be pushed to this extreme.

I. Barillon. May 17 and June 7, 1683. N.S.
II. Ibid. June 10, 1683. N.S.
III. Ibid. Mar. 29, 1683. N.S.
IV. Ibid. May 3, 1683. N.S.
since war would have entailed the summoning of Parliament. I

As the summer passed his uneasiness and suspicions concerning Halifax increased. In particular he suspected Halifax to be behind the tentative advances which the Duke of Monmouth had begun to make through the Duchess of Portsmouth to secure his return to Court. II He felt less secure of his own position and authority, despite the fact that he had been upheld in the revenue enquiry, and was anxious to obtain some signal mark of the King's favour that should publicly demonstrate that his influence was undiminished. III He would have been better occupied in watching Sunderland. In the spring Sunderland had been away from Whitehall attending the King at Newmarket, IV and had written constantly to Rochester to assure him that Halifax had no particular credit with Charles. "I see no signs of it," he wrote, "and believe that he can never have any if we doe not give it to him." V As a matter of fact Sunderland was very busy down at Newmarket consolidating his own influence with the King. All orders sent to the

I. Barillon. April 29 and May 3, 1683. N.S.

II. Ibid. May 13, 1683. N.S.


IV. "that has always bin a place, where changes have bin prest." Weymouth to Halifax quoted in Foxcroft. I. p.383.

Ministers in London were transmitted through him, and he was steadily gaining the King's complete confidence. He was, however, still careful to remain on intimate terms with Rochester.

The King's Bench judgment against the city of London in midsummer had a very important effect upon the extreme opposition who had kept quiet for so long. The new plot panic of 1683 which was to result from their despairing measures however, unlike the Popish Plot, rather aided than obstructed the Government in its absolutist policy.

The origins of the Rye House Plot are as mysterious as those of the Popish Plot. In Burnet's view, they were simply a new series of lies started by the professional informers who wanted to revive their old prosperous games of 1678.

It seems clear that there had been a great deal of ridiculous plotting and schemes to kill the King amongst


III. Burnet II, p.361 (Airey).

IV. See Dalrymple. I, Part I, pp. 24-44.
the wildest members of Shaftesbury's gang before he fled to Holland. These wild cat schemes apparently revived after Shaftesbury's death when they were leaderless, and when they were stirred up by the judicial proceedings against the city's liberties. One wild plot discussed was the killing of the King on his return from Newmarket near a certain farm called the Rye House belonging to one of their party, Rumbold a malster, whence the plot derives its title. If it was ever actually intended, its success was frustrated by a fire at Newmarket in March, which caused Charles to leave there earlier than he had intended. An informer called Keeling who said he was one of the actual plotters took the story to Dartmouth at the end of June who passed him on to Jenkins. Then Rumsey and West followed this up with a concocted confession, for since their names had been mentioned by Keeling, they hoped both to save their lives and to make money. West's document was as wild and inconsistent as anything produced.

I. Included in this group were:

Colonel Walcot - old Commonwealth officers.
Colonel Rumsey - A Scottish dissenting minister.
Ferguson - a Whig pamphleteer.
Robert West - A free-thinking lawyer.
Ayloff - a former under Sheriff.
Goodenough - a Bristol merchant.
Holloway

by Oates: it contained the plan of an insurrection to murder the King and York and Halifax and Rochester, and to place Princess Anne on the throne married to some honest Protestant. As a result of this "information" the Government inserted several lesser Whig extremists implicated by the informers.

Unfortunately the aloof aristocratic Russell group - the real surviving Opposition - had been active about the same time. For several months they had been in the habit of meeting at the house of a wealthy wine merchant called Shepherd in the city, and had indulged in very wild and careless talk - careless because Ferguson and Rumsey, obscene Whig adventurers, were admitted to some of their meetings and passed on their discussion of the need for unconstitutional remedies to their own ruffian associates, who later turned informers, such as Keeling, West and Walcot. Thus the secret conclaves of Russell, Essex, Algernon, Sidney, Hampden, Lord Grey, Lord Howard


IV. Ogg II, p.646.
of Escrick, and Monmouth became identified with the conspiracy to kill the King at the Rye House Farm. Rumsey, who turned King's Evidence, charged the Russell group with treasonable conspiracy at their meetings—an opportunity which the government was only too glad to seize in order to destroy the leading Whigs.

Monmouth fled into hiding but Lord Howard of Escrick turned King's Evidence and the rest of the aristocratic council of Six were imprisoned in the Tower. West, the leading informer, gave Rochester a long written narrative of their crimes. "They were so wise at Court," remarked Burnet who saw this document, "that they would not suffer it to be printed, for then it would have appeared too gross to be believed."

Although in the particular case of Lord Russell's execution for treason, even Rochester and Dartmouth appealed for a remission of the sentence, the severe punishment meted out to the Whigs, innocent and guilty


II. Council of Six as they were later called comprised Monmouth, Russell, Essex, Sidney, Howard and Grey.

III. Burnet, II, p.363 (Routh).

IV. See Dalrymple, Pt.I. Bk.I. App. p.120, and Burnet, II, p.380, Routh.
alike, after the discovery of the Plot, was carried out by the Tories in a spirit of ruthless reaction. Lord Essex committed suicide in the Tower, Russell and Sidney were executed, and many lesser Whigs were fined and sentenced to long terms of imprisonment. The remnants of the Opposition were thus completely crushed and the Plot had proved in its effect most useful to the Government. Barillon reported that while the court admitted that there was proof of talk of insurrection, there was no real evidence of any plot to kill the King.\textsuperscript{I}

The revelation of the Rye House Plot caused many sober and moderate people to feel that the harsh measures of the reactionary government were justified. The High Tories were more firmly in control than ever. All hope of compromise on the part of the Trimmers began to ebb; and York and Rochester were quick to perceive that this was the moment for them to consolidate absolutism.\textsuperscript{II}

Halifax was alone, with the possible exception of Ormond, in urging that now was the auspicious moment for conciliation and the calling of Parliament.\textsuperscript{III}

\textsuperscript{I} Barillon. July 15, 1683. N.S.
\textsuperscript{II} See Barillon - July 15 and Aug. 2, 1683. N.S.
\textsuperscript{III} Foxcroft. I. p.398.
hoped this might appear such a pledge of constitutional government as would secure for the Crown at this moment of enthusiasm, a permanent popularity. Rochester on the other hand saw in this outburst of loyalty merely a vindication of his own arbitrary government. "Passive obedience now seemed equally espoused by the Court, the Pulpit, the Bench and the Bar." I On the very day of Russell's execution for treason in July, the University of Oxford issued a very long and solemn declaration against the abhorred principles of Whiggism. II Addresses of loyalty poured in from all over the Country. Many Tories who had been in retirement appeared at Court lest their absence should be misunderstood. After the punishment of many rank and file Whigs the remainder, fearful for their safety, followed the Moderates to Court, in order to make their submission to the King. III The city in the hands of its Tory officials remained quiet and did not venture to make any outcry against the unpopular marriage of Princess Anne. IV The coolness between the King and Orange was intensified for he was even suspected of some connection

I. Ralph. I. p. 769.

II. See Feiling, p. 201.

III. Ralph. I. p. 794.

with the Council of Six. I

James had been threatened as well as Charles in the Rye House Plot, and this caused Charles to draw nearer to his brother, feeling that they shared a common cause and common danger. The Duke was therefore soon admitted into the inner council of the Government, II the Cabinet Committee, which privilege, according to Barillon, gave him "Toute d'autorité et tout le crédit qu'il a eu en d'autres temps." III

After the first preoccupation of the Government with the business of the Plot had subsided, Rochester turned his attention to the demolition of Tangier, which had been pending ever since the end of 1682. His real motive for the demolition of our fortress there was economy. IV

And here it may be mentioned that, despite the emphasis which several historians have laid upon them, the French subsidies, were very small compared with the large deficit which existed in the national revenues. The Government subsidies only amounted to £752,000 sterling, while the revenue deficit for the whole reign was six millions sterling.

III. Barillon, July 12, 1683. N.S.
IV. If a renewal of peace on better terms could have been obtained from the Moors, Charles might have maintained a smaller garrison there still. See E.M. Routh. Tangier. p. 243.
was as hard pressed for money as ever. In August, 1683, Barillon owed Rochester 1,500,000 livres of the second year's subsidy, and in the following October a million livres for the first half of the third year's payment fell due. He had reported to Louis that the immediate payment of arrears would seem like "une gratification nouvelle" and would be more welcome than larger sums had been in the past. In spite of the most rigid economy on Rochester's part there was therefore little money at hand to pay for the expedition to demolish Tangiers.

Rochester considered there would be many advantages in the demolition. The King's military force would be strengthened by the addition of the returning troops, and the financial reduction effected would help to stave off still longer the calling of Parliament.

I. Barillon. Aug. 2, 1683. N.S.

In his Introduction to the Treasury Calendars for this reign Dr. Shaw points out that the French subsidies only amounted to £742,000 sterling, while the revenue deficit for the whole reign was six millions sterling.

II. The upkeep of Tangiers averaged £40,000 a year. In 1679 it was nearly £60,000. See Dart, MSS. I. pp. 28-29 and Add. MSS. 10, 119, f. 52.

III. Rochester had not yet received or demanded the extra million livres for the cession of Luxembourg since it was not yet accomplished. Barillon, Aug. 23, 1683. N.S.

See also Barillon, Aug. 15, 1683. N.S. and E.M. Routh, Tangier, p. 243.
Early in July Dartmouth had received a secret commission to go out to Tangiers and destroy the fortifications. He was ostensibly going merely to succour the garrison. The expedition was despatched with wretched equipment and insufficient stores. Dartmouth had the greatest difficulty in getting either ships or money to carry out his orders. Rochester had expected that the demolition could be accomplished in a few weeks and budgeted accordingly, but the work took months to finish. The results of this apparent mismanagement and meanness, and the misery of the transplanted inhabitants who received no compensation, were sharply commented on later. Rochester was naturally blamed but, as he had informed Dartmouth, it was with the greatest difficulty that he succeeded in getting together even 20,000 for the expedition.

By August he was pressing Barillon to be more regular in his payments, and threatening that Charles might listen to Dutch complaints of France. Barillon, however, did

II. H.M.C. Rep.XI, Pt.3, p.86. Rochester to Dartmouth. Aug. 1, 1683. Money was very scarce in London this summer after the attack on the city Charter. See Ranke, IV. p.171.
III. Barillon. Aug. 23, 1683. N.S.
not take Rochester's warnings very seriously. He was hoping, since there was no written agreement, that he might be able to avoid the last few payments of subsidy. Rochester pleaded with him that his own position with Charles would become most embarrassing if the subsidies were not paid.

Despite the fact that arbitrary government seemed to be accepted passively by the nation at large after the Rye House Plot discovery, Rochester's own unpopularity was steadily increasing. He was popularly believed to be in the French Catholic interest as deeply as the Duke of York, in spite of his ardent High Church sympathies. Stories of his mismanagement of the Tangiers expedition were spread abroad that autumn, and the cession of Tangier to Portugal was a highly unpopular move for which he was entirely blamed. Further, his timorous policy in the quarrel between the Dutch and English merchants had lessened the support he had formerly had from the commercial classes. The Whigs, who spoke more truly than they could prove, accused him of preventing the meeting of Parliament and of taking bribes both from the French King and from

I. It is clear from Barillon's despatch of August 23, that he meant to cheat Rochester if he could.


IV. Malph. I. p.907.
the Dutch in order to defraud the English merchants. His Tangier policy was compared to his father's sale of Dunkirk.

"And sure all honours should on him be thrown Both for his father's merit and his own For Dunkirk first was sold by Clarendon And now Tangiers is selling by the son."II

"Azaria and Hushai", a Whig retort to Dryden's satire, written by a certain Samuel Pordage in 1682, satirized the "friend of David in distress" as Elam who had gotten with the Empty Purse For his dead Father's sake, the People's curse."III

Another continental crisis was now arising. Spain could not be brought to agree to anything more than mediation by England in the Luxembourg question, and this Louis absolutely rejected. IV During 1683, therefore, England had been able to withdraw from the European arena as one whose generous offer of arbitration had been refused. But in the autumn Louis was anxious to get a decisive settlement. In order to force Spain to agree to abandon Luxembourg or else to grant him compensation, he despatched deal with bare, and "must look to ourselves and not annoy..."

III. Azaria and Hushai. Samuel Pordage, 1682. B.M. 1626.e.37.
troops to the Low Countries where they proceeded to occupy some of the richest districts. At this fresh outrage, the Prince of Orange wished to go immediately to the aid of his Spanish allies but he was restrained by the pacifist burghers of Amsterdam, while the Emperor was as usual occupied in Eastern Europe.

When French troops entered Flanders Spain naturally turned to England for her promised aid but without any success. Not only the Yorkists, but most people in England, had lost interest in foreign affairs. "Since the Spaniards will not save all by demolishing Luxembourg I do not see what is to be done," James calmly wrote to Orange, "tis what might long have been expected and I believe it had happened sooner had not the King interposed, and if where you are, people had been of his mind and the arbitration had been accepted of, this invasion had not been and all Christendom had been in peace and free to have assisted the Emperor against the Turks." He further warned Orange to expect no assistance for "we have as great trials to deal with here," and "must look to ourselves and not engage in any war.""1

Much to the cynical amusement of Charles, Spain in

II. Ranke. IV. p.193.
desperation declared war single-handed on France in December. The result was a foregone conclusion. It was soon apparent that, completely beaten in the field, she would be forced to agree to the humiliating twenty years truce offered by Louis under the terms of which he kept Luxembourg, Strasbourg and Oudenarde. This was signed in the following year, solely because Orange had been hampered by his peace-loving subjects, and the English government had been determined not to play any active part in foreign politics.

From July till November, while the Government was engaged with the demolition of Tangier, there had been a general suspension in the clearing up of the ramifications of the Whig Plot. Rochester now turned his attention to completing this task. During the lull Jeffries had been promoted to Lord Chief Justice in place of Sir Francis Pemberton and was now ready to assist Rochester in his attack. His intention was to let loose the "Terrors of the Law" upon "all such as presumed to take the least liberty with their superiors either in writing or

I. The Truce of Ratisbon, 1684. Agreed upon by Spain, France and the Empire. James eagerly recommended its value to Orange. K.W.C. 3. f. 94.

II. See Ralph. I. p. 777.
conversation. One example of such offenders was Russell's chaplain, Samuel Johnson, whose pamphlet Julian the Apostate was condemned as scandalous and seditious.

A more notable trial was that of Oates in June 1684 for libel and slander of the Duke of York, when the damages were assessed by the jury, after a strong hint from Jeffries, at the fantastic figure of £100,000; and he was flung into prison for failing to pay.

Towards the close of the year Rochester's alarm was again aroused by a manoeuvre of Halifax. The Duke of Monmouth made his submission to the King and returned to Court. Halifax was the go-between in Monmouth's first tentative advances to his father in October as he admitted to Reresby. By bringing about the reconciliation he hoped to neutralise the influence of James. In November he actually begged the Queen to approach the Duke and Duchess of York on behalf of the repentant Monmouth. York was exceedingly reluctant to countenance this return but his own recent restoration to power prevented him from

I. Ralph, I, p.794.

II. Ibid. This pamphlet tended to prove that the doctrine of "Non-resistance" was neither taught nor practised by the Early Christians.

III. Reresby, pp. 286-87. October 25, 1683.

IV. See Foxcroft, I, p.401. Miss Foxcroft ascribes it to a high-minded attempt to bring a mediator into Court for the Whigs.
displaying his very real annoyance. He finally consented to Monmouth's return to Court on the strict understanding that Monmouth should beforehand sign a letter of confession and repentance. This letter was actually composed for the occasion by Halifax, who warned Monmouth to appear "absolutely converted" to the Yorkists. In reality Monmouth desired to maintain relations both with the Court and the Whigs. He was anxious that it should not become known to the latter that he had signed a confession ruinous to their interests, which would naturally be regarded by them as a betrayal.

At first the remnants of the opposition were overjoyed to hear of Monmouth's reconciliation which gave them fresh political hopes. The Yorkists were correspondingly alarmed. James felt that he had received a personal defeat and he astutely demanded of the King that Monmouth's confession should be published. This demand caused Monmouth at once to draw back; he had formerly been assured by Halifax that his recantation would never need to be known to his friends, and he at once circulated denials of the statement in the Gazette that he had signed

II. Ibid. p.403.
a document. These denials so irritated his usually indulgent father that he had a complete and full confession prepared and Monmouth was ordered to sign on penalty of immediate disgrace. He foolishly signed and then in fresh alarm recanted and demanded that the document be returned to him. Charles was now thoroughly angry and forbade him to come near the Court again.\(^I\) The unfortunate puppet, terrified lest he should be forced again to testify against his Whig friends, fled to Holland.\(^\text{II}\) Although the scheme for Monmouth's rehabilitation had not failed through any fault of Halifax, he had been behind it and its failure appeared to do him more harm than good.\(^\text{III}\) The Whigs regarded it as a dastardly trick to extract incriminating evidence against those who had been implicated in the Rye House Plot but who had not yet been proved guilty. York was more assured than before that Halifax was his enemy\(^\text{IV}\) and he thenceforward made every

\(^\text{I}\) Carte Transcripts. P.R.O. Vol.4, p.108. Memorandum concerning Monmouth, Dec. 12, 1683. Publication to the Lords of the Council: "His Matie had thought fit for the vindication of the truth of what the said Duke had declared to himself... to require from him in writing... to acknowledge the same which the said Duke having refused to doe in the time that it was commanded him, His Matie was soe much offended therewith that he had forbidden him his presence and commanded him to depart the Court..." and Reresby, p.288.

\(^\text{II}\) Foxcroft. I. p.412.

\(^\text{III}\) See Reresby, pp.289-91 for Albemarle's view that Halifax had made a mistake.

\(^\text{IV}\) Reresby, p.290.
effort to drive Halifax out of the Court.

But it happened that on one particular point the aims of York and Halifax coincided. This was the matter of Danby's long-deferred release from the Tower. Halifax needed Danby as a support for the Moderate Party. James was equally anxious that the Catholic Lords still imprisoned should be released, and was therefore compelled to agree to the general principle of releasing all the victims of the Popish Plot. He also felt that if Danby were released it would still further postpone a meeting of Parliament. Rochester was not so optimistic as James because he was apprehensive of the results of a coalition between Halifax and Danby, and he objected strongly to his release. He could not however carry his point against York, although he used his influence to delay the legal release. However Danby was finally released from the Tower early in February 1684, and "kissed hands" on February 12.


II. Rochester and Sunderland had formally to assent to Danby's release. See Reresby, pp. 195-6.

III. Rochester and Sunderland, according to Reresby, opposed his release in secret for so long that the Judges did not bail Danby out till the very last day of term. Reresby, p. 296.

IV. Jeffries was willing to reverse the former decision of the courts against his release on bail.
There now followed gradual changes in the disposition of the various groups in the inner government circle. This cannot be attributed however to the release of Danby who was wise enough to watch the proceedings at Court from a safe distance, chary both of the King's Tory friends and of his old enemy Halifax. Such developments had already been foreshadowed by the Duke of York's admittance into the inner council after the discovery of the Rye House Plot. The Duchess of Portsmouth had realised even before then that once York was completely reinstated he would no longer need her support, and by the end of 1683 she had reformed her old triple alliance with Sunderland and his satellite Godolphin. She was always at heart jealous of York's influence with the King and dreaded lest her own power should decline. Naturally Rochester's close bond with the Duke led more and more to his alienation from this trio, despite their ostensible solidarity in the French and Tory interest. A new element may be discerned at court after Dartmouth's return in April from Tangiers. He astutely evaded the offers of

I. Reresby, p. 297.
II. Ranke, IV, p. 199.
III. Ibid.
alliance made to him by both Rochester and Halifax, for he had a scheme of his own for forming a "national" party, which should be neither as "tolerant" as the "Trimmers" nor as French and Catholic as the prevailing Tories.

Early in the spring Rochester's satellite, the industrious and aged Jenkins, retired to make way for Godolphin. This appointment seemed to some a triumph for Rochester as against Halifax. But it was more seeming than real. With increasing age Jenkins had become more violently anti-Catholic and more desirous of conciliatory measures towards the Whigs. After the Rye House Plot he had sided with Halifax in his demand for an assembly of Parliament, and once again when the legal time came for its summons under the terms of the Triennial Act. Nevertheless he had been a faithful and industrious second to Rochester who lost more support than he at first realised when Jenkins was replaced by the clever and secretive Godolphin who was under Sunderland's influence.


II. Foxcroft. I. pp.414-415, n.1. See also Reresby, p.301.

North, as he himself relates, was somewhat alone at Court after Jenkins had retired. Formerly he had been wont, together with Rochester, Sunderland, Halifax and Jenkins to meet each night "at the Secretary's," and to discuss informally the council business for the following day. This ministerial friendliness had latterly disappeared; and after the resignation of Jenkins "they all began to look gravely upon one another and to talk only of indifferent things." III

North and Rochester possessed a common bond in their devotion to the Anglican High Church, but since North believed in "adhering strictly to the law," IV they differed considerably on matters of policy. He objected to a good many of Rochester's appointments as taking little account of a man's suitability or industry and above all to his "preferring loyalists, which were such as run about drinking and huzzaing as deserving men, and to

I. It was a great mortification to Lord Keeper North who had lost his chief friend and ally. North's Lives, I, p. 232.

II. Ibid.


It is an interesting illustration of the financial condition of the Government that Jenkins' salary was £4,779 in arrears at the time of his retirement. See Add. MSS. 38,849, f.160.

encourage the King's friends." In particular he considered the clever and ubiquitous Henry Guy, Secretary to the Treasury Commission, an "egregious spy" and his colleague Duncomb, the Exchequer Banker, yet another "creature" in Sunderland's influence. This criticism of Rochester's appointments was in part correct; he appointed far too many rabid Tories to office for their vehemence against the Whigs rather than for their merits. But Henry Guy was, despite North's views, an exceedingly clever and sharp-witted official, in office since 1679, who obtained more and more power as his years of office lengthened. Rochester should be credited with allowing him full scope and also with the appointment of such trusty officials as John Ellis, Francis Gwyn and that invaluable Clerk to the Treasury, Lowndes. Perhaps North's chief objection to Rochester lay not in his rabid Toryism but in the fact that he sometimes caroused - for he was a hard drinker - with North's chief enemy, Judge Jeffreys.

Rochester's honours and position had by this time made him exceedingly overbearing and arrogant. His

II. Ibid, p. 164.
III. See Burnet.
IV. Burnet, II. p. 444. March.
jealous dislike of Halifax made him touchy and quarrelsome, and his popularity at court, as both Burnet and Barillon noticed, was steadily declining. Reresby declared as early as April that he and Sunderland were beginning to disagree, and in the summer repeats a statement of Danby that Rochester was trying to curry favour now with the Moderates, presumably to turn them against Halifax. He had laboured at the Treasury and made herculean efforts to carry on without Parliament for several years, and he perhaps justifiably resented the fact that, even with the support of his royal brother-in-law, he had not yet been rewarded by the White Staff.

"He was become very insolent and gave unto drinking," says Burnet of him at this time. His peremptoriness irritated Charles, who perceived in him none of the charm of a Halifax, but merely a personal devotion to his brother. The lesser men at Court disliked his rule because of his rigid economies and the reductions which were made in their salaries. The time was therefore ripe for Halifax to make a more successful move against him, and this opportunity Halifax was not slow to take.

II. Reresby, p. 301. April.
IV. Burnet. II. p. 444. Routh.
There were now only three members of the original Treasury Board remaining after Godolphin went to fill Jenkins' place, for Dering had died some time before. Since Rochester as the chief Commissioner could always win over one of the other two to his view, he had by now almost the power of a Lord High Treasurer. Halifax therefore began to work upon Charles' fears of seeming to be ruled entirely by James and his friends, and upon his known dislike of appointing a single Treasurer, by suggesting that Rochester imagined himself to be the sole dictator in financial matters, and that he would soon be regarded as such by the public. His motive in doing this was to engineer the appointment of two more commissioners who might be a check upon Rochester's power. In this scheme he had the approval and assistance of North. Halifax was successful in persuading the King to agree to the extra appointments. H. F. Thynne, a cousin of his own, and Dudley North, brother of the Chancellor, were appointed. This must be considered a definite triumph for Halifax and the more moderate men. The Sunderland trio had joined with Rochester and York to prevent it, and both the Duchess and James as well as Rochester's friends urged upon Charles that the new Commissioners

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should at least be "such as will not prejudice his affairs ... and such with whom it might be possible to act." But this appeal was in vain. As Sunderland wrote in disgust to Rochester - "The conclusion is, he is resolved, he is engaged, he will have it so, and will have no more."II

The Yorkists had been presuming too far on the King's easy indolent temper. Halifax had once very acutely observed to Reresby that no coterie in power could ever hope to hold the King for long, "for he had one great quality that would preserve him from being very long in ill hands, which was he would hear all persons, and admit of informations by the back door, when those that seemed favourites little dreamed of it."III Charles began to rouse himself, and during the last few months of his reign the influence of the Yorkists steadily diminished. Following upon the appointment of the two Commissioners he once more took Halifax into his secret confidence, and even renewed through him a correspondence with Monmouth in Holland. Outwardly the reins of government appeared to be completely in James' hands.

II. Ibid.
III. Reresby. p. 276.
In May he had been reinstated as Lord High Admiral and soon afterwards he took his seat publicly in the Privy Council. In neither case, despite the stir it made, did he take the necessary oaths of office. His followers still successfully resisted those who demanded a Parliament, now legally due, and maintained a bitter hostility to Orange, whom they suspected, not unreasonably, of a connection with Monmouth.

Notwithstanding the ostensible dominance of his group Rochester knew that his own prestige was dwindling fast. He had been dissatisfied enough before the enlargement of the Treasury Board, but after this he grew deeply mortified, and began to announce publicly the desire which he had already expressed to resign altogether. It happened that in the spring Ormond had been very ill and the question of his eventual successor in Ireland had been discussed. Ormond recovered, but the possibility of its vacancy had given Rochester the idea that this post would gratify his ambitions, and

I. Reresby, p. 303.

II. James continually advised Orange throughout the summer of 1684 to be content with the twenty years' truce offered by Louis after the fall of Luxembourg. See K.W.C.3, passim for June and July.

III. D'Avaux reported to Louis that whenever Orange received letters from James he "shuts himself up for two hours with the Duke of Monmouth." See D'Avaux. 3, p.47.
would be at least as profitable as the Treasurership which was no longer within his reach. A post which would appear, as Barillon shrewdly remarked to Louis, "d'un grand éclat et en qu'il pourrait encore devenir plus riche qu'il n'est, quoi qu'il le soit assez." During Ormond's illness York had strongly discountenanced Rochester's ideas in this direction, fearing that if he resigned no one else could be found who could manage the revenues without the aid of Parliament. But after the appointment of North and Thynne, Rochester became more anxious than ever to leave the Treasury, where he had only served so long in the hope of becoming Lord Treasurer. York and Portsmouth persuaded him to hide his chagrin for the moment and to act "en bon courtisan" in order to retain the king's favour. As compensation for his disappointment they exerted their influence to obtain for him a royal gift of £16,000 from the forfeited estates of the Whig, Lord Grey, and he received this a few weeks after the Treasury appointments had been made. James had pointed out to his brother the necessity of making this gift to Rochester "pour faire commaitre que son

I. Barillon. Mar. 19, 1684. N.S.
pouvoir et son crédit n'estoient point diminués, if he desired Rochester to continue his efficient management of the finances. But Rochester, who now realised that he would never obtain the White Staff from Charles, considered that the granting of this gift offered him a suitable opportunity to leave the Treasury without giving the undesirable impression that he had lost credit with the King.

He now asked for and obtained the Presidency of the Council, and more important, the promise of the Irish Lieutenancy when it should fall vacant. He was in reality bent on obtaining the Irish post as soon as possible, but since he had many personal ties with Ormond he could not let this be known. The sinecure of the Presidency seemed to him to provide a good jumping off ground should a favourable opportunity of ousting Ormonde occur. York was reconciled to his leaving the Treasury when he learned that Godolphin would take his place, for Godolphin promised to guard his interests as closely as Rochester had done. A Scottish Yorkist, the Earl of Middleton, was made Secretary on Godolphin's transference to the Treasury. Halifax endeavoured to give the

I. Barillon. Aug. 21, 1684. N.S.
II. Ibid. Aug. 31, 1684. N.S.
impression that he was responsible for Rochester's transfer and many believed him. Rochester's friends wondered whether he had acted wisely in giving up the control of the Treasury. The ceremonious office of Lord President, though carrying with it more honour than the Privy Seal, was in emoluments worth only half as much, and up till then it had been thought that, when Radnor retired, Halifax himself would be appointed to the post, leaving the long coveted Privy Seal for Seymour. It seems clear that Rochester asked to be changed, although once he had been transferred he regretted it. Miss Foxcroft's contention that he was unaware that the change was impending until it was made is not borne out either by Barillon's despatches or by a letter from James to the Prince of Orange. "Lord Rochester had long desired to be out of the Treasury and prest me and his friends in it very much, and those who were not his friends knew nothing of it until it was resolved on." Halifax was of course ignorant of Rochester's secret desire to obtain the Lord Lieutenancy and was overjoyed to see Rochester,

I. £1,500 a year as compared with £3,000. See appendix at end of Chapter for Rochester's emoluments in 1684.

II. See Foxcroft, I, p. 421. See also Southwell to Ormond. Orm. MSS. IV, p. 595-596.

as he put it, "kicked upstairs" out of his important position at the Treasury. He told Reresby "I am not displeased to see such an adversary removed from the only place that could give him power and advantage and he beareth it with so little philosophy, that, if I had ill nature enough for it, there is occasion given me to triumph." Great interest was taken in this change at Court both at home and abroad. Charles hastened to assure Barillon that it presaged no change in his relations with France and spoke to him in glowing terms of Rochester's financial services. The three years subsidy had of course expired in April of that year. Although Rochester had desired the change to be made, he was disappointed at the "pompous obscurity" in which he found himself and irritated because of the impression Halifax had given out of its cause. He skilfully hid his chagrin in his letters to Ormond because it was necessary that the old Duke to whom he owed many favours should not guess that he was angling to fill his place. "I am very well content," he wrote, "not so much with the feather in my cap as with the being rid of a great burden too heavy for anyone to bear when

I. Reresby. I. p. 308.
II. Barillon. Sept. 4, 1684. N.S.
he is not eminently supported by the master."I Rochester evidently intended to pull himself together and reform his violent temper. "One advantage I propose to myself by it, to correct myself of a great deal of passion and choler, which I was not guilty of before I came into the Treasury, and intend to leave it all there for the perpetual inheritance of those that shall at any time be there."II This confession is not without humour. But Ormond was informed by Southwell that Rochester was in reality very disappointed; "he owns it in his words and more in his countenance."III Southwell mentioned a rumour that Rochester's removal had been due to the Duchess of Portsmouth who, fearing Rochester's influence with the King was failing, had resolved to secure the management of the finances for her own especial friend Godolphin. IV It seems definite that Rochester's desire for change had coincided usefully with the well-laid plans of the Sunderland trio to oust him imperceptibly from the leadership. It was Portsmouth who obtained the gift from Grey's estates for him. It was Portsmouth who


II. Ibid.


IV. Ibid.
pressed Charles to give him the Presidency of the Council and the reversion of the Irish office. Godolphin filled his place. In a word the Duchess and her friends were settling themselves very firmly into the centre of affairs, and Rochester's transfer was their first important victory.

Mention has already been made of Ormond's illness in the spring. Although there was no immediate necessity, he had been ordered to return to Ireland in June as soon as he was recovered. He arrived there early in August. A week or so after his departure Southwell forwarded the rumour to him that Rochester might replace him. Charles had now become so much irritated by Rochester that when York pressed him concerning the Lord Lieutenancy, he was inclined to take this opportunity of sending Rochester away from the Court despite his promise to Ormond that he should never be removed as long as he, Charles, was alive. York had good reason for wishing to see Rochester in control in Ireland, although he should thereby lose his support at Whitehall. He had never cared for Ormond, but he could not impugn his loyalty, and, although Rochester was an Anglican, he was more likely to be a useful tool to James in Ireland than the independent Ormond had been.

I. See Oldmixon, p. 687.
II. See infra p.348, n.I and II.
When soon afterwards the intrigue began in which Sunderland took part, to send over the Catholic Colonel Talbot (Tyrconnell) with military powers independent of the Viceroy, Rochester was kept entirely in the dark concerning it. Dalrymple definitely suggests that Charles and James together had conceived the plan of officering the Irish Army with Catholics before Charles died, and that the scheme was only worked out by James after his accession. 

In October the King intimated to the Duke of Ormond that he intended to make a change in the Irish government, but that this entailed no reflections on his conduct of affairs. He informed him that Rochester was to succeed him "as fittest on many accounts and particularly because of his near relation to the Duke of Ormond." Rochester wrote at the same time assuring Ormond that the appointment was a complete surprise to him. "I am not insensible how hard a construction it may bear in the world, that a man so much concerned as I am to support all your interests, 


See Foxcroft p. 422, n.1, for the view that the Irish Government intrigue originated with Talbot.

III. Dalrymple, Ibid.

should appear, as it were, undermining you in one of your most eminent stations." The old Duke's sense of duty and dignity prevented him from replying as he may have felt, but his son Arran was full of indignation at Rochester's "deceitfulness". Ormond made little comment save an ironical remark or so as to the "fine letter" he had had from Rochester.

It may be that he accepted Rochester's protestations in part at least in good faith. "It is said," he wrote to Arran, "the King resolved on my removal before he had designed my successor. This acquits my Lord Rochester of begging the employment over my head." Charles had made as an excuse for Ormond's removal his intention to alter government policy in Ireland in such ways as Ormond would have found unpleasant to execute. For some time nobody knew what these changes were to be. Even in mid-December Hyde protested himself as much in "the darkness" concerning them as the mystified Ormond. "I say not much more for I have not yet the honour to be trusted with the secret, upon my word I have waited upon the King three or

I. Letter printed in Burghclere. II. p. 394.


four times with other company to discourse and receive his Majesty's instructions in relation to Ireland, but it hath never gone further than discourse in general, that several officers in the army must be removed, that the Council must be changed, and some powers of the Lieutenant himself be restrained. 

As December passed rumours were spreading of a Catholic policy in Ireland and the possibility of a Catholic commander of the forces. Ormonde now felt relieved that the odium of responsibility for such a policy would not fall upon him. "I was much to seek," he wrote to Southwell, "what it could be that was fit for the King to command and yet would be hard to impose upon me to execute ... but now I think the riddle is expounded in the restraints put upon my Lord of Rochester; one whereof is that he shall not dispose of the lowest commissioned officers in the army."

Ormond was given leave to remain in office until the spring in order to make complete preparations for the transference of his office and his departure.

Rochester was in no hurry to go to Ireland. He had seen at first hand how quickly Ormond's enemies could

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II. Burghclere, II, p. 398. See also Ralph, I, p. 828.

prevail against him once his back was turned from the English court, and he was afraid he would soon lose his own interest there by this honourable exile. He remembered the story of the old courtier and Buckingham—who "never observed any man turn his back upon the court but he presently caught cold in it." He should have suspected from the first the value of a post "which both his friends and enemies solicit for him." Sunderland certainly wanted him out of the way. Halifax, according to Miss Foxcroft, had no hand in the intrigues for Ormond’s dismissal, but he was no doubt glad to see Rochester sent away. Undoubtedly he wrote to Reresby at the end of September that "there would probably be some further changes at court, and that he stood very firm with the King," which made Reresby believe that "the French interest did something abate."

Rochester’s appointment to Ireland is often taken to mark the beginning of that new trend in Charles’ policy

I. Carte IV, 672.


III. See Foxcroft I, p. 422.


V. Ibid.
in the last months of his life upon the outcome of which historians have so often speculated. It may have been nothing more than Charles's love of counter-balance. As Rochester's influence diminished, that of Halifax increased, and Halifax had a definite scheme of his own — no less revolutionary than to bring Monmouth back to court, and thus to ensure as chief minister the triumph of anti-Gallican and liberal principles. I

To all outward appearances Charles allowed James, served by Sunderland, Godolphin and Jeffries, to govern in his name. "The King grew more than ordinarily pensive," noted Burnet. II But in North's opinion the King's restless depression was due to health: "the king having had some agueish attacks appeared to be more considerative and grew more sensible of the Niceties of State Govt. than he had been before, especially relating to the Treasury." Halifax was playing upon his love of back stairs intrigue in these last months by reviving his sentimental bond with Monmouth, and trying to bring him closer to Orange. IV Dalrymple

II. Burnet II, p. 464. (Routh.)
III. In Ralph. I. p. 882.
declares that Sunderland and Portsmouth, now anxious to get rid of James by sending him to a fresh exile in Scotland, also suggested the bringing back of his beloved son to cheer his spirits, since this would almost inevitably entail James's departure; and that Charles gladly entered into their scheme because he was already corresponding in November with Monmouth, through Halifax. I Portsmouth and Sunderland are said to have flattered Charles with the notion that exiling James would reconcile the opposition to his royal authority, without destroying James's legal rights. Dalrymple takes Sunderland to be the chief mover in the scheme for the reconciliation of Charles and Orange through Monmouth in Holland, and declares that Orange had in turn a scheme for detaching Charles from his connections with France, which Halifax was to manage for him at the English end. II

What seems to be definitely established is that at the end of November the Duke of York received directions that he was to open the new session of Parliament in Scotland the next February. III that Monmouth in mid-November had left Diren, the Prince of Orange's estate,


II. Ibid.

and that he travelled secretly to London, \( ^I \) where the rumour was reported by Barillon\( ^{II} \) that he had seen his father. James, writing to Orange on December 2nd, also mentions this rumour:— "what is most talked on is, about the Duke of Monmouth to know where he is, 'tis believed he is here for several reasons, besides that he was neither in Holland nor Flanders when the last letters came from thence." \( ^{III} \) Even earlier D'Avaux had been sending warnings from Holland, to his master of important changes pending in England, and intrigues to "re-establish the Prince of Orange and the Duke of Monmouth." \( ^{IV} \) In Welwood's Memoirs, which contain extracts from a private memorandum book of Monmouth, there are some very interesting entries which support the view that Charles had arranged with Halifax that his son should return permanently in the spring. Monmouth made a memorandum on January 5th that he had "received a letter from L (Halifax) marked by 29 (the King) in the margin to trust entirely to 10 that in February I should certainly have leave to return. That matters were concerting towards

I. See Foxcroft p. 423 for evidence. Also Airey p. 403.

II. Barillon. Dec. 14th and 18th. 1684. N.S.


IV. D'Avaux. 3. p. 77.
it and that 39 (James) had no suspicion."

On February 3rd, he noted: "A letter from L. (Halifax) that my business was almost as well as done; but must be so sudden, as not to leave room for 39's (James' s) party to counter plot. That it is probable he would choose Scotland rather than Flanders or this country, which was all one to 29."

York does not seem to have suspected Halifax's intrigues. He told Barillon on December 7th that Charles had decided to send him to open the Scottish Parliament as a signal mark of honour and favour. Barillon had absolutely no suspicions - he did not know that Portsmouth and Sunderland wanted James exiled, and he was so confident of the Yorkist supremacy that he predicted to Louis that Halifax would soon lose the Privy Seal which would be bestowed on Clarendon. Sunderland and Portsmouth let Barillon understand that all their efforts were being concentrated on the removal of Halifax.

Exactly how far they were working on separate lines from Halifax or had cognisance of his intrigue with Monmouth, is impossible to determine. It might be inferred,

II. Ibid. Also printed in Airey, p. 403.
III. Barillon. Dec. 7. 1684. N.S.
IV. Ibid. Dec. 21. 1684. N.S.
though the evidence is slight, that they were wishing for a change in policy, but quite apart from Halifax, who never had any love for Sunderland. Moreover Halifax vigorously attacked the creation of a Roman Catholic army in Ireland. Their declared intention to Barillon of getting Halifax dismissed was probably quite sincere. Barillon reported to Louis that Sunderland and Godolphin were using every effort, and "M. le Duc d'York et Madame de Portsmouth me disent tous les jours que c'est une affaire assurée. Cependant il y a beaucoup de lentueux dans l'exécution." II The situation was apparently most complicated. The Yorkists outwardly predominant: the King content to deceive them as to their real influence; and inside the Yorkist group, an inner cabal planning to get rid of York, as they had already got rid of Rochester. III Added to Halifax's scheme to rehabilitate Monmouth, he had moreover conceived a plan to justify his earlier interference in financial affairs; and he exerted his secret influence with the King to persuade him to fix a date, Wednesday, February 2nd, for the inspection of


III. It should be noted that Rochester is never once mentioned in Barillon's January despatches; but on the day Charles died he is mentioned as now certain to be the chief Minister. See Barillon Feb. 7. 1685. N.S.
the Treasury Books, "to be convinced by his own eyes of the mismanagement which his lordship had from time to time complained of." The Treasury Books were actually examined, but with little effect on Charles, for on February 2nd the actual day of inspection, he was struck down with the apoplexy of which he died five days later.

To conclude the Treasury scandal before making a general conclusion to the reign, it should be noted that the Treasury Commissioners examined the accounts of the farmers who had been criticised two years before, and, to quote Barillon, "Il se trouve a present des omissions et des faussetés dans leurs comptes et l'on croit qu'ils seront condamnés a restituer des sommes considerables. Milord Halifax pretend tirer quelque avantage de ce qu'il a soustenir cette affaire quand elle a esté agitée la première fois." Rochester was the first to speak against the farmers who were found guilty of fraud and malversation; "cependant, c'est un dégout pour lui qu'une affaire qui s'est faite pendant son administration

I. Ralph. I. p. 833. See also North II. p. 170. and Burnet II. p. 466. (Routh.)


III. Barillon. Feb. 5, 1685. N.S.
s'éclaircisse après qu'il est sorti des finances.\footnote{I}

It seems therefore from the point of view of James and his friends that Charles died not a day too soon for their interests: before he knew the results of the financial inspection; before Rochester had departed to Ireland, and before Halifax's well-laid plans for Monmouth's return were quite ready. This well kept secret scheme would otherwise have been successful and would undoubtedly have destroyed the power of the whole Yorkist group. How far it would have been a permanent revolution in English policy is really impossible to determine.

Fortunately for James and his friends, Charles had latterly allowed all official power to fall into their hands, content to amuse himself with secret plans to counter-balance his brother's power. Sunderland and Jeffries were at the head of the government, the army had been reinforced by the Tangiers contingents, Ormond had been dismissed, James himself was at the Admiralty, and the liberties of the city of London had been practically destroyed. Charles's sudden death thus ruined all the hopes of Halifax, and added the royal prerogative to the already well-founded power of James and his friends.

I. Barillon. Feb. 8th. 1685. N.S.
See Foxcroft Note 3, p. 454 for vague rumours that Rochester was implicated.
Appendix to Chapter Seven.

A List of Rochester's Emoluments in 1684.

It may be of interest to give here, since this thesis deals with an official who made his political career the basis of his finances and his social importance, some idea of what Rochester's success and royal favour in the days of the High Tory reaction might be valued at in terms of money.

Items:-

October 7th, 1684.
£1,200 to Rochester, Lord President of Privy Council as late one of the Treasury Lords.

October 20th, 1684.
Warrant appointing £16,000 from Lord Grey's land to L.H. to be paid to him from time to time as money shall be received in the Exchequer from said rents till may be total. "To be as royal bounty and without account."

October 28th, 1684.
£1,500 a year as Lord President of the Council to commence from September 29, 1684.

December 10, 1684.
L.H. succeeding Ormond as Lieutenant to have £3,000 as an free gift towards his equipage and transport - you are to order the Receiver General of Revenue in Ireland to pay him said £3,000.
CHAPTER EIGHT.

Lord High Treasurer 1685-1687.

The reign of James II falls into three separate parts. In his first year of power, he deliberately fostered the impression that he relied upon the alliance of the Anglicans. This was part of his secret intention to work for the interests of his own religion through the unwitting agency of the Church of England. The second phase had begun to supersede the first early in 1686, and when at the close of that year he dismissed Rochester from office, he thereby openly declared his abandonment of the alliance with the High Church Tories and entered directly upon that headstrong, foolhardy policy which in two short years resulted in his downfall. This second period may be summarised as an attempt to force acceptance of his interpretation of the duties and rights of a Catholic king upon the nation at the point of the prerogative, specially sharpened for that purpose by the crown lawyers. The third phase lies in his futile effort, months too late when the Revolution had already begun, to receive the support of the Anglican Tories. It is with the first two phases that this chapter is largely concerned.

1. "His Britannic Majesty's plan is to attain it through the assistance of the Episcopal party which he looks upon as the Royalist party". Barillon to Louis, Feb. 26, 1685. N.S.
A quarter of an hour after his brother's death James went into the Council Chamber, and on receiving the Seals from the Chancellor, the Privy Seal and the two Secretaries of State, returned them to their holders immediately, saying that the Council would remain unchanged. After all present had taken the new oath, James solemnly announced that he would do nothing to harm the security and maintenance of the Protestant religion. Rochester then begged that this might be formally published, which was resolved upon. This declaration was a very reassuring intimation to the nation as a whole that James, a man of his word, would keep his religion as a purely personal affair.

Rochester was naturally the outstanding figure, although Sunderland and Godolphin also assisted from the first days of the new reign at the inner conclaves of the government. "Milord Rochester a plus de part", wrote Barillon, "qu'aucun autre a sa confiance: il ne songe plus à aller en Irlande". Everyone daily expected his appointment as Lord High Treasurer but

I. See Barillon. Feb. 19. 1685 N. S.
II. See Reiling pp. 203-204. "preserve this government within Church and State as it is now by law established". The Solicitor-General drew up the declaration from memory, and in after years James accused him of exaggerating his meaning.
III. Barillon. Feb. 19. N. S.
he himself decided that it would be better to establish the new government firmly for a few days, before he openly took over the administration of the finances. His importance did not lie only in the King's favour. As the undisputed leader of the Tory party, the rank and file of the clergy and the devout among their congregations saw in his decorous private life a reassurance that his attachment to the principles of the Church and State party was conscientious and genuine. He had also the support despite the mismanagement of the quarrel between the Dutch and English merchants, of the city interest who approved a man of careful administration and financial ability at the Treasury, more inclined to economies than extravagance. There was, moreover, a widespread general relief that Rochester, the "gilt of Anglicanism", was at the King's elbow. For the first time in his career Rochester was enjoying popular support which he might have turned to great account in the coming year. At Court the other ministers hastened

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I. Ibid; Possibly he wanted the Treasury enquiry completely finished with before he took up office. See last chapter p.

II. See Barillion. Feb. 19. 1685. N.S.

III. The phrase is from Ogg. II. p. 634.
to defer to him. Halifax, who had already made his apologies to James and been officially forgiven, made a move towards Rochester in the hope of finding a place in the new régime. This was not altogether surprising since it was rumoured that Halifax might now be sent into honourable exile in Ireland.

According to Barillon, it was James himself who brought Sunderland and Rochester together again. Rochester had been very cool to the former ever since the announcement of the restrictions on the Irish appointment but Sunderland was an adept at re-habilitating himself. No man was more skilful than he in using one person to approach another, or more adept at kicking away the lower rungs of the ladder up which he was rising. Rochester's favour was worth cultivating again, especially since he was afraid he himself might be sent off on an embassy abroad. If Dalrymple is to be credited, Sunderland knew that the King intended to appoint Rochester, Lord High Treasurer "partly to oblige the Church party, of which that Lord was vain to be accounted the head, and partly on account of decency, because he was uncle to the Princesses."


IV. Barillon Feb. 19. 1685 N. S.


VI. Dalrymple I. Part I. Bk. II. p. 165-166.
Sunderland seems very cleverly to have concealed this certainty from Rochester, and to have insinuated that the promotion needed "managing" and that he, Sunderland, would exert all his influence with the King on Rochester's behalf. He also "alarmed him with the danger to which their common interests were exposed from Roman Catholic influence" Rochester had therefore the mistaken impression cleverly created by Sunderland from the start of the reign, that the latter was his ally and supporter, and so persuaded James to let Sunderland keep the Seals.

Another who lost no time in making overtures to the new Lord High Treasurer was the Prince of Orange, hoping thereby to influence James to renew the treaties with Holland. Rochester was not averse to trying to reconcile his master to his niece's husband, now heir presumptive, so long as this did not awaken any jealousy or suspicion in James. He wrote twice to Orange in April, at first rather formally in reply to Orange's request for his good offices, in effect

I. Ibid.

II. Proclaimed on February 16th.

III. "The Prince of Orange left no stone unturned to gain the friendship of my Lord Rochester".

D'Avaux. 3 p.391. April 1685.
advising him to submit with a good grace to the new state of affairs in England - "I think I ought not to conceal from your Highness that you have in your own hands everything you can ask. Be not deceived in believing that you can have need of my services ... Permit me to say that your Highness ought not to have need of, and consequently cannot wish to have a mediator between you and the King". He wrote rather more cordially in a second letter of that month and advised Orange if he wished to please the King to have Monmouth sent out of Holland; "a thing that I cannot but think the King would take well of you, though I have not his orders to say so". He goes on to explain he is induced to pressure to offer this humble advice "by your own commands to me, to advertise your Highness of anything that I think you might do that would be agreeable to the King". Perhaps this had some good effect shortly afterwards when James recalled Henry Sidney from his Dutch command, and further appointed Skelton as the new Envoy. Orange remonstrated at first and afterwards submitted.

II. Ibid p. 16. April 14th.
III. Ibid. p. 16-17.
IV. Ibid. p. 17.
In the nation at large the first weeks of the new reign passed so smoothly and quietly that Rochester who seems to have been somewhat apprehensive, was amazed. Enthusiastic loyalty seemed everywhere the keynote. Some of the Addresses of Loyalty are to the modern reader almost nauseating in their fulsome ness. Possibly this might have been due in part to the account of the Rye House Plot which James ordered Sprat of Rochester to publish, which announced that James knew of twenty thousand persons who had been engaged in that plot, "an implied menace, which by the ambiguity of its object, caused every Whig in the nation to think it was levelled at him." On the other hand Barillon reported at the end of February that the King's intention was to abolish as far as he could the memory of all the exclusion business. He had so far proved this by retaining Halifax, although later events were to show that he had not forgotten Halifax's personal attitude to him as reflected in his zeal for stringent expedients on that occasion.

The general moderation of the new régime expressed in


II. The addresses from Feb. 12th. to Feb. 16th. published in the Gazette are good examples. Add: Mss: 35,413 f. 137.

III. Dalrymple I. Part I. Bk. II. p. 162.

IV. Barillon, March 5. 1685. N.S.
the King's wish to let bygones be bygones was generally
imputed by the Anglicans to Rochester's influence "qu'on
croit avoir eu par la dessein de mesnager les esprits,
et de donner bonne opinion de lui dans le commencement de
son Ministere."

In actual fact Rochester does not seem to have shown
the same outward moderation as the King. He urged James
that none but rigid Tories should be employed in the
government. Meanwhile Sunderland advised James "to mix
different humours in his council." New appointments were
made before the end of February. On the 18th a very full
meeting of the Privy Council was held. Up till then,
says Barillon, the Cabinet Council had been a pure
formality and everything was settled in the small cabal
comprising Rochester, Sunderland and Godolphin. At
this large formal meeting Halifax was transferred to the
now vacant presidency of the Council. Rochester's

I. Barillon, Ibid.
II. Dalrymple I. Part I. BK. II. p. 165-166.
III. Ibid. p. 166.
IV. Barillon, Feb. 22. 1685. N.S.
V. At this meeting the following were present in
addition to the King and Prince George.
Lord Keeper.
Lord Treasurer.
Lord President.
D. of Beaufort.
E. of Huntingdon.
E. of Bridgewater.
E. of Murray.
Ld. B. of London.
Ld. Godolphin.
Mr. Chan. of Duchy.
Clar. S.P. 88. f. 84.
Feb. 15th. 1685.
brother, Clarendon - a pillar of the High Church party - was given the Privy Seal. Seymour was not present, being down in the country and not yet sworn in. Churchill was in Paris on the King's business. The list of those present appended below shows how Yorkist the Privy Council had become in Charles' last years. But these Yorkists were not Catholics. They represent on the whole the Anglicans and prerogative men who now stood round the throne which they had helped to preserve for James, expectantly awaiting their rewards.

The diversity and private enmities in the Council of Ministers and in the inner cabal was greater however than their attachment to the new sovereign, and to the Church and State party: "the ministry was composed chiefly of men hating each other, suspecting the King, and suspected by him; some of whom were partial to the views of the Prince of Orange, and others to his person, and indeed the late King, by changing his ministers so often, had made it very difficult to find a number of persons of figure who were attached to each other, and to his successor at the same time."

To the world at large it appeared a trustworthy

I. Orm: MSS. VII. p. 323.

II. "Every man eager to accept what he could get, and determined to hold it as long as he could." Ralph, I. p. 850.

High Church government with the figurehead of the Anglican party in the chief post of honour. It was therefore supported by every section of Tory opinion, High Churchmen, moderates, and the rank and file who had crept back to the fold since 1682. Conversely some hopeful Catholics, Barillon reported, were rather disgruntled and disappointed. In the same report Barillon mentions to Louis a little Catholic cabal, Arundel, Bellasis, Talbot and Jermyn, already forming unobtrusively round the King. This is a significant report so early in the reign. Before the end of February, Barillon had related that the London preachers, led by the zealous Bishop of London, were so keenly and vehemently expressing their opposition to Catholicism in the pulpit, that he had heard that James was already betraying some displeasure with the Episcopal party. However the King's attitude in general was all that could be desired. Only to Barillon did he express freely his real intentions. And for a time, to quote Ailesbury, "all went on then prosperously and well."

The loyalty expressed by the Scottish Parliament seemed to be excessive. The late King's revenue there.

I. Barillon, March 5. 1685. N.S.
II. Ibid.
III. Barillon, Feb. 19. 1685. N.S.
was settled on James in perpetuity, and an Act was passed expressing their "abhorrence of all principles which are contrary or derogatory to the King's sacred, supreme, absolute power and authority." Dalrymple considers that this excessive sentiment was not really representative of Scotland as a whole and that James' support there consisted only of personal friends, gained "by familiarity" while he resided in Scotland, and the Scottish Catholics.

James had been prompt to announce at the beginning of the reign that he would summon a Parliament to meet in May. The reasons he had given to Barillon for making this speedy announcement are an interesting light on his real policy, and his appreciation of the position at the beginning of his reign - "without this proclamation from a parliament I should hazard too much by taking possession directly of the revenue which was established during the life time of my deceased brother." He realised that it would be much easier to dispense with Parliaments later on if necessary than in the first months of the reign: "if I waited longer, I should lose the merit of it, I know the English: you must not show them any fear.

II. Ibid p. 198.
in the beginning". He told Barillon that the "malcontents" would soon have raised a clamour for Parliament "and thereby have gained the favour of the nation". This was reiterated to Barillon later by Rochester who said that North and Halifax "would not have failed to press him to assemble a Parliament," if the King had not forestalled their request.

One of the first decisive and confident moves made by James was to continue the collection of the revenues which should have automatically ceased at Charles's death. This had an important connection with a speedy assembly of Parliament for, as James told Barillon, "I should have hurt my affairs extremely if I had deferred it (the calling of Parliament) only eight days, for I should have continued deprived of revenues which I now preserve, and the least opposition on the part of those who refused to pay the duties, would have engaged me in levying them by force." Rochester had been very cautious in putting this technically illegal order through the Treasury before actually becoming Lord High Treasurer.


reason why he did not wish to be proclaimed in office for a few days, so that he might be able to disclaim full responsibility, if trouble should arise later on that score. In the Council discussion Halifax had been against the collecting of the Customs and other revenues, but Rochester had taken in opposition to him a high prerogative man's attitude that if Parliament did not confirm this action when it met it would be a certain sign that their intentions were unpatriotic and disloyal. In this strain he was supported at Council by Sunderland and Godolphin. The collection of the revenues did involve the actual executive in possible accusations of illegality, nevertheless it was convenient not only for the King but the city merchants as well, who might be undersold by those with more recent imports if the custom duties were not levied. The Customs Commissioners were asked by the city men to continue the levy; they laid the responsibility on the Treasury who in turn laid it on the Privy Council. North was inclined to caution and Jeffreys advised a royal proclamation.

I. See supra p. 362 and note I.
II. Burnet (Routh) III, p. 9-10.
III. "ne seront pas conformés au lieu de l'Estat et au soutien de la monarchie." Barillon. Mar. 15th. N.S.
No one really wanted to be technically responsible for this innovation, although Rochester might have been compelled in the event of difficulties to shoulder the blame. The court got as many public bodies as possible, such as the barristers of Middle Temple, and the University of Oxford to send in addresses approving the action.

In spite of the generally favourable atmosphere of the first two months Rochester's brief period of complete authority was marked by a curious mixture of lack of self-confidence and rash errors of judgment. He gave the King strong advice not to make a public display of his own religion, for which advice James silently registered a mark against him, but made no open objection, and he requested that only High Church Tories should be made Ministers. Despite his strong confident words at Council about the expected confirmation of the revenues, he was in reality very apprehensive of Parliament's attitude regarding supplies. He told Burnet, even

I. Dalrymple I. Part I. Bk. II. p.166.


III. Ibid.

after the elections had proved satisfactory, that he did not expect more than a three years supply from Parliament. Since his expressed fears were to prove so absolutely unfounded, and the returns from indirect taxation revenues were increasing, not decreasing, it may be wondered if Rochester did not deliberately harp on the dangers of financial shortage, with a view to consolidating his own position and successfully achieving another large French subsidy. Should Parliament prove difficult and personally hostile to him then it might the more easily be dissolved, if some supplies were assured from another quarter. At the beginning of the reign he had approached Barillon with obsequious demands for money, not for immediate necessities but in case of future difficulties. He had to excuse James's summons of a Parliament on the grounds that some money must be extracted before Parliament was discarded, and notwithstanding what might be secured in that quarter, the King's complete independence could only be assured by further financial aid from Louis - "that it would leave him to the mercy of his people, and in a condition of being ruined, if your Majesty did not

I. Burnet (Routh) III. p. Barillon seems to have had this opinion also, early in March. See March 5th despatch.

give him new marks of your friendship in so decisive a conjuncture." I

Barillon reported on February 26th that he had had an important conference with the three Ministers, at which Rochester took the lead in explaining what James had charged them to say. Rochester referred to their negotiations in 1681 and the service they had rendered to their respective masters in that matter, and added that his own wish was "de traitter encore de la meme maniere et d'establir une confiance et une liaison pareille à celle qui a deja este, et qui a si bien réussi." II

Immediately after James's accession Louis had despatched to Barillon, unasked, a gift of 500,000 livres for James. Even Barillon was amazed at the overwhelming gratitude the Ministers expressed to him for this gift. IV Notwithstanding Rochester pressed for further large supplies. He claimed that one million livres was still owing from the former subsidy which he had understood was to be two millions a year. Barillon for the last two

I. Dalrymple II. p.5. quoting Barillon's despatch of February 19th. App. to Pt. I. Bk. II.


IV. Dalrymple II. App. to I. Bk. II. p.7.
years of the agreement had only paid 1,500,000 livres. Now he asked for a renewal of the former subsidy on the basis of two millions a year. So his final demand was for a supply of three million livres to comprise the arrears and the first new payment. In reply to this demand Louis ordered Barillon to undeceive Rochester and to make it clear that, as two millions had been granted in the former treaty for the first year only, his claims for arrears were quite unfounded.

It is difficult to understand why Rochester should from the first have allowed Sunderland and Godolphin to be present at these negotiations if his main object in renewing the treaty with France was to consolidate his own power. Sunderland had of course, from the start of the reign, played the role of his friend and supporter, and he was able at the conferences with Barillon to take the lead by degrees out of Rochester's hands. Barillon observed quite soon that Sunderland was jealous of Rochester's position and anxious to become the chief

II. Barillon. March 26. 1685. N.S.
IV. Barillon. March 5th, 1685. N.S.
confidant of the King. On March 26th Barillon reported to Louis a private conference with Sunderland who created the impression that he was entirely in the King's confidence and attached to French interest rather than to those of the Prince of Orange. Barillon told Louis he did not exactly fear that James had an alternative policy ready if Louis failed him, but that he felt that those who wanted a Dutch alliance might find their task easier. He thought that many people at court did want an alliance with Orange but that James was secretly absolutely opposed to it.

Rochester's long drawn out negotiations with the French Ambassador were not successful. Barillon pointed out that the situation was entirely different from that of 1681 and that James had offered no definite promises in return for the subsidies which he asked of Louis. Rochester was definitely against a new formal understanding with conditions: "J'ay remarque dans tout ce qui s'est passe entre Milord Rochester et moi, qu'il n'est point entre dans la proposition d'un nouveau traitte, et il m'a

I. Barillon. March 26th. 1685. N.S.
II. Ibid.
III. Barillon. April 2nd N.S.
IV. Barillon. April 16. N.S.
paru au contraire éviter d'entendre ce que je lui ai dit sur cela."

Sunderland was more successful and impressive as a negotiator because he held out to Barillon, at their separate conferences, the bait of a definite formal understanding. II He declared to Barillon that Orange, the Emperor and the English Parliament were inseparable in their interests, and that James must eventually, after disassociating himself from all these, break up their union, "et lever le masque quand il en sera temps, c'est a dire, après que le Parlement aura accordé les revenus! III

In the various conferences Godolphin played a minor and moderating role, at first taking the same attitude as Rochester. IV By April the longer conferences were giving place to the more private messages from Barillon to Sunderland for the king's ear, and the more confidential replies made directly by the King to the Ambassador. James told Barillon that he could be far more open with him than with his own Ministers concerning his plans for establishing the Catholic religion. V Whenever Rochester

I. Barillon. April 16. N.S.
II. Barillon. April 16, 1685. N.S.
III. Barillon. April 16, 1685. N.S.
IV. Ibid.
V. Ibid.
met Barillon he betrayed more and more fear of a European crisis, since there was a new danger of a French attack upon Spain. This made him also more apprehensive of Parliament. I Sunderland was less alarmed in this direction, probably, as Barillon shrewdly observed, because he was less likely to be directly attacked as the King's chief minister. II By this time it was clear to Barillon that Rochester's official position was merely a temporary screen for James's real policy which would be revealed openly later on. Into this policy Sunderland was already gaining insight and appeared to Barillon to "be informed to the bottom of the intentions and designs of the King his master." III

Louis managed to avoid making a definite refusal during the summer, and from time to time remitted small sums which, with his first gift, totalled 800,000 livres. IV He also sent over one and a half million livres to Barillon with strict injunctions that this was not to be handed

I. See Barillon, April 23rd, 1685. N.S.

II. Ibid.

III. Dalrymple II. App. to I. Bk. II. p. 39, quoting Barillon, March 26th.

IV. Ibid. p. 44. See Barillon's account of payments to Rochester in the spring in his despatch of Nov. 25th. N.S.
over to James unless he should dissolve Parliament and find himself in extremity. I

Rochester's error lay in failing to take a decisive line either with his Orange connection or with the French interest. He was trying to please too many conflicting parties at one and the same time to ensure the "repose and tranquillity" II he so ardently desired. He had opened negotiations with Orange and his envoy Overkirk. III Later he assured Barillon that a Dutch alliance need make no difference to a secret understanding with France. Barillon realised quite well that Rochester wanted to keep in Orange's good graces as far as was possible without raising the suspicions of his jealous master, and even had hopes of trying to reconcile the King and his heir presumptive. IV Barillon's knowledge weakened Rochester's effectiveness as a negotiator in the French interest and inclined him to prefer Sunderland.

Barillon found much significance in one problem which confronted Rochester late in April, when James, who had


II. Barillon. March 5, 1685.

III. See Rochester to Orange. April 14th. Dalrymple II. p.16. "and since you are pleased to encourage me in the freedom with which I spoke to Monf. d'Overkirke".

IV. Barillon. March 5th. 1685. N.S.
already begun to attend Mass in public, ordered Rochester, Sunderland and Godolphin to attend him to the door of the chapel: "Rochester combattit avec véhémence la résolution que sa Maje Brittanique témoignait avoir prise, et après avoir allégué inutilement les raisons dont il se put aviser, il declara rettement qu'à moins que le roy d'Angleterre lui commandait expressément de l'accompagner jusques à la porte de la chapelle, il ne le feroit pas." James replied that he had no intention of constraining anyone to perform an action apparently so repugnant, and it was he who proposed to Rochester the expedient of making a short visit to the country during the Easter celebrations. Rochester was urged to agree to this by both Sunderland and Godolphin, who were both willing to attend the King to Mass in State. This incident was supposed to be kept a secret, but Barillon thought it probable that Rochester "s'en voudra faire honneur auprès des Protestans zélez et croire s'autoriser parmi eux, sans qu'il pense en cela hazarde sa faveur, ny son emploi."
Rochester was already in an impossible position but steadfastly refused to see that he was. By urging Anglican claims on every occasion, and continually harping on the necessity of caution in his own religion he irritated James. By worrying about the rupture of the European peace and by fearing to commit himself to definite terms in a new French alliance, he had allowed himself to be superseded in the summer by Sunderland, as James's chief confidant, though this was not outwardly apparent for some time. In July negotiations between Sunderland and Barillon had become definitely concerned with James's religious policy, at conferences in which "the Lord Treasurer does not participate much". I

In the Court at large Rochester was too arrogant and overbearing. He became so "violent and boisterous" II that he soon lost his brief popularity there. Sunderland found it as easy to form a group hostile to him at Court, as it had been to supersede him in Barillon's confidence.

During the summer Sunderland had ample opportunity to increase the Catholic Queen's suspicions of Rochester by pointing out to her the latter's regular correspondence

I. C. J. Fox. Appendix quoting Barillon's despatch of July 16th.
II. Burnet III. Routh p.8 and Oldmixon p.695.
with the Prince of Orange. He also found this useful as a proof to offer Barillon that Rochester only desired a vague unconditional alliance with France which would not prevent a rapprochement with Holland. Yet when Louis seemed more dilatory than ever it was James himself who took up the preliminaries of a renewal of the Dutch treaties. I A treaty of alliance was actually signed on August 17th, which James told Barillon was merely a simple formality of renewal that he was obliged to make. II Sunderland told him it would not prevent a closer alliance with France; and Rochester told him that it implied exactly the same situation as in Charles's reign, which had not prevented a French understanding. It served Sunderland's purpose to represent this formal renewal as a Dutch rapprochement due to Rochester's influence in discussing him with the Queen. Nor was it difficult to persuade her that the Treasurer was bound to be devoted to the Anglican party and to the interests of his royal Protestant nieces. III Sunderland's ally Godolphin was now Chamberlain to the Queen, and an important opposition could now press the question of a closer alliance with France at the highest level.


II. Barillon. September 3rd, 1685. N.S.

III. Ralph. I. p. 850.
group to Rochester began to form in the queen's circle. Nevertheless despite his increasing peremptoriness Rochester still had a party at court. Although the memory of Halifax's second attempt to inspect the Treasury Books was too recent for any real amity between the two, he and Halifax had become formally reconciled, and Halifax was at least heartily averse to Sunderland. Rochester had also for what it was worth - the wholehearted support of his brother Clarendon, now Privy Seal, and of North who detested Sunderland as heartily as anyone. And in the summer Jeffries could still be regarded as his friend. There still existed before the Parliament met, that widespread general feeling that Rochester's influence would keep the King true to the reassuring alliance with the Episcopal party. II

The first public event of great importance was the assembly of the new Parliament in May. Already in April Barillon had reported that the election returns were on the whole favourable to the Court, III yet three weeks later he relates that Rochester fears they will not grant the revenues. IV Barillon notes at the same time that

I. Ralph. I. p. 851.
III. April 2nd, 1685, N.S.
IV. April 23rd, 1685. N.S.
those returned were not of the declared opposition but nearly all zealous Anglicans, "presque tous du party episcopal", and in his view likely to be entirely opposed in principle to the innermost interests and designs of the King. The court had for the most part shared Rochester's apprehensions as to the possible temper of the Commons, and care had been taken to see that in all nominated boroughs, and wherever possible, only proved Tories should be elected. Naturally in the boroughs with new charters pressure could be brought to bear. Rochester in his fear had advocated Danby's policy of buying members but James shrewdly decided from past experience against this policy - "because all these who wanted money or posts distinguished themselves against the court to obtain them." Loyal and optimistic feeling still prevailed and there was no real need for bribery of a Parliament "which was more favourable to the crown than any that had met since 1661." Nevertheless before the Parliament

I. April 23rd, 1685. N.S.
III. G. N. Clark. p. 112.
IV. Barillon. April 30th. 1685. N.S.
V. G. N. Clark, p. 113.
assembled the alert Barillon had reported that cabals were forming amongst the peers who he predicted might be more intractable than the Commons. \(^1\) "Les Protestans zelez disent desja tout haut que ce Prince a manqué à ce qu’il a dit au conseil, et à ce qui eut porte dans la Declaration qui a esté publiée." \(^1\) This was due, according to Barillon, to the appointment of Colonel Talbot to an Irish regiment, "ce qui est, comme ils disent, avancer le papisme."

In the House of Commons which assembled on May 20th there were only about forty out of the three hundred and fifty new members of whom James could really disapprove. \(^2\) In spite of all the Tory efforts, one or two Whigs - Clarges, Hampden, Speaker Williams and Garroway - had been returned. But Jeffries' friend Trevor was elected as the new Speaker; Musgrave, a staunch Tory was Chairman of the Committee of Privileges; and Tories had been returned from such centres of Whiggery as Bedfordshire and Cheshire.

\(^1\) Barillon. April 30. N.S. 1685.
\(^2\) Ralph I. p. 860. See also Felling p. 205.
\(^3\) Ralph. Ibid.
\(^4\) See Felling, p. 205.
In Barillon's despatch of March 29th he says that James's precise demand for the revenues to be granted for life had rather stunned those who had hoped to gain Parliamentary advantages from negotiations in this respect. However when the members assembled they proved quite complaisant. In his speech James boldly demanded for life a grant of the same revenues as Charles had had, emphasising this request by the dramatic announcement that Argyle had just raised the standard of rebellion in the Highlands. The House undertook to prepare for the defence of the crown with enthusiasm, and made no objections to his demand. The revenue was granted for life on May 22nd, the last instance of its kind in English history. It is remarkable, as Dr. Shaw emphasises in his introduction to the Treasury Calendars for this reign, that James's first Parliament granted him at once more than Charles had ever been able to extract from it and that without any estimates for expenditure. In answer to James's appeals for extraordinary supplies for the Navy and Ordnance, the Commons might have voted

I. Barillon. March 29th. 1685. N.S. Since so many of James's old supporters in the Commons were now peers Sir Dudley North was made "manager" there for the King. Cobbett. IV. p.1349.


III. Ibid.
a special aid to wipe out the departmental debts and to make the executive solvent, instead of which they actually granted increments of the King's standing revenue\(^1\) down to June 1693.

The proceedings were not however completely smooth. Naturally there were some mutterings concerning the hurried grant of the revenues for life. Seymour made objections to the forced elections in the West Country, and there was an implied criticism in certain recommendations from the Committee on religion.\(^{III}\) But these were nullified for the moment by the sudden news on June 11th of Monmouth's ill-fated invasion of Dorsetshire. Whig and Tory alike rallied to the defence of the monarchy, and Parliament's generosity increased.\(^{IV}\) Two special Bills of Supply - imposts on wines and vinegars, and tobacco and sugars, were granted by June 16th. A later third act of supply, intended as an extraordinary aid to meet the cost of suppressing Monmouth's rebellion, finally took a permanent form towards the end of June.\(^{IV}\) The first project was for a tax on new buildings but after James on June 18th

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II. See Feilings chapter on James II for a full account of the proceedings of the first session.


IV. See Shaw. Introduction. VIII. I. p. XIV-XV.
had sent an urgent request to the house for a good fund of credit in which to burrow at once in order to deal with the rebellion, the house turned to the speedier alternative of a tax on imported French linens, brandies, calicoes etc. On the credit of this allocation the King was empowered on June 24th to raise a loan not exceeding £400,000. This aid had a time limit of five years.

Dr. Shaw estimates the permanent hereditary revenues enjoyed by James at more than £1,500,000 on a yearly average—the three additional acts of supply bringing his actual income to nearly £2,000,000 per annum as against the £1,200,000 which the Restoration Parliament had granted to Charles II. Thus Rochester's fears concerning supplies proved groundless, nor need he have had any personal apprehensions. Barillon had predicted to Louis that the Commons would be more hostile to Sunderland than Rochester. The usual floating rumours about a French alliance were coupled with the names of Sunderland and Portsmouth; whilst Rochester's temporary eclipse in the last months of Charles's reign was apparently regarded as proof of his integrity.

I. C. J. IX. p. 742-3.
II. Shaw. Introduction, p. XVII.
III. Ibid. p. XVIII. See also Tables of Expenditure at end of Chapter.
V. Ibid.
Parliament adjourned on July 2nd after its generous motions, leaving James in a high state of confidence and security, which was reinforced by the rapid and crushing defeat of Monmouth in a few weeks by Feversham's troops. The actual campaign had given him an opportunity to employ Catholic officers on equal terms with Protestants in the army. In July therefore James felt for the first time free to reveal part of his real policy. The vindictive punishment of the rebels was carried out by Jeffries in his infamous "Bloody Assizes". James, who was still engaged in negotiations with Louis, and at the same time in renewing the Dutch alliance, was further encouraged by the "respectful congratulations which he received from all the Princes and Powers of Europe and the advances made by each to obtain his friendship." Before the Parliament had assembled Titus Oates had been defrocked, brutally flogged and imprisoned for life. James could now feel that his reign had really begun. "Drunk in a manner with prosperity, the King indulged the most extravagant schemes of ambition against his subjects." II


II. Dalrymple II. Book III, p. 57.
Parliament's adjournment to August 4th was extended until November 9th. In this important period the real policy of the reign began to take vague shape. "Lord Rochester and Lord Godolphin who in the beginning of his reign flattered him with ideas of independence upon Parliament, now perceiving they had gone too far, strove in vain to repair the mischief they had done." As every successive week in the early autumn brought fresh evidence of the King's attitude, Rochester's power proportionately declined. He himself informed Burnet that after Monmouth's execution which took place on July 18th the King never consulted him except in purely technical matters of finance. Even in that direction his powers were curtailed before the end of the year for he was no longer allowed the authority to disburse large sums without the supervision and consent of the King. To the outward view he was still the chief minister, the keystone of the government, for whose intercession the captured Monmouth had begged in order to save his life. In July

I. Dalrymple II. Book III. p. 58.
II. Burnet III. (Routh.) p. 123.
See also C.J. Fox. App. p. 276.
III. Barillon. Nov. 26. 1685. N.S.
and Watney. p. 173.
he had been given the Order of the Garter, in company with two Catholic peers, but his importance lay in reality only in the tables of precedence.

During the summer and early autumn his correspondence with Orange increased in its cordiality and at the latter's request he shewed great kindness to the Prince's henchman Sidney when he arrived from Holland in September. His frequent conferences with Sidney gave Sunderland a further weapon to use against him with Barillon. Barillon was probably the more easily influenced because D'Avaux had recently reported that Orange seemed to be drawing James into active renewal of the alliances, now in the hands of the Commission, half of whose members were probably in Orange's interest. To reinforce Barillon's suspicions of Rochester, Sunderland tried to revive an old story that Rochester had secretly sent a message through Sidney imploring Orange to come over to England at the height of the exclusion struggle. It is clear

I. Norfolk and Peterborough.


IV. D'Avaux, 3, p.267.

from Barillon's despatches that he perceived that Sunderland's motive for making this accusation was to deprive him of all confidence in Rochester, whether he believed it or not. Certainly Barillon knew Sunderland had formerly been in the confidence of both Orange and Sidney. That the whole story had been invented by Sunderland seems practically certain. It is impossible to believe that Rochester could have behaved in such a manner in 1679 when it is remembered that he could not be brought later to participate in Orange's schemes for invasion, after he had himself been cast off by James. Nor can there by any corroboration found of Sunderland's statement.

In September Rochester's loss of the king's confidence was not apparent to the court. His pressing of his relative Turnbull as the new Ambassador to France in place of Preston prevailed over Sunderland's suggestion of Ranelagh or Saville; although most people did not think Turnbull would be a pleasing choice to the French. About the same time his brother Clarendon was appointed Viceroy of Ireland, another apparent tribute to Rochester's

I. Barillon. Sept. 6th. N.S.
credit, but Barillon reported that Sunderland had assisted in urging this choice to avoid any danger of being appointed himself to a post he regarded as exile. Moreover James had told Barillon that he knew how to make Clarendon obey his orders. Clarendon's office as Treasurer to the Queen Dowager was taken from him, although it could have been performed by deputies, much to his annoyance and that of Rochester, since it meant a financial loss to Clarendon.

The Hounslow Camp quartering James's troops, still in arms after the rebellion, was broken up at the end of August, and the legal difficulty of billeting them in various places surmounted by taking away the licences of innkeepers if they would not consent to lodge the king's troops, but some innkeepers preferred to lose their licences. The old fears of a standing army began slowly to revive.

The atmosphere of the court was still quite calm but people were beginning to wonder what the King's plans

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I. Barillon. Sept. 13th. N.S. "C'est encore un effet du credit du grand Tresorier".

II. Ibid.

III. Barillon. Sept. 17th. N.S.

IV. Barillon. Sept. 6th. N.S.
really were. They were not yet sure that he meant to put them into action. It was surmised that nothing of essential importance would be changed until after Parliament had met again.

Rochester's group at Court was next weakened by the loss of North and Halifax. As early as June II Lord North, failing in health and disgusted with Jeffreys' supplanting of him in the Cabinet Council, had told Rochester that he wished to resign. Rochester, anxious to keep his support and to prevent Jeffreys, now closely united to Sunderland and the queen, from obtaining North's post, managed to persuade him to postpone his resignation and to go into the country on sick leave. During his absence he himself acted for North as Speaker of the House of Lords. But on September 5th III North died. Rochester was forced to see Halifax dismissed a few weeks later. He had endeavoured to avert this dismissal since it entailed a definite open break with the moderate Tory section now becoming very restless; IV

II. Ralph I, p. 894.
III. See D. N. B., XLI f. 157, and Bohun Diary p. 71. "Out of fear he should lose his place."
IV. See Feiling, p. 209.
but it was practically inevitable.

Halifax had found himself more and more of a cipher as the summer passed. After Monmouth's defeat he gradually realised that the King intended to repeal the Test Act. This he could never countenance in any circumstances. Reresby states that James made large offers to Halifax "if he would have joined in some things", but that Halifax made a very definite refusal. Writing to Chesterfield after his dismissal in October Halifax confirms what he had told Reresby: "I have a fayre fall, and am turned away, because I could not prevayle with myself to promise beforehand to bee for taking away the Test and the bill of Habeas Corpus." This was the first intimation of the King's serious designs and must have caused great consternation among the moderates. Barillon rightly described the Test Act and Habeas Corpus, in the English mind, as the two ramparts of their faith and liberties.

James, apart from Halifax's refusal, had never forgotten his stringent proposals for limiting the prerogative in 1681, and he was also much annoyed by Halifax's

I. Ralph. I. p. 899 - "resolved to recover that importance by opposition which he could no longer expect by favour." See also Foxcroft. I. p. 447-449.

II. Reresby, p. 345.

III. In Foxcroft I. p. 454.

IV. Barillon. Nov. 5, 1685. N.S.
championing of the Huguenots in repeated discussions on the persecutions then proceeding in France, which Halifax was always bringing up at Court. This was all the more irritating to James because as he told Barillon he knew Halifax was not moved to do this by principles of religion or conscience. His dismissal was therefore inevitable. "I have found it necessary for my service," he wrote to Orange, "to lay aside Lord Halifax now that the Parliament is so near for reasons best known to myself." When announcing the dismissal of Halifax in Council he openly stated that he would not give his confidence to anyone who did not also clearly agree with him - a plain enough public hint to Rochester and the rest of the High Church Tories.

The first phase of the reign was now completely over. Henceforward all offices and places at Court were filled with "such men as placed the whole of their service in implicit obedience." The Moderates, as one might now term the Anglicans at Court, were very much worried by Halifax's dismissal. Those who advocated strong arbitrary

I. Barillon. Oct. 22, 1685. N.S.

II. Ibid.


measures on the other hand increased in credit, and numerous small cabals and parties began to form both in the Court and in Parliamentary circles. Albemarle asked to be dismissed since he would not serve under the Catholic Feversham. Musgrave became Lord Chamberlain. Jeffreys was promoted to North's vacant Chancellorship. A young prerogative lawyer, Sir Edward Herbert, brother of Rear-Admiral Herbert, became Lord Chief Justice. At first Halifax's post was kept vacant, but Sunderland received it in December while still retaining the secretaryship. The Queen was instrumental in gaining this additional office for him, because she was determined to see her friends, in positions of equal importance to the Hydes, of whom she was deeply jealous and suspicious.

In October came the announcement that a Catholic Bishop had been appointed to England by the Pope. Here it may be relevant to consider briefly the attitude of the English Catholics to James, as Barillon perceived it. The Catholics who were courtiers, and the Jesuits, considered that the next meeting of Parliament would be the

I. Barillon. Nov. 12th. N.S.
II. Reresby, 349.
III. Ralph, p.612.
IV. Barillon, Oct. 18. N.S. James had also decided to send an Ambassador to Rome after the session. See Barillon, Oct. 4th.
greatest opportunity yet offered to the King to forward a Catholic policy, and one which must not be missed. But the old-established Catholic families feared the future, and did not want to risk a possibly fierce reaction to James's religious policy. They would be, Barillon considered, quite content with the revocation of the penal laws without risking the effects of the abolition of the Test Act. Barillon thought that James appeared, in November, firm and resolved in his plans for the benefit of Catholicism, and he predicted that the coming session would be more important than any for a very long time. He again foresaw that James would meet with the greatest opposition from the peers.

James met his Parliament on November 9th with a speech of such dictatorial tone and open avowal of his real policy as to ensure him a very cold reception from those who had been so accommodating in May. He peremptorily requested supplies for additional troops since the army had been insufficient when Monmouth's rebellion began; and he declared his plain intention of maintaining the Catholic officers in their posts. "Let no man take

I. Barillon. Nov. 12th. 1685. N.S.
II. Ibid.
III. Ibid. Nov. 8th.
exception," he ordered the House, "that there are some officers in the army, not qualified according to the late Tests ... for their employments." Charles might well have turned in his grave, yet there were actually some who were surprised that Parliament now lost its complaisance.

The under-current of opposition became a swelling stream. Middleton proposed an immediate discussion on the speech; but Clarges objected to this as not customary. Most of the court party wanted immediate discussion but the majority prevailed that this should be adjourned till the following Thursday. This was the first sign of strong opposition. Barillon wondered, in his reports to Louis, whether James would be content with getting new supplies for the army, or press for repeal of the acts. This would, he thought, be decided by the conduct of the two Houses in the next few days. Both Houses however suspected that James would proceed to repeal once he had been given the supplies.

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I. Grey VIII, p. 353. See also Ralph I. p. 902.
II. See Evelyn. II. p. 255.
IV. Ibid.
V. Ibid. Nov. 22. N.S. 1685.
At court the attitude towards Parliament varied. Some suggested a conciliatory policy; some, the issue of a reassuring declaration on religion in return for a certain revenue for the army; the Catholics themselves were divided.

The House met on the 13th in great heat and carried by three votes a resolution to discuss the King's speech. Many of the court party were absent and some, like Sir Stephen Fox, voted with the opposition. Great warmth was used in criticisms of the employment of Catholic officers. The next day the House though firm was not so heated, and it was decided to address the King begging him to allay the suspicions created by the non-execution of the penal laws. Barillon ascribed this to a temporising to prevent their sudden dissolution. I When the address was prepared there was a long debate as to whether the concurrence of the Lords should be obtained. The courtiers were against this because the King might have a better excuse not to grant it when it came from only one of the Houses, and in the end they prevailed by a majority of forty votes. The King was very displeased with the Commons address: "I had," said he, "reason to hope the reputation that God had blessed me with in the world would

I. See Barillon, Nov. 26, 1685. N.S.
II. Reresby, p. 346.
have created and confirmed a greater confidence in you of me, and of all I say to you. I

The debate on supplies on November 16th was hotly contested, and the House revealed all its old fears not only of Catholicism but of a standing army. The Court party in defence of James's interests stressed the army's usefulness "till the rebellion or rather the ferment of it was perfectly quieted"; II while the opposition urged "the danger of it and the inconveniencies, (especially considering the unruliness and insolence of soldiers, their ill example in the country, and the burthen of free quarters)." III "Le chambre ne pretend pas que l'armée subsiste," wrote Barillon that night. IV The House declared its intention to make the militia, as the true defence of the kingdom, more effective and useful, which rather shelved the actual point about a standing army. V The supplies demanded were refused. Clarges protested that a revenue of nearly two millions had already been voted to the King "whereas the expense of his establishment, the present army included,

I. Reresby, p. 247.
II. Ibid, p. 346. See also Grey VIII, p.363.
III. Ibid.
IV. Barillon. Nov. 26. 1685. N.S.
V. Ibid and Reresby, p. 346.
amounts but to £1,300,000 a year. Erneley declared that the standing forces were fourteen or fifteen thousand men costing about £600,000 yearly, and if half that figure were voted it would be sufficient. (James had asked for £1,200,000.) Seymour pointed out that every penny was being spent on the army and not on the navy, which ought to have been in a condition to prevent Monmouth's landing. No interest whatsoever was taken in foreign affairs in this debate and some declared that there would be time enough for that when the real interest of laws preserving property and conscience was secured.

There were however enough placemen and devoted partisans of the monarchy in the opposition which Charles had had to face. Thus in a few days the House compromised by voting about half the amount asked (£700,000 instead of £1,200,000), but only by a majority of forty two. The division of 212 to 170 shows the strength of the opposition party that now existed in Parliament. This comprised many of the Anglican Tory members who were beginning to

III. See Felling, p. 210, Grey VIII, p. 363 and Shaw. Introduction. Vol. VIII. It was in 1686 that James began to rebuild his navy. See Tables of Expenditure of James II at end of this chapter.
IV. Barillon. Nov. 26. 1685. N.S.
have serious apprehensions for the safety of their religion, and the handful of Whigs, already referred to, who had managed to obtain election. Many members who were in Parliament for the first time were encouraged by the counsel and instructions given to them by members of former Parliaments who had gathered in London during November. But when one considers the fierce temper of Charles's last three parliaments it is really more to be wondered, in view of the implications of the King's Speech, that there were 212 to vote for him. It demonstrates the extent to which the reaction in favour of the monarchy had developed since 1681.

The Opposition in the Upper House was quite unmistakable. Barillon's prediction, as far back as April, that the peers might prove more intractable than the Commons, was entirely fulfilled. Their first debate on November 19th dealt with the King's speech, for which Compton, Bishop of London and a zealous High Churchman, demanded careful consideration. He was supported by Halifax,

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I. Barillon. Nov. 26, 1685. N.S.
   See also Ranke IV, p. 271.

II. Barillon. April 30th, 1685, N, S.

III. See Ralph. I. p. 909.
Mordaunt and even Nottingham as well as others. The Court party peers dared not press for a division on this, and so could not prevent the appointment of a day, November 23rd, for the purpose of considering the King's speech. Reresby records that the King was present as usual in the Lords' Chamber "and was much concerned at the plainness" which they said was used in this debate.

James had already written on November 17th to Orange complaining that "the Commons do not do their parts as I could desire." Now at this intimation that the Lords intended to make serious criticisms on the 23rd, he promptly prorogued on the 20th until February, choosing "to part with all the advantages

I. Authorities differ greatly as to who was the chief mover in this. Foxcroft gives Devonshire as the chief mover. I. p. 458. See also Note 5. Foxcroft I. p. 459. Above the view is taken that Compton was one of the leaders since he was dismissed from the Privy Council in December for having made a speech against Popish officers in the Lords. See Reresby, p. 351 and Luttrell. I. p. 366-367.

II. Reresby, p. 347-348.


IV. Reresby, p. 348. See also Fox. App. p. 144.
of the session rather than hazard a second attack on that side. He was not destined to meet it again, but prorogation and not dissolution seemed at the time to imply the maintenance of the Parliamentary system. As he had given up £700,000 by this dismissal some concluded that he had a good enough revenue to do without Parliament; others that he would in the interval find some formula of compromise regarding the Catholic officers, and be able to meet Parliament again in February. The latter optimists should have been warned by the dismissals from office which followed in the next few weeks of those "who had not voted as was expected by the King." The speedy dismissal of Parliament naturally delighted Louis, who had not been altogether easy at James's policy of temporising with the Dutch and Spanish Ambassadors during the autumn.

I. Ralph. I. p. 909.


III. Reresby, p. 350. Dec. cites Lord Willoughby and the two Mr. Berties; Mr. Fitzwilliam; Mr. Cooke (who had been committed to the Tower) and Mr. Kendall. Mention has already been made of Compton's dismissal from the Privy Council. See supra p. 404.

IV. See Welwood's Letter printed in Ralph. I. p. 910.

V. See Fox. App. p. 133.
Three separate parties can be more clearly defined at Court after the prorogation. That which had most influence now upon James was the extreme Catholic group headed by the Jesuit Father Petre. The small advisory committee of Catholics formed early in the reign, comprising Arundel, Bellasis, Talbot and Germain, supported Petre. The less extreme Catholic party was led by the Queen and Sunderland, and included Godolphin, Churchill and others, who were united in disapproving of Father Petre's precipitancy but in little else. Reresby states that Jeffries adhered to this group. This is very clearly the trimming Catholic party, for the Queen desired the introduction of Catholicism by peaceful means, Sunderland and Godolphin desired above all to retain office, and Sunderland hoped if possible to monopolise power. Jeffries, Godolphin and Churchill all had affinities with the High Tory party led by Rochester which was now the least important group, but they preferred Sunderland's protection to that of Rochester. This middle Catholic party had the countenance of the Pope as opposed to the Jesuits in influencing the King. But as the year drew

I. See Barillon and Ranke IV. p. 283.
II. Fox. App. p. 41.
III. G.W. Cooke I. p. 432.
IV. Barillon Dec. 13. 1685. N.S.
to a close Sunderland and Petre became closely allied, thus strengthening the extreme group. Rochester could probably rely on some support from Dartmouth, Preston, Nottingham and Faversham. He had the tacit support of most of the Bishops, but the Archbishop of Canterbury, Sancroft, was aged and irresolute, and Compton of London had been dismissed from the Council.

Rochester's position at Court was therefore very insecure. The hostility of the extreme Catholics towards him was such that they accused him of deliberately delaying the departure of Castlemain, James's envoy to the Vatican, in December by withholding the sums necessary for his Embassy. The delay was probably only normal but the accusation reflects their attitude to the Lord High Treasurer. He began to look round for outside support among the moderates - a revolutionary change for a professional courtier - only to be explained by his presage of personal insecurity. He let it be known that he wanted Parliament to re-assemble and tried to persuade the King towards some conciliatory action that would inspire the Commons with "des sentimens moderez." "From being the most lordly and overbearing of them all he grew all at once the most courteous

I. See Barillon, Sept. 23rd. 1685, N.S. Note that Clarendon departed for Ireland in December.
II. Barillon, Dec. 31st. 1685, N.S.
III. Barillon, Dec. 13th. 1685, N.S.
and obliging." No easy task for a man of his choleric temper, but his wisest move if he wished to make capital out of his figurehead reputation in the Anglican party.

He could have pursued this policy with great effect, since Barillon declares that he was regarded as the champion of the Protestant religion, and as the only person who could prevent or delay the King's policy of favouring the Catholics. He had moreover been quite boldly opposed to the dismissal of Compton from Council, so much so that he Catholics were whispering at Court that he must go.

Reresby records in November that he dined with Rochester and mentions his civility. The Archbishop of York heard a rumour in December that Halifax was returning to the government circle, which may quite possibly have been spread about by Rochester. His enemies at Court naturally inferred from his changed attitude that his fall was imminent, and that he was "looking round for every twig which would help him to keep his ground or let him down softly."

It is probably because everyone expected his

I. Ralph I. p. 912.

II. Barillon, February 7th. 1686. "il a combattu avec opiniastre à la résolution que sa majesté Brittanique a prise à cet égard."

III. Reresby, p. 347.

IV. Reresby, p. 350.

V. Ralph I. p. 912.
dismissal and knew enough of his character to be sure he would struggle to retain office, that he has been credited with an active part in the Sedley intrigue which agitated the Court circle in January 1686.

James had had prior to his accession, a clever, witty, Protestant mistress, Catherine, daughter of Sir Charles Sedley the poet, whom he had decorously dismissed on ascending the throne. In the New Year she reappeared at Court, very much to the discomfiture of the Queen, and her Catholic friends. Although in Barillon’s shrewd opinion it was the King’s own inclination which had brought her back, the Catholic party at once accused Rochester and his friends, Dartmouth and Preston, of helping her to gain access to the King as a valuable agent of their own Protestant interest. For some weeks she remained at court until the rumour that the King intended to honour her with a title stirred the Catholics to definite action. Every pressure was now brought to bear on James. Father Gifford refused the Sacraments to him and urged him passionately to remove his mistress from court. Sunderland, Arundel and Dover added their

I. See Barillon, Jan. 3. 1686. N.S. who states that most of the Courtiers thought Rochester and his wife had revived James’s affairs with Sedley.

II. Ibid.

III. Banke IV, p. 285.

IV. James II. A.Fea. p. 139.
entreaties that the King would punish those who had persuaded him into something that would ruin his reputation and his domestic peace.

From a careful examination of all the evidence available, it seems clear that Rochester and his stately decorous wife were not the panders in this affair which II Macaulay, Oldmixon and Mackintosh have dubbed them. Ranke on the whole sums up in their favour. It may be gathered from Barillon that Graham, the Privy Purse, and a disreputable Court hanger-on, Lady Oglethorpe, were the underlings really instrumental in Catharine Sedley's III return. All Rochester's friends denied his complicity and further that he had anything to do with the granting IV of the title. James could perceive that it was rather Sunderland's jealousy of Rochester, than any distress about his own domestic peace that caused the vehement Catholic protests. But these grew so violent that he was persuaded towards the end of February to send V Catharine Sedley away to Ireland. However, he persisted in consoling her with the title of Countess of Dorchester on her departure, greatly to the Queen's


II. Mackintosh declares that since the plan failed Rochester pretended he had taken no share in it. Mackintosh 53. See also Macaulay (Firth ed:) II. p. 726.

III. Barillon Jan. 3, 1686. N.S.

IV. Ibid. Feb. 7.

V. See James II. A. Fia. p. 140-1.
The queen was thenceforward Rochester's implacable enemy. He apparently made the mistake of going to her with excuses and protestations of his innocence, and made matters worse for himself by declaring that James was really enamoured of one of her own waiting maids, a Miss Grafton, whom he hoped to make the scapegoat of the Queen's displeasure. Miss Grafton's friends naturally joined the chorus of his enemies.

This intrigue was important in that it became a party affair. It gave the Catholic group a stronger impulse to violent measures and placed one more nail in Rochester's political coffin. Undoubtedly, though he may have had no hand in initiating the Sedley campaign, he would have been glad to see her maintained at Court; and after her failure his own political position was further diminished.

In the spring of 1686 he seems to have been irresolute as to whether he should "hang on" in his ambiguous position, or make a definite stand as leader of the Anglicans. But he would not risk committing himself absolutely. He

I. See V. de Sola Pinta, p.160.

II. See Barillon Feb.16, who reported that the Duchess Mazarin, a perfect weather-vane in regard to Court affairs, was never seen anywhere with the Rochesters after this.
displeased the King by affecting a desire to help and favour the French Protestant refugees in London. Barillon, the meticulous reporter of every shade of opinion at court, considered that he still flattered himself that he could both keep his office and maintain his credit at large, by keeping aloof from those who carried out James's illegal policy. This half-hearted attitude did keep him in office for a few months longer. In February Barillon predicted "il faudra que le Grand Thesorier faire quelque faux pas bien considerable par estre disgracie;" since James also thought he could maintain an ambiguous position by keeping Rochester in office, ignoring his advice, and only using him in the administration of the finances. It may be noted here that Rochester's chief energies in the winter of 1685 to 1686 were occupied with administrative reforms and plans. One department of government in which he and James were working in close co-operation was in the improving of the financial administration and the efficiency

I. Barillon Feb.7, 1686 N.S.

II. Ibid.

III. Ibid.

IV. See Appendix on his work at the Treasury at the end of this chapter.
of the Navy which had been rather neglected in the last years of Charles II. Among Pepys' official navy papers in the Rawlinson manuscripts at the Bodleian Library are several references to these reforms which occupied a great part of the King and the Treasurer's attention. Rochester was naturally more interested in the financial side and James was anxious to have a three years' naval budget programme planned to achieve the maximum of efficiency.

In the "Notes for my Navy Discourse to the King and the Lord Treasurer," abstracted by Pepys he shows that the "State of ye Navy as I left it," in 1678, had been at a high standard of efficiency, and "the whole Debt of the Navy but £305,000." His memoranda show that the debt on the Navy had afterwards increased by nearly seventy thousand pounds, but "by Ld Treasur's care," had been lessened during the year 1685 by over fifty three thousand pounds. A large scale expenditure was

I. "Here is inclosed the Proposals for laying out the sume of £400,000 per annum for the use of the Navy. I suppose it takes in all that my Lord Treasurer desired of you, and your commands to me." Sir A. Deane to Pepys. Nov. 4, 1685. Rawl: A. 464. f.87.

II. Ibid. f.90.


planned, and discussions with Pepys went on into the spring of 1686.

In his general position at Whitehall, Rochester continued to act "comme un bien curieux," although he knew his credit was diminished. He hopefully pressed James again in March to consider a rapprochement with Parliament; and actually tried, ironically enough, to persuade James that the monarch was always more powerful and happier when he was on good terms with his subjects, and could draw from them the supplies he needed. James shrewdly retorted that the longer Parliament in dispersal saw what could be effected without its aid, the more submissive its members would be.

The King now proceeded to more definite action. His policy was formulated in the inner Catholic cabal of which Powis was now a member, "who often meet at Lord Sunderland's to deliberate upon matters that offer; it is a sort of council, independent of any other, and in which the most important resolutions are taken; that

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I. See Table of Expenditure for James's reign at end of Chapter.

II. Barillon. March 11th, 1686. N.S.

III. Ibid.
is to say, those which relate to religion." I Permission was given for the printing and selling of Catholic books. II The Archbishop of Canterbury was ordered by letter to direct the ministers of his diocese to refrain from meddling with controversies in their sermons. More important still in April there were great changes made on the Bench. Four new judges were appointed because the former holders, Reresby reported, had refused to give their opinion as the rest had done, that the King could dispense, by virtue of his prerogative, with the Test Act. III Barillon records a number of conversions to Catholicism in April; and rumours spread from the court all over the town concerning further indulgence to Catholics. Rochester could not hope to keep aloof from the implications of these events for ever; but he maintained his "trimming position" as well as he could. When in May Evelyn refused to seal the license just issued for printing and publishing Popish books and went to complain of this illegality to the Archbishop of Canterbury and

I. Dalrymple. II. App. to III and IV. p. 107. (Quoting Barillon's account).

II. Reresby p. 359.

III. Raresby p. 361.

IV. Barillon. April 11. N.S. 1686.
to Rochester, the latter told him that if his conscience was troubling him he could dispense with it, "for any other hazard (but conscience) he believed there was none." I

There is also an interesting side in Halifax's Devonshire Home "Note-Book:- Ld Newport told mee, M [Mary of Modena?] told him that Ld Rochester had owned to her, that the taking away the Test was not a point of conscience." If this is to be credited, and it does accord with his attitude towards Evelyn's dilemma, Rochester was not yet prepared to make a definite stand for his religious principles.

Meanwhile the implications of James' Irish Policy were growing more unmistakeable. Clarendon had been sent out to Ireland at the close of 1685 with those limitations on his powers which Sunderland had designed for his brother in 1684. III The zealous Catholic Colonel Talbot (now Earl of Tyrconnell) was placed beside him, in command of the forces, to check his every step, being in reality the King's personal agent in the great work of Catholicising the whole Irish army. The harsh


III. See supra. Chapter Seven p.348
penalties against the Catholics imposed by Essex twelve years before, were gradually to be rescinded.

As the year proceeded Clarendon realised more acutely with each despatch he received that he was, as a staunch Anglican, in a most impossible position. His anxieties were not allayed by constant reports from England in the autumn that his brother was losing ground at court; and was being over-ridden even in the technical business of his office by the King and Sunderland. At the beginning of the year he and Rochester and Queensbury, their relative by marriage, had been in the key positions in Ireland, England and Scotland respectively. The first to go was Queensbury who was dismissed in February; and from then onward Clarendon felt increasingly unsafe. In May Tyrconnell launched an attack on Price the Vice-Treasurer of Ireland - a particular henchman of Rochester - by bringing criminal charges of misappropriation against him. Price, supported by Rochester, defended himself ably, and at first the King was inclined to be satisfied

Clar. Cor: II, pp.25-65 passim.

See also K.W.C. I. p.341.

with his defence. I But his post was a good one and Tyrconnel wanted the disposal of it. He pointed out that Price was an ardent Protestant as well as Rochester's protegé, and not likely to be easily persuaded to the new Catholic policy in Ireland. He convinced the King, and Price was dismissed from office, which was another defeat for the Lord Treasurer.

"Notwithstanding all this my Lord Rochester seems not to give ground," reported Sir C. Howe to the Countess of Rutland at the beginning of June. II Rochester still went regularly to the Council in May, and attended the army manoeuvres at Hounslow Heath, where he "spoke very well and like a Protestant." He was a good deal away from the court and out of town in June.

In July events moved more quickly. Four Catholic lords were sworn of the Privy Council, of whom three had been imprisoned in the Tower for the Popish Plot. IV

III. Ibid.
This was a very pointed reminder of the past to the public. More alarming still was the creation in the same month of the Court of Ecclesiastical Commission - a court illegal by the Act of 1661. The erection of this court with practically complete powers over Church laws and discipline may be regarded as James's decisive attempt to control the Church of England for Catholic purposes. By the terms of its Commission it gave power to punish even "those who seemed to be suspected of offences;" and to "correct, amend and ally the statutes of the universities, churches and schools, or where the statutes were lost to devise new one." The Court was to have power to inspect and visit all houses and to punish, suspend or fine any of the clergy. "In sum," declared Evelyn, "it was the whole power of a vicar-general." 

Jeffreys was appointed Chairman of the Commission, and there could be no quorum for business without his presence. Other members appointed were Rochester.

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II. Dalrymple II. Part I Bk. IV p.77.
III. Evelyn II p.266.
IV. Dalrynple II. Part I Bk. IV. p.77.
Sunderland, Lord Chief Justice Herbert, the Archbishop of Canterbury, and two Bishops who frequented the court - Crewe of Durham and Sprat of Rochester. Sancroft evaded his appointment by refusing to sit on a commission presided over by a layman, and the less scrupulous Bishop of Chester was substituted.

Rochester was faced with a crisis by his appointment to this Commission. He could no longer delude himself that he remained apart from the Catholic policy pursued by the Government, once he became a member of the commission, and his acceptance of office would be known to the public who could draw their own conclusions. Although he was very reluctant to accept he could not bring himself to risk dismissal by refusing. He apparently excused himself to his brother on the grounds that he would be able to protect Anglican interests by exerting a moderating influence on the Commission. But this mode of reasoning might not be appreciated by the rank and file of the Anglicans. In any case such a hope was

I. See Barillon. Jan. 7 1686 N.S.

II. Dalrymple. Ibid. Barillon however says Musgrove replaced Canterbury Oct. 24 1686. N.S.

doomed to disappointment because Sunderland hoped to force Rochester's hand in this court, and by deliberately opposing all Rochester's counsels of moderation, to turn the King permanently against him. I

The chief object of the new Commission at first was the suppression of zealous preachers against popery, and this led them to enquire into the preaching of a London clergyman, Sharpe, who would naturally come under the diocesan supervision of Compton. The latter behaved very cautiously and bade Sharpe desist from preaching for some time and to write a petition of apology to the King for any words or expressions used that might have offended him. But Compton was really the person whom the Court wanted to attack, being the most zealous champion of Protestantism against Catholicism, and the special patron of the French Protestant refugees in London. Accordingly Jeffries enquired of him why he had not suspended Dr. Sharpe according to royal command. Compton took a firm stand in defence of Sharpe as a test of James's intentions. He argued that the procedure in Sharpe's case was not legal, and that in his own case the Court was not legal -

I. Ranke IV, p.301.
"he was subject to his metropolitan and suffragans alone. He was a Prelate of England, a Lord of Parliament, and could be tried only by the laws of his country." He did state however that he had enjoined Sharpe to desist from preaching, and that if this was considered insufficient he was still willing to make reparation and to beg the king's pardon. This clever reply embarrassed the Court, and the Commission was very divided as to how Compton should be treated. Jeffreys and Sunderland wanted him suspended, but Rochester and the Bishop of Rochester were willing to accept his submission. Sunderland persuaded James to speak roundly to Rochester in the matter, who perceived that he must concur in the severer sentence if he wanted to retain his own office, and so he yielded. The commission dared not to do more yet than suspend Compton since they felt there might be a limit even to Rochester's yielding. He had let himself be persuaded by the King, but "il fit bien voir que c'était contre son sentiment." In Barillon's opinion this display:

II. Ibid.
III. See Barillon Sept. 23rd, 1686. N.S.
IV. Ralph. I, -932.
V. See Barillon Sept. 23rd, 1686. N.S.
of his sentiments did him much harm with James, as Sunderland had hoped. Had he made a stand on this occasion, however, he might have been dismissed with the glamour of being a martyred champion of the Bishops. This was not what Sunderland desired.

Sunderland next turned to his plans for removing both Rochester and his brother at his own time. He had already promised the Irish Lord Lieutenancy to Tyrconnel, who in return had engaged to pay him £5,000 a year out of the Irish Revenues. The latter was growing impatient and threatened to inform the King if the bargain was not soon fulfilled. He came over to England from Ireland in September and Sunderland had now to hasten his plans to get both the Hydes dismissed from office.

Sunderland is said to have become a secret convert to Catholicism during this year in the hope of continuing "an absolute minister of an absolute monarch", and it is the most general view that he deliberately forced the issue with Rochester by suggesting to the King that Rochester might become converted.

    See also Clarke's Life. II, p.100.
Barillon reported on September 23rd that if Rochester conformed to the Catholic policy he would be able to retain office, but that he was now very disquieted with the proposed recall of his brother which he could not prevent, and the continued postponement of Parliament upon which he had never been consulted. There was much speculation in Court circles during September as to how long he could maintain his present difficult position. Meanwhile the extreme Catholics were urging James on to more effective action on behalf of his religion, so that one may surmise that he perceived the necessity, in the autumn, of a definite break with his Anglican Minister. At the end of September the King announced his intention of further proroguing Parliament in Council and no one dared to make any opposition.

On the 21st of October Parliament was prorogued until the following February. A week or so later James spoke to Barillon as if he intended to dismiss Rochester, and it seems clear from Barillon's despatch of November 4th

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I. See Barillon, Nov. 11, 1686. N.S.

II. Barillon. Sept. 23, 1686. N.S.

III. Ibid.

IV. Barillon. October 7, 1686. N.S.
that the conversion scheme of which much has been made by some writers was not an optimistic delusion on the part of the King. He knew that Rochester would refuse and told those Catholics who were afraid that Rochester would pretend an outward conversion that there was no risk. "Sa Majesté Brittanique a repondu qu'on ne devoit pas croire que Milord Rochester se pust jamais résoudre à aller à la Messe, et qu'on ne hazardoit rien en le lui proposant." He was already wondering who to put into the Treasury Commission in Rochester's place.

The most satisfactory view of Rochester's attitude to the proposal to convert him, when everyone at Court knew that he was to be dismissed, lies in Barillon's statement that he simply tried to postpone his actual eviction as long as he could by pretending to consider the possibility of being converted by instruction in Catholic principles, which might reasonably be expected to take some time. Those who wanted him to go objected to his still holding office while his conversion was in doubt.


II. Barillon November 4th, 1686. N.S.

III. Ibid.

IV. Barillon. Nov. 18, 1686. N.O.S.

V. Ibid.
"On n'a pas oublié ici," commented Barillon, "que Milord Danby ayant obtenu dix jours de délai pour quitter le baston consomma ou détournà pendant ce temps 200,000 pièces.\footnote{See Barillon. Nov. 12, 1686. N.S.}

The issue of conversion was broached at the end of November and solemn religious conferences were held for Rochester's benefit early in December. There are various accounts concerning their actual origin. When the conferences were over it was circulated at Court\footnote{See Ralph, I, p.934.} that Rochester's wife, knowing he was doomed had, whilst ill, begged the Queen to visit her, and after hearing the Queen's complaints against the Anglicans had hinted that her husband's convictions were not so rigid that he might not be better instructed. Rochester absolutely denied this story to Burnet, and told him that on the contrary the King had desired him to be instructed in the old religion, and that on his refusal, he had pressed the matter until he finally agreed to hear the arguments of the priests, provided that he might have some Anglican clergy present.\footnote{Dalrymple takes this view. See Dalrymple II, Part I, Book IV, p.80} This however is quite compatible with Burnet's own view that Rochester\footnote{The King agreed to this, but excepted Dr. Stillingfleet and Dr. Tillotson (divines later on much favoured by William III) and Rochester then suggested the Anglican Chaplains then at Court, Doctors Patrick and Jane.}
proposed a formal conference in order to make his martyrdom as public and dramatic as possible. In any case Rochester wanted to play for time.\textsuperscript{I} The truth may therefore be somewhere between Rochester's account to Burnet and Dalrymple's version of this. Dalrymple states that when James first proposed the conference Rochester contemptuously rejected the suggestion. But that later, having imparted this to a few of his friends, they agreed that his disgrace was already determined and that "it now only remained for him to secure an interest with the people."\textsuperscript{II}

Concerning the actual proceedings\textsuperscript{III} which Rochester seems to have dragged out for about three weeks, Dr. Patrick later informed Burnet that the Protestant religion was in little danger at the conferences. The priests began first with their arguments, whereupon Rochester said he would trouble them no further, as he could answer all their points. He argued with so much spirit and scorn, saying that these were hardly grounds to persuade men to change their religion, until finally the King broke

\textsuperscript{I.} James took this view of his attitude. See Barillon Dec. 12, 1686. N.S.

\textsuperscript{II.} Dalrymple II, Part I, Book IV, p.80.

\textsuperscript{III.} For details see Clar. Cor. II, pp. 87 sq. Minutes of conference (in Rochester's own handwriting) are printed in Clar. Cor. II, p.116.
up the conference in despair, ordering them all to keep the affair private. On December 3rd Rochester had a conversation with Barillon of which he kept careful minutes, which shew that Barillon warned him as a friend that unless he became a Catholic he would certainly lose his post. Barillon professed to have authentic knowledge on this score, the aource of which he could not divulge. Rochester replied that if he turned Catholic it would be from conviction and not for the sake of his office, but added that he could not believe the King would part with him unless Barillon could give further corroboration of his warning. Rochester had had a separate meeting with the Anglican clergy and one with Doctor Gifford, and had been sent religious literature from both sides for his perusal. He had a private conference with James on December 4th to report the further progress of the affair and acquainted the King with his deep distress that the motive for the religious discussions was being discussed at court and that he was beset by rumours that he must choose between his religion and his office. The King shewed irritation and discomfiture that such rumour was current, more especially


when Rochester declared that the leading Catholics had been the first to predict this outcome of the affair. James tried to reassure him with protestations of his affection, to which Rochester replied with some emotion: "I will do what I can to believe too as you will have me, but while I am doing this, if I am to apprehend that the consequence of all this must be, that if I do not as you would have me in that point, I must lose all; I must needs tell you, I shall have quite other considerations to attend me in this matter!" Notwithstanding his refusal to take Barillon's warning too seriously, he must have realised, despite the King's false reassurances, that he would lose the White Staff. James ended by entreatling him to pay no heed to rumour but to come to him again after a final conference with Doctor Gifford.

His last visit to James on December 19th ended the affair. James stated definitely that he could no longer have a minister at the head of his government who was not of his religion. He reminded Rochester of two pieces of advice the latter had tendered to him in the past; first on his accession not to make a public profession of his


religion by going to public exercise of it; and secondly, after Monmouth's rebellion not to take any more Catholics into his employment. (This would explain why James so suddenly withdrew his confidence from Rochester after Monmouth's rebellion, as the latter had related to Burnet).

He promised, however, that no single man should replace him in his high office and that he would put the Treasury into commission henceforth. He assured Rochester of his continued personal kindness to and protection of the whole Hyde family. Rochester had scarcely opportunity to say a word in the midst of the King's harangue, during which James "wept almost all the time"; but it clearly conveyed to him that he had been dismissed.

"The Haughty Peer found for the Conference
Altho' his Lordship made a good defence
What yet he ly's he baffled us, and wee
Blew up the statesman from the Treasury
And Clarendon the Whig from Ireland come
For all his sence received no better doome." III

His downfall caused universal excitement. IV It was considered equivalent to a declaration that James would no longer even keep up the pretence of an Anglican monarchy,

I. Clar:Corr:II, p.116. See also Barillon Jan.9th, 1687
II. See supra p.39.
III. Stowe Mss.305, f.18. "Advice to Post Holders."
IV. See Feiling, p.216.
as Barillon's comment on December 12th emphasizes:--
"This affair is so important and ought to have con­sequences so considerable that it keeps all others in suspense."

In Hallam's opinion, had Rochester gone over to the Catholics many probably would have followed him, but since he stood firm his steadfastness retained the wavering and was of great value in creating sensible alarm amongst the rank and file of Protestantism. It may certainly be estimated as the first decisive opposition of the Anglican party to James's designs, and from the moment of his dis­missal the Anglican party began to recruit their strength and concert their counter-defence, although their ostensible leader was thereafter to retire into the background.

Barillon's opinion of Rochester's immediate reaction to his dismissal was that all he now wanted was to lessen his disgrace and to obtain some mark of the King's favour. He had even hoped to remain at Court and Council after losing the White Staff but if this were not practicable then he desired a considerable pension. III

II. Hallam, II, p.411.
III. Barillon. Jan.2,1687. N.S.
The King who was still under the lingering influence of his old intimate relationship with the Hyde family treated him very generously in this respect. He left the Treasury with a pension of £4,000 a year for his own life and that of his son after him, out of the Post Office Revenues. In addition he retained the grant from Lord Grey's estates — "no place having ever been sold even by a person in favour to such advantage," as Burnet declared. He very shrewdly begged the King to allow him a few days longer at the Treasury until these marks of his royal favour "scient expedies et passées à la Tresorie pour ne point estre exposé au déplaisir d'avoir à en solliciter l'expedition aupres de ceux qui auront sa place." The King permitted him to remain a few days longer until the New Year. At a meeting of the Council early in January James stated that he had no dissatisfaction with Lord Rochester's management of the Treasury, but that it would thenceforward be put into commission. Henry Grey, the Secretary, who had been astute enough to keep in Sunderland's good graces, retained his office. The King

I. Add:MSS.15,894. f.437 & f.441.
II. Barillon Jan. 6th, 1687.
had already told Barillon that the new Treasury Commission
would comprise both Protestants and Catholics so that the
public could not accuse him of ruling only with Catholics. I

It was a simple matter to get rid of Clarendon, who
was utterly miserable, and distracted by Tyrconnel's
violent policy in Ireland. The latter made perpetual com­
plaints against him, and whenever Clarendon had tried to
oppose his rashness this had been represented in England
as opposition to the King's will. Clarendon declared that
Sunderland never read his despatches to the King. II He
was dismissed in December but he likewise went off with a
pension of £2,000 a year. Clarendon does not seem to have
been completely estranged and cast down by this treatment,
although he extolled his brother's noble gesture as worthy
of their father: - "I do every day bless God for the grace
and courage he has given you to persevere in the right, and
tread the steps my father went before us." IV But he ex­
presses the perennial optimism of a Hyde when he considers
the future: "I heartily pray his Majesty may enjoy a long
and prosperous reign; and if he has at any time need of

I. Barillon. Jan. 9, 1687. N.S.

See also Dalrymple II. Pt. I. Bk. IV, p. 81.


such instruments as you and I, I thank God he knows what we will be."

Rochester's plans in January were a little vague and uncertain; he actually quitted the Treasury on January 6th, and the new Commissioners found everything "en bon estat". Just before his departure he asked permission not to be obliged to attend the Council meetings, probably his pride prompted this desire to stay away from the place where he had once been supreme: this permission was given. He gave the impression of uncertainty as to whether he would remain in London, go down to live in the country or go abroad. Barillon reported however to Louis that he knew Rochester had already told one of his confidants that he did not intend to stay in England "mais qu'il se garderoit bien d'aller en Hollande pour ne pas estre exposé aux méchants offices qu'on luy rendroit sur son attachement 'a M. le Prince d'Orange."

Barillon's impression of his position now that he was out of office is interesting. He declared that the mass


II. Barillon. Jan.20, 1687. N.S.

III. Barillon. Jan.13, 1687. N.S. His seat on the Ecclesiastics Commission was filled by Huntingdon.

IV. Ibid.

V. Barillon. Jan.6, 1687. N.S.
of the zealous Protestants, in other words, the Anglicans, thought that Rochester was fortunate to have been dismissed with such considerable recompense and cordiality from an office which he could no longer have hazarded his political future by retaining. They deemed his prudence praiseworthy, and that he was reserving his freedom of action for the next swing of the pendulum. All who thought that James would be compelled to change his policy expected to see Rochester back at the head of affairs again at some future date. As this seems to have been the view of Clarendon also, it may be inferred that it was Rochester's own hope. If so it may explain why he did not make any definite approach to Orange in the following year.

Before 1660 the Treasury had no real departmental existence because it was tied down to the old Exchequer. It was chiefly owing to the confusion and financial stringency after the Restoration that it broke away from the Exchequer swaddling bands and established itself as a definite executive department — the germ of the modern Treasury — through the series of administrative regulations, piecemeal expedients; or definite constructive reforms which officials were compelled to make in their strenuous efforts to keep the government going on insufficient means.

APPENDIX I TO CHAPTER EIGHT.

Hyde's Work at the Treasury, 1679-1686.

Without professing to be a detailed or technical study, some account of Hyde's official work at the Treasury may be of interest and relevance to this thesis, not only in order to make some estimate of his actual services, but also to underline again, in relation to him, a fact that has been emphasized by several modern historians, that of all departments the Treasury underwent the most interesting and significant developments in the later seventeenth century.

Before 1660 the Treasury had no real departmental existence because it was tied down to the old Exchequer. It was chiefly owing to the confusion and financial stringency after the Restoration that it broke away from the Exchequer swaddling bands and established itself as a definite executive department - the germ of the modern Treasury - through the series of administrative regulations, piecemeal expedients, or definite constructive reforms which officials were compelled to make in their strenuous efforts to keep the government going on insufficient

supplies.

In his introduction to the Calendars of the Treasury Books for this period Dr. W. Shaw has made it clear that after 1660 the old Tudor maxim that the King should live of his own had ceased to work in practice, although still adhered to in theory. The King was still a personal monarch, not yet an official with a salary. In the important transition period when the Crown was endeavouring by various devices, political, constitutional and financial, to equate facts with fiction, the modern Treasury appears in embryo. The beginnings of the national debt, the continuity of permanent officials, the device of appropriation, the tremendous increase in indirect tax returns, these have all begun or are evolving during Hyde's tenure of office at the Treasury.

Naturally therefore, because of its practical freedom from Parliamentary responsibility, and its necessary confidential connection with and responsibility to the monarch desiring to be freed from dependence on Parliament, the office of Treasurer became in this period one of great political power, as Hyde's career amply demonstrates. Danby had been the first to reveal this increasing power and prestige of the Treasurer; and from the day when Hyde first became a Treasury Commissioner, all his ambitions
were concentrated on gaining the White Staff which Danby had held. While he was for several years the leading Commissioner at the Treasury, virtually possessing the power if not the prestige of a Lord High Treasurer, he guarded his prerogative with jealous care. Behind the heavy and unceasing routine work, constantly expanding at this time, I and for which he had both the energy and the capacity, lay real executive power, which compensated for the chaos, the debts, the chronic shortage, the dishonoured bills, and the rising rate of interest for government loans during the later Restoration period.

In the earlier seventeenth century the Treasury had been like other departments subordinate to the central executive power of the Privy Council; II but after Clarendon's fall, as the Privy Council gradually tended to do its real work in Committees, the Treasurer or the Treasury Lords gained an increasing executive power at the expense of the Council as a whole. Charles chose men to manage his Treasury for their financial abilities and then they became Privy Councillors. Matters of high finance would still be discussed at Council, but naturally

I. See D. M. Gill, p. 88 for enlargements of offices in 1683 and removal in 1686.

II. See D. M. Gill for relations of Treasury to Privy Council and Cabinet.
the officials tended to have more and more the chief say, and the leading Treasury men would be of necessity admitted to the inner Cabinet conclave, and hence would wield political power in the embryo party government of Charles's latter years. Each government department drew up its own estimates and submitted them to the King in Council. But the Treasury was gradually gaining more and more control over the Army and Navy Departments, though there was not yet the supervision of the annual estimates of modern practice. This control was exemplified in the frequent private conferences which Hyde attended between the King and Pepys during 1686 when the new programme of naval expenditure which Pepys had drawn up was being discussed. The half yearly accounts were drawn up in each department, audited in the Exchequer, and declared in the Treasury. The Treasury was able to perform more and more routine work in connection with the accounts; if necessary the Treasurer or First Lord took the gist of the accounts to the King in Council, but they were not submitted as national accounts to

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I. See discussions in the Council Committee for Irish affairs re Sir James Shaen's proposals for Irish Revenue in Ormond MSS. V. pp. 382, 389, sq. 409 and 429.

II. See Supra Chapter 3 p. 33.

III. See Pepys schemes and allusions to conference with the King and Rochester in Rawl. MSS. A.464 passim.

IV. Shaw Introduction to Treasury Book Calendars, VII, Part I.
Parliament. If a fellow minister, perhaps a rival for
the King's favour, wished to criticise the management of
the finances in Council, it was unlikely that he would
possess the necessary technical knowledge. If, as in the
case of the Hearth Tax Scandal, he had both the informa-
tion and the King's ear, such criticism did not prevail
over the power and interest of the First Lord of the
Treasury and his inevitable supporters in the city.

On the other hand the Treasurer had somehow to raise
the money to carry on the debt-saddled government from
year to year, and at the same time to meet the King's
sudden demands, or overriding assignments of gifts and
pensions, which might play havoc with his financial plans,
whilst coping continually with the plaintive or disgruntled
claim of ambassadors and other officials for their
arrears of salary. Moreover, after January 1681, Hyde was
carrying on in the face of a resolution, passed just
before it was dissolved by the second exclusion parliament,
that whoever should lend money on the security of the
King's hereditary revenue would have to answer for it to
Parliament. II

I. See Chapter VII pp. 303-304

II. C.J. IX. p. 702.
In the long-continued absence of Parliamentary supplies it was only possible for Hyde to carry on because of the great increase in the nation's prosperity and the consequent rise in the standard of living which is reflected in the increasing returns from the Customs and Excise. This increase was very marked after the close of the Third Dutch War, and had already helped Danby during his tenure of office - together with the fresh start given to the Treasury by the Stop of the Exchequer in 1672 to make the first careful and economic management of the Treasury, for the government had been heading for bankruptcy as it was then understood, every year since 1660. The Stop, which Dr. Shaw in his essay on the beginnings of the National Debt regards as a necessary stoppage of payments upon assignation, gave the Treasury a fresh start. Mr. David Ogg however in his chapter on revenue and taxation in his recently published book on Charles II's reign declares that this was at the price of incurring hostility and suspicion in the city, and that it had the effect of postponing all further financial experiment on a large

I. The Customs increased about £800,000 in 1675. See Shaw. Introd. to Cals. p. XVI. See Ogg II p. 440 for interesting discussion on increasing importance of excise.

II. See Owen college Historical Essays. The Beginnings of the National Debt, W.A. Shaw. See also Introductions to Calendars of Treasury Books.
scale until after the Revolution. It would be interesting, but rather by the way in this appendix, to speculate how far that distrust and hostility contributed to the city's whiggish tendencies in the Exclusion struggle. By the time that Hyde came to the Treasury this hostility would appear to have died down to a great extent. It would appear from Sidney's Diary that by January 1680 the Chits had, at least in relation to their foreign policy, the warm approval of a certain section of the city. When the new Treasury Board was created in 1678 after Danby's retirement, it was regarded in the city as composed of men of honour, the appointment of Essex being conciliatory to opposition feeling. The new officials, chiefly Hyde and Godolphin, (for Essex only remained at the Treasury for eight months) carried on so well, and made such strenuous efforts at retrenchment especially in relation to pensions and salaries, that despite the absence of new Parliamentary aids Godolphin could write with pride

I. Ogg. II p.449.
II. Sidney Diary I. p.231.
III. See Foxcroft I. p.145.
to Orange in 1680 that the English Treasury in "its present hands" was recommended by business men as a safe deposit paying eight per cent and giving as good security as a private person.\textsuperscript{I}

This is all the more a testimony to the work of the new officials at the Treasury when it is realised that despite Danby's financial skill there was in 1679 a huge accumulation of departmental debts, the over charge on the Excise, Customs and Hearth Money amounting to about one and a quarter million pounds.\textsuperscript{II} Add to this the debt at interest and the bankers funded debt due to the Stop of the Exchequer and one may reckon roughly that there existed a total public debt of over four millions.\textsuperscript{III}

Ogg, in his chapter on revenue and taxation, states that it was only because the Treasury officials had an impossible task between 1680 and 1685 that they did not succeed in grafting some kind of permanent national bank on the Exchequer which would have destroyed the monopoly of the goldsmiths and created a modern credit system.\textsuperscript{IV}

\textsuperscript{I} Prinsterer V. p.397. Godolphin to Orange. May 4, 1680.

\textsuperscript{II} See Add. MSS. 17,019. f.25. "A Particular of his Matie's Debts." March 31, 1679.

\textsuperscript{III} See Shaw Introduction.

\textsuperscript{IV} Ogg. II. p.445 and 448.
He criticises the clumsiness and wastefulness of the Treasury system of that time rather than its extravagance. It is one object of this appendix to point out that Hyde must be given credit for the reforms in administration and the checking of old abuses which did take place in these years before the Revolution.

Under Hyde's regime the permanent secretariat really began. Henry Guy, appointed secretary to the new board in 1679, remained in office under successive Boards and under Hyde as Lord High Treasurer down till the Revolution. When Hyde held the Staff he did not dismiss Guy but appointed his own protegee Francis Gwyn as joint secretary with him; the latter departed with Hyde early in 1687. It is most unfortunate that Guy did not leave his Minute Books from 1679 till 1688 behind him at the Treasury, since the Treasury Books for the period are most impersonal, and the minute books might shed some very interesting light not only on administration but on the expenditure of the large sums on secret service which Guy controlled.

Akerman in his introduction to the Camden Society's publication of Secret Service Expenses of Charles II and

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I. From 1679 to 1684 more than £248,000. See Add. MSS. 15,896. f.70. The total amount for the three years 1686 to 1688 was £269,905 making the high average annual expenditure of £89,968. See Add. Mss. 10,113. f.58 and Appendix II. Notebook of Expenditure for James II's reign.
James II, shows that so-called secret service moneys were not expended necessarily on bribery or intelligence but fall into two great classes of payments, either extraordinary expenses incident to the management of the King's private estates, or payments and allowances to private persons for services rendered to the crown. Much variety and scope was possible in the second class and details of expenditure might shed some very interesting light on party history. The heavy payments made in James' last years, as indicated in the financial note book of expenditure for his reign, are especially provocative to the historian's curiosity.

As to the work carried through by Hyde himself: before he came to the Treasury Danby had already made an important reform in the farming of the increasingly important Excise revenue. A single group of managers undertook it after 1674, whose accounts of moneys received were supervised by a Comptroller of Excise. By 1683 Hyde and his colleagues had become sufficiently aware of the tremendous value of this revenue to end the system of management altogether and to administer it by Excise Commissioners. The actual money was now to be paid directly into the Exchequer as it came in to the Commissioners.

I. See Appendix II.

II. See D.M. Gill, The Evolution of the Treasury.
Davenant in his Discourse on Public Trade pays a great tribute to the Treasury Lords for the success of this experiment.

Another reform inspired by Hyde took place in the Customs administration of 1684, when the Treasury ordered that in future all customs revenue should be paid directly into the Exchequer. Until that time it had been paid into a Customs office subordinate to the Treasury. Sir Dudley North, one of the Customs Commissioners, seems to have grumbled considerably at the work entailed by the "voluminous and intricate scrutinies" demanded by the Treasury on this occasion, the prime mover being "my lord Rochester, a diligent person and dissatisfied if everything did not proceed as he expected."

One naturally expects to find that Rochester on attaining the coveted honour of the White Staff on James's accession, with a salary of eight thousand a year, had even greater powers than before, but owing to the actual trend of the political situation at the time he had

II. See D. M. Gill. Evolution of the Treasury.
less real power than he had possessed as leading Commissioner under Charles II. There are a few further reforms undertaken by him during his year as Treasurer which may be briefly indicated before analysing his generally unsatisfactory position at the Treasury. A matter in which he was greatly interested, and in which he naturally had the co-operation of his brother the Viceroy, was a series of reforms in the accounting and collecting of the revenue in Ireland.¹ The Irish revenue administration had been notoriously unsatisfactory for years, and there appears to have been another lapse after Rochester left office.²

It is greatly to Rochester's credit that he recognised and used the abilities of that admirable civil servant William Selby Lowndes while he was still a clerk at the Treasury, and employed him in his rectification of the irregularities in the Exchequer administration. Rochester ordered Lowndes to draw up a scheme of reform for greater security and care in the keeping of the cash paid into the Tellers, the final responsibility for which lay with the Lord Treasurer. Lowndes accordingly drew up at

². Ibid VIII. Part 3, p.1762.
Rochester's order a new definition of the duties of the Clerk of the Pells and the Vice-Chamberlain. There was one direction which would specially appeal to Rochester's ideas of efficiency, that henceforward these officials were to be at the office at nine o'clock at the latest. The new methods of receipt and payment in the Exchequer carefully detailed by Lowndes were adopted by Rochester in October 1686 and ordered to be observed thenceforth. Lowndes was to become after the Revolution the first of the modern permanent secretaries to the Treasury in 1695 and to serve both Godolphin and Harley. He was the first secretary, says Miss Gill, to recognise that the Treasury Books were not his personal possessions but must remain in the department as a permanent record, which precedent has been observed ever since. There is an interesting notebook of expenditure under James II, printed in the next appendix, which is most probably his work, and which is undoubtedly the clearest and most careful account made in that period.

Rochester's decline in power after becoming Lord Treasurer may well be ascribed, not only to the Catholic policy of James which placed his Anglican minister in a false position, but in part to the actual increase in

revenues which made James less dependent on Rochester's drudgery and ability in financial matters. Compare for example the estimated revenue for Michaelmas to Michaelmas 1684 and the revenue in 1686. The former, even with an unusually good customs yield of over £600,000 only reached a total of less than one and a half millions, which was nearly balanced by the estimates for expenditure. In 1686, with the new impositions and duties granted by Parliament, the revenues totalled over two millions and, in spite of large expenditure on the army, there was a balance of approximately £190,000. It is more understandable therefore why Hyde's financial abilities were more needful in 1684, when he was only first Commissioner but virtual controller, than as Lord Treasurer in 1686, when the financial pressure had lessened. In 1684 he had the technical experience, the backing of James on every occasion and the confidence in himself to take the full responsibility of the financial burdens and so could withstand, on outward official showing at last, the attacks of the more dilettante Halifax in council.

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II. Ibid.
III. See Chapter VII pp:
Hyde's temporary retirement from the Treasury in the autumn of 1684 should not be ascribed so much to the doubts raised by Halifax in the King's mind as to Hyde's financial integrity. The King had good reason to know that Hyde had served him faithfully as to Hyde's own ambitious and often asserted claim to the White Staff which he considered he had by this time sufficiently merited. In a typical fit of temper, which he afterwards repented, he decided to leave the drudgery of the Commission if he could not have that honour. His rival Halifax was naturally glad, as he remarked to Reresby, to see him depart, (although he used the word removed) "from the only place that could give him power and advantage," a sufficient testimony from Halifax to the importance of the Treasury.

A little over a year later as Lord High Treasurer, Rochester found the coveted honour becoming dead sea fruit, for James who knew from his experience as Duke of York the executive importance of the Treasury, was gradually taking more and more of the Treasurer's power into his own hands and overriding his former favourite. Although

I. Charles spoke in glowing terms to Barillon of Hyde's financial services. See Barillon. Sept. 4, 1684 N.S.

Rochester was to hold the office for nearly a year longer the power to dispense large sums of money was taken out of his hands in November of 1685, so that the much advertised disgrace after the farce of the conversion in December 1686 only acknowledged officially what had been for some time an accomplished fact.

Rochester departed from office with a royal gift of £4,000 in consideration of his faithful services, "and more especially as a reward for his faithful and prudent management and administration of our revenue which he hath manifested in the offices of our High Treasurer of England, and Treasurer of our Exchequer."II

I. Barillon. Niv. 26, 1685 N.S.

Appendix II to Chapter Eight.

Note book containing "an abstract of the expenses of the late King James."

A little notebook found amongst the Carte Manuscripts in the Bodleian Library, gives some very interesting and complete figures for the reign of James II. Full details for each of the three financial years of the reign are given in the abstract made out in columns on the flyleaf at the end of the notebook, together with a column for the average expenditure over the three years. This is transcribed below.

The notebook had not been seen by Dr. W. Shaw when he made out the half-yearly tables of expenditure, from the Exchequer accounts, in his edition of the Treasury Book calendars for this period, in which figures for 1686 and 1687 are lacking. The notebook, with its full and comprehensive accounts, would appear, in its authoritativeness, to be the work of William Selby Lowndes, who became the Secretary to the Treasury after the Revolution. (See previous appendix.)

To the students of James's reign the items showing the heavy expenditure on the army and the navy, and especially the enormous sums disbursed annually at the discretion of Secretary Guy as Secret Service Moneys, are of special interest. But the tables, and the notebook items as a whole, are of general interest to the student of administrative history as marking a great advance, in lay out and comprehensive clarity, on anything of this nature found earlier in the seventeenth century.
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<th>Lady Day 1688</th>
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<td>Forces includg ye 30 paid out of</td>
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<td>Ireland</td>
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<td>(Sir Ste: ffex)</td>
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<td>Totall 331,015:6:4</td>
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<td>(Lord Preston)</td>
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<td>- - -</td>
<td>4,910 3 7 3 2</td>
<td>1,656 14 6 1 2</td>
<td>1,656 14 6 1 2</td>
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<td>(Mr Aldworth)</td>
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<td>96 12 0</td>
<td>96 12 0</td>
<td>293 16 0</td>
<td>96 12 0</td>
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<td>21,204 8 3</td>
<td>67,209 18 11 3</td>
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<td>K Cha: ye End his Servants arrears</td>
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<td>54,9747 9 0</td>
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<td>wh was due by Tallys</td>
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<td>or borrowed since</td>
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Bodl: Carte Mss. 266 ff.65a & b.
CHAPTER NINE.

Rochester and the Revolution of 1688.

In the spring of 1687 James proceeded to act with greater speed and decision. Parliament was prorogued from February until April in order to gain time to influence the members privately towards the general indulgence to Catholics upon which James was determined. But there was a corresponding stiffening of the as yet unrelated elements of opposition to his policy. Reresby noted in March that "every day produced so great a change in officers, both civil and military, who would not comply with what the King desired of men, that there was no assurance of any thing." He also mentions a report that the King was closeting members of Parliament individually and asking them to vote for the repeal of the Test and penal laws when Parliament should meet, which Barillon corroborates. There were rumours of Feversham's disgrace although a Catholic, because he was a friend of Rochester. Maynard and Beaufort both lost

I. Reresby p.370.

II. Ibid.

III. See Barillon March 10, 1687. N.S. who also reported that James offered the members money.

IV. Barillon Feb. 27, 1687. N.S.
their Household offices; but nevertheless Barillon notes as a special English idiosyncrasy that they still remained at court and were well treated by the King. Halifax had reported to Orange as early as January that wholesale attempts at conversion were being made but that the nation remained steady: "though there appeareth the utmost rigour to pursue the design which hath been so long laid, there seemeth to be no less firmness in the nation." One Tory after another followed Rochester's lead "in that noble and religious bravery which is now so frequent that it almost is become fashionable." II. The Privy Seal was taken from Clarendon, and the two Tory London Sheriffs, Moore (the mayor of 1682) and Rich, lost their offices.

In March there developed the first vague contact between some of the various elements opposed to the King. This may be dated from Dykewold's arrival in England at the end of February; ostensibly on a diplomatic mission from the States General, but in reality to gather first-hand information from the Prince of Orange, (who had been in correspondence with Compton ever since his suspension). According to Dalrymple, James at the end of the year had

I. See Dalrymple II. App. to Book V. p.56.
See also Reresby. p.372.

sent a private message to Orange to see whether he as a champion of toleration would not agree to the abolition of the Tests.\textsuperscript{I} In answer to this Orange arranged with the States for the special embassy of Dykeveld, and gave him private instructions to give James a very positive refusal. He was moreover "by the vigour and merit of that refusal to unite the heads of the parties in England and to assure them of the Prince's protection in defence of their religion and liberties.\textsuperscript{II} That Dykeveld's embassy concealed some purpose of uniting the Protestant opposition was suspected by both D'Avaux at the Hague,\textsuperscript{III} and by Barillon in London.\textsuperscript{IV}

Dykeveld was in England for four months and really concerted the first coalition against James. He carried over letters from Orange to Rochester, Danby, Halifax, and several others.\textsuperscript{V} He met with more encouragement from the Anglican tories as a whole then he had expected, but with very little encouragement from either of the Hydes." Lord Rochester in his answer to the Prince, avoided entering upon business, under

\begin{itemize}
  \item[I.] Dalrymple. \textit{II. Part I Book V.} p.15.
  \item[II.] Ibid p.16.
  \item[IV.] Barillon. March 13, 1687. N.S.
  \item[V.] Dalrymple. \textit{II, pt. I. Bk. V.} p.16.
\end{itemize}
pretence of his retirement from it, and Lord Clarendon's letter was one of mere compliment. "I This demonstrates that the suspicions II of both D'Avaux and Barillon that Dykeveld would cabal with Rochester were unfounded. Dykeveld found Danby ready to confer with him and Halifax cautious, though not unwilling. He started a series of conferences with the opposition Tories, mostly peers, who may have met at Shrewsbury's house. III These included Halifax, Shrewsbury, Devonshire, Danby, Nottingham, Admiral Herbert (who had refused to agree to repeal and had been dismissed) Russell, Mordaunt, Lumley, and Compton. But in these activities Rochester took no part. He lived in discreet privacy during the spring. This period was saddened by the illness and death of his wife in April; IV in July he went abroad for a few months, and so was completely removed from the early organization of the revolutionary party which can be traced back to Dykeveld's visit to England. The revolution however was

I. Dalrymple II. Pt. I. Bk. V. p.16.
II. See supra p.48 note:
III. See Foxcroft I. p.479.
not hatched in 1687. The letters which Dykeveld took back to Orange shewed clearly that the Tory lords had no plan of defence against James.

The Moderate Tories were driven further into Dykeveld's arms as a result of the General Declaration of Indulgence published by James on April 4th. Ranke declared that this principle of toleration was well received by the Nonconformists and that only the episcopalian really disliked it. But Barillon's analysis of its reception does not bear this out. He told Louis that the Anglican party successfully discredited it in the opinion of the chief sects, and that the Presbyterian leaders were at one with the episcopal party which they regarded, in the last resort, as the only real protector of the Protestant religion. The Quaker leader Penn who was a close personal friend of the King was delighted with its general principles, and the Quaker and Anabaptist

I. See Foxcroft for the view that Dalrymple has overestimated the implication of the first replies to Orange's letters. The letters were given in Dalrymple II. App. to Book V passim.

II. See Ranke IV p. 320.

III. Barillon. April 21, 1687. N.S. See also Reresby p. 372. "But the design was well understood viz: to divide the Protestant churches, that the Papists might find less opposition. The Presbyterians or Calvinists, who most of them had begun to conform, continued to come to our churches."
sects both returned thanks for the declaration, but Dissent as a whole was rather more apprehensive than grateful. James had expected the approval and support of the Prince of Orange in viewing this decree of toleration, but Orange was by now deciding to develop an interested policy of his own.

Rochester continued to remain aloof from Orange just at the time when his own political rivals in the Anglican party headed by Halifax were drawing nearer to him. Jealousy of Halifax may have been one reason for this. He wrote to Orange in a very cautious and non-committal fashion at the end of May, practically refusing to act as a news agent for the Prince in London:

"In the circumstances I am, as to my retirement, both in the public and my particular account, your Highness cannot expect that I should say much to you; and if it were otherwise, Monsieur de Dykevelt hath had so good means of knowing everything, and hath so very good qualities, that it were very unnecessary to write, where he is going: I am confident that he will do me right, that I have not been reserved towards him, when he hath done me the honour to communicate anything to me. All that I can say more is that my wishes are very good, but that neither now, nor for some time, before everybody else
saw it, could they signify much." The unfortunate circumstances of his journey abroad in July increased the isolation in which he was destined to remain.

On the score of health he had asked the King's permission to visit a German spa fairly soon after his wife's death. No doubt he intended to see Orange, without committing himself by letter, and then decide on his own future policy; but this possibility was forestalled by James's declaring that he might go to Germany if he did not pass through Holland either on the way there or back. His predicament then was that he could not abandon the visit without betraying his original intention; yet if he went without visiting the Hague he would be slighting the Prince. Though he finally went he dared not disobey the King's injunction. This seems to indicate that Rochester had every hope of one day regaining his old position in James's confidence, as possibly he was apprehensive concerning his pension. The decision was later to have important results in Rochester's political fortunes. Naturally the Prince was incensed on hearing that Rochester passed to Germany via Ostend and Brussels.


II. Ellis Corr: 312. He was accompanied by Guy Kendall and Stephen Gwynn.
in mid-July without paying his respects at the Hague, and this, added to his earlier unsatisfactory letters, lost him any chance of a political rapprochement with Orange, the following year. I

Rochester endeavoured to mitigate the discourtesy by profuse written apologies which hinted at its cause. On his way back to England he wrote from Calais, II "I am afraid that it was so reasonable that I should have been before this time to have pay'd my duty in waiting on Your Highness, that it would now be very unreasonable to make any excuse for not doing it." He hints that he has been constrained to this: "I had much rather Your Highness should thinke that I should write what may be said on the subject." III

James who had continued to prorogue Parliament startled IV the public in July with a proclamation dissolving it. He expressed so much displeasure with

IV. Reresby p.375.
Dyheveld about this time that Orange was forced to recall him; but the occasion of the Queen Mother's death in August gave him an opportunity to send another embassy to England. This time he sent Zulestein of whom Dalrymple says "under the appearance of a man of pleasure and a soldier, he hid great talents for business." Zulestein continued Dyheveld's intrigues, with special orders from the Prince to find out from the English peers whether James was likely to summon a new Parliament. The increasingly rash tactics of the King (for example in the dismissal of the Duke of Somerset and six gentlemen of the Bed Chamber for refusing to attend at the ceremonial visit of the Papal Nuncio to Windsor) were danger signals to the slowest wits. The letters which Zulestein carried back to Orange reported no likelihood of a Parliament. Nottingham's letter of September 2nd to Orange declared that in the unlikely event of a new Parliament, the zealous Protestant majority of the nation would prevail in the elections and prevent the return of dissenters "upon whom the Papists do now depend." II

In September the President of Magdalen College, Oxford, died and James sent a "mandamus" to his fellows to choose the Bishop of Oxford to succeed him. They replied that their elections had been made. The King then went down to Oxford and told the fellows of Magdalen that the Church of England men did not use him well, that they had behaved neither like gentlemen nor good subjects, and bid them go presently back to their election and choose the said bishop, or they should feel how heavy a hand a King had. I

This they actually refused to do, and finally James put out Dr. Hough, the newly elected President who refused to quit, by force, II and expelled twenty five of the fellows.

The next sign of the times also in September was the purging of the Common Council of London. Here several "faithful and loyal men" who had "stuck by his interest in the worst of times in the city of London" were evicted, being Anglicans, and nonconformists were put in their places. III This was followed up in November by the

I. Reresby p. 381.
II. Ibid p. 382.
III. Ibid.
establishment of a special Board of Regulators to purge the municipalities and change the magistrates. Sunderland, Jeffreys and Sir Nicholas Butler, an Irish Catholic, were given the chief authority on this Board. In order to make the Declaration of Indulgence a reality the Lord Lieutenants were now required to frame lists of dissenters and catholics who were suitable to hold Communions of the Peace, or in the Militia. The Lord Lieutenants were to ask their deputies and the Justices of each county, these questions:—First, whether they would if elected to a new Parliament, vote for repeal of the Test and Penal laws. Secondly, would they vote for members of Parliament whom they believed to be in favour of repeal? Thirdly, would they live peaceably with dissenters? If their answers were satisfactory then they were to be regarded as suitable for appointment. Lord Lieutenants who refused to put these questions were dismissed; for example the Earls of Oxford and Burlington. Rochester was not one of those who refused. Those who put the questions got replies which indicated how widespread passive resistance to the crown was becoming.

I. See Reresby, p. 387-388. See also Feiling, p. 218-219 for an account of these measures.

II. See Feiling, pp. 218-219. And Luttrell I. p. 422 for the reply of the gentlemen of Hertfordshire to their Lord Lieutenant Rochester.
Reresby records that the usual answer of the Church of England men was: that they would give their votes to the House of Commons if elected, "as the reasons of the debate directed them"; that they would vote as they thought fit at the Parliamentary elections, and that they would live quietly with all men "as good Christians and loyal subjects." I This unpopular questionnaire, in Feiling's opinion, "sealed the alienation of the Tories from the Crown." II

Clarendon commented in a letter to Orange in December on the long list of dismissals or resignations - "a little time will show us what will be when the Corporations are new modelled which is the work now executing, and by some of the changes wch are already made, it is probable those who we put into these societys will be as averse to what the King would have as these that are putt out." III This was a shrewd estimate of the reaction of dissent to the King's latest policy.

By the end of 1687 the King was complete and

I. Reresby, p. 388.
II. Feiling, pp. 216-219.
utterly under the joint sway of Sunderland and Father Petre's cabal. However varied the aims of other sections at court, they were all united by the common bond of opposition to that extremist Gunter. With every month's secret correspondence, the constitutional opposition peers were becoming more closely bound up in the interests of the Prince of Orange. The great Whig families emerging from retirement, and the leading dissenters, tended now to draw towards the orthodox churchmen in the face of the growing danger of another Popish terror. The divine right Tories had not yet as a body deserted the court. Nottingham, half committed to the Orangists; Dartmouth, Faversham and Clarendon were dismayed but not yet disloyal or disobedient. Early in the new year, the Catholic Sir Nicholas Bubler (sic) commented on the fact that "there was still a Rochesterian faction in the court who will sometimes find means of carrying things." But of Rochester himself and his attitude there was no sign.

After December 1687 when the startling announcement was made of the queen's pregnancy, events moved rapidly towards the crisis. Early in the new year the king made

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fresh and greater efforts to force on his own plans. His scheme now was to make a fresh appeal to the Dissenters by a wider measure of indulgence, and to set the new sheriffs and corporations to work preparing the ground for a complaisant Parliament. At the beginning of the New Year Orange also took more definite steps to gain a sure following in England "with those to whom he could not privately address himself." Through the intermediary of a friend of Fagel's James had urged the latter to persuade the Prince and Princess to show their approval of his intention of abolishing the tests and penal laws. Refusal to do this was really useful publicity for Orange, and Fagel wrote in his name to a friend - "That the Prince was willing to concur in any laws for liberty of conscience; but that he would never consent to the repeal of the tests, which by confining public offices to those of the national religion, were the surest barriers against Popery." This announcement, was intentionally printed immediately, and broadcast in all parts of Holland "and of the British dominions." It had, from Orange's point of view, a very desirable effect as may be seen from an

II. Ibid. p.18.
undated letter of Devonshire's written to Orange later. "People remark in the latter a distinction altogether judicious between the laws which are called penal, and those of the Test; seeing these last have no regard but to the maintenance of the religion and government, which without this bulwark run a great risk of being overturned." I And Danby, referring to it in March, wrote, "Your Highness's mind in relation to things here (which was so prudently made known by Monsieur Fagel's letter), has so contributed also to add courage to that union." II (i.e., the defensive union of the nobility and gentry for the protestant religion).

In January both Clarendon and Rochester were in London; it may be gathered from Clarendon's diary that his home was already becoming a meeting place for the bishops and laymen of the right wing of the anglican party. III Rumours were prevalent that Halifax had been caballing with James, but Halifax solemnly assured Clarendon, with whom he had formally reconciled himself, that "he had never been with the King since the meeting

I. Dalrymple II. App. to Bk. V, p.89.
II. Ibid. p.93.
of Parliament. "I. Halifax, for all the first part of this year, maintained a very cautious and non-committal attitude in the midst of the increasing tension and alarm of hitherto loyal high churchmen. Both the Hydes appear to have continued their formal attendance at the King's levées in the early months of the year, but not more frequently than was necessary, II and at the same time were in the habit of regularly visiting the Archbishop, III and Bishop Turner of Ely, one of the leading Prelates, who owed his preferment to James' patronage when Duke of York. At the end of March both brothers went down into Oxfordshire to Cornbury and Langley; and for a few days entertained a great many country gentlemen, in addition to meeting the Bishop of St. Asaph (Lloyd) and the Bishop of Man. Rochester remained down in Warwickshire and Clarendon returned to London early in April. Rochester did not return to London until April 20th. Though no confirmatory evidence is available, Clarendon's entries

II. See Clarendon's Diary, March 8th. II. p.165.
give the general impression that in this outwardly calm period in the spring there was preparing below the surface, in much discontented discussion and privately expressed resentment, the rebellion of the High Church Tories against their sovereign, for after April when events moved more rapidly there would seem to be a cohesion and unity amongst the leading Anglicans at the time when their support was needed for the Bishops, which must have been maturing for some months.

James' decisive return to the policy of comprehensive toleration, a policy in which his abler brother had twice failed, was trumpeted to the nation on April 27th by the Issue of a new Declaration of Indulgence. This granted full liberty of worship and a general suspension of the tests. To reassure the Anglicans it repeated the King's promise to maintain the established church and declared that the King expected that Parliament when it met would give this policy of indulgence its full approval and concurrence. James, it must be believed, had no idea that this all-round toleration would not be approved by a good many non-Catholic elements in the nation. Reresby has an interesting point that the King was completely deceived by addresses he received from provincial districts, often signed only by a few Roman Catholics and ambitious placemen, but "subscribed by themselves as the Act of
the whole sessions. "I By such acts as these," says Reresby, "the King was much deceived as to the opinion of his subjects concerning the indulgence; three or four men in divers places pretending to represent the thoughts of a whole corporation or county." Halifax was still unprepared for any immediate counteraction to this new move. "Nothing therefore," he wrote to Orange, "in the present conjuncture can be more dangerous than unskilful agitations, warm men who would be active at a wrong time." II But by his next steps James forced an issue with the clergy, rather than the laymen, who were destined to give the whole nation the lead for which it was waiting. It was ordered at Council on May 4th that the declaration of indulgence should be read in all the churches. III Eight days later Clarendon dined at Lambeth with Sancroft in the company of the Bishops of London, Ely, Peterborough, Chester and St. Davids. After the departure of the two last named, IV an important discussion followed. "Then

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I. Reresby, p.393. April. He gives the instance of the West Riding Quarter Sessions where 6 Popish Justices and two gentlemen, Boynton and Bull, signed for the whole.

II. Dalrymple II. App. to V, p.97. April 12th.


IV. Clarendon refers twice to Chester's not being of the inner circle of the Anglican clergy. Both were regarded as too favourable to the Court. Clar. Corr. II, p.171. Diary, May 12th.
the Archbishop and the rest took into consideration the reading of the declaration in the churches, according to the order of the council: and after full deliberation, it was resolved not to do it. Dr. Tennison was present at all the debate. The resolution was to petition the King in the matter, but first to get as many bishops to town as were within reach: and, in order thereunto, that the Bishops of Winchester, Norwich, Gloucester, St. Asaph, Bath and Wells, Bristol and Chichester should be written to, to come to town." It is worthy of note that Rochester was not present at this important discussion, nor again on the 16th at Clarendon's house, when the Bishop of St. Asaph arrived in London and went at once to dine with the latter, who sent for Turner of Ely to join them. The Bishop of Winchester had excused himself on the score of health, but on the 17th the group was reinforced by the Bishops of Bath and Wells and Bristol. Clarendon's house appears to have been their headquarters during this time. After lengthy discussions at Lambeth Palace a petition was drawn up and on the next day the Bishops presented it to the King. It expressly declared that a reading of the Declaration by the clergy must imply their consent to a policy "of so great moment and consequence to the whole

nation, both in Church and State, that your petitioners cannot in prudence, honour or conscience so far make themselves parties to it." I The chief declared objection against the Declaration, it is important to note, was that "it is founded upon such a dispensing power, as hath been often declared illegal in Parliament." The petition, written out by Sancroft, was signed also by London, St. Asaph, Ely, Chichester, Bath and Wells, Peterborough and Bristol. II Sancroft's account of the interview at which it was presented, together with a copy of the document, may be found in the appendix to the Clarendon Correspondence, Volume Two. III St. Asaph was the Bishop who actually presented it to the King in his closet "all the bishops being upon their knees. The King was amazed and angry. 'I did not expect this from you, especially from some of you. This is a standard of

I. Clar. Corr. II, p.478. Appendix. There is a note to the effect that on two other copies of the petition are the following signatures:

William Norwich. May 23.
P. Winchester.

Lesser clergy who were present at the drawing up of the petition and consented to it were - Dr. Tillotson, Dr. Stillingfleet, Dr. Patrick, Dr. Tennison, Dr. Grove and the Master of the Temple (Sherlock).


III. See note I. supra.
rebellion," he said as soon as he had read it over. I The Bishops protested their loyalty, and Peterborough made a shrewd point:— "Sir, you allow liberty of conscience to all mankind: the reading of this declaration is against our conscience." But the rather Whiggish statement, II for Tory Bishops to make, regarding its Parliamentary illegality, particularly enraged James. "God hath given me," he said, "this dispensing power, and I will maintain it. I tell you there are seven thousand men, and of the Church of England too, that have not bowed their knees to Baal." III

For a day or two no steps were taken to punish the Bishops, although the town was agog with rumours of what they might expect. IV On the Sunday following, the Declaration was only read in four of the London Churches. V

Proceedings were begun on May 27th. Both Macpherson's Extracts and James's Memoirs suggest that Jeffreys and


II. For the reconciliation of the academic theory of the High Churchmen with their refusal to obey the King, see C. Emmett. Francis Turner. Bishop of Ely. Chapter IV, Section I. (Oxford B.Litt. Thesis.)


IV. Ibid.

Sunderland counselled James to use severity, but Jeffries denied this for his part, later on. On the 27th Sunderland sent an official summons to the signatories to the petition, to appear before the King in Council on June 8th, "to answer such matters of misdemeanour as shall then be objected against them." II

On the evening before they were to appear at Council the Bishops gathered at Clarendon's house. They had already borrowed from him some Parliament Journals which "they thought might be useful to them," III and had taken the advice of good lawyers. Clarendon warned them that they might be required to find bail (this was already a public rumour) and advised them to seek the wise counsel of Sir Robert Sawyer concerning this possibility. Again Rochester's absence from this important Anglican gathering should be noticed.

At the Council meeting the Bishops were ordered to enter into recognisances of £500 each, "to answer to an information against them in the King's Bench the next term." IV

III. Ibid. p. 175. Diary.
IV. Reresby, p. 395.
The Bishops protested that to find bail would be to betray the liberty of the peerage "till information or indictment was found."¹ They were therefore committed to the Tower.

The next day, multitudes swarmed to the Tower to see the Bishops (including ten non-conformist ministers)² and popular excitement rose to fever pitch. Huntingdon told Reresby that day "that if the King had known how far the matter would have gone, he would not have enjoined the reading of the declaration in the churches."³ However James's wavering was to be dispelled in a few hours by the joyful news that his wife had borne him a son. From that moment he went forward with his self-deluded schemes.

The announcement of the Prince's birth on June 10th had likewise a bracing effect upon the rapidly-coalescing opposition. Halifax bestirred himself and went to visit the Bishops in the Tower on the 12th. He advised them to get three peers to be bail for each of them at Kings Bench. The Bishops were reluctant to do this, and Clarendon up till now their chief adviser among the laity, was

¹. Reresby, p.395.
². Ibid. p.396.
³. Ibid.
annoyed at his intervention. "I am sure when the reading the declaration was under consideration, and the petition for which the bishops now suffer, he was so very cautious, that he would give no advice at all;"¹ he noted in his Diary. It is evident that Halifax's cautious temporising began to evaporate from the day of the Prince's birth. Clarendon's own advice to the Bishops was to get some of their friends, whether peers or not, to assemble at Westminster on the first day of term.

Jeffreys expressed his alarm at these legal proceedings to Clarendon, and hinted that certain advisers (meaning Sunderland and Petre) were pushing the King to this extremity.² On the other hand, it is Miss Foxcroft's opinion, that Sunderland strongly opposed the persecution of the Bishops.³ It is really very difficult to arrive at any conclusion as to Sunderland's real opinions at this juncture. Earlier in the year he attended Mass privately, but about the time of the issue of the Declaration he had made open profession of his new religion.⁴ In March Princess Anne wrote to her sister that Sunderland might still pick a quarrel with the court if everything did not

². Ibid. p.177. Diary.
³. See Foxcroft II, p.2.
⁴. Sidney Diary. II. p. 263.
go "as he would have it," and would turn again to the Orange party. It is therefore only safe to assume of his attitude in the summer that he was dissembling with all sections.

The list of the peers who were suggested as willing to go bail for the Bishops is an interesting document. It is evidence as to which Tory peers were ready to oppose the King - an imposing list of twenty-seven important names:— For the Archbishop: Bedford, Danby and Falconbridge; for St. Asaph: Halifax, Ossory, Clarendon, Carberry, Bullingbrook; for Ely: Burlington, Manchester and Grey; for Chichester: Carlisle, Newport, Paget and North; for Bath and Wells: Clare, Shrewsbury, Dorset and Crew; for Peterborough: Kent, Nottingham, and Radnor; for Bristol: Worcester, Devonshire, Scarsdale, Chandois and Lumley.

I. Sidney Diary. II. p. 264.

II. Made out by Compton (with a few names in Sancroft's hand). Printed in Gutch's Collectanea, I, p. 357.

III. Reresby states 21 came to court to offer bail. p. 396. Ralph — says 24 noblemen supported the Bishops at their trial. Clarendon in his Diary, II, p. 179, says twenty five or six noblemen were in court on June 29th, the day of acquittal.

IV. Gutch also prints a list of nineteen names of much less status and prestige which are on the warrant committing the Bishops to the Tower (as James' counsellors). These include — Jeffreys, Sunderland, Middleton, Huntingdon, Godolphin, Preston and Dartmouth, the most important of the nineteen. See Gutch's Collectanea, I, p. 353. June 8th, 1688.
The most important omission among the right wing Tories is Rochester. Of the left wing Tory names included above, Shrewsbury, Danby, Lumley and Devonshire were all later to sign the invitation to the Prince of Orange.

During this crisis Rochester remained down at Bath, not returning to London until the day of the Bishop's acquittal. Since his brother was able to keep him in touch with events, it is surprising that his name is never suggested as a bail-holder, nor ever mentioned at all in the bishop's correspondence. It must be inferred, especially in the light of later events, that Rochester wanted to keep out of this awkward crisis, and not to commit himself to the opposition to James. Being regarded by the rank and file as the leader of the High Church party, he could not have remained in London at this crisis without manifesting or definitely repudiating his claim to leadership. Hence he stayed away, and very possibly lost influence he would have valued later on.

He returned from his travels in the West country on June 30th. to find multitudes of bonfires being made everywhere to celebrate the acquittal of the Bishops. Jeffries now increasingly alarmed, was much relieved at

the result of the trial and anxious that James should moderate his actions henceforth. He told Clarendon that he thought "honest men both Lords and others, (though the King had used them hardly) should appear at court;" this he felt sure would "do good". I He begged Clarendon to visit him from time to time, "That by me," noted Clarendon, "he might have a correspondence with the Archbishop, which it was yet too soon for him to have openly." II Already the rats were contemplating desertion although the ship had not yet begun to sink.

Meanwhile the Bishops trial and successful acquittal had been the signal for the more revolutionary action of the strong secret opposition. When Tulestein came over from Holland earlier in June on a formal embassy of congratulation, Sidney had accompanied him, being the most useful agent Orange could have in England at this critical time. III On the night of the bonfires and rejoicings, Shrewsbury, Devonshire, Danby, Lumley, Russell and Compton, despatched by Sidney, who also signed it, the historic incitation to the Prince of Orange to invade England in order to restore the old government and religion. IV It

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II. Ibid.
III. Orange was determined to have a written incitation. He had not forgotten Monmouth's experience.
is interesting to note that neither Halifax nor Nottingham were included although they had been in correspondence with Orange since early in 1687. According to Dalrymple I, Orange had given strict orders that Halifax was not to be trusted with the secret. Possibly he had been irritated by the wordy and lukewarm effusions he had received from Halifax, and he knew that Halifax had been "backward" II in the affairs of the Bishops. It appears from Sidney's private letter to Orange of June 30th that Nottingham, who had strong leanings towards the Orange group, nearly signed the invitation, but at the last moment his courage failed him. III

The historic alliance of the Bishops with the monarchy, which had been the cement of the national state since the days of Elizabeth, now appeared to be completely shattered, although they were destined to endeavour to repair it before the reign ended. The laymen of the High Church party were moving towards the constitutional opposition Tory group, already committed to Orange. The current of events was sweeping rapidly past Rochester who had remained apart too long. He made a belated attempt to

II. Dalrymple II. App. to Bk. V, p.106.
get back to the centre of the stage again in July. Hence the renewal of his profound apologies to Orange in numerous letters; although he had been so non-committal in his correspondence twelve months before. Orange had approved the part that Clarendon had played in the affair of the Bishops, but Rochester was in disgrace; and Clarendon wrote to Orange emphasizing his regret and mortification at this condition of affairs. Rochester followed up his brother's plea with an abject letter:—"if you will be pleased to reflect what interest I can have contrary to your Highness's, I am sure you will conclude, whatever my offences are, they must be the effect of folly and indiscretion, rather than of wilfulness to displease you." Rochester does not seem to have realised that his sins were of omission rather than commission, and that his nine months inactivity was to cost him his political future. "I find it is for diverse reasons that your Highness is unsatisfied with me; I call God to witness, that except my not paying my duty to your Highness, when I was last out of England, I cannot accuse myself of anything disrespectful or undutiful towards


you..."I

James still seemed to regard Rochester as a tool that could be relied upon in matters of secondary importance where his pleasure was concerned, as an incident in July serves to demonstrate. On the old Duke of Ormond's death in mid-July a new Chancellor of Oxford University was required, and both Hydes used their local influence to have the young Duke quickly elected in his grandfather's place. II Rochester took the new Duke down to Windsor to present him to the King on July 26th, but at Hounslow he was stopped by a letter from Middleton telling him the King was much displeased at the election, (he had wanted Jeffreys but sent his mandate a day too late) III and that he would not allow Ormond to accept it. Clarendon's brief account in his diary states that Ormond turned back at Hounslow on hearing this and Rochester went on alone to the King at Windsor. He was evidently successful in placating James or persuading him to moderation, for on the next day, he sent a message to Ormond to proceed to Windsor since (to use Clarendon's

phrase) "the King was pleased to desist in the matter." I
This is slight but interesting evidence that Rochester
was still on some terms of friendship and influence with
James. The King was probably as well aware that Rochester
had carefully abstained from intervening in the Bishop's
affair as he was of Clarendon's participation; and may
have been more amenable to Rochester for that reason.

As July passed into August the conspiracy proceeded
to develop underground. Halifax advised Reresby "as
things now inclined at court," to resign all his offices. II
The King was obliged to visit his fleet in the middle of
August to pacify the seamen who were threatening mutiny,
"upon occasion of some sea captains using mass openly
aboard their ships." He went from ship to ship flatter-
ing the men and calling them his children, telling them that
he granted liberty of conscience to all religions and
questioned none. Nevertheless "ten popish priests were
ordered to be brought on shore." III James, however,
although beginning to waver slightly, did not make any
important concessions until September. The clergy who
had refused to read the Declaration were punished; two

II. Reresby, p. 398.
III. Ibid. p. 399.
judges who had voted for the Bishop's acquittal were dismissed; and an anabaptist fanatic was nominated as the next Lord Mayor. All sorts of rumours were beginning to circulate now concerning the active preparations of the Dutch. — some reached the King as early as August 25th until they could no longer be ignored at court. Admiral Herbert had slipped away to Holland in July, followed by many of his seamen. Few of the Tories continued to visit the court, and Godolphin, Middleton, Dartmouth, even Sunderland, were beginning to waver. Jeffreys was already a broken reed. Finally under pressure from Sunderland who was getting very uneasy James gave orders for the issue of Parliamentary writs in the third week in August. Jeffreys expressed his hopes to Clarendon that the King "would be moderate when Parliament met." Clarendon's diary for the next few weeks is a list of almost daily dinners and discussions with Tory peers and gentlemen.

Meanwhile Orange was hiring troops in August for purposes unspecified, and the States-General were actively

I. Reresby, p.399.
II. Ibid.
III. Reresby, pp. 399-400. See also Foxcroft II, p.3.
engaged in naval preparations. This led Louis to protest against their activities, tactlessly announcing that any attack on England would be regarded as one against France. This so infuriated James that Skelton, our ambassador to France, who had been privy to it, was recalled home and imprisoned in the Tower. However this bluff on Louis' part (since he had no ships ready to intervene in the narrow seas) helped to bring the States-General into better agreement with William's private English plans. Late in September the States took into service the troops hired by the Prince. The French King then hastened the Prince's opportunity by marching his army against Philipsburg on the Upper Rhine, thus freeing the Dutch from fear of a sudden land attack for a few months; and so ready to agree to the Prince's plan of invasion of England that autumn.

By September therefore the Dutch menace was real and immediate. James irritated by and estranged from Louis, could no longer ignore it, and had to cast about for a tactical retreat at home. His only idea was to offer his friendship again to his faithful High Church Tories whom he had completely alienated. Clarendon's diary is explicit regarding this move of the King.

I. See G.W. Clark, pp. 129-130.
Jeffreys told him on September 22nd that a Declaration to "allay jealousies" had already been decided upon the day before in Council, which he had pressed and to which Sunderland, Middleton, Dartmouth and Godolphin had agreed. "He further told me that the King intended to send for my Lord of Canterbury, my brother and myself, and some others of his old friends, to discourse with us upon the whole state of his affairs; that the Bishop of Winton had been already with him; and that his Majesty had sent for the Bishops of London, Ely, Bath and Wells, and Peterborough."I Sancroft received a message from the King that "he was resolved to support the Church of England; and that the world should see he would not lay aside his old friends."II

It was naturally to be expected that James would make use of Rochester, the figure-head of the Anglican party, as the go between in this reconciliation, more especially as he had kept out of the quarrel in June. Rochester was brought up from Newmarket by a message from the King, not recalling him to his private counsels as he might have secretly hoped, but simply in order that he should use his prestige with the episcopal party on the


II. Ibid.
King's behalf. This implies that James at least regarded Rochester as the Anglican leader, and a useful tool for his present expedients. Although at the same time he was taking secret counsel with Petre, he said to Clarendon at his levée on the 24th, (apropos of the latest rumours of the Dutch invasion): "And now, my Lord, I shall see what the Church of England men will do." Clarendon answered - "and your Majesty will see they will behave themselves like honest men, though they have been somewhat severely used of late." I Clarendon's prophecy was not at that date impossible of fulfilment. It may seem strange that James had sent first for those Bishops who had signed the petition, but the bishops from their own theoretical point of view had not been disloyal. They regarded their rejection of the Declaration as loyalty to their own conception of honouring God and the King, and they had been perturbed by the anti-royalist nature of the popularity they had won. II They had not abandoned hope of reforming James, so that when he extended an olive branch all their instincts and beliefs guided them to accept it if they possibly could. The olive branch was James's declaration

II. See Emmett. Ely. Chap. IV, Sec. II.
of September 21st, repeating his old promise to preserve inviolable the Church of England and to exclude Catholics from the House of Commons. James's next move was a private command to the Bishop of Ely, one of the foremost of the Seven, but a thorough-going divine right Tory churchman, to come to London to see him. The general invitation to several of the bishops had already been issued. I Turner arrived in town on September 25th and Rochester was sent, by a message via Godolphin from James, to ask him to make a private visit to the King. II Turner formally excused himself, and confided his real reason to Rochester that he thought it unwise to see the King before the rest of the Bishops did, lest this, being known, should be interpreted as a sign that he was working against his brothers. If the King insisted on a meeting then he must insist that it take place without secrecy. Rochester conveyed this intimation to Godolphin who passed it on to James. The King was anxious enough for the interview to comply with Turner's conditions. III

I. See supra p. 489, note I.


III. Ibid.
At eight o'clock on the evening of the 26th. Turner accordingly met James in the royal bedchamber, attended by a 'numerous train'. Clarendon's diary records that the two men "discoursed only of generals," but Turner's own Memoirs give more details of the interview. James told him that the past was forgotten and that he harboured no resentment; but his anger flared up for a moment when the Bishop apologised for the action of the Seven by saying that the consequence of reading the Declaration would have been fatal to the Church. James reminded him of the "evil spirits", the Bishops had raised up by their conduct. Turner diplomatically replied that this popularity, though embarrassing to the Bishops, might yet prove useful if they could use it in the King's interests. If the Bishops lost credit with the people they could not aid the King in any emergency. He begged James not to require of them anything that "should not consist with honour as well as with conscience." Turner's account in his memoirs indicates that James had hoped to win back the Bishops completely by the Declaration of September 21st

II. See supra note II. p.491.
III. See Emmett. Ely. Chap. IV, Sec.II.
and he was astonished to find that this was not a sufficient concession to satisfy a high Tory Bishop. His disappointment with the failure of his interview with Turner perhaps explains why the interview with the rest of the Bishops he had summoned to town, on the 28th, was so vague and unsatisfactory on his part. He was not yet prepared to make further concessions and had not got over his surprise at failing to reach a settlement with Turner. Sancroft, on the score of health, did not attend the conference on the 28th. The King told the Bishops who had assembled that it was not a seasonable time to enter into general disputes, and nothing was done since he was determined not to hear their arguments, although he had called them all from their dioceses to London. However on the same day he announced that Compton of London was to be restored; which was a further step in the path of conciliation. Turner professed to Rochester

I. Turner's chief objection to it was that although Catholics were to be excluded from the Parliament, nothing was said in the Declaration as to the executive posts.


III. This is the opinion of Emmett. See Chap.IV, Sec.II.

IV. Emmett. Ibid.

that he had satisfied the Bishops and the Queen was surprised to learn from Rochester the following day that this was a mistake, who told her: "that he had seen some of them and found they were not satisfied."I

While James was approaching the Bishops he was also resolved on an appeal to the laymen. Jeffreys told Clarendon that on the same day that he issued the summons to the Bishops (the 24th) the King had "resolved to call all the peers together, who were in and about the town, to consult with them on the present state of affairs."II Jeffreys had moreover been ordered to restore the former city aldermen who had been turned out: the King intending "to set all things upon the foot they were at his coming to the crown." Jeffreys found the aldermen "unwilling to enter into employment till the King had made some further declaration."IV This attitude was very similar to that of the Bishops.

The King's outward policy in the last week of September was most uncertain. The writs for a Parliament

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III. Ibid. pp. 189-190.
IV. Ibid.
which had been issued were recalled on September 25th. But on September 29th a general pardon was issued which it was thought would "give great satisfaction," although it was accompanied by a proclamation putting off a Parliament. In spite of Jeffreys' declaration to Clarendon on the 24th, no steps had been taken by the end of the month to assemble the peers. On the 30th Sancroft had an interview alone with the King, who enquired if the Bishops were satisfied. Sancroft told him that the Bishops who had been at his last conference had wanted to speak to him "of several particulars" but since his Majesty had not wanted at that time to enter into any disputes, the Bishops could not express themselves as satisfied since they had not been heard. In plain words the Bishops were dissatisfied and wanted a proper conference. Moreover Sancroft was obliged to point out to the King that in the general pardon issued the day before the clergy had been excepted. II James said this must be due to some technical mistake since such had not been his intention; he expressed himself willing to hear what the Bishops had to say whenever they wished to come


to him.\textsuperscript{I}

Clarendon was present at the general conclave of Bishops at Lambeth the next day to decide what should be said to the King. Winchester had already left London, but the rest decided to wait on for a second conference with the King early in October.\textsuperscript{II}

James was now beginning to realise the inevitability of wider concessions and promised on October 2nd to restore the city charter. He had a conference with some of the former aldermen to declare his conciliatory intentions. He had already expressed his willingness to abolish the Ecclesiastical Commission. On October 3rd the Bishops waited on the King once again and were told to put what they had to say in writing. They retired to draw up the heads of their discourse and Turner of Ely carried their paper to the King that afternoon.\textsuperscript{III} James disliked their recommendations and summoned them again on October 8th\textsuperscript{IV} to tell them so. As they had failed to become his allies on his terms he now decided to make professional use of

\begin{itemize}
  \item[II.] Gutch Collectanea. I. p.409;
  \item[IV.] Tanner Mss. 28, f.90. Oct. 7th. Summons to the Bishops.
\end{itemize}
them. They were ordered to pray for the King since they would not fight for him politically. The prelates were to draw up prayers to be used "in this time of danger of an invasion." Although he expressed his displeasure with their recommendations (which had included an immediate summons of Parliament) he told the Bishop of Winchester who was present that he would put Magdalen College into his hands. The Bishops drew up a series of prayers, as requested, in a non-committal style with which James had to be content.

The episcopal conferences had therefore completely failed as a scheme to rehabilitate the royal policy. The Bishops were new anxious to get back to their dioceses, since they were afraid their caballing with the King might be misunderstood by the nation at large. This breakdown was greatly to the relief of the mass of Tory opinion which had been apprehensive lest Sancroft and the rest might have become reconciled to the King, despite their candid criticisms. After the Bishops' last meeting with the King on the 11th, when their prayers were returned to them with orders that they were to be read in all the

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churches, they returned to their dioceses and were not summoned again until October 31st. This interval was a decisive period for James.

Rochester's opinions of the breakdown of the episcopal conferences would be most interesting. From the entirely negative evidence of his brother's diary, the only source for his actions and opinions during this period, it may be inferred that however much he may have favoured the Bishop's theories, he was himself hanging about the court in the vain hope that James would turn to him once again as his confidential adviser. But he was never allowed to take a leading part after he had been used to bring the Bishops to the King. He wrote bitterly to Dartmouth on October 6th that he never "had the happiness of once being spoken to by the King in any kind" I in the weeks following his return from Newmarket. This was not absolutely technically correct since James had told Rochester on the 28th that he thought he had satisfied the Bishops. II

Events now followed in such confusion and rapidity that it is not easy to disentangle all the main threads. Reresby speaks of the King making great preparations and

I. H.M.C.R. XI, 5, p.146.
levies for his army in mid-October.\(^I\) Sunderland had been behind the conciliatory measures taken since early September and had thereby aroused the violent hostility of the ultra-Catholic cabal. The influence of the latter on James revived again by the third week in October when Louis was sending offers of assistance, and Dartmouth was making encouraging reports about the state of the navy.\(^II\) On the 25th the King had news that the Dutch fleet had been dispersed by a tempest, and Father Petre's influence grew so strong that James decided to dismiss Sunderland immediately.\(^III\) An extraordinary Council had been summoned on the 22nd and the members were compelled to listen to depositions concerning the legitimacy of the Prince of Wales. All peers in town were asked to attend this whether Privy Councillors or not.\(^IV\) In short James was wavering back to the ultra-Catholics again and his policy in the last weeks of October was utterly useless to all except his enemies. Clarendon and the other High Tory

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I. Reresby, p.409.

II. See Feiling, p. 130.

III. Sunderland says in his Letter to a Friend (Sidney Diary II, p.378) that he was dismissed on October 29th. Clarendon heard he was dismissed on the 26th. See Clar. Corr. II, p.197. See also Reresby, p.409.

peers knew so little of the King's intentions that, like Halifax and Nottingham, they had been quite in the dark as to what their council summons of the 22nd portended. I

On October 31st, a few days before Orange actually landed, his Declaration ridiculing the Prince of Wales' legitimacy, and declaring that his invasion was at the invitation of the Lords Spiritual as well as Temporal, had come into the King's hands. II He knew already that Shrewsbury, Sidney and Wiltshire had deserted, and he resolved to test the Bishops at once to find out where he stood. The departure of the prelates to their dioceses three weeks before now proved a serious inconvenience when he wanted to resume the conferences at the beginning of November. III

On November 2nd he managed to collect Sancroft, Compton and the hitherto complaisant Bishops of Rochester, Durham, Chester and St. Davids. He showed them Orange's manifesto and asked them to make a public declaration, as soon as possible, expressing their abhorrence of the


II. It was circulating in London the next day.

III. For details of these conferences, see Appendix. Clar. Corr. II, pp. 493-504.
expedition. Though he said twice that they would do well in this document to express their dislike of the Prince's design neither the Archbishop nor the others "as far as is remembered, returned one word." Compton was obliged to prevaricate since he had already burned his boats. Sprat of Rochester did not want to commit himself either way, and both wanted to prevent Sancroft and White from signing any abhorrence although as true blue High Churchmen they wished to do so. Turner and the rest of the Bishops had not yet arrived in London. An immediate declaration of abhorrence by the Bishops before William landed, might however have had an important effect. The King next turned to the laymen of the Church party, showing Orange's declaration in turn both to Rochester and Clarendon, and expressing himself satisfied that none of the nobility save those who had gone to Holland were implicated in the invitation.

Rochester now took a much more active part in the discussions among the prelates and peers. He dined at Lambeth on the 3rd when the Bishops of Chester and St.

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Davids arrived on behalf of the King to confer again with Sancroft about the proposed declaration of abhorrence. They were joined by the Bishops of London and Rochester who discussed what was to be the next step. "The result was to see what other Bishops were about the town, and to meet again on Monday" —two days later. On the intervening Sunday Rochester saw the King who apparently tried to get him to use his influence with Sancroft. Rochester's account to James of the bishops' dinner on the Saturday evening may have made James suspicious that he was on their side, for he finally sent Preston instead to Sancroft, to urge that the declaration be prepared. Rochester did his best by writing to Sancroft after his interview with James, and his letter on the whole, though striving to be impartial in tone, speaks for the King. He told Sancroft that James had found him "very backward and slow in it," and that he had complained very much — "That it was two or three days since the last time he spoke to you and that yet he heard not from you.... he added that Your Grace had said to him if his Majesty expected anything in


II. Ibid.
"He asked my brother if he never went to the Archbishop, who answered that he dined there yesterday."

III. Ibid. Nov. 4th.
writing by way of dislike, that you wished he would summon all the bishops — but his Majesty added, that that would be a worke of time — and that it was necessary for him to have something speedily; this is as near as I can repeat it, the effect of what ye King said to me, which I thought fit to acquaint Your Grace with."I

On Monday, the day that Orange landed, the Bishops present in town had decided to make no declaration unless "the temporal lords would join with them." Those Bishops who might have been most sympathetic to the King, including Turner, had not yet assembled in London. The next day came the dramatic news that Orange had landed at Brixham the day before, while the Bishops were still arguing with the King. Their final reply to him was "that as Bishops we did assist his Majesty with our prayers; as Peers, we entreated we might serve him in conjunction with the rest of the Peers, either by his Majesty's speedy calling a Parliament or, if that should be thought too long, by assembling together with as many of the temporal Peers as were about the town."III The King would not listen


See also App. pp. 501-502.

to this and dismissed the Bishops.

Rochester and Clarendon conferred with the Bishops of St. Asaph and Peterborough on the 8th to discuss the possibility of framing an Address to the King from the Lords Spiritual and Temporal "for the calling a Parliament, to prevent the shedding of blood." The two bishops carried this suggestion to Sancroft "who extremely approved" and they therefore proceeded to canvass Halifax and other peers. Meanwhile Turner had arrived in London on the 9th and went to Lambeth with Clarendon the next morning - the latter being surprised to meet the Bishop of Durham there who was now professing to be "perfectly come into our sentiments." The Bishop of Peterborough obtained Halifax's approval of a joint address, and on the 11th Clarendon next visited Halifax to discuss the details.

Difficulties now began to appear which had their source in the party history of the last few years. Clarendon was amazed to find that Halifax wanted to discriminate as to which peers should sign the Address. Halifax really

II. Ibid. Nov. 9th. See also Foxcroft II, p.10.
IV. Ibid. Nov. 11th.
intended that Rochester should not sign, which was particularly mortifying to Clarendon as the two brothers had agitated strongly for the calling of a free Parliament in the last few days, and had been negotiating with the Bishops to achieve this end.

The Bishops of St. Asaph and Peterborough drew up a draft, and were asked by Halifax to "get hands to it; and that then he would sign it." I He intended evidently to scrutinise the names before he himself signed. II This still further annoyed Clarendon who had moreover not been consulted regarding the draft. He pressed for a general meeting of all peers in town to agree on a draft which everyone should sign. Halifax continued to be difficult and refused to have this meeting at his house. III When Clarendon persisted and suggested a meeting at Westminster Hall Halifax then said he was "very indifferent whether any petition was delivered or not"; and that if it were not sent immediately he would not join in it. Finally he gave his real reason - that he would not join with any who had sat in the Ecclesiastical Commission." "I have no

II. See Foxcroft II, p.11.
exceptions to my Lord Rochester, but he has sat in that court." To this decision he firmly adhered in spite of Clarendon's protests. His known jealousy of Rochester was really a useful pretext to prevent him from signing a petition, which he, like Nottingham and some others, did not really want to succeed, since they were already committed to Orange.

The final petition, drafted by Turner, Lloyd and White on the 14th, and presented to James on the evening of the 16th, was therefore a genuinely high Church Tory address, since it was signed only by Canterbury, Exeter, St. Asaph, Ely, Rochester and Peterborough of the clergy; and twelve of the right wing Tory peers headed by Rochester and Clarendon. The signatures of Halifax, Nottingham, Falconbridge, Weymouth and Derby were conspicuous by their absence. Newport and Paget signed however, in spite of Nottingham's prognostications. This high church group of signatories may be collectively called the "Lambeth party" henceforward. Their advice to James was sound: to negotiate with William and to summon a Parliament immediately. Their address

I. Copy of the Petition in Tanner Mss. 28, f. 249.

II. Ibid.

III. See infra p. 507 and note II.

IV. Tanner Mss. 28, f. 249.
did not express great hostility towards Orange who had so far only vouchsafed to save English liberty and religion which James threatened. What the Lambeth Party wanted was a Parliament before matters grew worse and blood was shed. William should be kept inactive by negotiation. Already valuable time had been wasted over the presentation of this advice through Halifax's obduracy.

Meanwhile the Prince had to wait patiently at Exeter from the 8th to the 21st while the country gentlemen were hesitating to come in to him. He hoped, and was not disappointed, that events would drive them gradually towards him. In this interval concerted action by all the Peers could have achieved much. Nottingham's letter to Francis Green during this time, which demonstrates the rift between the moderate peers and the Lambeth party, states that the former group would not sign because they were afraid Orange would suspect a Court trick and would thereafter distrust Halifax, especially as it was against the actions of such men as Rochester, if not their persons, that Orange had published his own declaration. This letter indicates the reception that Rochester might expect from

I. Foxcroft II, p.9.

the Orangists if they ultimately prevailed. Nottingham also declared that the Address was invalidated by being so long delayed, since the defections had already begun. (As a matter of fact, Clarendon's son Cornbury had gone over with his troop of horse to Orange the day that Nottingham wrote this.) What Nottingham fails to admit in his letter is that his group's obstructiveness had caused the delay.

The Address did not please the King who replied abruptly on reading it: "yt ye Bps had better pray and preach for him and ye Temporal Lords appear with swords in their hands than peticon." Reports of defections to Orange in the South West were being received hourly and the King was becoming seriously alarmed. He did not improve matters by going down to Salisbury on the 17th to rally his army. The despatch of the Prince of Wales to Portsmouth naturally caused the circulation of the wildest rumours. The Queen told Rochester on the 18th that she was very displeased with both him and his brother for

III. Ibid. p.103.
IV. See Reresby, p.421.
signing the Address, and Rochester then followed the King down to Salisbury, which seems to imply that he wanted to make his peace with James. Clarendon remained in town in daily conference with the Bishops. By the 24th James, suffering from excessive nose bleeding, had decided to return to London "and the army was ordered to march back." The defections in the South were now becoming a rout. Churchill deserted James while at Salisbury. James supped on the evening of the 24th at Andover with Ormond and Prince George who went over that night to the Prince, together with the heirs of Burlington and Queensbery. The following day Churchill's wife escorted the Princess Anne from Whitehall up to Nottingham. Events were also moving faster in the Midlands where Devonshire was turning the listless indecision of the King to the profit of Orange. Danby was raising the Northern counties and had seized York.

Yet when James reached London again on the 26th, he

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III. Reresby, p. 419.
had no further policy than to summon at long last a
Conference of all the peers in town. About forty of them
assembled at Whitehall on the 27th. James referred to the
Lambeth address as the origin of his summons, and intimated
his willingness to re-issue writs for a Parliament, saying
he had found this to be the general desire on his journey
through Wiltshire. It might be speculated as to whether
Rochester had done anything to influence the King while
they were both at Salisbury, but there is no evidence of
this in James' memoirs or in Clarendon's diary. After the
King's opening speech there was silence for a time, and
then Oxford suggested that those who had signed the
petition should speak first. II Rochester, who had come
back from Salisbury on the same day as the King, then
rose and "spake in justification of the petition, and
for the calling of a Parliament, as the only remedy in
our present circumstances: whether it would have the
desired effect no man could tell, but he thought there
was no other means left to compose matters." III Clarendon,
in his account adds that he thought that Rochester "mentioned

I. Clar. Corr. II. Nov. 27th. Reresby says fifty,
II. Ibid. Diary Nov. 27th.
III. Ibid.
the sending to the Prince of Orange." Jeffreys, Godolphin and others followed in much the same strain, but Clarendon spoke "like a pedagogue to a pupil," I with "indiscreet and seditious railings;" as they were afterwards termed in James's Memoirs, "so that nobody wondered at his going a day or two after to meet the Prince of Orange." II Clarendon in his diary states that he moved that commissioners be sent to Orange "in order to a treaty." III Halifax spoke with great smoothness against the practicability of a Parliament but advocated negotiation with Orange, and was supported in this by Nottingham. Various concessions were prepared by the left wing Tories as tactful preliminaries to these negotiations such as an indemnity for those who were with Orange, and the expulsion of all Catholics from civil and military offices. IV The King finally said that he would call a Parliament, but that he must take time to think over their other recommendations, because they were "of such great importance." V He professed to excuse the freedom the Lords used in their discussion but he certainly

I. Ailesbury, p. 193.
IV. Ibid. p. 211. See also Foxcroft II, pp. 15-16.
V. Ibid.
did not forgive Clarendon. Halifax's "tender and obliging manner" was by contrast all the more noticeable. The Lords' Conference revealed a deep rift between the high church and the moderate Tories. Rochester's speech expressed the opinion of the more conservative and legal-minded element amongst the Anglicans who might indeed have demanded much more. Jeffreys and Godolphin had spoken in the same strain, but Halifax and Nottingham had outlined much more definite concessions as an essential preliminary to a Parliament. Perhaps because of his rage at Clarendon's strictures the King appeared in the next day or two to yield to the demands of the latter group, rather than to take the advice of the former. Writs were ordered on the next day for a Parliament to meet on January 15th; a general amnesty was issued, and the King began half-hearted negotiations with Orange appointing Commissioners to treat with him. Foxcroft declares that this was insincere from the start and that James had already determined on flight, and was now merely trying to gain time. III

I. See Diary, Nov. 29th. II, p.211.

II. See Foxcroft, II, p.15.

III. See Foxcroft, II, p.16, especially note 5. See also Barillon in Masure III, p.219, cited on p.212. cf. Clarendon Correspondence.
The nomination of the Commissioners was important. There was a rumour that Turner of Ely would be chosen, but the choice was made of three left wing Tories, Halifax, Godolphin and Nottingham. The whole negotiation seems therefore abortive since Halifax was already in touch with the Orangists and could not have desired to be the author of a successful compromise.

It was moreover especially galling to Rochester, a relation of both James and the Prince of Orange and the friend of the Bishops, who moreover had never yet opposed James, that he was passed over for this appointment. The choice of Rochester for a Commissioner should have been an obvious one, and it can only be explained either by James's deep annoyance with Clarendon's attitude at the Peers meeting, or possibly by the old jealousy of Rochester's secret connection with Orange through his niece, which Barillon and Sunderland had instilled frequently in the past. In the opinion of Ranke the Lambeth party had inspired James, in the unfruitful conferences of early November, with such distrust of their harsh Protestantism, that he

I. See Emmett. Ely, Chap. IV, Sec. III. According to Miss Foxcroft Rochester was also named at first but Halifax refused to serve with him. See Foxcroft II, p.17. She gives "History of William I" Vol.I, p.257, as evidence that Rochester eventually withdrew his claims to act. (Note 1, p.18, Vol.II.)
preferred to choose men to help him whose political position was in reality much more opposed to his interests. It seems however more satisfactory to accept Miss Foxcroft's view that the negotiation was simply a pretext to gain time, and the choice of Halifax and Godolphin was made as proof of a desire for compromise, which did not really exist at all. Halifax pretended to Clarendon "not to be pleased with the employment." Clarendon now made up his mind to go to Orange at Salisbury. He knew that he had said too much to James on the 27th, and his son's early adherence to Orange had paved his way for him. When he arrived at Orange's quarters on December 3rd he was asked for and gave the Prince a full account of the proceedings at the Peers conference. Orange expressed some surprise on hearing that Halifax and Godolphin had been chosen to treat with him.

Clarendon in deserting the King had not the same reasons to feel humiliated and embittered as had Rochester; for the latter to be passed over in favour of his chief political rival, was more galling than anything he had had to endure from James in the past. At the moment he betrayed far less resentment than Clarendon who made off for Salisbury, but his non-Jacobite attitude in later years,

and even his attitude in the Regency debates of 1689 might well date from that humiliation. One might charitably ascribe Clarendon's defection to distrust of Halifax as a peace negotiator and to an honest desire to judge the chances by arriving before the commissioners. Less charitably, it might be ascribed to an attempt to avert falling between two stools as his brother was in danger of doing. Unlike Rochester he had no personal rift with Orange, and he had now realised how little real influence either of them possessed with James. He is said to have made so many "peevish and peculiar" suggestions to the Prince on his arrival, that he was actually suspected by some as having been sent down as an agent provocateur to raise factions in the Prince's party.

Rochester meanwhile remained in town near the court for the first few days of December. The King busied himself with futile orders: to Faversham to disband the army; and to Dartmouth to proceed with the rest of the fleet to Ireland. He had almost certainly already determined on flight. When William's armistice terms were sent up from the Commissioners on December 1st.

II. Ralph. I. p.1050.
III. See Reresby, p.423. Faversham passed on the King's letter to Orange.
demanding the dismissal of all Catholic officers and officials, and declaring that his troops would hold the Tower, Tilbury and Portsmouth as guarantees, they proved to be the ultimate factor in deciding the King to abandon the government. On the midnight of the day before, the Queen and the Prince of Wales had been despatched to France, and on three o'clock on the morning of December 11th. James left London for Faversham without waiting for the return of the Commissioners, and leaving the government without leader or direction. I Jeffreys attempting to copy this royal example the next day was captured in disguise and placed in the Tower.

Meantime James's action would appear to have been apprehended by the Lambeth Party before it was actually taken. It was Turner of Ely, acting together with Rochester, who took steps to cope with the emergency now created.

"About the 10th of December Turner on his own initiative had gone to the Earl of Rochester and urged the summoning of all the Peers in London in readiness to take over the government, in the event of the King's withdrawal."II Rochester approved his decision and the two went together.

I. "without leaving any orders behind him or directions in the least." Reresby, p.421.

to make up Sancroft's mind for him. Once he was convinced
Turner drew up notes for convening the Peers as "consiliarii
nati" at the Guildhall. Thus when James' flight was known
these preparations were immediately put into execution.
It was fortunate that the peers were ready to meet for the
London mob was looting and burning Catholic chapels and
houses; the wildest rumours were spreading; and only the
firm action of the Peers when they met prevented a reign of
terror in the city. Since Rochester had been one of the
initiators of the meeting, at Sancroft's motion he was
placed in the chair at the first session at the Guildhall on
the eleventh. I The policy of the leading members of the
Lambeth party was to use the peers as a buffer party between
James and William to begin negotiations which would cause
James to modify his romanising policy, and which might
convince Orange of the futility of any attempt on the crown.
But not all the peers present at the Guildhall were there to
save James's Crown. Sancroft, Turner, Canterbury and
Rochester found themselves in a minority. II Ailesbury called
it "a most mixed constitution." III The Commissioners who had
only just returned that afternoon to London were not present

I. Miss Foxcroft says Sancroft was in the chair, but he
causè Rochester to take it instead. Cf. Ailesbury
and Foxcroft.

II. Ailesbury, I, p.197.

III. Ibid.
at this first session and Rochester had behind him "a solid nucleus of non-Orange opinion" in Craven, Aylesbury, Weymouth, Mulgrave, North, Thanet and the bishops. The High Tories were still determined to save James if they could and though Aylesbury's gloomy account of the private jealousies and spites of many present may be true, he is not correct in saying that little was accomplished. Valuable and necessary actions were taken to preserve peace and order. Faversham and Dartmouth were sent directions as to the safety of the army and the navy, and a general declaration of the causes of the meeting of the peers was drawn up for despatch to Orange. Rochester, Weymouth and the Bishops of Ely and Rochester drafted the original more favourably to James than the others would permit. But on the clause concerning James being omitted, it was unanimously signed. It announced to the Prince the Peers readiness to assist in the calling of a free parliament and contained guarded references to Orange's generous intentions for the public good.

I. Feiling, p.240.

II. Signed by the Earls of Rochester, Aylesbury and Weymouth, the two Archbishops and 3 bishops including Turner. See Appendix in Foxcroft to Chap.XI, II, p.57.

III. This is from Halifax's notes of the meeting which he got from either Aylesbury or Weymouth. Foxcroft II, App. to XI, p.57.

IV. Ibid.
This provisional government of peers met again on the 12th, this time with Halifax in the chair, and stringent measures were taken to defend life and property in the city.

When they assembled again on the 13th they received a letter from James saying that he had been forcibly detained at Faversham and the Earl of Faversham was ordered to go down to him on the 14th. This news, and his return to London on the 16th, had the effect of raising some sympathy in the city for the unfortunate King. Halifax seems to have departed for Windsor that day. Clarendon arrived back in London on the 14th and was informed by his brother that the Peers had sent to him as soon as they heard of the King's capture. Clarendon went to the Peers meeting on the 15th and there may have been some hope for a day that the King's return on the 16th would assist matters. A few hotheads like Ailesbury talked wildly of raising Scotland, or of a march on the Midlands. But it needed only a few hours of the King's presence at Whitehall on Sunday the 16th, celebrating Mass, and blaming the lords for all their actions in his absence.

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I. Foxcroft II. App. to XI, p.58.
to demonstrate the utter futility of the Peers attempting to carry on the government as if the King were still its head. Clarendon's succinct entry on the 16th. "I went to Windsor, chiefly to carry my brother," I reveals how suddenly one high Tory at least decided that it was futile.

However strange Rochester's sudden decision may seem after his careful aloofness in the past, it seems certain that he was working whole-heartedly for James right up till this juncture. From the 11th to the 15th he was endeavouring to preserve the navy for the King. On December 13th he wrote begging Dartmouth not to leave the fleet but to await further orders from the Peers. However Dartmouth had been receiving flattering letters from the Prince ever since November 29th and had already accepted the invitation to join his Association on the 12th. III Accordingly he replied on the 15th to Rochester "that for the preservation of home and religion I have with the joint concurrence of the fleet applied my selfe to the Prince of Orange as I finde your Lord and the Peers have done." IV This was a little premature in reference to

IV. Ibid. f.3. Dec. 15.
Rochester. It is not known whether he had received this letter or not, when he himself went down to the Prince on Sunday the 16th.

Rochester's reception by Orange was far from cordial: "he received him very coldly, as I expected," noted Clarendon, "and said little or nothing to him." He deliberately emphasized this coolness by sending repeated invitations to Clarendon to dine with him whilst the former was walking with his brother. "Therefore I looked upon this often sending for me to be done purposely to put a slight upon my brother, with whom, Burnet and others told me, the Prince was much dissatisfied. My brother pressed me to go to the Prince: he had appointed his own coach to be there, and so he went away to New Park." This was Rochester's first foretaste of what his position was to be in the new régime.

To conclude the last days of James' reign. He had returned under escort to London on the 16th, and the following day William discussed with a number of the peers at Windsor what was to be done with him. James had


II. Ibid.

III. Ibid. p.228.
already written to Orange inviting him to St. James's Palace and to bring what forces he pleased to him.\textsuperscript{I} It was decided that he should leave Whitehall and go to Ham House but he sent a message expressing a desire to go to Rochester. On the 18th he was conveyed down the river to Gravesend with a Dutch guard at eleven in the morning, and at four o'clock that afternoon William entered St. James's, and took up his quarters there,\textsuperscript{II} his troops having preceded him the day previous. Clarendon noted in his diary that night that he could not get near the Prince at St. James's Palace, the crowds around him were so great.\textsuperscript{III}

This was the end of a kaleidoscopic chapter, although the King's flight from Rochester on the 23rd had still to round off the coup d'état, and to provide Orange and Halifax with a useful formula in the Convention parliament. Rochester appears to have taken, in the interval before the Convention Parliament met at the end of January, much the same attitude as the rest of the Peers.

All the lords, spiritual and temporal, met together on the 24th of December, continuing their sitting on

\textsuperscript{I} Clar. Corr. II. p.229.
\textsuperscript{III} Ibid.
Christmas Day. Rochester and Clarendon's efforts to get Sancroft to attend however were unsuccessful. Their chief decision was the framing of an address to the Prince to take over the Administration. This was signed by all the peers present "nemine contradicente". Clarendon records that Nottingham and Pembroke spoke on this occasion "with great moderation and tenderness towards the King as did several others;" but he does not mention Rochester. The Journal of the Lords' meetings reveals that he was one of the peers ordered to draw up an address of thanks to the Prince's reply on January 2nd.

Before the Convention met Rochester came to Clarendon and told him that Nottingham was "resolved to support the King's cause there," and was anxious that Sancroft should be persuaded to attend, from which slight evidence it may be inferred that Rochester was preparing to co-operate with Nottingham.


The Convention Parliament assembled on January 22nd, and on the 29th, the important debate on a regency began in the Lords with Danby in the chair. Nottingham, Clarendon and Rochester were the chief speakers among the peers in favour of a Regency, and although Nottingham was the leader, Rochester appears to have distinguished himself. According to Dalrymple, he gained "of all others, the greatest honour in the course of these debates." The motion for a regency was lost by only two votes, a sufficient testimony of the strength of the Tory feeling for the monarchy even at this juncture, when it is remembered that Sancroft remained obstinately away, and that Hungerford and Mulgrave and Churchill would not vote. Moreover in the debate on the 31st on the motion sent up by the Commons "that the throne is thereby vacant," the Tories secured a negative by 55 votes to 41. (Thirty-two peers of the right wing group entered their Dissent to this negative.)

IV. Ibid. p.278.
Finally after long discussion and conference with the persistent Commons the left wing Tories reinforced by 'the malicious party', I won the day, and it was resolved in the affirmative that the word 'abdicated', insisted on by the Commons, should be accepted with the consequent following declaration that "the throne is thereby vacant." II Halifax "drove" for this vote, and in spite of Nottingham who "substantially" answered him, III it was carried by 62 votes to 47. It was now the turn of the High Churchmen to enter their dissent, which they did to the number of thirty-eight. IV There was no division on the vote that the Prince and Princess of Orange should be invited to fill the vacancy. V Clarendon notes in his diary that all the backwoodsmen peers had been dragged out to come and vote for the new dynasty, and also mentions that several high churchmen such as Chesterfield, Weymouth, Ferrers, Hatton and others stayed away from the Upper House that day. VI The names of the thirty-eight dissenters appended

IV. Rawl. Mss. A. 163. f.73.
VI. Ibid.
below is a useful list of those who comprised the high Tory party which was now going out into the wilderness.\textsuperscript{I}

Nottingham, resigned to defeat, moved on February 6th that new oaths of allegiance and supremacy should be drawn up since many peers would not want to use the old forms, which suggestion was carried out by the 16th.\textsuperscript{II}

It is interesting to note that Rochester was among the first large group of peers (75 in number) to take the new oaths on March 2nd;\textsuperscript{III} in contrast to his brother Clarendon, who had now decided to return to his old notions of loyalty.\textsuperscript{IV} Rochester had decided to acquiesce and he told Clarendon in mid-February that although Queen Mary had refused to see him, yet he had kissed "the new king's hand, who received him civilly."\textsuperscript{V}

The Spencer House Journals containing Halifax's

\begin{itemize}
  \item[III.] Ibid. f.150.
  \item[V.] Ibid. p.264. Feb. 16th.
\end{itemize}
account of his private conversations with William during 1689, show that there was little likelihood of Rochester's receiving more than outward civility from his new rulers. Halifax shrewdly observed of William that "his dislikes were like some slow poisons which work at a great distance of time." I The new King thought Nottingham was an honest man, and would have been glad not to see him championing the cause of Regency, but "for Ld Clarendon and Rochester, they were Knaves." II Even Halifax admitted that "this was speaking very broad." This vindictiveness continued for some months. III But as time went on, and he appeared to be sincere in accepting the new order, Mary who had at first deliberately slighted him IV became gradually reconciled. No doubt he forswore his brother's discontented Jacobitism in his anxiety to retain his good pension. V As the uncle of Queen Mary, and the next Queen, Anne, he was to have a certain respectability, and he was still the figure head leader of the now disintegrating

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II. Ibid.


V. See Add. Mss. 15,552, f.18. Rochester to Sidney, July 1689.
High Church party in the Upper House. He held the office of Lord Lieutenant of Ireland from 1701 to 1703, but his political power was finished.

Rochester had therefore fallen completely between two stools. The long-established leader of the Anglican party - he could not even enjoy the merit of having saved the Church of England - this was reserved for Nottingham.

The Court Tory, former defender of real prerogative and servant of royal despotism, dwindled into undistinguished neutrality. His fate in 1689 is the epitome of the fate of the High Church Tories as a party. Their estrangement from James had caused the crisis which brought William over and to which James succumbed. But "what can the most loyal and dutiful body in the world do without a head," as Rochester enquired despairingly of Dartmouth after the King's final flight. Deprived of its head, the king by right divine, the real High Church Tory party ceased to have a reason for existence after December 1688, although it lingered on in country backwaters, in non-jurors' conclaves and Jacobite intrigues, until its final dissolution in 1715.

GENERAL APPENDIX.

Note on S.W. Singer's edition of the original Hyde Correspondence in the British Museum - Add. Mss. 15,892 to 15,898.

A careful comparison of Singer's edition, more than a hundred years old, of the original correspondence, shews that this edition is valuable and exhaustive as regards all the important political and social material contained in the manuscripts. The two volumes of printed correspondence are not arranged logically from either a subject or chronological point of view. The letters are interpolated by the editor's explanatory notes and comments in which he quotes well-known authorities such as Burnet, Evelyn, Mackintosh, Dalrymple and others, without specific reference.

Occasionally a first paragraph, or a few lines referring to business matters, are omitted in a letter of political interest. One or two letters from Henry Coventry, Henry Saville and the Prince of Orange in Add. Mss. 15,892 and 15,893 are omitted, and various extracts from newsletters, but these are generally of purely corroborative interest and contain no new material.

Scarcely any of the financial statements, accounts and memoranda, or copies of official grants, contained
in Add. Mss. 15,894, 15,895, 15,896 and 15,898 are printed by Singer, although some of these accounts are more interesting than those lists he has selected for publication.

There is some interesting miscellaneous information in the manuscripts which might be of interest for a social or financial study of the period, but for a study of Laurence Hyde's political career the Singer edition is sufficiently exhaustive.
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   4) Diaries, Memoirs, Autobiographies and Biographies.
   5) Newspapers, Pamphlets, Tracts, Ballads, Satires.
   6) Contemporary History.

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